

Board of County Commissioners of Lincoln County
Agenda for April 25, 2017

9:00 Call to order and Pledge of Allegiance

9:30 Interview an applicant for the position of Lincoln County Land Use Administrator

10:00 Interview an applicant for the position of Lincoln County Land Use Administrator

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11:00 Interview an applicant for the position of Lincoln County Land Use Administrator

1. Approve the minutes from the April 20, 2017, meeting
2. Review and act upon proposed Resolution #944; A Resolution Authorizing The Board Of County Commissioners Of Lincoln County, Colorado, To Approve A Special Event Permit Without Notification To The State Licensing Authority For Its Approval Or Disapproval In Accordance With C.R.S. § 12-48-107(5)
3. Old business
4. New business

The Board of Lincoln County Commissioners met at 9:00 a.m. on April 25, 2017. The following attended: Chairman Doug Stone, Commissioners Ed Schifferns and Steve Burgess, County Administrator Gary Ensign, and Clerk to the Board Corinne M. Lengel. Interim Land Use Administrator John DeWitt attended the interview portion of the meeting.

Chairman Stone called the meeting to order and asked Mr. DeWitt to lead the Pledge of Allegiance.

The group discussed several questions they wanted to ask the Land Use Administrator applicants during their interviews, as well as a starting salary for the position. Since the Board decided to change the position from a 35-hour week job to a 40-hour week job, they agreed that adding it to the pay scale on Level 4 would be the best option. Starting salary will be \$3,178.

There was still time before the first interview, so Mr. Schifferns made a motion to approve the minutes from the meeting held on April 20, 2017, as submitted. Mr. Burgess seconded the motion, which carried unanimously.

After brief discussion, Mr. Burgess made a motion to adopt a resolution authorizing the board of county commissioners to approve a special event permit without notification to the state licensing authority for its approval or disapproval in accordance with 12-48-107 (5) C.R.S. Mr. Schifferns seconded the motion, which carried unanimously.

At a regular meeting of the Board of County Commissioners of Lincoln County, Colorado, held in Hugo, Colorado, on April 25, 2017, there were present;

Douglas D. Stone, Chairman	Present
Ed E. Schifferns, Vice Chairman	Present
Steve Burgess, Commissioner	Present
Stan Kimble, County Attorney	Absent and Excused
Corinne Lengel, Clerk of the Board	Present
Gary Ensign, County Administrator	Present

when the following proceedings, among others, were had and done, to-wit:

Resolution #944: It was moved by Commissioner Burgess and seconded by Commissioner Schifferns to adopt the following resolution:

RESOLUTION NUMBER 944

**THE BOARD OF COUNTY COMMISSIONERS
OF LINCOLN COUNTY, COLORADO**

A RESOLUTION CONCERNING THE ISSUANCE OF SPECIAL EVENT PERMITS BY THE BOARD OF COUNTY COMMISSIONERS OF LINCOLN COUNTY, COLORADO.

WHEREAS, Senate Bill 11-066 became effective August 10, 2011, and amended Article 48 of Title 12 of the Colorado Revised Statutes to allow local licensing authorities to approve an application for a Special Event Permit without notification to the State Licensing Authority for its approval or disapproval subject to the applicable provisions and limitations of Articles 46, 47 and 48 of Title 12; and

WHEREAS, the Board of County Commissioners of Lincoln County, Colorado, has all of the powers of the local licensing authority for Lincoln County as set forth in applicable law; and

WHEREAS, the Board of County Commissioners of Lincoln County, Colorado, has the power to exercise, on behalf of Lincoln County, the discretion provided by Senate Bill 11-066; and

WHEREAS, the Board of County Commissioners of Lincoln County, Colorado, has decided to elect not to notify the State Licensing Authority to obtain the State Licensing Authority's approval or disapproval in accordance with §12-48-107(5), C.R.S. for a Special Event permit, and

WHEREAS, the Board of County Commissioners of Lincoln County, Colorado, wishes to insure that Lincoln County acts in accordance with applicable statutes and regulations in acting upon an application for a Special Event Permit.

NOW, THEREFORE, BE IT RESOLVED:

SECTION 1. **Special Event Permit Authority.** The Board of County Commissioners of Lincoln County, Colorado, acting as the Liquor Licensing Authority, is hereby authorized to approve an application for a Special Event Permit for an event within unincorporated Lincoln County without notification or referral to the State Licensing Authority for its approval or disapproval.

