

Board of County Commissioners of Lincoln County
Agenda for March 30, 2018

9:00 Call to order and Pledge of Allegiance

9:00 Christine Stanley with County Technical Services, to present the Insurance Pool 5-Year Loss Analysis

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

11:00 The Lincoln County Tourism Board to discuss matters concerning the Colorado Prairie Music Festival

1. Approve the minutes from the March 29, 2018 meeting
2. Review and act upon an extension of an Employment Agreement with Michael W. Nestor as the certified operator of the county's wastewater collection system at the county fairgrounds
3. Review and act upon the Annual Report for Stormwater Discharges Associated with Non-Extractive Industrial Activity at the county landfill
4. County Commissioner reports
5. County Attorney's report
6. County Administrator's report
7. Old business
8. New business
9. Approve additional payroll and expense vouchers if necessary

The Board of Lincoln County Commissioners met at 9:00 a.m. on March 30, 2018. The following attended: Chairman Doug Stone, Commissioners Ed Schifferns and Steve Burgess, County Administrator Jacob Piper, County Attorney Stan Kimble, Clerk to the Board Corinne M. Lengel, and Juliet Lundy with the Limon Leader and Eastern Colorado Plainsman.

Chairman Stone called the meeting to order and led the Pledge of Allegiance, and then Christine Stanley, Loss Prevention Specialist with CTSI, met with the Board to present the Insurance Pool 5-year Loss Analysis. She went over the CAPP Loss Ratio statements first, stating that CTSI had seen an increase in vehicle-related claims across the entire pool in the past five years. She recommended that the county generate a fleet policy and that employees take a defensive driving class every three-to-five years. The last defensive driving class was in 2014. There were no questions regarding the CAPP Loss Ratio, so Ms. Stanley moved on to the CWCP (Workers' Comp) Loss Ratio statements. The county is doing very well and Ms. Stanley said should be commended based on the looks of the trending reports. She also recommended a body mechanics class for county employees, due to a higher number of bodily injuries over the years. Mr. Burgess noted that CTSI covers a wide range of services, including a lease/purchase program for county equipment and buildings. Ms. Stanley said that if several counties lease or purchase equipment at the same time, chances are it would be cheaper to buy in bulk.

Ms. Stanley left, and Mr. Schifferns made a motion to approve the minutes of the meeting held on March 29, 2018, as submitted. Mr. Burgess seconded the motion, which carried unanimously.

The Board reviewed an extension of an Employment Agreement with Michael W. Nestor as the certified operator of the county's wastewater collection system at the county fairgrounds. Mr. Piper said he might be willing to continue in that capacity for another couple of years. The commissioners thought they had discussed having either John Palmer or John Mohan obtain the certification at one time. Mr. Burgess made a motion to approve the extension of the Employment Agreement with Michael W. Nestor. Mr. Schifferns seconded the motion, which carried unanimously.

The commissioners also reviewed the Annual Report for Stormwater Discharges Associated with Non-Extractive Industrial Activity at the county landfill. Mr. Schifferns made a motion to approve the report, Mr. Burgess seconded the motion, and it carried unanimously.

Mr. Schifferns reported that on March 17 he received a call regarding private individuals using county equipment. After some investigating, he learned that it was the hospital's skid-steer that was used by an individual. He spoke with Kevin Stansbury who told him that it was hospital policy to allow employees to use hospital equipment, but they might need to change that system. Mr. Schifferns said he would attend the next hospital board meeting to see what they had to say. He checked roads on March 21 and talked to Chris Monks on March 22. He caught four more Mortensen trucks using County Road 2W as a haul route, so increased the fine by another \$2,000.

Mr. Kimble interjected that the county should go ahead and send an invoice. He said that if Mr. Piper would fill it out and send it to him, he would submit it to Xcel with another letter regarding the unsigned Amended Road Use Agreement.

