

Board of County Commissioners of Lincoln County
Agenda for February 16, 2018

9:00 Call to order and Pledge of Allegiance

9:00 Commissioners to tour the Lincoln County Courts and discuss potential renovations

10:00 Trey James, Lincoln County Land Use Administrator, to report on the February 13, 2018, Land Use Board meeting

10:30 Patricia Phillips, Human Services Director, to discuss the Colorado Child Care Assistance Program Memorandum of Understanding

11:00 Richard Johnson, Public Health Director, to present the Colorado Department of Public Health and Environment OEPR- 4500 Task Order Amendment #1

1. Approve the minutes from the February 7, 2018 meeting
2. Review the January, 2018, reports from the County Assessor, County Clerk & Recorder, County Sheriff and County Treasurer
3. Review the January, 2018, reports from the Colorado Counties Casualty and Property Pool and the County Workers' Compensation Pool
4. Review and act upon an Employee Credit Card Request for Ken Stroud, Lincoln County Assistant Emergency Manager
5. County Commissioner reports
6. County Attorney's report
7. County Administrator's report
8. Old business
9. New business

The Board of Lincoln County Commissioners met at 9:00 a.m. on February 16, 2018. The following attended: Chairman Doug Stone, Commissioners Ed Schifferns and Steve Burgess, County Administrator Jacob Piper, County Attorney Stan Kimble, and Acting Clerk to the Board Mindy Dutro. Clerk to the Board Corinne M. Lengel was absent and excused.

Chairman Stone called the meeting to order and asked Ms. Dutro to lead the Pledge of Allegiance. The Board met with Court Clerk Kimberly Graham and took a tour of the courts and discussed renovation requests that Ms. Graham had. Ms. Graham asked to have the carpet replaced in the clerk's office and to have that office, the hallway to the courts, and the hall behind the offices re-painted. Mr. Burgess suggested doing carpet blocks so that they would be easier to install and replace in the future. Mr. Stone asked if they wanted carpet again or if Ms. Graham wanted the carpet replaced with tile. Ms. Graham stated that she would prefer to have carpet again since she and her staff are on their feet a lot. Ms. Graham also asked the commissioners if there was money in the budget to get some blinds in her office as well as to replace some damaged ceiling tiles throughout the courts.

After touring the courts, the commissioners reconvened in the commissioner room and agreed that the work Ms. Graham was requesting needed to be done. Mr. Burgess stated that they would need to get an estimate on square footage so that they could put the painting job request for bids in the newspaper. Mr. Stone said that they could probably ask John Mohan to get an approximate square footage measurement as well as buy and install the blinds in Ms. Graham's office and replace damaged ceiling tiles in the courts. The Board agreed that the bid advertisement would need to be out by the end of the month; Mr. Piper said that he would speak with Mr. Mohan about getting measurements for the court hallways and court clerk's office. Mr. Burgess stated he thought they should advertise a one-day showing of the courts to get the bids so that Ms. Graham did not have to worry about setting up several different showings.

Mr. Schifferns made a motion to approve the minutes of the meeting held on February 7, 2018, as submitted. Mr. Burgess seconded the motion, which carried unanimously.

At 9:30 a.m., Sheriff Tom Nestor and Undersheriff Gordon Nall met with the Board, and reported that they picked up the command post from Adams County and dropped it off at L.A.W.S. to get outfitted with the proper Lincoln County equipment and decals. Sheriff Nestor told the Board that the 2002 International command post only has 7,400 miles on it and is in great condition. Mr. Burgess asked when they would be able to pick it up from L.A.W.S., and Undersheriff Nall stated it should be done in about two weeks. Sheriff Nestor stated that they still do not know where they are going to house the new vehicle since it is so large and has so much extra equipment and lights on it. He also stated that they will be able to get rid of the old ambulance that the county was using as a command post. Mr. Schifferns asked what the ambulance was worth, and Mr. Nestor told the Board that it isn't worth much, if anything. Still, they will try to sell it and the old commissioner van that the Victim Advocate is currently using. Undersheriff Nall told the Board that the new patrol car

is on its way, and the Tahoe that the #9 road deputy has now will go to the Victim Advocate; he will drive the 2015 pickup.

Sheriff Nestor reported that the new command post is approximately 10' wide by 14' tall and 30' long, and he wants it housed inside. Mr. Burgess asked Sheriff Nestor if he had gotten any quotes on new buildings to house it in, but Sheriff Nestor told him that he had not but will do some price checking.

