

Board of County Commissioners of Lincoln County
Agenda for April 18, 2018

9:00 Call to order and Pledge of Allegiance

9:00 Mark McMullen, Project Manager with American Environmental Consulting LLC, to attend a conference call concerning the expansion of the Lincoln County Landfill

9:30 Trey James, Land Use Administrator, to discuss the April 10, 2018 Land Use Board meeting

10:00 Greg Etl, N.E. Regional Manager for the Colorado Department of Local Affairs, to discuss the process of applying for grants for a new building at the fairgrounds

1. Approve the minutes from the April 5, 2018 meeting
2. Review the March reports from the County Assessor, County Clerk & Recorder, and County Sheriff
3. Review the March, 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
4. Review the March, 2018, reports from the Colorado Counties Casualty and Property Pool and the County Workers' Compensation Pool
5. Review and Act Upon a Memorandum of Understanding with the Colorado Department of Local Affairs – University of Colorado Denver, Colorado Center for Community Development regarding the preparation of plans for a new building at the Lincoln County Fairgrounds
6. Review a request from the Country Living Learning Center regarding a new Child Care Facility
7. Discuss regulations for a beer garden at the Colorado Prairie Music Festival
8. Discuss appointment to the vacancy on the Hospital Board
9. Discuss appointment to the vacancy on the E911 Board
10. Discuss a potential free dump day at the Lincoln County Landfill
11. County Commissioner Reports
12. County Attorney's Report
13. County Administrator's Report
14. Old business
15. New business

The Board of Lincoln County Commissioners met at 9:00 a.m. on April 18, 2018. The following attended: Chairman Doug Stone, Commissioners Ed Schiffers and Steve Burgess, County Administrator Jacob Piper, County Attorney Stan Kimble, Clerk to the Board Corinne M. Lengel, and Juliet Lundy with the Eastern Colorado Plainsman and Limon Leader.

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

The Board conducted a conference call with Mark McMullen, Project Manager with American Environmental Consulting, LLC, concerning the expansion of the Lincoln County Landfill. The commissioners had several questions regarding Cell 3; such as, the height of the dome and if trash could be piled as high as Cell 2, which would increase capacity. Since there is no liner between the two cells, Mr. McMullen didn't believe it would be possible. He said it would be best if the county could physically tie a liner from the north side of Cell 2 to the south side of Cell 3, but he didn't think they could access the liners of Cell 2 without moving trash. Mr. McMullen felt the county could easily extend Cell 3, and he will find out from the state what type of liner will have to be put in.

Mr. McMullen asked if the county had a schedule from the state for when they would put in the wells. Mr. Piper responded that they told him they would send him a process of how to get samples tested by another lab, since the county wants a split-sampling, but he hasn't received the packet yet. Mr. McMullen said he could put together a quick request for bid from a couple of the labs that he trusts. One is in Denver, but the other two are in Tennessee and Michigan.

Mr. Stone wanted to know how much distance there would need to be between cells. Mr. McMullen felt if they could open up the south end of the existing liner in Cell 3 and tie in a clay liner wherever it stops, they would have two cells draining to different areas. He offered to complete a sketch and send it to the commissioners so they could see the outline. He added that if he could find out from the state if the county needs a liner, and if so, what kind, then they could design the entire site. Once the state approved it, they would be able to extend the cells indefinitely. The state would require a new EDOP, but they would not have to worry about where to locate future cells for many years. Mr. McMullen added that if they positioned the wells outside of the ultimate cell design area, they wouldn't have to abandon and relocate them later on.

When Mr. Burgess asked, Mr. McMullen said that he works with approximately fifteen or twenty landfills, and only three or four of them do not use scales. He explained that although expensive, they are nice because they make it easier to tell exactly how much waste is being put in the landfill. He suggested the county get one to help determine the efficiency of the compaction. Even though it takes additional work, compacting more trash into a single cubic yard of airspace would reduce the annual costs to the county and increase capacity. He added that if the trash is compacted more efficiently, the county could get another two years out of the current cell.

The Board thanked Mr. McMullen, who will contact the state about the required liners and send a sketch to Mr. Piper.

Mr. Burgess had done some research and provided an \$85,000 quote from Mortec Industries, Inc. for an 11' x 80' OTR concrete deck industrial truck scale.

Gene Vick arrived at 9:30 a.m., shortly before Land Use Administrator Trey James met with the Board to discuss the Land Use Board meeting held on April 10, 2018.

Mr. James said the board approved Development Permit #18-02 for a single-family residence south of Genoa for Carlos Leonard with the standard conditions of water and septic.

Mr. James tendered his employment resignation, effective on or around June 30, 2018, and stated he would be willing to work part-time through July, if necessary. He also offered to keep his stick-built certification and do inspections on those structures to keep the county from having to go through the process of getting someone else certified. Mr. Stone wanted to know how long it would take to train someone for his position, and Mr. James felt he could do it in a month. The Board asked if Mr. James thought the job should still be a 40-hour week position, and he said thirty-five hours should be sufficient.

