

Board of County Commissioners of Lincoln County
Agenda for February 28, 2018

9:00 Call to order and Pledge of Allegiance

9:00 Troy McCue, Lincoln County Economic Development Corporation Executive Director, to present the LCEDC monthly report

10:00 Tom Nestor, Lincoln County Sheriff, to provide an update on issues concerning the Lincoln County Jail

10:30 Chris Monks, County Shop Foreman and District 1 Road Foreman, to discuss matters regarding Lincoln County equipment

1. Approve the minutes from the February 27, 2018 meeting
2. Review the January, 2018, Statement of Revenues and Expenditures for County General, Public Health, Capital Projects, Conservation Trust, E911, Landfill, Library, Lodging/Tourism, Road and Bridge and Individual Road Districts
3. Review and Discuss a letter from Robert T. Nelson regarding the clean-up of the Patel property
4. Review the Proposed Hugo Fire Protection District Service Plan and set a date for the public hearing on the Service Plan
5. County Commissioner reports
6. County Attorney's report
7. County Administrator's report
8. Old business
9. New business
10. Approve additional payroll and expense vouchers if necessary

The Board of Lincoln County Commissioners met at 9:00 a.m. on February 28, 2018. The following attended: Chairman Doug Stone, Commissioners Ed Schiffers and Steve Burgess, County Administrator Jacob Piper, County Attorney Stan Kimble, and Clerk to the Board Corinne M. Lengel. Will Bublitz with the Limon Leader and Eastern Colorado Plainsman attended the meeting as well.

Chairman Doug Stone called the meeting to order and asked Vista Volunteer James Russell to lead the Pledge of Allegiance.

Mr. Russell handed out copies of the completed Lincoln County Strategic Plan, and the group discussed it briefly. Lincoln County Economic Development Executive Director Troy McCue commented that there were several typographical errors in the document and a few other changes to be made, but they are pleased with the work that Mr. Russell has done and the ensuing product. The commissioners were also impressed with the Plan and commended Mr. Russell for his work and involvement. Mr. McCue then gave the LCEDC monthly report for February. He is keeping up with the Genoa laydown yard progress with Land Use and has been fielding information for a potential solar installation ten miles south of Limon. James Russell has about three months left as Vista Volunteer, so Mr. McCue said he is currently searching for another Vista Volunteer to replace him. They may need to do something just for the summer months. The new coffee shop in Limon will open on March 1, and Mr. McCue said he met with See Six States, LLC on February 23 regarding the Genoa Tower. The historical assessment is complete, but the group told Mr. McCue that they do not want a total historical restoration as they want to put in new windows instead of having the old windows re-finished. Funding and time constraints are additional reasons for not wanting to make it an actual historical restoration project. Lastly, Mr. McCue wanted the commissioners to plan on attending the economic development annual meeting on April 11.

Mr. Burgess had spoken to Jim Herron with Mountain View Electric who told him that MVEA is putting more power in Genoa and doing several upgrades.

Mr. Schiffers wanted to know if Genoa is pursuing forming a fire district, and Mr. McCue said he didn't know where they were in the process, but that he believes they do still want to go ahead with the plan. Mr. Schiffers also asked if he had heard anything regarding the clean-up of the Preferred Motel destroyed by fire, but Mr. McCue said he had not.

Mr. McCue discussed that housing is one of the major problems throughout the county, and Mr. Kimble put in that the Hugo town board had said that until Hugo comes up with a decent housing ordinance, they cannot do much in the way of housing.

At 10:00 a.m., Sheriff Tom Nestor, Captain Michael Yowell, Corporal Cole Britton, and courthouse maintenance man John Mohan met with the Board to provide an update on issues in the county jail. First, the sheriff wanted the commissioners to know that inmate housing is at capacity again so they may need to outsource some prisoners to Washington County. The charge is roughly \$50 per day. They still have three inmates pending. Corporal Britton put in

that the county does do an inmate swap with Kit Carson and Elbert counties, but it's just one-for-one. Washington County will take the violent offenders, where other counties will not. Sheriff Nestor also said that there would be another big trial coming up again, so he may need to seek assistance from another county to beef up security at the courthouse.

