

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

- 9:00 Call to order and Pledge of Allegiance
- 9:00 Fred Lundy, Lincoln County Land Use Administrator, to report on the August 14, 2018, Land Use Board Meeting
- 10:00 Jobeth Mills, Public Health Director, and Ken Stroud, Emergency Management Director, to present the August, 2018 Public Health Agency's monthly report
1. Approve the minutes from the August 16, 2018 meeting
  2. Review the monthly report from the First National Bank Omaha
  3. Review and act upon the contracts for the Emergency Management Performance Grant for 2018
  4. Review and act upon proposed Resolution Number 971, A Resolution Certifying Cost of Prosecuting Crimes Alleged to Have Been Committed by Persons in the Custody of the Department of Corrections
  5. Review and act upon the Lincoln County, Colorado Consolidated Cost Allocation Plan and Indirect Cost Rate for the Year Ended December 31, 2017
  6. Discuss changes regarding the 2019 Lincoln County pay schedules
  7. Discuss potential meeting dates for a regional meeting regarding the Colorado Department of Transportation's Smart Mobility plan
  8. Old Business
  9. New Business
  10. Approve payroll and expense vouchers

The Board of Lincoln County Commissioners met at 9:00 a.m. on August 30, 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. Juliet Lundy with the Eastern Colorado Plainsman and Limon Leader attended until noon.

Chairman Stone called the meeting to order and asked Land Use Administrator Fred Lundy to lead the Pledge of Allegiance. Jeff Waldo with Front Range Pipeline and the contractor for the project were also there for the 9:00 a.m. appointment.

Mr. Lundy reported that at the August 14 Land Use Board meeting, the board voted to deny Development Permit #18-05, a request from Floyd Woods for RV storage just outside of Limon. The board denied the request because Mr. Woods failed to notify adjacent landowners.

The Land Use Board voted to approve Development Permit #18-04; a request by Front Range Pipeline to install a pump station on County Road X between County Roads 3 and 4, with an amendment to clarify the legal description. Mr. Lundy said that the commissioners would also need to approve an exemption from subdivision regulations if they agreed to accept the Development Permit.

Mr. Burgess made a motion to approve Development Permit #18-04 for Front Range Pipeline to build a pump station. Mr. Schiffers seconded the motion, which carried unanimously.

Mr. Schiffers made a motion to adopt a resolution granting an exemption from subdivision regulations to Front Range Pipeline for a parcel of land located in the Northwest Quarter of Section 28, Township 14 South, Range 59 West of the 6<sup>th</sup> P.M. Mr. Burgess seconded the motion, which carried unanimously.

At a regular meeting of the Board of County Commissioners of Lincoln County, Colorado, held in Hugo, Colorado, on August 30, 2018, there were present:

Douglas D. Stone, Chairman	Present
Ed E. Schiffers, Vice Chairman	Present
Steve Burgess, Commissioner	Present
Stan Kimble, County Attorney	Absent & Excused
Corinne Lengel, Clerk of the Board	Present
Jacob Piper, County Administrator	Present

when the following proceedings, among others, were had and done, to-wit:

**RESOLUTION #971** It was moved by Commissioner Schiffers and seconded by Commissioner Burgess to adopt the following resolution:

**WHEREAS**, application has been made by Front Range Pipeline LLC for exemption from the Lincoln County Subdivision Regulations on a parcel of land in Lincoln County described as follows:

A parcel of property located in the Northwest Quarter (NW ¼) of Section 28, Township 14 South, Range 59 West of the 6<sup>th</sup> P.M., Lincoln County, State of Colorado, and being more particularly described as follows:

