

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

- 9:00 Call to order and Pledge of Allegiance
- 9:00 Kevin Stansbury, Lincoln Community Hospital CEO, to present a monthly update for the Lincoln Community Hospital
- 10:00 Conference call with the Colorado Department of Public Health & Environment regarding the Karval Water Users
- 11:00 Meeting with Walsh Walsh, President of the Explosives Test Center LLC, to discuss the potential purchase of land in the Southern part of Lincoln County that would be used for explosives testing
1. Approve the minutes from the August 7, 2018 meeting
 2. Review the July, 2018, reports from the County Assessor, County Clerk & Recorder, County Sheriff, and County Treasurer
 3. Review the July, 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 July, 2018 reports from the Colorado Counties Casualty and Property Pool and the County Workers Compensation Pool
 5. Review and act upon an Employee Credit Card Request for Fred Lundy IV, Lincoln County Land Use Administrator
 6. County Commissioner reports
 7. County Attorney's report
 8. County Administrator's report
 9. Old Business
 10. New Business

The Board of Lincoln County Commissioners met at 9:00 a.m. on August 16, 2018. The following attended: Chairman Doug Stone, Commissioners Ed Schiffers and Steve Burgess, County Administrator Jacob Piper, and Clerk to the Board Corinne M. Lengel. County Attorney Stan Kimble was absent and excused. Juliet Lundy with the Eastern Colorado Plainsman and Limon Leader attended as well.

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

Lincoln Community Hospital CEO Kevin Stansbury met with the Board at 9:00 a.m. to present the monthly update for the hospital. They received full funding for the USDA Next Fifty grant and placed an order for the primary care mobile clinic, which they hope to have by September. The unit will run five-to-seven days a week and will travel to numerous locations outside of the county. Mr. Stansbury said that he received a request that it stop in Simla at least once a week, and they will honor another request from the assisted living facility in Stratton as well. He felt there would be no problem keeping the mobile clinic busy.

The hospital also requested \$300,000 from the Colorado Health Foundation for infrastructure and a targeted planning grant. Mr. Stansbury provided a financial report, stating he felt they were in good shape but that they need to find ways to cut back on costs. He reported that he'd been appointed to the state commission to study global budgeting, and they are now fully staffed with providers. They are working with the Eastern Plains Health Consortium to provide mental health services through telemedicine and want to replace Centennial Mental Health using a subscription basis at Holyoke, Burlington, Cheyenne Wells, and Eads. Mr. Stansbury said they should be able to use their existing staff.

Megan Mosher is working on the roll-out of the new hospital name and logo, and Mr. Stansbury reported that they felt it necessary to preserve "Lincoln" in the new name, but they also wanted to keep it simple.

The Burlington hospital has a new CFO, and they will hold a joint board meeting to discuss collaboration with them. Mr. Stansbury will also meet with the Hugo town board regarding the replacement property for a possible new hospital location, and he has a meeting scheduled tonight with the Limon Ambulance and town of Limon regarding sharing resources and working together. He stated they have common ground and good people on both sides who want to do the right thing.

They've noticed a decrease in billing complaints, so Mr. Stansbury felt they were making progress in that arena. Tony Lyons will leave his position on the hospital board at the end of September, and they are currently interviewing his replacement. He will bring the board's recommendation to the commissioners once they have someone selected.

Lastly, Mr. Stansbury invited the commissioners to the Gift of Life 25th anniversary celebration on August 25.

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

The Board reviewed the July 2018 reports from the County Assessor, Clerk & Recorder, Sheriff and Treasurer, as well as the July 2018 Statements of Revenues and Expenditures for the General, Public Health, Capital Projects, Conservation Trust, E911, Landfill, Library, Lodging/Tourism, and Road & Bridge funds and the individual road districts. Also reviewed were the reports from the Colorado Counties Casualty and Property Pool and the County Workers' Compensation Pool.

Mr. Schifferns made a motion to approve a county credit card with a \$5,000 limit for Land Use Administrator Fred Lundy, IV. Mr. Burgess seconded the motion, which carried unanimously. Mr. Piper said that the reason for the higher credit limit is because it covers gravel pit renewals. Mr. James' credit card is still active, but Mr. Piper will cancel it as soon as Mr. Lundy gets his so that there is no lapse with the gravel pits.

Mr. Burgess had received information from Tom Anderson regarding the value of the Victim's Advocate Dodge Durango damaged in the hail storm. Trade-in value is \$13,300, and retail is \$14,600, according to Mr. Anderson.

Mr. Stone reported spending most of his previous week at the county fair and then at the fairgrounds when they started tearing down the old buildings in preparation for the new one. The District 3 road crew started overlaying oil on County Road 109 on Tuesday and finished up on the Fifteenth.

Mr. Schifferns reported stopping to look at Dale Cochran's rubbish pile on August 7 after the commissioner meeting. He commented that it was a huge pile. He checked roads on August 8 and attended the fair on the Ninth, Tenth, and Eleventh. He did have someone ask about fixing a county road, but they've already done it several times. They might have to resort to putting culverts in. Someone else at the fair told him they would have liked to have seen pictures of what the new layout will be at the fairgrounds when the old buildings are gone and the new one is put up. Mr. Burgess updated Mr. Schifferns on the fairgrounds project on August 14, and he went by to check on things on the Fifteenth. District 1 should have their new tractor delivered today.