There will be another Land Use Board meeting on May 1 to act on a development permit for the eighty acres south of Scott Ravenkamp's house. The property was split into two 80-acre parcels, and the new owner of the second parcel wants to build a house on it.

Mr. James left, and Mr. Burgess made a motion to approve the minutes of the meeting held on April 5, 2018, as submitted. Mr. Schiffers seconded the motion, which carried unanimously. The Board reviewed the March reports from the Assessor, Clerk, and Sheriff. Also reviewed were the March 2018 Statements of Revenues and Expenditures for the County General, Public Health, Capital Projects, Conservation Trust, E911, Landfill, Library, Lodging/Tourism, and Road & Bridge funds, as well as the individual road district reports.

Mr. Burgess made a motion to sign a Memorandum of Understanding with the Colorado Department of Local Affairs—University of Colorado Denver, Colorado Center for Community Development regarding the plans for a new building at the fairgrounds. Mr. Schiffers seconded the motion, which carried unanimously. UCD will submit an invoice to the county upon completion of services for the local government contribution of \$600.

Lincoln Community Hospital Administrator Kevin Stansbury arrived while the Board was reviewing a request from the Country Living Learning Center regarding a new child care facility in Hugo. The group would like the county to pledge support of the project in the form of dirt/foundation work on the property once they get to the point of construction.

The Board held a conference call with Greg Etl, Northeast Regional Manager for the Colorado Department of Local Affairs, to discuss the process of applying for grants for a new building at

the fairgrounds. The county would be better off to build a four-sided structure rather than something open like the commissioners are planning. Fairgrounds or recreational projects tend to rank behind water, sewer, courthouse, and city health projects as far as receiving grant funding. However, if they decided to enclose the building, making it multi-purpose, the project would be more likely to move up on the list. Funding of the project would also depend on the cycle and the number of grant requests DOLA receives.

Mr. Etl suggested that the county should apply for a GOCO grant, as the open-sided building would be more in that area. He advised that it would be best to obtain three estimates before ever putting out a request for bid since most bidders won't hold a bid for the amount of time it would take for grant approval. Mr. Etl also recommended picking the middle or highest estimate for the grant application. If they chose the lowest bid and the project ended up costing much more, the county would have to pay the difference. The next grant cycle begins in August, and DOLA won't hold the hearings until the third week of November. Award letters are sent out in December, and then it would take three months for the county to get the contract award, so it might still be possible to construct the building before the 2019 fair. Mr. Etl added that the commissioners could speed up the process by requesting bids once they received the award letter. They could at least obtain bids, even though they would have to wait for the executed contract from DOLA before they awarded the project to a specific company. He reiterated that the county had a pretty slim chance of receiving a DOLA grant for an open building.

The commissioners thanked Mr. Etl, and Gene Vick asked to speak to them. He'd talked to Phillips County Administrator Randy Schaffer who told him their new building cost \$1.6 million. They got their funding from Great Outdoors Colorado and Energy Impact grants. He asked the commissioners how they determined the size of the building and asked why they weren't putting it where the existing parking area is. Mr. Schiffers told him that according to the plans they received from UCD, the structure will fit in the current footprint, and Mr. Burgess answered that drainage was the problem with putting the building where Mr. Vick suggested. Mr. Stone said that a bigger building will cost more and that everyone in the county doesn't think like he and Mr. Vick do and would not appreciate the extra expenditures.

Dan Merewether arrived in time to listen to the Board discuss regulations for a beer garden at the Colorado Prairie Music Festival. Judy Thelen, President of HIP, had provided a map of the proposed beer garden. Mr. Piper talked to the county's insurance carrier about the problems with the beer garden resolution, and the representative he spoke with said it could be amended. Mr. Kimble's concern was mainly regarding injuries to or by intoxicated parties but commented that if the sheriff and insurance company were satisfied, then the commissioners could fashion it the way they wanted to. He felt the people running the beer garden would have to be responsible for not selling to intoxicated parties.

Mr. Stansbury provided the names of two candidates to fill the vacancy on the hospital board, and Mr. Burgess said that stating they wanted younger members was discrimination. Mr. Stansbury said that was certainly not the intent; they just want a representative sample of the

entire community, and that age group is missing. Mr. Kimble quoted the qualifications of board members from state statute, and Mr. Stansbury responded that they wanted to fill the board with diversity. Mr. Kimble cautioned him to be careful of age discrimination, and Mr. Stansbury said they were very open and transparent about their search for someone from the age group they selected. He said it is critical to sustain into the future for continuity of organizations such as the hospital. The commissioners agreed to consider the two prospective candidates. When Mr. Stansbury left, Mr. Kimble commented that the hospital could only make recommendations to the Board; the commissioners could accept or not, it was entirely up to them.