Mr. Burgess asked Sheriff Nestor if he had any thoughts on security in the local schools, including possibly metal detectors. Sheriff Nestor thought that eventually, all schools would need to have an officer stationed in them. The Board asked Sheriff Nestor if the jail's food has improved at all, and Sheriff Nestor reported that it had, but that they still want to switch providers as soon as their contract is up. Sheriff Nestor told the Board that they sent fuel to the fire trucks that were fighting the hay fire south of Arriba on February 14, 2018. Mr. Burgess said that there may be room in the Genoa Shop for the command vehicle and that he would do some checking.

At 10:00 a.m., Land Use Administrator Trey James attended the meeting, and Mr. Kimble asked about the inspection of the reported manufactured home that is in poor condition in the lower portion of the county. Mr. James reported that the home is not falling apart but is definitely not livable. It also is not leaking sewage like was reported. Mr. James also reported on the February 13, 2018, Land Use Board meeting on the Genoa laydown yard, and showed the Board the plan for the yard, saying it is around 210 acres including a shop and office. The Land Use Board approved the plan but with the conditions that they needed to have their water figured out before construction of buildings. Mr. James reported that they plan to start this summer, and the construction has three phases. He also asked the Board and Mr. Kimble if they needed to hold a public hearing, Mr. Kimble told him that it is not required, and the Board agreed with Mr. Kimble.

Mr. James also reported about his finding of a parcel of land located in the lower portion of the county that is violating the zoning laws. The parcel of land has three houses on a 35-acre parcel. Mr. James told the Board that he had not sent the landowners a letter yet because he wanted to confirm with Mr. Kimble that he had all of the violations correct. He stated that the assessor's office is sending the owners instructions on what they need to do to be compliant with the zoning laws, which include getting rid of two of the houses and getting one permitted. The Board agreed that Mr. James should send the letter of violations to the landowner.

Mr. James reported on a home in Limon that has been issued an order of abatement and needs to be removed since they did not follow the instructions to make the home livable. Mr. James said he sent the certified letter to the landowner and it came back undeliverable. Mr. James left the meeting at 10:30 a.m.

Department of Human Services Director Patricia Phillips joined the meeting at 10:30 a.m., along with Baby Bear Hugs representatives Bethany Head, Ruth Seedorf, and Jennifer Deam. The ladies from Baby Bear Hugs wanted to thank the commissioners for their continued support, and then they left the meeting. Ms. Phillips informed the Board that the Department of Human Services has been dealing with a huge controversy with CCAP over the fact that the MOU hasn't been updated in a long time. She reported that members of several different counties and representatives from the state decided to get together to update the MOU, and most of the updates had to do with performance and sanctions. The counties thought that performance levels they were updating the MOU to were higher than the levels required by the Federal regulations. Ms. Phillips told the Board that representatives from Weld County have proposed their own updates that align with the Federal regulations, and most of the other counties in the state agree with the updated MOU from Weld County. Also, some of the counties have signed the original proposed MOU from the state, but Ms. Phillips told the Board that she has not signed it. She stated that she agrees with Weld County's position statement. Mr. Burgess asked if it would be better if more counties signed on with Weld County, and Ms. Phillips stated that it would probably show more unity as a state if they did.

Mr. Stone informed Ms. Phillips that they noticed that her employees continued to buy fuel at Farm Gas after the commissioners had asked them to get the fuel from the county shop. Ms. Phillips told the Board that she would take fault for it because the intern that they had this past summer did not get the training that she needed to fuel at the county shop. Ms. Phillips said she failed at getting it scheduled for her but told the Board it would not be an issue anymore.

Mr. Schiffers asked Ms. Phillips why Human Service's Christmas basket fund has a bank account separate from the county, but it acts as a county function. Ms. Phillips stated that she did not know why; that it was started before she started as director. Mr. Burgess stated that the Board has never seen the fund and has no control over it like they should, and there needs to be accountability for the fund. The Board wanted to talk to the county auditor, Ronny Farmer, and see if it can even be a separate account because right now the county is not accountable for it. Mr. Piper stated that the fund needs to be part of the budget under the commissioners.

Lastly, Mr. Kimble told Ms. Phillips that he had received another letter from Gregg Leverett requesting the Department of Human Services' policies, to which Mr. Kimble replied that the department has provided to him all the policies that they can and that nothing has changed. Ms. Phillips had nothing else to report and left the meeting at 11:00 a.m.