Mr. Schiffers also attended a weather class in Seibert on March 27, checked roads on March 28, and went up to the annex building and out to the fairgrounds with Mr. Burgess after the previous day's meeting. The concrete at the annex seems to have settled back a little, although the asphalt parking lot on the north side is in bad shape and could use some repairs. While touring the fairgrounds, they discussed where to get dirt for the new show barn project.

Mr. Burgess reported checking roads with Bruce Walters on March 19. He attended the Resources Unlimited meeting on March 20 and learned that Morgan Community College would relocate to the vacant portion of Ben's Family Pharmacy building in June of 2019. On March 21, he attended the Economic Development meeting. They raised all the funds needed for the new law enforcement officer vests as well as \$10,000 for the school safety fund. Oscar's Bar and Grill will hold a fundraiser on April 26 in which fifty percent of their proceeds will go toward countywide school safety. Mr. Burgess took a complaint about speeding trucks on March 22 and talked to a representative from NextEra and the sheriff about it on March 23. The NextEra rep said he'd speak with his truck drivers and the sheriff agreed to extra deputy coverage in the area for a while. On March 26, Mr. Burgess went by the landfill and checked on the fence-building project, and also talked to Chris Monks about putting a new box on one of the Mack trucks in District Two. They want to be able to haul concrete. Wayne Shade and Mr. Burgess looked at weeds countywide on March 27, and Mr. Burgess attended the PDC meeting on March 28.

Mr. Stone reported getting a text message about the hospital skid-steer on March 17. He was worried about a fire on March 19 so checked on what came out to be blowing dirt instead of smoke. He met with Rick Ashcraft on March 20. District Three road crew members were trying to trim trees hanging over some of the county roads. Their chainsaw wasn't working, so they bought a new one. He also received a call that day from Mr. Burgess about the tourism board and concert event and using bridge fund money for some culverts. Mr. Stone and Rick Ashcraft checked roads southeast of Karval on March 21, and he (Mr. Stone) helped crack seal north of Karval on March 22.

Mr. Kimble reported receiving a PUB document from Mr. Piper but had no idea why the county received it. He felt it may just be a name change but the document indicated that Vesta Solutions requested certification as a basic emergency service provider for Airbus. Mr. Kimble thought it might have something to do with the helipad at the hospital but wasn't sure. Mr. Piper said that Emergency Manager Ken Stroud sent the document to him.

Mr. Kimble worked with the clerk's office recently to solve an issue regarding a gravel lease with a deceased party. The party's family hadn't opened an estate and could be waiting until August to do so. Mr. Kimble advised the clerk's office to continue sending checks for the gravel in the deceased party's name until they receive paperwork authorizing a change.

Mr. Kimble also reported getting a phone call from an attorney, Robert Tibbles, who might be helping Genoa form a fire protection district.

Mr. Kimble had more to report, but Human Services Director Patricia Phillips arrived at that time for her appointment with the Board. She provided January and February financials, caseload reports and timesheets for February and March, and the March Income Maintenance, Child Welfare, and director's reports.

When the commissioners finished with the reports, Mrs. Phillips addressed a storage issue, stating that she would like to move their files from the current storage area in the A-frame. The documents are open to the elements, and the runners on the sliding file drawers aren't working correctly. John Mohan has cleaned them to no avail. She stated she was concerned about employees' safety since the files are hard to move and reach. They are also supposed to be secure, but since there is an electrical box in the A-frame that the phone company can access, there have been times that the file storage area was left unlocked. The Conex container they have cannot accommodate that many files, nor is it very warm in the wintertime. It also has no lighting, so spending any amount of time in the unit is improbable. Mrs. Phillips said there are a couple of options to correct the problem: purchase a new Conex container with a battery-operated lamp (which doesn't solve the temperature issue); use the current Conex unit (which doesn't address any of the problems) or build a shed. The shed would probably be the most expensive, but they could put it out by the Resource Center. It would have light and be much warmer, plus employees would be able to move around more comfortably. The most accessible option, Mrs. Phillips said, would be to move the coroner to the annex so they could use his office again like they used to.

