

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

- 9:00 Call to order and Pledge of Allegiance
- 9:00 Dusty Johnson, Northeast Area Representative for Congressman Ken Buck, to meet with the Lincoln County Board of County Commissioners
- 10:00 Receive and review sealed bids for the 2014 Dodge Durango and 2007 Chrysler Van
- 10:45 Patricia Phillips, Human Services Director, to present the Department of Human Services monthly report
1. Approve the minutes from the September 27, 2018 meeting
 2. Review and act upon proposed Resolution Number 973, a resolution endorsing the statewide transportation sales tax solution dedicated to transportation
 3. County Commissioner reports
 4. County Attorney's report
 5. County Administrator's report
 6. Old business
 7. New business
 8. Approve additional payroll and expense vouchers if necessary

The Board of Lincoln County Commissioners met at 9:00 a.m. on September 28, 2018. The following attended: Vice-Chairman Ed Schifferns, Commissioner Steve Burgess, County Administrator Jacob Piper, County Attorney Stan Kimble, and Clerk to the Board Corinne M. Lengel. Chairman Doug Stone was absent and excused.

Vice-Chairman Schifferns called the meeting to order and asked Mr. Piper to lead the Pledge of Allegiance.

Dusty Johnson, Northeast Area Representative for Congressman Ken Buck, met with the Board to give an update on legislation and answer questions from the commissioners. Topics discussed were funding for the mental health crisis due to redistricting, the Farm Bill, and marijuana laws. Ms. Johnson asked if opioid misuse was a big problem in Lincoln County, adding that Congressman Buck's opioid data-sharing language was included in H.R.6, the SUPPORT for Patients and Communities Act. It will specifically enhance data-sharing between wholesale registrants and law enforcement. The bill provides wholesale distributors greater access to anonymized industry sales data reported to the DEA to prevent future suspicious sales of controlled substances to pharmacies or practitioner registrants. By centralizing the information, distributors can better assess whether pharmacies have placed a questionable order. H.R. 6 passed both the House and Senate and is awaiting the President's signature.

Congressman Buck also introduced bipartisan legislation in H.R. 6927 to ensure a fair and free market for the pricing of aluminum in the United States. The Aluminum Pricing Examination (APEX) Act grants the Commodities Futures Trading Commission the statutory authority to conduct oversight of the aluminum market and investigate price-setting, benchmarking, and reporting entities.

Ms. Johnson asked about the overall feeling of residents in the county regarding wind energy since Xcel's recent Rush Creek project. Mr. Burgess said that aside from rent seeming to be extremely high, there is generally a positive feeling about it. Many businesses have profited from increased sales, and the county as a whole will benefit from the additional tax base, even though they are state assessed property. Mr. Kimble put in that the town of Limon sales tax was up quite a bit, which seems to happen each time a new project comes in.

Mr. Kimble asked Ms. Johnson if she knew of any legislation in which solar facilities are exempt from sales and use tax, as solar energy seems to be on the horizon for Lincoln County. She knew of nothing currently but said she'd keep her ears open.

The group also discussed the new hotels in Limon, the workforce, and affordable housing. Before leaving, Ms. Johnson said that she planned to shadow a school principal either in Limon or Karval and wanted the Board to be aware of it.

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

While the commissioners looked over the proposed resolution, Mr. Piper asked Mr. Kimble what it would do for the county to adopt it. Mr. Kimble stated that many people respect the opinion of county commissioners, so it might be helpful in passing the proposition in November. He added that the Board could not spend any county money to help the initiative pass but could endorse it if they felt it would be good for the county.

Mr. Burgess made a motion to adopt a resolution endorsing the statewide transportation sales tax solution dedicated to transportation. Mr. Schifferns seconded the motion, which carried.