Beginning at the North ¼ Corner of said Section 28, at a FND. 2" Aluminum Cap Stamped "PLS 30127 2015". Thence, SO 1'12'20"E, Along the East Line of the Northwest ¼ of said Section 28, A Distance of 500.29 Feet to a set #6x30" Rebar With 2" Aluminum Cap stamped "PLS 38313" on the East Line of the Northwest ¼ of said Section 28. Thence. Over and across said Section 28 the following two (2) Courses and Distances: 1. S89'18'05"W, a distance of 653.88 Feet to a set #6x30" Rebar with 2" Aluminum Cap stamped "PLS 38313", 2. N01'12'20"W, a distance of 500.29 Feet to a set "6x30" Rebar with 2" Aluminum Cap Stamped "PLS 38313" on the North Line of said Section 28. Thence, N89'18'05"E, Along the North Line of said Section 28, a distance of 653.88 Feet to the point of beginning; said parcel containing 7.51 acres more or less; County of Lincoln, State of Colorado.

Said tract of land is subject to any rights-of-way or other easements as granted or reserved by instruments of record or as now existing on said tract of land; and

**WHEREAS**, under Section II-27-D-Subdivision, the Board of County Commissioners may exempt from this definition of the terms "subdivision" and "subdivided land" any division of land if the Board of County Commissioners determines such division is not within the purposes of this article;

**NOW, THEREFORE BE IT RESOLVED** by the Board of County Commissioners of Lincoln County that the parcel as described in the application be excluded from the provisions of the Lincoln County Subdivision Regulations so long as there is not a change in the present use of the property;

**BE IT FURTHER RESOLVED** that this exemption from the provisions of the Lincoln County Subdivision Regulations excludes any future division of the property without subsequent approval by the Board of County Commissioners.

Upon roll call the vote was:

Commissioner Schiffers, Yes; Commissioner Burgess, Yes; Commissioner Stone, Yes.

The Chairman declared the motion carried and so ordered.

Board of County Commissioners  
of Lincoln County

---

---

ATTEST:

---

Clerk of the Board

Mr. Waldo said they would coordinate with the District 3 road foreman regarding an approach and the driveway, which would only be twenty feet wide and about twenty-five feet long.

When the group left, Mr. Burgess made a motion to approve the minutes of the meeting held on August 16, 2018, as submitted. Mr. Schifferns seconded the motion, which carried unanimously.

The Board reviewed the monthly report from the First National Bank of Omaha and a proposed resolution certifying cost of prosecuting crimes alleged to have been committed by persons in the custody of the Department of Corrections.

Mr. Burgess made a motion to adopt a resolution certifying cost of prosecuting crimes alleged to have been committed by persons in the custody of the Department of Corrections. Mr. Schifferns seconded the motion, which carried unanimously.

At a regular meeting of the Board of County Commissioners of Lincoln County, Colorado, held in Hugo, Colorado, on August 30, 2018, there were present:

Douglas D. Stone, Chairman	Present
Ed E. Schifferns, Vice Chairman	Present
Steve Burgess, Commissioner	Present
Stan Kimble, County Attorney	Absent & Excused
Corinne Lengel, Clerk of the Board	Present
Jacob Piper, County Administrator	Present

when the following proceedings, among others, were had and done, to-wit:

**A RESOLUTION CERTIFYING COSTS OF PROSECUTING CRIMES  
ALLEGED TO HAVE BEEN COMMITTED BY PERSONS IN THE CUSTODY  
OF THE DEPARTMENT OF CORRECTIONS**

**RESOLUTION #972** It was moved by Commissioner Schifferns and seconded by Commissioner Burgess to adopt the following resolution:

**WHEREAS**, C.R.S. § 16-18-101(3) provides that the Colorado Department of Corrections (CDOC), from annual appropriations made by the general assembly, shall reimburse the county or counties in a judicial district for the costs of prosecuting any crime alleged to have been committed by a person in the CDOC; and

**WHEREAS**, C.R.S. § 16-18-101(3) provides that the county or counties shall certify these costs to the CDOC; and

**WHEREAS**, C.R.S. § 16-18-101(3) provides that the provisions of C.R.S. § 16-18-101(3) shall apply to costs that are not otherwise paid by the State; and

**WHEREAS**, Exhibit A to this resolution summarizes the costs of prosecuting crimes alleged to have been committed by persons in the custody of the CDOC, in matters prosecuted by the Office of the District Attorney for the Eighteenth Judicial District, which serves Arapahoe, Douglas, Elbert and Lincoln Counties; and

**WHEREAS**, the Office of the District Attorney for the Eighteenth Judicial District has confirmed the accuracy of these costs to Arapahoe, Douglas, Elbert and Lincoln Counties, and the Counties are now forwarding and certifying such costs to the CDOC relying on such District Attorney confirmation.