Mr. Burgess reported that they rebuilt County Road 3J three times the previous week due to water over the road. He attended the fair on August 8 and picked up a fifth-wheel plate for the MACK truck in Denver on the Ninth. At the rodeo on August 10, Mr. Burgess said that he couldn't hear anything in the grandstands and commented that they need to do something with the sound system. During the fair on August 11, he happened to be on the south side of the arena and said the speakers worked very well over there, as well as on the west end. However, during the derby, while in the grandstands, he couldn't hear the announcer again. Mr. Stone agreed and said several people complained. On August 13, they started the

demolition of old buildings at the fairgrounds. Mr. Burgess said they'd had numerous problems with the MACK truck, and it's now in the shop for antifreeze backflow issues. MACK offered to pay for the parts if the county would pay the labor costs. They also had a John Deere blade quit on them, so they called the John Deere mechanic, and then took it to the county shop for repairs. District 2 had four culverts plugged with trash on County Road 3J, which was one of the reasons the water ran over the road again. They cleaned them out and put in two additional four-foot pipes. Mr. Burgess commented that they had rebuilt that road five times this year. He received a call from a resident asking if the county could find a way to provide cardboard recycling, and then reported that at 9:45 p.m. the previous evening, Limon Fire Chief Ian Christie called him to say that Dale Cochran lit his trash pile on fire. He told Mr. Christie that he thought he had permission to do so. Mr. Christie was concerned as there was no water or equipment nearby should the fire get out of hand or spread. He contacted the sheriff's office, and the undersheriff told him the fire department needed to put out the fire. Mr. Burgess attended the Economic Development meeting on the morning of August 15, and they discussed the problems CDOT is having with funding passing lanes on Highway 287. Also at that meeting, he learned that in Otero, Prowers, and Yuma counties, the Economic Development Executive Directors are county employees. Mike Vaughn told him when he saw him at the fair that if the county wanted to lease, there would be some 100-to-150 horsepower tractors available sometime this fall. Mr. Burgess reported that Mr. Blackburn sent him the requested information and pictures regarding Larimer County's scale decks, and he would forward the info to the other commissioners. Lastly, he spoke with Bruce Walters earlier this morning.

At 10:00 a.m., Patrick Leonard, and OEM Director Ken Stroud, met with the Board for a conference call with the Colorado Department of Public Health & Environment regarding the Karval Water Users project. Evan Butcher, Brad Monson, and Julia Gray with the Water Quality Control Division were on the call, along with Beth Fox from the Colorado Water Resources Power Development Authority, DOLA representative Joe McConnell, and Nick Marcotte with Element Engineering.

Mr. Butcher said that the main question is who the loan applicant would be: Lincoln County or Karval Water Users. Funding opportunities are different depending on the applicant. Patrick Leonard didn't believe KWU could apply because of the 501c3 status. Mr. Monson felt KWU, as a non-profit, would be eligible for a State Revolving Fund loan for disadvantaged communities. They would qualify for a planning grant but not for design and engineering funds. However, if the county were the loan applicant, it would be eligible for the design and engineering money as a government agency and could then enter into an agreement with KWU for reimbursement of the loan.

Mr. Leonard stated that the county and Karval Water Users had an agreement in the past, so there may still be something out there that they could utilize. Mr. Burgess commented that he felt the county needed to do whatever it took to ensure that the residents of the Karval community have potable water. Mr. Monson said that the county as the lead on the loan application made the most sense and would give KWU access to more grant funding. Mr.

Burgess asked if the county would write the grant, and Nick Marcotte with Element Engineering said he would help Mr. Piper through the process.

Mr. Butcher said that if the commissioners agreed that the county would be the lead on the loan application, they would need an email stating such and could move forward once they had that agreement.

Beth Fox with CWRPDA suggested that the commissioners seek counsel from the county attorney regarding legal requirements and added that Larimer County might have sample agreements for reference. The first step would be for the county to incorporate Karval as an enterprise. DOLA representative Joe McConnell added that Larimer County set up an improvement district in which the loan capital is paid through special assessments or property taxes, but taking that avenue would require a ballot issue in this year's November election. He stated KWU might want to go about repayment by increasing user fees. Mr. Leonard said they increased user fees in the past and believed that was the way they would do it again.

Mr. Butcher concluded the discussion by saying they would put together an email that summarized the call and planned the next steps, which would provide direction for everyone. He asked how critical the schedule was, and Mr. Leonard responded that they hoped for an August 2019 completion date. Although not critical at this point, the nitrate levels in the water are getting pretty high.

