

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

9:00 Call to order and Pledge of Allegiance

9:00 Chris Monks, County Shop Foreman and District 1 Road Foreman, to discuss the purchase of a replacement road packer

9:30 Sue Kelly, Public Health Director, to recommend a step promotion for an employee, discuss the County Office of Emergency Management and other county public health matters

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

1. Approve the minutes from the October 28, 2016, meeting
2. Review and act upon a requested letter of support for Colorado Opportunity Scholarship Initiative funds
3. Review and act upon a requested letter of support from Pro 15 for a grant request for funding from the Colorado Department of Public Health and Environment for a regional study regarding existing and potential waste diversion activities
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 October 31, 2016. The following attended: Chairman Greg King, Commissioner Doug Stone, County Administrator Gary Ensign, County Attorney Stan Kimble, and Clerk to the Board Corinne M. Lengel. Commissioner Ed Schifferns was absent and excused.

Chairman King called the meeting to order and led the Pledge of Allegiance.

County Shop and District One Road Foreman Chris Monks met with the Board to discuss the purchase of a replacement road packer. He had called numerous companies including CAT, MacDonald Equipment, Titan Machinery, Power Motive, and H&E Equipment but most of them were unable to give him much help. He did obtain information from CAT and MacDonald Equipment, which he provided to the Board. CAT had a 2001 packer with 1,100 hours on it for approximately \$50,000. Chris said that MacDonald has a 2012 Rosco Tru-Pac 915 roller with 130 hours on it for \$47,950. They will give \$5,000 for the county's used packer. Chris said he would like to go and look at them before making a decision and asked the commissioners what he should do if he thinks one will work. They felt he could go ahead and ask the company to hold it for them and they would formalize the purchase at their next meeting.

Mr. King asked his opinion on the portion of the annex parking lot that needs replaced, and Chris said they could use asphalt if they backfill it with something decent. He added that the problem is that the subgrade is bad.

After Chris left, Mr. Stone made a motion to approve the minutes from the meeting held on October 28, 2016, as submitted. Mr. King seconded the motion, which carried.

The Board reviewed a requested letter of support for Colorado Opportunity Scholarship Initiative funds. Mr. Ensign stated that it is a dollar-for-dollar match grant that Shirelle Bandy with the Limon school is interested in pursuing. Apparently, there were carryover funds from fiscal year 2015-2016 in the amount of \$5,478, making a total of \$9,705 in available funds. Ms. Bandy will coordinate the grant process and the fiscal agent for the grant will be the non-profit organization, Your Community Foundation. Mr. Stone made a motion to sign a letter of support regarding the fiscal year 2016-2017 Colorado Opportunity Scholarship Initiative allocation. Mr. King seconded the motion, which carried.

The Board also reviewed a requested letter of support for Pro 15's grant request to the Colorado Department of Public Health and Environment for a Resources Recycling Economic Opportunity (RREO) grant, which will fund a regional study to identify waste diversion activities in eastern Colorado. A maximum award of \$50,000 would be utilized to fund the study and Mr. Ensign said he assumed it would be spread throughout the northeast/eastern region. Mr. Stone made a motion to sign the letter of support, Mr. King seconded the motion, and it carried unanimously.

At 9:30 a.m., Public Health Director Sue Kelly met with the Board to recommend a step promotion for an employee and to discuss the OEM position and other public health matters.

Ms. Kelly stated that Heike Petersen has done an incredible job and she would like to reward her knowledge and enthusiasm for public health, as well as her outreach to the community and involvement with innovative programs such as the Mental Health Coalition and the developmentally disabled community. Ms. Petersen has also undertaken various administrative duties in Ms. Kelly's absence. She would like to promote Ms. Petersen two steps on the same level, effective November 1, which she understands is acceptable one time per employee according to county policy. Mr. King commented that Ms. Petersen always represents public health well at Resources Unlimited, and Mr. Stone made a motion to allow Ms. Kelly to promote Heike Petersen to Level 5, Step 5 effective November 1, 2016. Mr. King seconded the motion, which carried.

Ms. Kelly asked about the budget process in general, stating that there seemed to have been a bit of confusion regarding her impending retirement. Her reasoning for putting in for a new director in January was because it would have the largest fiscal impact on the budget in case they should find the perfect person for the job. She added that she doesn't plan to retire until they can find a replacement.

Ms. Kelly also asked if any progress has been made on finding a new van for the commissioners since they continue to have problems with theirs. Mr. King said that Chris Monks had brought information in earlier and once they approve something, Public Health will get the commissioners' old van.

Ms. Kelly said she'd heard the commissioners were looking at putting all county employees on a 40-hour work week and wondered if that rumor was true. Mr. Ensign explained to the Board that it probably hinged from the discussion at the department head meeting, adding that there are inequities in the county benefit package due to the varied schedules that different departments have. There is also some issue with the public not knowing county office hours since several departments have different closing times. Mr. Ensign added that the discussion came about because of the OEM position and verified with the commissioners that they wanted the position to be a 40-hour per week job. Mr. King told Ms. Kelly that the plan is to hire a new full-time employee who will split their time between emergency management and the sheriff's office as a communications coordinator. Ms. Kelly asked if that meant they have decided that Richard Johnson will not get the job and reminded the commissioners that at one time there was discussion about splitting the emergency manager and EPR Coordinator duties. She added that she'd spoken with Sheriff Nestor who seemed in agreement that the communication duties could also be included in that person's job duties. Mr. King stated that the emergency manager is under direct supervision of the county commissioners and if the person is housed in Public Health, they will most likely feel that they have two bosses to answer to. Ms. Kelly didn't understand how it would be beneficial to the county to add another full-time position with benefits. Mr. Ensign explained that the twenty hours spent at the sheriff's office would be reimbursed through E911 funds. The other twenty hours of county time would be fifty percent reimbursed through OEM grant funds, leaving the county paying for ten hours per week.