Since there have been so many problems with the plumbing in the jail recently, the sheriff said he'd met someone at the sheriff's conference who could replace the valves in the jail. He'd received a quote from ICON Systems, Inc. for \$24,564.76 to replace all the flush valves as well as install the control box. Now, inmates flush any objects they can find, causing flooding in the pods. Although the purchase of the Muffin Monster a few years ago has alleviated problems with flooding in the town of Hugo, it still requires much time from John Mohan to keep it operational. They've had some significant problems in the line lately; part of the concrete had to be dug up and removed so that Mr. Mohan could dig out the area to reach it. Mr. Mohan had addressed those issues at the previous day's meeting. The sheriff stated that if they installed this new system, they would have control over how often toilets could be flushed or water turned on. John Mohan spoke up to say that it would alleviate a lot of maintenance as everything would run off of an electrical control box. Sheriff Nestor added that he was not asking the commissioners for the purchase this year; he would add it to his 2019 budget request. Not only would the purchase of the new water conservation system cut maintenance time and costs in half, but it would reduce the water waste as well.

Mr. Burgess wanted to know how serious the problem was and if they would just be exacerbating it to wait another eleven or twelve months to correct it. The sheriff said it was up to the Board, but they could make it work if they needed to. He added that they would eventually need to begin addressing some of the problems with the old facility. Mr. Stone said it appeared that the county currently has the funds in the Capital Projects budget and Mr. Burgess put in that there is also an officer-safety factor as well.

Mr. Burgess made a motion to accept the sales quote for \$24,564.76 from ICON Systems, Inc. to install new valves and a control box/water conservation system in the county jail and to take the funds from the Capital Projects budget. Mr. Schifferns seconded the motion, which carried unanimously.

At 10:30 a.m., County Shop and District One Road Foreman Chris Monks met with the Board to discuss county equipment. First, he and Mr. Kimble addressed some issues with County Road 2Z and the continued Mortensen truck traffic causing more damage. Mr. Kimble said he would be happy to contact Jerry Kelly and John Lupo again, as he needed to ask them about the signed Road Use Agreement amendment anyway. Mr. Monks said that in the future they should consider adding language to the agreement. He believes that if they take a county road as a truck route, they should be responsible for the road's maintenance until the project is complete. The county's involvement could be to inspect the road and close it if necessary.

Mr. Kimble wanted to know if the county ever received payment for the fines incurred by the company. Mr. Monks said it's up to around \$43,000 now, and Mr. Piper said the only money

collected was the \$8,000. He asked Mr. Monks if he had sent an invoice for that amount when the road crew had to fix County Road 2W, which he had. Mr. Kimble commented that it might not hurt to invoice them for the fines, but added that he would ask how they would like to handle it when he sends the letter to Mr. Kelly and Mr. Lupo.

Mr. Monks commented that he had gotten nine loads of fuel at \$2.22 per gallon and then the group discussed equipment trades and purchases. Mr. Burgess would still like to get rid of one of the road graders in District Two, and District One needs a new loader. They have agreed to trade District Two's CAT 140m road grader (worth \$127,600) and District One's CAT I-950 loader for a CAT 950 GC loader that will be available sometime in June or July. The trade-in will leave credit of \$5,000 for District Two. Mr. Burgess said he still may go ahead and make the \$150,000 payment in May so that nothing is outstanding and he can start fresh in 2019. He added that they also need to do something with trucks in his district and asked the other two commissioners to see if they need anything, as it may be cheaper to buy two or three at once.

As for the plumbing problems at the jail, Mr. Burgess suggested using asphalt instead of cement when they replace the portion that was removed so that Mr. Mohan could get to the pipes. It would be much cheaper and easier to remove if the problem ever occurs again.