**NOW, THEREFORE BE IT RESOLVED** by the Board of County Commissioners of the County of Lincoln, State of Colorado, as follows:

1. The costs in Exhibit "A" are certified to the CDOC.
2. The costs in Exhibit "A" have not otherwise been paid by the state.

Upon roll call the vote was:

Commissioner Schifferns, Yes; Commissioner Burgess, Yes; Commissioner Stone, Yes.

The Chairman declared the motion carried and so ordered.

Board of County Commissioners  
of Lincoln County

---

ATTEST:

---

---

Clerk of the Board

After reviewing the Consolidated Cost Allocation Plan and Indirect Cost Rate for the year ended December 31, 2017, Mr. Burgess said he had some questions. Mr. Piper called County Auditor Ronny Farmer for clarification. Mrs. Lengel noted that although the document referred to the fact that her office had not completed the time study sheets for several years, it wasn't accurate; her employees who work on accounts payable and payroll turn in the time studies every year upon Mr. Farmer's request. Once Mr. Farmer explained the difference between allowable and non-allowable expenses regarding federal funds, Mr. Burgess made a motion to sign the Consolidated Cost Allocation Plan and Indirect Cost Rate for the year ended December 31, 2017. Mr. Schifferns seconded the motion, which carried unanimously.

At 10:00 a.m., the Board met as the Board of Public Health so that Public Health Director Jobeth Mills and Emergency Manager Ken Stroud could give the monthly report. First, the Board reviewed the contracts for the Emergency Management Performance Grant for 2018. Mr. Stroud explained that it was the annual contract for reimbursement of up to \$17,000. Mr. Burgess made a motion to approve the contract, Mr. Schifferns seconded the motion, and it carried unanimously.

Mrs. Mills wanted to discuss moving Mr. Stroud into a full-time emergency manager position and possibly relocating his office to the sheriff's office. Regional EPR Coordinator Darcy Janssen works each Tuesday, so Mr. Stroud would still be able to check in with her at the Public Health office once a week. Mrs. Janssen would then have an office so that she didn't always have to move her things. Mrs. Mills added that she wanted to hire a Program Manager who would help to perform some of the work on specific programs as well as Vital Statistics and other office duties. Pat McHone is in and out with WIC, so they have had to let some things lapse to keep up.

Mr. Stroud spoke up to say that it would serve the county well to have a full-time Emergency Manager, as twenty hours a week doesn't do the job justice. The other twenty hours of his week is devoted to EPR, but the EM duties tend to take up more time. He stated that he would still be part of EPR but wouldn't spend so much time answering phones or filling in when other Public Health duties come up. Sheriff Nestor agreed with remodeling an area in the sheriff's department to create an office for him, and Mr. Stroud has money in his Capital Outlay line item that he could use for the project.

Mr. Burgess commented that there is room in the administrator's office since Weed Coordinator Wayne Shade moved out. He asked Mr. Piper if he planned to hire an assistant, but Mr. Piper said he probably would not. Both Mr. Stroud and Mr. Piper had no problems with creating a space for Mr. Stroud in the administrator's office. Mr. Burgess said at least it would

save the money that it would take to remodel a room in the sheriff's department, and Mr. Stone asked him if he felt forty hours would be enough to handle both EPR and EM. Mr. Stroud said it's doable, but it does take every bit of those forty hours, sometimes more with evening meetings.