Ms. Kelly asked what the plan was for the interim since it is John DeWitt's last day and the Board told her that the county has options until someone is hired. Although she advocated for Richard Johnson, Mr. King told her the Board had made its decision.

Ms. Kelly asked what the timeline was for the rest of the 2017 budget process, and Mr. Ensign told her the budget would be adopted mid-December. Ms. Kelly said she'd like to know prior to that if her individual department budget was approved. She asked if the Board had announced the fact that they would be looking for an Emergency Manager/Communications Coordinator and if she could inform Mr. Johnson of the decision. Mr. King told her that since they were discussing it in an open meeting where minutes were being taken, she certainly could.

When Ms. Kelly had gone, the group set meeting dates for December prior to Department of Human Services Director Patricia Phillips's arrival for her 10:00 appointment.

Ms. Phillips provided financial reports, employee time sheets, and a copy of the income maintenance, child welfare, and director's reports for October and then asked if the commissioners had any questions. There were no questions regarding the particular reports, but Mr. King asked if there had been any issues with Andy Lorensen dividing his coroner duties and Human Services duties. Ms. Phillips said that so far it hasn't interfered at all.

Lastly, Ms. Phillips stated that a woman from CTSI came to their northeast director's meeting to discuss the new FSLA law for caseworkers that goes into effect in January. They were told that even if caseworkers are paid on call pay, those hours still have to be logged toward their regular weekly hours, which will be paid at time and a half. The employees are allowed to take comp time but it would also be figured at time and a half, and Ms. Phillips said it is hard enough to get them all to take their straight time off. The department has four caseworkers but Ms. Phillips stated that she would need to ask about Robert Kraxberger, as he is a supervisor and has always been exempt in the past. However, she was told that the employee has to have both administrative duties and be paid over \$47,000 annually to qualify as exempt. She added that Mr. Kraxberger doesn't normally have overtime so it may not be much of an issue, but she wants clarification just the same. They will have to really work on using flex time and taking time off.

Ms. Phillips left and Mr. Stone reported attending the special commissioner work session on October 27 with GMS and members of the extension department. John Palmer, LaRay Patton, Steve Burgess, and Gene Vick also attended that meeting. As a result, Dave Frisch with GMS will work up some blueprints and get back to them.

Mr. King reported speaking with people about the laydown yard in Genoa on October 11. He checked roads on October 12 and also spoke with Charles Hoffman about the land use board. On October 24, he attended the commissioner meeting and Invenergy/Xcel hearing. He also reported attending the Economic Development meeting on October 26. They will have a special meeting regarding the Foreign Trade Zone on October 18 and Mr. King added they will start meeting at 6:30 a.m.

Mr. Kimble asked if anyone had spoken with the Board about the damage done to bookmobile books, stating that a water pipe broke at the Limon Municipal Library and ruined approximately \$9,000 worth of books; roughly \$3,000 that belonged to the county bookmobile. Limon Town Clerk Chris Snyder had asked Mr. Kimble if he knew whether or not the town and county had a contract or lease agreement but nothing could be found. Mr. Ensign said he'd also asked Ms. Lengel to search but she hadn't come up with anything either. The group felt it was probably something that should be put in place. Mr. Kimble stated that CIRSA (Colorado Intergovernmental Risk Sharing Agency), which is the insurance pool for municipalities, had asked about the lease agreement when they were notified of the incident. Mr. Ensign said the county could certainly turn it in to the county insurance but that there is typically a \$500 deductible.

Mr. Kimble said he still has not received the \$1,000 check or signed agreement from Nighthawk Production but hopes to have it by the next meeting on November 7. He is also hoping to have a resolution from the wind farm hearing since the applicant generally submits one upon approval. He and Land Use Administrator Jeff Coonts will put the development agreement together, which will include the Road Agreement. Mr. King again reminded Mr. Kimble to make sure that the road use agreement includes a provision for screening rock.

Mr. Kimble reported receiving a copy of the State of Colorado Board of Land Commissioner land contract from Mike Mellott, which are the state requirements as far as landowner agreements.

Mr. King asked what would happen with the Nereo group if Xcel did pay the full two percent sales/use taxes as they had indicated, since Nereo had originally offered less with their first permit application. Now that Nereo will ask for another extension, he was concerned that the county would set a precedent with Xcel and wouldn't be able to give the former a better deal. Mr. Ensign commented that Luis Matheus will meet with the commissioners on November 7 to discuss it. He did tell Mr. Ensign that any expired land leases have been renewed so Nereo does have 100% of its land leases in place.

Mr. King asked about annexation in Genoa, stating that Pat Vice had said the town is looking at annexing the Genoa Tower and possibly the laydown yard property recently acquired by Rocky Mountain Crane Company. Mr. Kimble responded that for a municipality to annex property, one-sixth of the property must touch a town boundary, and no more than three miles can be annexed in any given year. He added that statute requires an annexation impact report if the area to be annexed is greater than ten acres; however, the county could waive that report if the commissioners so choose.

Mr. Ensign had nothing to report and with no further business to come before the Board, the meeting was adjourned until 9:00 a.m. on November 7, 2016.

Corinne M. Lengel, Clerk to the Board

Greg King, Chairman