LaRay Patton stopped in to ask for a reduced fairgrounds rate for Ranch Rodeo as has been done in the past. Mr. Burgess made a motion to allow Ranch Rodeo to pay \$700 rent and a \$1,000 damage deposit. Mr. Schifferns seconded the motion, which carried unanimously.

Ms. Patton had not gone to the CPRA conference as intended but said they had discussed the added money to the rodeo purse and it was suggested that they add \$500 to each event on Saturday instead of to the overall purse. She felt it might bring more participants to the Saturday rodeo instead of all contestants competing in the Friday rodeo. The Tourism Board did agree to give the additional \$1,500, but Ms. Patton felt the fair board needed to make the final decision and said she would bring it up at the next meeting.

Mr. Burgess made a motion to approve the minutes of the meeting held on February 27, 2018, as submitted. Mr. Schifferns seconded the motion, which carried unanimously.

The Board reviewed the January 2018 Statements of Revenues and Expenditures for the General, Public Health, Capital Projects, Conservation Trust, E911, Landfill, Library, Lodging/Tourism, and Road & Bridge funds, as well as for the individual road districts.

A letter from Robert T. Nelson, holder of the Deed of Trust on the Patel property, was reviewed while Mr. Kimble explained what he knew of the situation. Mr. Nelson wants the county to lower the \$8,930 fee that it cost for District Three to clean up the property. He would like to sell the place. Mr. Kimble commented that the county had not added legal fees to the total cost, nor had they contracted with an outside company to have the property cleaned up, which likely would have cost quite a bit more. Mr. Kimble has also recorded a Notice of Pending Abatement Order, which will keep Mr. Nelson from selling the property before the county

collects the clean-up fees. He added that the law only requires the county to give notice to the owner of the property, not the lienholder. Since Patels were the owners of the property at that time, the county met the requirement.

Mr. Burgess didn't believe the county needed to decrease the fee since it could have cost much more than what it did. Mr. Schifferns and Mr. Stone both agreed as well. Mr. Kimble said he had been working on the problem since February of 2016 and suggested that the Board send Mr. Nelson a letter informing him of their decision. Mr. Piper will put something together.

The Board reviewed the proposed Hugo Fire Protection District Service Plan that Ms. Lengel had emailed to them and copies of statutes that Mr. Kimble provided. Mr. Piper asked Land Use Administrator Trey James to come to the meeting. When he arrived, Mr. Kimble explained that, according to state statute, the land use board must meet within thirty days and review the Service Plan before the commissioners approve or disapprove it. The commissioners agreed to set the hearing date for April 30, 2018, at 10:00 a.m. Ms. Lengel stated that Larry Beckner, attorney for the proposed district, had asked that the commissioners waive the \$500 fee required by statute, even though he had submitted a check with the Service Plan.

Mr. James said it would probably be two or three weeks before he could get the land use board together for a meeting, and Mr. Burgess made a motion to waive the statutory \$500 fee required in 32-1-202 (3), C.R.S. Mr. Schifferns seconded the motion, which carried unanimously.

Mr. James informed Mr. Kimble that Eric Howard is trying to sell his trailer located at 175 ½ Indiana Avenue in Limon. Mr. Kimble reported that Mr. Howard notified his office and is in the process of taking care of it. He hopes to move the trailer, and if he doesn't, he will tear it down. In the event Mr. Howard doesn't do what he says he will, Mr. Kimble will obtain an Order as he did in the Patel matter.

Mr. James left, and Mr. Kimble reported that the trash in the creek bed in Limon had not yet been addressed. He will send the perpetrator a letter reminding him that it needs to be cleaned up. He also reported checking into whether or not the county would be required to allow the coroner the county retirement benefit.

Mr. Piper spoke up to say that he had emailed the person who wrote the county's retirement plan and the response indicated that the county has no obligation to do so. The plan explicitly states that an employee must work at least 1,820 hours per year to receive the benefit.