At 11:00 a.m., Graham Walsh, Kira Walsh, and Michael Gerber with Explosives Test Center, LLC, met with the Board to discuss the potential purchase of land in the southern part of Lincoln County that would be used for explosives testing. Land Use Administrator Fred Lundy, Sheriff Tom Nestor, Patrick Leonard, and OEM Director Ken Stroud also attended the discussion. Mr. Walsh explained that they are one of six approved third-party explosives testing labs in the state and showed the group a short Power-Point presentation regarding what they do. Most of the testing is automotive-related, but Mr. Walsh said that any explosive item, big or small, must be tested before shipping. They do not currently have an area where they can perform their tests, so Mr. Walsh said he does it all on the road. The ATF and the state regulate them, and DOT controls their ability to perform tests. Mr. Walsh said that they occasionally execute forty-foot drop tests, so they would have to build a tower for those, as well as cement pads for any burn-testing they would do. Knowing that the county is on a Level 2 burn ban, Mr. Walsh said they would ensure through the sheriff and fire personnel that they had the proper mitigation to complete tests during the county's restrictive times.

As for the land purchase, Mr. Walsh stated that they've looked at 235 acres south of Karval, approximately two miles from town. The closest neighbor is one-and-a-half miles away, and they want to be mindful and conscientious of their neighbors and be good community members. Mr. Walsh told the group that they would only perform fifty-to-seventy tests per year and described what they would do to create a proper burn area. They would clear a two-to-three hundred foot square and put berms around it, as well as cut in a fire break, and keep the grass and weeds low. It is customary to invite the fire departments out to see their testing

the first few times, and they would be happy to complete any training that fire personnel recommended they take. Another possibility would be to purchase a brush truck to keep on site. Specialized buildings, built to code, are a requirement, and they do any detonation testing inside a chamber to mitigate the risk of flying debris. There are a couple of gullies on the property that could accommodate noise issues. Mr. Walsh added that they are restricted by the UN manual when it comes to weather conditions, and they cannot burn anything under certain circumstances. They want to put an offer on the land but also wanted to meet with the commissioners first to find out if there were any other requirements to meet.

Sheriff Nestor asked if they had any security measures in place in case of break-ins. Mr. Walsh responded that they are required to report to ATF, so there are strict guidelines regarding security. Mr. Gerber added that regulations include steel, wood, locks, shrouds over the locks, and some bullet-proof areas.

Mr. Burgess said they would need to follow the land use regulations, and Mr. Walsh said he'd spoken with former Land Use Administrator Trey James about it a little bit. Mr. Lundy stated that Mr. Walsh would have to obtain a development permit, which would require Land Use Board approval. They would also have to attempt to notify all adjacent property owners via certified mail.

Mr. Stone said his concern was for water wells, but Mr. Walsh said there are MSHA regulations they have to follow regarding ground vibration. Testing would only occur during the daylight hours and only fifty-to-seventy times per year.

Patrick Leonard wanted to know if there would be any possibility of chemicals getting into the ground or residential well water, but Mr. Walsh said the remnants from high explosives are benign. He added that the cement pad they would pour for the burn testing would also help alleviate any problems in that area. Although not licensed for certain disposals, they could handle emergency disposals on a small scale if someone found something that needed destroying. Mr. Stroud commented that maybe they could help local first responders and departments with training, and Mr. Walsh agreed, adding that if the high schools needed something they would be happy to help as well. Mr. Lundy asked if they handled clean-up and reclamation of the property if they decided they no longer needed the site, and Mr. Walsh said they would do whatever was required. As far as benefits to the community, he stated that there weren't many, other than the potential for a few jobs or the purchase of building materials. Mr. Burgess said the first thing they would have to do was take it before the Land Use Board.

When the others left, Mr. Lundy stayed to discuss the collection of use tax on cell towers. He asked the commissioners if anyone could remember a resolution or reason why the tax wouldn't have been collected on certain permits, as some showed that it was, but others did not. Mr. Lundy said his research hadn't uncovered anything. No one could remember a resolution that would exempt the tax, so Mr. Lundy said he would begin collecting use tax again.

Mr. Lundy also reported that one application was approved and another denied at the Land Use Board meeting on August 14, but he would provide a more extensive report on those at the end of the month.

Mr. Lundy left, and Mr. Piper reported that he'd set up a CTSI Workers' Comp training for county department heads on September 11, at 9:30 a.m. The Board felt it should be mandatory, and Mr. Piper said he would send out an email.

Due to a conflict on September 18, the commissioners agreed to change the annual budget hearings to September 19 instead.

Mr. Burgess said he'd found some bleachers online that they might want to purchase for the new fair building, but Mr. Stone said there are two big sets on the east side of the fairgrounds that John Palmer didn't use this year. They used to be on the south side of the arena, but when they built the awnings there, the bleachers were too tall, and they couldn't use them anymore.

The Board completed a CCI Survey regarding unmet local transportation needs, and then Mr. Stone said he'd received an email from CCI regarding transporting 4-H kids in county vehicles. According to CCI, no one other than the Extension Agent should drive the vehicle, and they should not be allowed to travel out of state.

The commissioners discussed comments they'd heard from constituents at the county fair, and then, with no further business to come before the Board, Mr. Stone adjourned the meeting until 9:00 a.m. on August 30, 2018.

Corinne M. Lengel, Clerk to the Board

Doug Stone, Chairman