

Board of County Commissioners of Lincoln County
Agenda for August 31, 2016

9:00 Call to order and Pledge of Allegiance

9:00 Roxie Devers, Roundhouse Project Coordinator, to discuss the Transportation Alternatives Program Grant request and other roundhouse matters

9:30 Ronny R. Farmer, Lincoln County Auditor, to discuss the 2015 annual audit by conference call

10:00 Patricia Phillips, Human Services Director, to present the Department of Human Services monthly report

11:00 Sue Kelly, Public Health Director, to present the agency's August, 2016, report and also to present the work plan for the agency's Community Assessment

1. Approve the minutes from the August 30, 2016, meeting
2. Discuss rescheduling the September 7, 2016, meeting of the Board of County Commissioners
3. Discuss a Cost of Living Allowance for inclusion in the 2017 proposed budgets
4. County Commissioner reports
5. County Attorney's report
6. County Administrator's report
7. Old business
8. New business
9. Approve additional expense vouchers if necessary

The Board of Lincoln County Commissioners met at 9:00 a.m. on August 31, 2016. The following attended: Chairman Greg King, Commissioners Doug Stone and Ed Schifferns, 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 led the Pledge of Allegiance.

Mr. Stone then made a motion to approve the minutes from the meeting held on August 18, 2016, as submitted. Mr. Schifferns seconded the motion, which carried unanimously.

Mr. King asked the Board if they wanted to reschedule the September 7, 2016, meeting since he would be absent for jury duty. The Board decided that they would keep the meeting as set.

Mr. Ensign asked the Board if they wanted to give the employees a cost of living raise for the 2017 year. He informed the Board that the health insurance premium is going up at the end of 2016, stating he wasn't sure of the exact amount but thought it would be approximately 6%. Mr. King said he felt that it was hard to agree with a cost of living raise when they didn't know how much the health insurance increase would affect the budget. Mr. Ensign said that he has always believed in taking care of your employees so he felt they should give the employees a one-step increase. Mr. Stone agreed with Mr. Ensign and stated that they should budget for a one-step raise and if the budget allows, they can change it to a two-step cost of living raise. Mr. King agreed with Mr. Stone. Mr. Schifferns said he thought that they should take care of their employees and should cut back somewhere else in the budget if needed. Mr. Ensign said he would tell the department heads what the Board decided.

Mr. King called for commissioner reports, and Mr. Stone reported checking roads northwest of Karval on August 21. He attended the transportation meeting in Akron on August 22, where they discussed the possibility of making highway 71 north out of Limon a "super two" and he participated in the interviews for the Land Use Administrator on August 23. On August 25, he checked roads again and on August 30, his road crew hauled sand from the Brewer pit to County Road 29 and packed the road since it is a bus route.

Mr. Schifferns reported that he over saw his road crew chipping about a mile and a half of County Road 109 on August 18, and he also went to the transportation meeting on August 22 and took part in the interviews for the Land Use Administrator on August 23. He attended the hospital board meeting on August 25 and checked roads on August 26. Mr. Schifferns stated the landfill had a two inch flash flood on August 27, and on August 29 his district road crew replaced a culvert by Kevin Saffer's house. He also said that he attended the movie at the Limon theatre that The Eastern Colorado Bank sponsored during the weekend of the car show. There was a good turnout for it and Mr. Schifferns said that everyone was very thankful that ECB sponsored it.

Mr. King reported that he attended the transportation meeting with the other commissioners in Akron on August 22 and the interviews on August 23. On August 30, he went to the Genoa shop to sign the paperwork to purchase the new John Deere maintainer. He also spoke with the company about purchasing a skid-steer that the shop could use and possibly share with the landfill.

Mr. Ensign asked the Board if they were all planning on going to the health insurance meeting in Denver on September 15, as well as to the Eastern District region meeting on September 16, and they all said they would attend the latter meeting. Mr. King will not attend the health pool meeting.

