

Board of County Commissioners of Lincoln County
Agenda for August 1, 2016

11:00 Call to order and Pledge of Allegiance

1. Executive Session pursuant to C.R.S. §24-6-402(4)(f)(I) for personnel matters

The Board of Lincoln County Commissioners met for a special meeting at 11:00 a.m. on August 1, 2016. The following attended: Chairman Greg King, Commissioners Doug Stone and Ed Schiffers, County Administrator Gary Ensign, County Attorney Stan Kimble, and acting Clerk to the Board Mindy Dutro. Clerk to the Board Corinne M. Lengel was absent and excused.

Chairman King called the meeting to order and asked Mr. Kimble to lead the Pledge of Allegiance.

Landfill Manager Mick Jaques met with the Board regarding personnel matters the commissioners wanted to discuss with him. Mr. Kimble told Mr. Jaques that it was his option to have the meeting closed to the public, but Mr. Jaques said he has nothing to hide and agreed to leave the meeting open. Mr. Kimble spoke with the Board about the good work that Mr. Jaques does managing the landfill; however, recently there have been concerns regarding the use of alcohol while on the job. Lincoln County has a strict no alcohol policy and the county's insurance reiterates that policy. Mr. Kimble stated that it includes not only being intoxicated on the job but any use of alcohol while on the job.

Mr. King made it clear that they were not accusing Mr. Jaques of anything but that they wanted to make him aware of the allegations and speak with him directly about them. Mr. Jaques spoke of recent stresses in his personal life that he's been faced with that have led him to drink in his personal time, but he has never drunk on the job, nor has he had alcohol in his vehicle while at work. He added that if the Board wanted him to he is willing to take a test to prove himself. Mr. Kimble asked Mr. Jaques if what he does on his free time has ever impaired him at work. He added that throughout all of his legal training he has learned that alcohol stays in a person's system for several hours. Mr. Jaques stated that he has never consumed alcohol in the morning before coming to work in the sixteen years he has worked at the landfill.

Mr. Kimble told the Board that local towns have policies that require certain employees to complete drug and alcohol testing over a period of time, and since Mr. Jaques is responsible for driving a county vehicle and operating heavy equipment, the commissioners would have to decide if that is what they want to do with him. Again, Mr. Jaques stated that he is more than willing to do random tests for as long as they want, and that he just wants to clear his name. Mr. Kimble stated that it would be to Mr. Jaques' benefit in the long run to do the random testing. The Board agreed that it would give Mr. Jaques a chance to prove himself.

Mr. Ensign then called the sheriff's office to speak with Sheriff Tom Nestor to ask if his office would be willing to administer a breathalyzer test to Mr. Jaques at random times. The sheriff was out of the office but Mr. Ensign spoke with Undersheriff Gordon Nall, who stated that it is county policy already that employees are subject to random drug and alcohol testing so there would be no problem with issuing the test. The undersheriff also mentioned that he would prefer the testing be done at the sheriff's office. Mr. Ensign agreed and explained that he would randomly call Mr. Jaques to come and complete a test at the sheriff's office. He will have thirty minutes to appear and Mr. Ensign will contact the sheriff's office to let them know that Mr. Jaques is headed in for a test. Mr. King asked Undersheriff Nall if there would always be

someone available to administer the test and was told there would be. Mr. Ensign asked if this is a very expensive test to administer but the undersheriff said it is actually inexpensive.

After the Board disconnected the call, Mr. King stated they needed to determine the frequency of the testing. He suggested twice a week for a month and then randomly after that; excluding the days that Mr. Jaques has off: Sunday and Monday. The Board discussed how the Road & Bridge crews are subject to random drug and alcohol testing and that Mr. Jaques could be put into the pool with them as well. Mr. Ensign stated that he would call the Hugo shop secretary about putting not only Mr. Jaques but any other landfill employees that run the equipment, into the pool with the Road & Bridge workers. The Board agreed that Mr. Jaques could use the county vehicle to come to the sheriff's office when he is called for his test.

The Board all agreed that it is important to make it right with Mr. Jaques to clear his name. Mr. Jaques stated that if any of them ever has any questions or concerns with him to give him a call anytime.

With no further business to come before the Board, the meeting was adjourned until 9:00 a.m. on August 5, 2016.

Mindy Dutro, acting Clerk to the Board

Greg King, Chairman