SECTION 2. **Notification to State Licensing Authority.** In accordance with §12-48-107(5)(a), C.R.S., the County Clerk or the County Clerk's designee shall report to the Liquor Enforcement Division within ten (10) days after a Special Event Permit is approved, the name of the organization to whom a permit was issued, the address of the permitted location and the permitted date or dates of alcohol beverage service.

SECTION 3. **Applicable Law.** In acting upon an application for a Special Event Permit, Lincoln County, Colorado, shall comply with § 12-48-101, *et seq.*, C.R.S., and Colorado Code of Regulations 1 C.C.R. 203-2, Regulations 47-1000 through 47-1020, as such statutes and regulations may be amended from time to time.

SECTION 4. **Severability.** If any portion or provision of this Resolution is for any reason, held to be invalid or unenforceable, the invalidity or unenforceability of such portion or provision shall not affect any of the remaining provisions of this Resolution, the intention being that the same are severable.

SECTION 5. **Effective Date.** This Resolution shall be in full force and effect for any application for a Special Event Permit approved on or after this Resolution’s adoption.

Upon roll call the vote was:

Commissioner Schifferns, Yes; Commissioner Burgess, Yes; Commissioner Stone, Yes.

The Chairman declared the motion carried and so ordered.

Board of County Commissioners
of Lincoln County, Colorado

ATTEST:

Corinne M. Lengel, Clerk of the Board

Mr. DeWitt provided some Google maps of solar farms in Alamosa County, stating that the setbacks didn’t appear to be a very great distance. He assumed one hundred feet would be more than adequate. Mr. Burgess asked if he had met with the land use board and Mr. DeWitt said they really don’t want to do anything until the commissioners meet with Alamosa County officials. He added that he does feel the proposed regulations, as they stand, are a bit vague. He said he added three definitions for small, medium, and large projects, designating small projects as use by right. Mr. Ensign had spoken with Mr. Kimble who told him the Alamosa County Land Use Administrator would like to bring one of the Alamosa County commissioners with her when she comes out. They will schedule something either for May 8 or May 18. Mr. Stone told Mr. DeWitt that the land use board members feel like they aren’t involved enough, so they need to make sure and include them in any information. Mr. DeWitt said the problem with some of their concerns is that there has been no research or data generated when it comes to crop damage, however, they still want a study of some sort done.

As for old business, Mr. Burgess stated that he doesn’t agree with the fact that the state can dictate speed limits on county roads without an engineered speed study being done. He felt they should bring it up at their summer conference. Mr. Ensign said it would take a legislative change, and Mr. Stone stated that he’d gotten an email from Gini Pingnot with CCI asking for topics of discussion at conference. He suggested they contact her and get it on the agenda.

The Board interviewed Bart Chambers for the Land Use Administrator position at 9:30 a.m., and Trey James at 10:00 a.m.

While waiting for the next interview, Mr. Burgess addressed the estimate from GMS, Incorporated Consulting Engineers regarding the courthouse parking lot drainage and replacement. He feels strongly that county employees are experienced and qualified enough to complete the subgrade, provided proper compaction tests are done, which would save the engineering fees. Mr. Schifferns argued that the county would most likely then get the blame if anything ever went wrong. At least with an engineer, someone else may be liable for damages. Mr. Burgess disagreed, stating that he, Chris Monks, and Rick Ashcraft have enough knowledge and expertise to do the job right, as the county did on the south side of the complex. Mr. Ensign said the drainage problem would still be an issue, and Mr. Burgess stated that he didn't have a problem with the drainage being engineered, but felt they could save a lot of money on the subgrade. He suggested they have the road foremen come in and discuss it, and the other commissioners agreed. Mr. Ensign will schedule them for 9:30 a.m. on May 8.

The Board interviewed Fred Lundy for the Land Use Administrator position at 10:30 a.m., and David Stang at 11:00 a.m.

Once Mr. Stang had gone, the group discussed which applicant to hire for the position. They felt all candidates had very strong points, but Mr. Burgess finally made a motion to hire Trey James for the Land Use Administrator position. Mr. Schifferns seconded the motion. Mr. Burgess and Mr. Stone voted in favor of hiring Mr. James; Mr. Schifferns voted against it.

Mr. Burgess asked if they wanted to have the landfill machine fixed so they can begin using it for alternative daily cover again. They decided they would call Mick Jaques during the meeting on Friday and ask him his opinion.

With no further business to come before the Board, the meeting was adjourned until 9:00 a.m. on April 27, 2017.

Corinne M. Lengel, Clerk to the Board

Doug Stone, Chairman