Mr. Stone wanted to know how the county could get out of the contract with the current retirement company, and Mr. Kimble asked if there is a clause in the contract allowing it. Mr. Piper called Steven Ahn with United Retirement Plan Consultants but had to leave a message.

Mr. Schifferns reported attending the Arriba fire department work day on February 17. It snowed on Monday night (February 19) and Tuesday, so the district was plowing snow on

Tuesday. He also received a call from Raymond Enderson that day. He attended Joe Kiely's retirement party on February 21 and checked roads on the Twenty-third. Mr. Schifferns also went to the Lincoln Day Dinner on February 26 and had a call from someone on the Twenty-seventh who wanted to bid on the new fair building.

Mr. Burgess reported checking roads on February 18. He also talked to Jack Kunsch about taking out a bridge and putting in a pipe. He attended Resources Unlimited on February 20, where they discussed child care and job openings. He, too, attended Joe Kiely's retirement party on the Twenty-first where he spoke with Cathy Shull from Progressive 15. She asked for the county's endorsement on the state road sales tax, but Mr. Burgess said he felt the taxpayers should have a say when they vote on it. Lincoln County should get approximately \$1.2 million if it passes. He attended the Economic Development meeting on February 22 and also received another complaint regarding the hospital that day. He added that they are still having problems with the landfill compactor and that they discussed not taking the debris from the Preferred Motel fire. He tried to call a resident on February 23 who has lilac bushes in the county right-of-way on a county road, which causes snow to blow across the road. The county could clean it out, but the resident doesn't want it done. Mr. Burgess attended the Lincoln Day Dinner on February 26 and also talked to Bruce Walters about erosion problems on the county roads.

Mr. Stone reported getting a little snow in District Three on February 19 and 20, so the road crew spent the day in the county shop changing oil and servicing equipment. He also attended Mr. Kiely's retirement party on February 21 and checked roads southeast of Karval on the Twenty-second. He checked roads west of Karval and west of Highway 71 on February 26 and then attended the Lincoln Day Dinner. District Three road crewman had miner safety training in Hugo that day.

The group had a brief discussion regarding HB156, which would end the requirement for the county to publish the monthly bills and semi-annual salaries in the newspaper. The clerk's office would have to post the claims on the county's website, and a reference to the site would be published in the paper.

Mr. Piper had already reported what he needed to regarding the county's retirement plan and if the coroner is eligible to receive the retirement benefit. He had spoken with Human Services about the question the commissioners had regarding a credit card overage amount and had clarified the matter.

After further discussion, Mr. Burgess made a motion to look into the requirements of changing from United Retirement Plan to CompuSys for the county employee pension plan. Mr. Schifferns seconded the motion, which carried unanimously.

Mr. Piper asked if United should be given a time limit, and Mr. Burgess said he felt thirty days, or April 1, would be enough time. Mr. Piper said that CompuSys would like to begin on April 1, so hopefully, the current company would cooperate and it would be a smooth transition.

Mr. Stone called for old business, and the group discussed what to do with the old Hugo ambulance now that the sheriff's office has the new command vehicle since both Genoa and Arriba fire departments want it. Arriba would build a shed for it, whereas it would sit out in the open if given to Genoa. Mr. Burgess asked if the two departments could somehow share the ambulance, but Mr. Kimble said the respective insurance companies might have an issue with the joint use of the vehicle. The commissioners agreed that they should give the ambulance to the most likely recipient, and Mr. Burgess made a motion to donate the old Hugo ambulance to the Northeast Lincoln Fire Protection District. Mr. Schiffers seconded the motion but abstained from the vote. The motion carried with Mr. Stone and Mr. Burgess voting in favor.

There was no new business or other expense vouchers to approve, so the meeting was adjourned until 9:00 a.m. on March 7, 2018.

Corinne M. Lengel, Clerk to the Board

Doug Stone, Chairman