The Board held a conference call with Lincoln County Auditor Ronny R. Farmer to discuss the audited financial statements for the year ending December 31, 2015. He explained his report that was given to the Board, including each department's financial standing, and stated that overall Lincoln County is in good financial shape. The county had a \$1.7 million modified accrual basis profit, which includes a strong fund balance. He mentioned that the clerk's office employees and Human Services accountant have done a good job with the updated accounting procedures and that they continue to make changes so that their accounting is more accurate with the treasurer's office accounting. Overall, Mr. Farmer stated that the county is in great financial shape. Mr. Schiffers told Mr. Farmer that he appreciated the report that he had put together because it helped him understand the audit better.

Human Services Director Patricia Phillips met with the Board at 10:00 a.m. to give her monthly report. The Board asked her about the trip to California that one of the case workers took. Ms. Phillips stated that it was a home inspection for a parent that was considered a "no fault" parent, meaning they were not responsible for the child at the time Human Services got involved. Ms. Phillips said that her department didn't feel comfortable sending the child to live with this parent without doing a home inspection first. The Board asked her if they would need to take any more trips to California once the child is in this parent's home and Ms. Phillips said that her department's involvement would end as soon as the parent took custody.

Mr. King also asked Ms. Phillips about the vehicle detailing that her department had done, asking why they didn't do it at the sheriff's office. Ms. Phillips stated that they were not happy with the quality of work that the inmates had done the last time on their department vehicles, so they decided to have someone else do it and try to maintain the detailing. Mr. King told her that the Board would like her department to have it done at the sheriff's office and if they aren't happy about it, they should speak with the sheriff about it.

The Board then reviewed the Department of Human Services financial reports, timesheets, and income maintenance, child welfare, and director's reports. Ms. Phillips also asked the Board if it would be okay if she kept the department's two interns on staff through December as they are invaluable to her department right now. Mr. King asked if they had the money to keep them hired through December and Ms. Phillips said that they are funded by CORE funds, so it would not affect the county funds.

Ms. Phillips told the Board her department has a van that is going to be no longer of use and wanted to know if it would be okay to give it to a family in need. Mr. Ensign asked her if they would replace the van and if they needed to keep six vehicles. Ms. Phillips stated that she would probably not replace it but if the Chrysler 200 the department owns continues to give them trouble, she will be trading it as well as replacing the other van that the department has within the 2017 year.

Ms. Kelly gave her August report and told the commissioners that CDPHE has made an additional \$3,000.00 available to them for public education and other activities related to the Zika virus. She also asked the Board to approve the Lincoln County Department of Public Health Statement of Work. Mr.

Stone made a motion to approve the report, Mr. Schifferns seconded the motion, and it carried unanimously. Ms. Kelly also stated that since her office would be taking over the OEM job, she wanted to know if the Board thought it was a good idea to have Kevin Kuretich, Colorado's northeast region field manager for the Division of Homeland Security and Emergency Management, come to a Board meeting and discuss what the OEM job entails.

John Dewitt, Land Use Administrator/OEM, joined the meeting at 10:20 a.m. and told the Board that most weeks he spends 10-15 hours doing OEM job duties, but also some weeks it is over 40 hours. Ms. Kelly asked the Board to consider adding a step on the full time 35 hour per week pay schedule between Step 4 and Step 5, stating that there is a bigger gap from Step 4 to Step 5 than anywhere else on the pay scale. Ms. Kelly stated that if her employee took over the OEM position he would need a pay increase and she felt that adding a step would be the necessary solution for the new job duties. Mr. Ensign asked Ms. Kelly why she couldn't move his salary up a step or two on level 4, where he is now. Ms. Kelly informed the Board that the new duties would really make his job a whole new position and inserting a new level wouldn't affect all the other levels, it would only be a name change to the level. Mr. King told Ms. Kelly that she needs to write up the proposed new level so that they could make an official decision.