Richard Johnson, Public Health Director, joined the meeting at 11:00 a.m. and told the Board that he may have to go to Missouri the following week for a family emergency, but he will still be able to work remotely. Mr. Johnson reported that the new Emergency Manager, Ken Stroud, is coming along nicely and he plans to take over the job completely by April 1, 2018. Mr. Johnson provided the contract from the Colorado Department of Public Health

and Environment OEPR- 4500 Task Order Amendment #1 for Darcy Janssen. Mr. Burgess made a motion to approve the contract for Darcy Janssen as Regional EPR for Colorado Department of Public Health and Environment OEPR- 4500 Task Order Amendment #1. Mr. Schifferns seconded the motion, which carried unanimously. Lastly, Mr. Johnson told the Board that he is meeting with the State the following Wednesday, February 21, 2018, to discuss a training plan, and he may need an executive session with the Board following that meeting. Mr. Johnson left the meeting at 11:20 a.m.

The Board reviewed the January 2018 reports from the County Assessor, County Clerk & Recorder, County Sheriff and County Treasurer. Also reviewed were the January 2018 reports from the Colorado Counties Casualty and Property Pool and the County Workers' Compensation Pool.

Mr. Piper informed the Board that Mr. Johnson currently has two county credit cards, one for Public Health and another one for Emergency Manager. He will go back to one credit card with a \$1,000 limit for Public Health and has requested that the new Emergency Manager, Ken Stroud, be approved for a county credit card with a \$1,000 limit. Mr. Schifferns made a motion to approve a county credit card for Ken Stroud, Emergency Manager with a \$1,000 limit. Mr. Burgess seconded the motion, which carried unanimously.

Mr. Stone reported that district three hauled rock from Limon on February 8 & 9 and that he received a call from a landowner about sand burs along the road in the lower portion of Lincoln County. Mr. Burgess told Mr. Stone to call Wayne Shade and report it. On February 12, Mr. Stone's road district hauled rock from Hugo, and their new employee received his CDL. Mr. Stone also reported that Sheriff Nestor called on February 14 and asked if he could send fuel to the fire trucks fighting the hay fire south of Arriba. On February 15, Mr. Stone and road foreman Rick Ashcraft decided to leave the trash truck out a couple more weeks, and they also checked roads in their district.

Mr. Schifferns reported that on February 9, District One hauled rock, and on February 10, he spoke with road foreman Chris Monks about plowing snow on County Highway 109 and County Road 2W. Mr. Schifferns checked roads on February 13, and on February 14, Arriba Fire Chief Alex Flores asked him if there is a written rule that the county sends aid for fires. Mr. Burgess and Mr. Stone believed that it was just an unwritten rule; Mr. Schifferns stated that if it were a written rule, then there was a possibility that the home insurance rates would go down. Mr. Schifferns also reported receiving a phone call from Sheriff Nestor asking for permission to send fuel to the fire trucks fighting the hay fire south of Arriba. Mr. Schifferns told the Board that Mortensen was invaluable by sending several truckloads of water to the fire. Mr. Schifferns reported to the Board that his road district had been busy graveling County Road 2W from the gravel pit to the county line as well as filling cracks around John Forristall's on County Highway 109.

Mr. Schifferns mentioned that Mr. Monks was wondering if the money that Mortensen owes the county would be split between road districts and could be used for chipping rock, or if it were going to the fairgrounds. Mr. Burgess stated that he thought it was going into the County General fund to be used for equipment for the fairgrounds. Mr. Piper said that they hadn't received the money that Mortensen owes the county yet, so he would send them an invoice.

Last, Mr. Schifferns reported that his road district is going to tear down the Clifford Bridge and replace it with a cement pan or culverts, as the current wooden one has been condemned.

Mr. Burgess reported that on February 7 the landfill was still having problems with the compactor, and it sounds like it is something in the fuel tank. He also stated that the rear end is out of the 950 CAT loader in District Two, and they will have to fix it. On February 9, he attended the Centennial Mental Health video conference meeting. He stated that the Limon community wants to have a party for the Mortensen crew as a "thank you" from the community for all the business that they brought into Limon. Mr. Burgess also reported helping District Three haul rock. On February 12, he spoke with Mr. Monks about the problems District Two was having with their Mac truck and about the Outback bus having problems, and they were getting it serviced. On February 15, Mr. Burgess asked CTSI if the spouse would be covered if a county employee had an accident in a county vehicle while the spouse was in the vehicle. He also looked at a bridge north of Genoa and stated that the bridge timbers are deteriorating and will need to be repaired soon. Mr. Burgess stated that District Two also got their Mac truck running again.