The Board discussed the vacancy left by Ken Stroud on the E911 board. Mr. Stroud feels that it is a conflict of interest for him to remain on the board now that he is the county's Emergency Manager. Mr. Piper said that Gary Ensign might be interested as he had resigned from the board for the same reasons when he was the county administrator. Mr. Schifferns made a motion to appoint Gary Ensign to the E911 board. Mr. Burgess seconded the motion, which carried unanimously.

The Board agreed to hold a free day at the county landfill on May 12 with an alternate date of May 19.

Mr. Burgess reported that all three commissioners attended the Eastern TPR meeting in Limon on April 9. He received a call from Waste Management about whether or not the county was still interested in putting in a transfer station at the landfill. He told them that there are no plans for that at this time. He spoke with Mr. Piper on April 13 regarding the weather and closure of the county offices. Since CDOT had closed roads, the Board agreed to allow county employees to go home. He got a call from a resident on April 14 about snow north of County Road 3X, and he talked to Road Foreman Bruce Walters on April 16. They are down one employee in District Two due to medical reasons. Mr. Burgess attended the Economic Development Corporation meeting before the commissioner meeting and learned that Senator Cory Gardner is scheduled to be in Limon on Friday, April 20. Also, the fence is done at the landfill, and Mr. Burgess said it looks very nice.

Mr. Schifferns reported attending the Economic Development annual meeting with Mr. Stone on April 11. He got a call from a resident on April 16 who said there were property owners in an area east of Hugo, including the 7 Mile Ranch, who opted out if Hugo ever formed a fire district. The resident felt it was in the commissioner minutes from a meeting in the early 90's, and he wanted to know if that property would revert to Arriba. Mr. Kimble agreed to do some research on the matter. He added that it would require minimum involvement of the commissioners as the court would have to resolve it, which wouldn't be difficult if both parties agreed. Mr. Schifferns concluded his report by saying District One is graveling roads around County Road 2W and State Highway 71. The Mortensen fines are up to \$59,750, but Mr. Schifferns commented they were a big help during the previous night's fire without being asked. Mr. Kimble said he sent the invoice to John Lupo and Jerry Kelly.

Mr. Stone reported checking roads on April 7. He attended the Eastern TPR meeting on the Ninth and the Karval Alliance meeting on April 10. He and Mr. Schiffers went to the annual Economic Development meeting on April 11, and he checked roads where they were patching potholes on the Twelfth. A meeting on April 13 was canceled due to the bad weather, and he also spoke with the other commissioners and Mr. Piper about allowing county offices to close. Mr. Stone stopped by the shop on April 17 and talked with Rick Ashcraft. A fire in District 3 started in the late afternoon, so they sent several road graders to help. They also sent more equipment to another fire that started in El Paso County and crossed the Lincoln County line.

Undersheriff Gordon Nall stopped in while Mr. Stone was giving his report and said that over 5,000 acres had burned in the El Paso County fire. They didn't have numbers yet on the fire down by County Road 109 and Highway 94. When asked what had caused the fires, Mr. Nall said the one in the county was caused by a tree in a power line, which has happened before. He added that the biggest expense to the county would be fuel, as several trucks and emergency vehicles had to fill up. Mr. Stone told him that several of the firefighters reported they hadn't received the pages, but the undersheriff said they had definitely gone out.

Further discussion was held regarding the Prairie Music Festival and whether or not more law enforcement would be needed. Mr. Kimble reminded the commissioners that they had adopted the Lincoln County Public Event Application, which would require the festival group to contact the sheriff again. Undersheriff Nall said the overtime would be pretty high like it was last year if all the deputies work. When the county allowed the Mexican rodeos a few years ago, they provided their own security. Mr. Burgess asked if the commissioners could require that and add it to the resolution, but Mr. Stone said they should talk to Sheriff Nestor first to see what he preferred.

Undersheriff Nall left, and Mr. Kimble reported that he checked into the county adopting a resolution designating the Karval school Forder buildings as a historical site per Janet Kravig's request. Before the Board could adopt the resolution, they would have to pass an ordinance authorizing them to make historical designations. Mr. Stone commented that the buildings are not on their original site and wondered if that would make a difference to their historical designation.

Mr. Piper reported that he was supposed to have received the information for the courthouse parking lot from GMS, Inc., but David Frisch will be at the next Board meeting instead.

He had received two requests for exclusion of the proposed Hugo Fire Protection District, which he gave to Mr. Kimble who will forward them on to the attorney for the proposed district.

Mr. Kimble signed letters to CDOT requesting a Utility Clearance and a Right-of-Way Clearance Certification for the Union Pacific Railroad Roundhouse Project, and then Mr. Stone called for old business.

Mr. Burgess said that it seemed the fairgrounds building would be on hold until at least 2020 if

the commissioners chose to apply for grants. He supplied what he'd written up for bid specifications.

As for new business, Mr. Schiffers made a motion to appoint Tony Lyons to the Hospital Board to replace Roxie Devers. Mr. Burgess seconded the motion, which carried unanimously.

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

Corinne M. Lengel, Clerk to the Board

Doug Stone, Chairman