Mr. Piper figured what an office manager would make, which would be \$2,808 after the cost-of-living raise the commissioners proposed for 2019. Mrs. Mills informed them that the various programs would reimburse some of that cost. She felt they could do it at the first of the year since they didn't have the money in the 2018 budget. Heike Petersen will work until the end of December, and Sue Kelly should finish up the CHAPS assessment by the end of October.

Mr. Stone commented that he was in favor of moving Mr. Stroud to the courthouse, and Mr. Piper asked Mrs. Mills if she would rather have the EPR Coordinator at the Public Health office. Mrs. Mills responded that since Mrs. Janssen only comes on Tuesdays, it was okay with her if Mr. Stroud had an office at the courthouse as long as she were allowed to hire someone as a Program Manager.

Mrs. Mills gave the Public Health report for July, including a notation that Mrs. Janssen found some discrepancies in the EPR budget and redistributed the costs. The final budget is the same but the allocation of the money is different. Mr. Burgess made a motion to approve the redistribution of the expenses on the Emergency Preparedness budget request form. Mr. Schiffers seconded the motion, which carried unanimously.

Mrs. Mills said the state is looking at system transformation regarding Public Health, so she wanted the Board to be aware that changes may be coming in the way of funding.

Lastly, Mrs. Mills is working on program audits and said that the MOUs and service agreements with Kit Carson County expired. They've paid half of the rent on the Limon office for the Nurse Family Partnership program, which was \$250, but the rent is going up so Mrs. Mills will ask for \$275 per month. That amount will include a portion of some of the utilities.

Mr. Burgess asked Mr. Stroud what kind of shape the vehicle he uses was in, and Mr. Stroud said he noticed it's starting to show its wear. It does have over 160,000 miles on it.

Mr. Stone adjourned as the Board of Public Health, and the group discussed changes to the 2019 pay schedules and how removing a level would line the numbers back up to where they should be. Mr. Piper said he would work on it some more and bring it back for review. Making the changes would most likely give a few employees on that particular level a bit higher increase than the cost-of-living raise, but the Board agreed it would be worth it to have the numbers back in order.

The Board briefly discussed potential dates for a regional meeting regarding the Colorado Department of Transportation's Smart Mobility Plan. They agreed to look at their calendars after lunch.

Mr. Stone called for old business, and Mr. Burgess said that Bart O'Dwyer looked at the site for the fairgrounds building and wanted to know how the commissioners wanted it placed in relationship to the Ellis Allen building. He added that the county received an invoice from Structures Unlimited already, but that he didn't think they should approve it until they sign the contract.

Mr. Piper said he needed a signature on the CCI Legislative Committee Member Appointment form for the meeting on October 12, so Mr. Schifferns signed the form. The others agreed that one of them would attend the meeting if Mr. Schifferns were unable to.

Mr. Piper also said he'd received a \$17,250 check from the county's insurance carrier for the hail damage on the Victim Advocate's Dodge Durango. They totaled the vehicle, and Mr. Piper said he understood that the county would be able to keep the SUV *and* the money, but offered to check with them again to make sure.

Mr. Burgess said that if the county planned to give away the scrap steel from the First Inn Gold debris, the commissioners should consider giving local scrappers the opportunity first.

Mr. Burgess also commented that he'd heard Lucas Hohl told the owners of the pop machines in the courthouse lobby that they should come and get the machines. He stopped in the store to talk to him, but he wasn't there. Mr. Burgess said he wasn't sure what was going on but would speak with Mr. Hohl when he returned.

The commissioners took a lunch break, and when the meeting reconvened at 1:00 p.m., Sheriff Nestor was there at the Board's request. They let him know about the check from the insurance company, and the sheriff said whatever the Board decided to replace the vehicle with was fine with him. The sheriff briefly discussed the courthouse security grant and said he hoped to get a full-time officer with the new funds.

The commissioners approved the August 2018 payroll and expense vouchers, and then, with no further business to come before the Board, Mr. Stone adjourned the meeting until 9:00 a.m. on August 31, 2018.

---

Corinne M. Lengel, Clerk to the Board

---

Douglas D. Stone, Chairman