At a regular meeting of the Board of County Commissioners of Lincoln County, Colorado, held in Hugo, Colorado, on September 28, 2018 there were present:

Douglas D. Stone, Chairman	Absent & Excused
Ed E. Schifferns, Vice Chairman	Present
Steve Burgess, Commissioner	Present
Stan Kimble, County Attorney	Present
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 #973 It was moved by Commissioner Schifferns and seconded by Commissioner Burgess to adopt the following resolution:

A RESOLUTION ENDORSING THE STATEWIDE TRANSPORTATION SALES TAX SOLUTION DEDICATED TO TRANSPORTATION.

WHEREAS, a modern, safe and efficient 21st century transportation system is essential to Colorado's quality of life and the health of our economy; and

WHEREAS, Colorado's population has grown nearly 60 percent since 1991, while state transportation spending per driver, adjusted for inflation, has been cut in half over that same time period; and

WHEREAS, increased demands on our roads and bridges have resulted in increased traffic congestion, lost worker productivity and deep frustration among local citizens; and

WHEREAS, the Colorado Department of Transportation has identified \$9 billion in much-needed projects that lack funding; and

WHEREAS, compounding the inability of CDOT to fund vital projects is the lack of resources available to local communities to address traffic congestion, maintenance needs and safety concerns; and

WHEREAS, the failure to maintain roads and bridges adequately costs Coloradans on average of \$468 per driver due to damage and unnecessary wear-and-tear to vehicles, and

WHEREAS, truly addressing Colorado's transportation challenges requires a dedicated, sufficient and guaranteed stream of revenue; and

WHEREAS, a bipartisan, statewide group of local elected officials and business leaders has proposed to raise the state sales tax by .62 percent for transportation needs; and

WHEREAS, will raise \$767 million in its first year and allow for bonding of \$6 billion for state projects; and

WHEREAS, 40 percent of the new revenue will go to county and municipal governments to address local transportation needs; and

WHEREAS, Colorado voters will be able to vote on this statewide transportation solution on the November 2018 ballot;

BE IT FURTHER RESOLVED That the Lincoln County Board of County Commissioners endorses this strong and effective transportation solution as the right answer to address years of neglect of our state's transportation needs and to address the concerns we have heard from our local citizens; and be it further **A RESOLUTION ENDORSING THE STATEWIDE TRANSPORTATION SALES TAX SOLUTION DEDICATED TO TRANSPORTATION**. The Lincoln County Board of County Commissioners urges our local voters to support this transportation solution on the November 2018 ballot.

Upon roll call the vote was:

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

The Vice Chairman declared the motion carried and so ordered.

Board of County Commissioners
of Lincoln County

ATTEST:

Clerk of the Board

Mr. Burgess reported going by the landfill with the other commissioners after the September 17 board meeting and attending the Rush Creek breakfast on September 18. He also stopped in at the Resources Unlimited meeting for a short time before that. Mr. Burgess attended the budget meeting on September 19, checked roads on September 20, and also called Steve with Cobitco about chip seal. District 2 will apply chip seal to 1,800 feet of a major thoroughfare next Wednesday. He also looked at County Road 3N and County Road 33 and stated they would need to put pipes in. Mr. Burgess toured roads with Weed Coordinator Wayne Shade on September 24. He also took several complaints from residents that day and promised to look into them. He talked to Bruce Walters after the previous day's meeting and let him know that if they have corrections to the payroll, the Clerk's office needs to know earlier in the month to give them enough time to process it.

Mr. Schifferns reported that he went by the landfill on September 17 with the others to check on the well-drilling. He also attended the Rush Creek breakfast on the Eighteenth and the budget meeting on the Nineteenth, after which he spoke with Sheriff Nestor about the sheriff's department getting a drug dog. On September 24, Mr. Schifferns got a call that a county road crewman hit a culvert with a mower and also knocked down a sign. They will put the sign back up but need to discuss what to do about the pipe. He checked roads on September 24 and talked to Chris Monks about elevating some low spots on County Road 45. They might decide to put culverts in similar to what District 2 did.