Mr. Burgess said they had already moved Weed Coordinator Wayne Shade to the annex so there may not be room for Mr. Lorensen to have an office there. Mr. Piper suggested that they could move Mr. Shade back to the administrator's office again. The Board agreed to look into it and let Mrs. Phillips know what they decide.

Lastly, Mrs. Phillips provided a letter from county auditor Ronny Farmer regarding the Holiday Basket Program and checking account. Mr. Farmer stated that if the federal ID number on the account belongs to DHS or the county, then it is considered a county account and should be accounted for in the county books, probably DHS and not the clerk's office. The account would also be under the control of the commissioners. He went on to say that there is not a statute against an elected official or department head opening a new checking account and starting that type of fund, although the county may have a policy to that effect. Statute violation occurs when the fund is associated with the county, and the commissioners do not approve the expenditures. If the activity is associated with the county or if the public perceives there is an association, then it should be part of the county's budget and approval process as part of DHS, not a separate fund. He concluded by saying that he believed the account should be part of the county for budget purposes and the commissioners should approve the expenditures, which could be after the fact.

Mr. Burgess felt the biggest issue was that they didn't account for the funds in the county budget. Mrs. Phillips said she had no problem with accounting for the funds in that manner; however, she wanted to make sure that the flow of when funds were needed wasn't interrupted since they might need money between meetings at which the commissioners approve vouchers.

Mr. Burgess wanted to know if they could issue a credit card to the department that they could use exclusively for the Holiday Basket Program. DHS could still submit vouchers for expenditures they knew were coming and use the credit card for unplanned expenses.

At 11:00 a.m., Lincoln County Tourism Board members Apryl Huelskamp, Steve Beedy, Linda Orrell, and Dan Merewether met with the Board to discuss the Colorado Prairie Music Festival. Public Health Director Richard Johnson, Emergency Manager Ken Stroud, Undersheriff Gordon Nall, Fairgrounds Manager John Palmer, HIP members John and Judy Thelen, and Megan Mosher also attended the meeting.

Ms. Huelskamp stated that the tourism group partnered with Hugo Improvement Partnership (HIP), who would sign all contracts and manage the event with input from them. At this time, they anticipate Friday's activities to include team-roping, a dance, and a small band. Saturday will be the concert event beginning at 5:00 p.m. and ending around 10:30 p.m. They hope to have activities for kids, such as bounce houses available during the afternoon. The Cattlewomen will put on a breakfast fundraiser on Sunday, followed by a cowboy church service.

Mr. Stone said the commissioners didn't approve a voucher for \$25,000 the previous day because there wasn't much of a description of the payment. Mr. Beedy responded that he should have been more specific on the explanation but that they were deposits for the bands, lighting, and stage. HIP didn't have enough money to make the payments, so the Tourism Board offered to cover those costs. HIP didn't anticipate needing anymore funding from Lodging/Tourism. He added that their intention is for other organizations such as HIP to be the primary contributor in the future so that Tourism can allocate a smaller amount for advertising.

Ms. Huelskamp said they are talking to the Colorado Tourism Office, Transwest, and Farm Credit for sponsorships, and Mr. Burgess commented that the Board would like to be kept informed. Mr. Beedy stated that they would love to have the commissioners attend their Tourism board meetings, but Mr. Stone said they were not allowed to do that and make suggestions.

Undersheriff Nall said law enforcement would meet with the group again a couple of weeks before the festival to finalize details. He didn't anticipate the event being much different than the demolition derby held on the Saturday of the fair. He also felt that Friday's activities would be similar to the Ranch Rodeo. One of the concerns, however, was that there would be no lodging available in Hugo like there was last year when the festival occurred in Limon. Ms. Mosher said they would have some camping spots available and planned to talk to some of the

hotels in Limon to see if one would be willing to provide a shuttle service. They used the hospital's Outback Express bus last year, but it was a cost to the hospital. If one or more of the hotels were willing to provide transportation at a price, it would be a benefit to them.