Ms. Kelly stated that her employee would have to give up some of his current job duties but if the OEM position ends up being more hours than her employee could work in, then the Board might just want to advertise for a part-time position. Ms. Kelly also told the Board that she would have to budget for the new position for the salary as well as expenses. Mr. Dewitt stated that as long as you maintain the grant for it, it will match up to 50% of the expenses.

Mr. Ensign said that he is concerned with the amount of hours that it will add to the employee's schedule when he already works a full 35 hour week. Ms. Kelly told him that his schedule fluctuates and he will just have to make time for it. Mr. Dewitt told the Board that he ends up doing a lot of the OEM job duties on his personal time. Mr. Schifferns stated that it sounded like Ms. Kelly's employee would have a crowded schedule if he adds the OEM duties. Ms. Kelly said that she thought that having Mr. Kuretich come speak to the Board could help them understand the time spent on the job and stated that he knows both big counties and small counties.

Mr. Ensign asked the Board if they thought having Mr. Kuretich come to the September 19 meeting would be a good idea. They all agreed and Mr. Dewitt said that he would get in touch with him and see if that would work. Ms. Kelly mentioned that the OEM position is not a mandatory position for the county and the county can use a state or regional person, if needed, but they wouldn't know the area like a local employee does.

After Ms. Kelly left the meeting, Mr. Kimble gave his county attorney's report. He informed the Board that they can make an ordinance that prohibits political and other signs being placed in the county rights-of-way on roads, but what he found that most counties do doesn't apply to Lincoln County since many are regarding billboards or other advertisements. Mr. King stated that he is against a county ordinance prohibiting signs in the county right-of-way and Mr. Schifferns agreed. Mr. Stone asked Mr. Kimble who would be responsible if there were an accident because of the signs and Mr. Kimble stated that is where the county could run into trouble. He also added that allowing political signs may possibly become a gateway for other types of signs that the county would not want in the rights-of-way. Mr.

Ensign stated that the issue had been brought up because of political signs being in the way of county mowing operations; he didn't feel that it was the road crew's responsibility to have to get out and move the signs, mow, and then put them back.

Also, Mr. Kimble reported that he'd sent the letter to the county employee in violation of the personnel policy at the commissioners' request and had received a call back from the employee who said he had not been campaigning on county time as reported.

Next, Mr. Kimble said that he sent the updated permit to Viaero and wanted to know what the Board would do if a landowner says they were not notified, as required in the new permit, stating that recording the notifications was not required. Mr. Kimble said that all they can do is leave it in good faith and possibly require them to send the notification to the landowner by certified mail. Mr. Schiffers stated that he agreed that they should have to send it certified so that they can prove that the landowner had been notified, even if they don't agree. Mr. King and Mr. Stone agreed.

Mr. Kimble told the Board that he had also sent the updated permit to Nighthawk Production, LLC, and Senior Landman Ryan Sullivan contacted him and stated he had forwarded it to their attorney for review. Next, Mr. Kimble brought to the Board's attention that a few of the members on the Land Use Board might have a conflict of interest for the new wind farm, and also the transmission line projects scheduled for hearing with the Land Use Board in September. Mr. Kimble stated that the commissioners can't tell them what to do but the Land Use Board members affected will have to decide if they can be impartial or not.

Lastly, Mr. Kimble discussed with the Board the possibility of having a Marijuana Ordinance that limits the number of plants allowed at one dwelling for private use. He stated that Lincoln County Sheriff Tom Nestor has spoken with him about having the zoning ordinance because his office needs something to go from in case the issue comes up. Mr. Kimble also told the Board that Douglas County's ordinance limits the number of plants for private use allowed to 12 per dwelling.

The commissioners approved a few additional expense vouchers for the month of August 2016 and then, with no further business to come before the Board, the meeting was adjourned until 9:00 a.m. on September 7, 2016.

Mindy Dutro, Acting Clerk to the Board

Greg King, Chairman