At 10:00 a.m., the commissioners opened one sealed bid for a county-owned 2014 Dodge Durango and two sealed bids for a 2007 Chrysler van. Mandy Bush bid \$758.29 on the Durango, and Juliet Lundy offered \$800 on the van. Jason Nestor also submitted a bid of \$627 for the Chrysler. The commissioners agreed to wait and speak with the chairman at the next meeting before deciding on whether or not to accept any of the bids. Mr. Burgess made a motion to table further discussion until October 5, 2018. Mr. Schifferns seconded the motion, which carried.

Mr. Kimble provided copies of Alamosa County's personnel policy/employee handbook stating that he'd contacted CTSI, but they did not have an example policy that they could share. He asked that everyone look it over and see if it might fit Lincoln County.

John Lupo contacted Mr. Kimble regarding Xcel's plan to expand the substation at Rush Creek to accommodate the interconnection of additional wind farms in the vicinity; namely Bronco Plains, a 300 MW project in Kit Carson County, and Cheyenne Ridge, a 500 MW project in Kit Carson and Cheyenne counties. They purchased an additional twenty acres immediately adjacent to the existing substation to allow for expansion. Mr. Kimble provided an email from Mr. Lupo sent to Land Use Administrator Fred Lundy and him, which outlined Xcel's plans, but his questions were whether or not Xcel would have to get a new permit and if the county would collect the sales/use tax on the expansion. Mr. Piper called Mr. Lundy to come and join the meeting, and Mr. Lundy stated that Mr. Lupo told him the original permit included the twenty acres; therefore, they would not have to get another one. He wasn't sure, however, if the county collected sales or use tax on the substation and said he would check. He added that

since the Bronco and Cheyenne Ridge transmission lines would come to the Lincoln County substation, Xcel would have to pay for permits on those projects.

Mr. Lundy left, and Mr. Kimble reported that the Board would soon get a full report from Michelle Sweeney regarding the Limon Ambulance dispute. He stated she looked at all seven points in the complaint, and while the county can make the report public once received, there isn't much else that the commissioners can do. The county's primary consideration is that ambulances meet the statutory requirements before they are licensed; otherwise, there isn't much involvement since the equipment is the only thing the county licenses. Mr. Piper pointed out that there is a provision that the county can suspend a license in extreme circumstances.

Mr. Kimble had nothing further to report, and Mr. Piper didn't have anything either.

At 10:45 a.m., Human Services Director Patricia Phillips met with the Board to give the monthly report for the department. She provided employee time sheets, the financial, Income Maintenance, Child Welfare, and director's reports, and then stated the commissioners would see that she will attend more training in the future. The state now requires she complete forty hours, and they will no longer prorate the Child Welfare time as part of those hours.

Mrs. Phillips said she'd forgotten to have the Board sign the Centennial Mental Health contract for \$15,000 the first of June and presented it for signature. Since the chairman's name and title already appeared on the document, Mr. Burgess asked if they could have Mr. Stone sign it on October 5. Mrs. Phillips said that would be fine and had nothing else to report.

Fred Lundy returned with the April 20, 2017, Agreement with Xcel Energy, which showed their permit fee of \$2.6 million included the substation. Mr. Kimble said that although the agreement allows the company to add to it, they will be subject to sales/use tax if they bring in more materials.

Mr. Schifferns called for old business or new business. Mr. Burgess felt they had worked out how to handle the complaint he'd taken from Carla's regarding the hospital. As for new business, he added that John Mohan met with the commissioners, Mr. Piper, and Mrs. Lengel before the meeting and agreed to fix the laminate on the cabinets in the driver examiner's office and the kitchen area of the Clerk's office. They also decided to replace the countertop and sink in the kitchen with a new unit rather than try and piece it together. Mr. Mohan will contact David Dobbs for an estimate and timeframe.

The commissioners approved additional expense vouchers for September and then, with no further business to come before the Board, Mr. Schifferns adjourned the meeting until 9:00 a.m. on October 5, 2018.

Corinne M. Lengel, Clerk to the Board

Ed E. Schifferns, Vice-Chairman