Mr. Burgess reported attending the CCI meeting and hearing of the bills currently in legislation, including Senate Bill 18-167, which would require the county to call in every time they were going to grade a road. Mr. Burgess stated they are working to get the counties exempted. They are also seeking to change another SB, 18-156, which currently requires counties to post their financial reports monthly, to require reporting online only. Mr. Burgess told the Board that the Colorado Preservation, Inc. did a presentation about several different projects they have helped with throughout the state, including the Genoa Tower and the Roundhouse. Mr. Burgess reported that CCI is urging a no vote on SB 18-84, which would make county commissioners elected by district, and also on SB 18-144 that would make it legal for bicycles not to stop at stop signs if the road was clear. The last was House Bill 18-1092, which is a pilot project to deliver marijuana door-to-door as long as it is legal within the county.

Lastly, Mr. Burgess reported on a call that he received from a county resident about a property next to them that looks like a feedlot, and they are afraid that if they get a hard rain, the run-off will come onto their property. The Board thought that if it happens, it would be a civil issue, and Mr. Kimble told the Board that he would check to see if it would be under the nuisance ordinance or a civil issue.

Mr. Kimble reported that the Hugo Fire Department's attorney filed a service plan for the proposed Hugo Fire Protection District and that the commissioner board will need to discuss a plan for a hearing at the February 28 meeting. Mr. Kimble also reported that he checked with Montrose and Moffat counties, and they do have a hospital. Mr. Kimble told the Board that he will be gone for a week in March and will miss the March 7 meeting. He also reported that he has been researching if disability kicks in when FMLA runs out.

At 12:15 p.m., John Mohan joined the meeting and told the Board that he has been dealing with plumbing issues over in the jail for the past three days. He stated that the line has backed up into the jail and the grease trap baffle broke off. He tried to run a jetter through it, but that wouldn't work, so he had to have Rob's Septic come and pump the line so they could get through the weekend. Mr. Mohan reported that he had Bill Christie come with a camera to send down the line west of the debris grinder and that there is gravel and rock in the line. He believes the line collapsed, so he will have to dig it up and repair the line. Mr. Mohan told the Board that he would have Terry Graham and Sam Emmerling come cut the concrete. Mr. Christie will dig up the line so that Mr. Mohan can do the plumbing repairs, which should take a couple of days. The water won't be shut off until everything is okay to do the plumbing. The commissioners agreed that it has to be fixed.

Next, the Board told Mr. Mohan about Ms. Graham's request for painting, new carpet, and a few repairs and that they would need him to get some approximate measurements for the painting bid. Mr. Mohan told the Board that he would be willing to do the painting and that they did not need to hire outside labor. The commissioners agreed that if Mr. Mohan thought he could do it, then they would let him and not put an ad out for the bid. They also agreed that he would be paid for the overtime hours and that he could hire help if he needed it.

Mr. Piper reported that the coroner prior to current County Coroner Andrew Lorensen had been trying to get on the county's insurance and also retirement. At that time, the county denied both the insurance and retirement; however, Mr. Lorensen would like retirement to be collected from his monthly coroner paycheck. Mr. Piper stated that the policy says retirement is for elected officials and full-time employees, so he isn't sure if he qualifies since he doesn't have the full-time hours, but he is an elected official. Mr. Burgess thought it was in statute somewhere that since Mr. Lorensen is part-time, he would not qualify for retirement. Mr. Kimble said he would check with other counties to see if they allow their coroner to collect retirement. Mr. Piper will also contact the person who wrote the county's policy to see how to interpret the wording of who is eligible.

Mr. Stone called for old business, and Mr. Piper told the Board that the department heads had discussed being more conservative with their spending on meals while traveling for business, and they all agreed to discuss it with their departments.

Mr. Stone then called for new business, and Mr. Burgess stated that at the CCI meeting he attended they reported that Colorado is going to try to host the 2030 Winter Olympics. Mr.

Burgess also reported that lawmakers are trying to freeze the percentage of taxes paid on assessed values of properties under the Gallagher Amendment, stating that it started at 21% and now it is at 7.2%, which has affected fire district funding.

With no further business to come before the Board, the meeting was adjourned until 9:00 a.m. on February 27, 2018.

Mindy Dutro, Acting Clerk to the Board

Doug Stone, Chairman