Mr. Burgess asked how they would handle the beer garden, and Mr. Stone read the stipulations outlined in resolution #684, which was signed by the commissioners on June 6, 2008. Rules established at the time included that the entity would be responsible for obtaining special events insurance and a special events liquor permit that the commissioners would approve. Other rules in the resolution were that the beer garden would be fenced off with only entrance/exit, no one under the age of twenty-one would be allowed in the beer garden, and drinking could occur only within the beer garden. A law enforcement officer would be at the entrance to the garden, and someone from the sponsoring entity would also be at the access to the beer garden and would give out wristbands after proof of age was provided.

Ms. Huelskamp hadn't brought the proposed diagram for the beer garden, but Mr. Beedy said they would like to have the grandstands included in the area so people could take their beer in to sit and watch the concert. The entrance would be off to one side. Mr. Burgess stated that the current resolution would make it impermissible for anyone under the age of twenty-one into the concert if the grandstands are part of the beer garden. He also explained that the special events permit would need to be obtained through the County Clerk's office and asked if Mrs. Thelen were aware of those guidelines. She assured him that she was.

Mr. Palmer commented that if HIP were sponsoring the beer garden, the cost would be \$1,000, and gave Mrs. Thelen the fairgrounds rental form. The group also discussed restroom facilities. Mr. Palmer wanted it understood that he would not be cleaning restrooms or dumping trash; the entity sponsoring or putting on the concert would need to figure out how to take care of those issues.

Mr. Burgess reiterated that he wanted to make sure the festival would not be a county function. Mr. Beedy told him that HIP would be in charge, so that organization would be responsible for obtaining the insurance and special events permit and signing any other contracts. Mr. Burgess said the Board would discuss it and let them know. Mr. Kimble added that the commissioners should notify the county's insurance carrier and find out if they had any additional input.

The group left, and Mr. Kimble reported sending the commissioners a memo he'd put together regarding coroner/surveyor benefits. He had heard from several different counties but said that there seemed to be no consistency whatsoever; some counties do provide benefits, some do not. Nor is there a statute that clearly answers the question; numerous counties consider the statutory salary to include benefits for all elected officials, including coroners and surveyors, while others contend that there is no statutory authority to provide benefits to elected officials regardless of hours worked.

Mr. Kimble reported again on the amended service plan for the Limon Fire Protection District, as well as the Patel and Howard properties. He also commented that the sheriff had a proposal for the concert event application that he would forward to the commissioners.

Mr. Piper reported that he'd spoken with Steve Ahn from United Retirement again. The company had until March 30 to submit the paperwork for the unprocessed retirees. Mr. Piper said he'd push a couple of the employees to the front with the new company since those employees had extenuating circumstances requiring more rapid dispersal of their funds. Mr. Burgess felt the county should supplement the back months if the employees did not receive full compensation from their retirement dates.

Mr. Piper said he'd taken a call from the company that got the bid on the removal of the First Inn Gold hotel debris in Limon. They would like to meet with the commissioners on April 5.

There was no old business to discuss, but Mr. Burgess said he'd like to go to Cheyenne Wells the following Monday to take pictures of their fairgrounds building. Mr. Stone said he would go along.

Mr. Stone also said that Ken Stroud had asked him to relay that he felt the commissioners should appoint someone else to the E911 board, as he thought his membership was a conflict of interest now that he is the emergency manager.

The commissioners approved several other expense vouchers for the month and then, with no further business to come before the Board, the meeting was adjourned until 9:00 a.m. on April 5, 2018.

Corinne M. Lengel, Clerk to the Board

Doug Stone, Chairman