

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

- 9:00 Call to order and Pledge of Allegiance
- 9:00 Receive and review sealed bids for the 2014 Dodge Durango and 2007 Chrysler Van
- 10:00 Dusty Johnson, Northeast Area Representative for Congressman Ken Buck, to meet with the Lincoln County Board of County Commissioners
- 11:00 John Palmer, Lincoln County Fairgrounds Manager, to discuss the Colorado Van Council renting the fairgrounds
1. Approve the minutes from the October 17, 2018 meeting
 2. Review the September, 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
 3. Review the monthly management report from the First National Bank Omaha
 4. Review and act upon Resolution Number 975, a request to grant an ambulance service license for the Limon Area Fire Protection District
 5. Old Business
 6. New Business
 7. Approve payroll and expense vouchers

The Board of Lincoln County Commissioners met at 9:00 a.m. on October 30, 2018. The following attended: Chairman Doug Stone, Commissioner Ed Schifferns, County Administrator Jacob Piper, County Attorney Stan Kimble, and Clerk to the Board Corinne M. Lengel. Commissioner Steve Burgess was absent and excused.

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

Mr. Piper opened several sealed bids for the two vehicles the county agreed to sell; a 2014 Dodge Durango and a 2007 Chrysler van. He said he'd included the original submissions from Mandy Bush and Jason Nestor as well. The two offers on the Durango were from Ed Waite and Mandy Bush, who bid \$1,010.01 and \$758.29 respectively. Bids on the van were from Caleb Brent (\$2,055), John Palmer (\$2,000), Juliet Lundy (\$1,100), and Jason Nestor (\$627).

Mr. Schifferns made a motion to accept the bids of \$1,010.01 from Ed Waite for the Dodge Durango and of \$2,055 from Caleb Brent for the Chrysler van. Mr. Stone seconded the motion, which carried.

Mr. Schifferns made a motion to approve the minutes from the meeting held on October 17, 2018, as submitted. Mr. Stone seconded the motion, which carried.

The Board reviewed the September 2018 Statement 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 for the individual road districts. The commissioners also reviewed the monthly management report from the First National Bank of Omaha.

At 10:00 a.m., Dusty Johnson, Northeast Area Representative for Congressman Ken Buck, met with the Board to provide a quick update. She informed the group that the congressman co-sponsored the Retirement Freedom Act, or Senate Bill 3560, which allows that any individual who is otherwise entitled to benefits under part A of title XVIII of the Social Security Act may elect to opt out of such entitlement. They are trying to get providers to opt in as well, giving individuals more choices, but Ms. Johnson said it has been more difficult than they anticipated. Mr. Schifferns asked what part they could opt out of, but Ms. Johnson wasn't sure of the details. She stated that government is looking at different alternatives because not everyone is getting everything they've worked for their whole life. She added that she would do a simple breakdown of all Medicare parts and send it to Mr. Piper.

Mr. Stone asked Ms. Johnson if she had looked into the problem Lincoln Community Hospital is having regarding delayed Medicaid payments, but Mr. Piper said he believed that the Board tasked Senator Gardner's representative with that issue. Ms. Johnson said she would be happy to check with Darlene Carpio to see if she had made any progress on the topic.

Lastly, Ms. Johnson said Congressman Buck also supports more of an accountability aspect regarding the ongoing immigration issues.

Several members of the Limon Ambulance and the Limon Area Fire Protection District gathered for the request to grant an ambulance service license to the latter. Mr. Stone said they would wait until 10:30 in case others wanted to join the discussion and called for old business. He wanted to know if any work had started at the fairgrounds yet, but Mr. Piper said not that he was aware of. Mr. Stone commented that he hoped they could at least start on the cement work before the ground freezes.

Mr. Piper said he'd received an email from CCOERA regarding the county's retirement plan and other alternatives. He said the CCOERA Plan doesn't permit a participating employer to maintain two retirement plans. The 457 (b) is the exception, given it is a voluntary plan, but because of the way the plan was set up under C.R.S., it does not allow a side-by-side 401 (a) Plan with an employer. Lincoln County could stop the DB plan, which would stop the continuation of unfunded liability to the plan currently held and adopt the CCOERA 401 (a). Mr. Piper added that he has asked the county's representative, Randy Kaune, to come out and meet with the Board.

Mr. Schifferns said he'd read where the other board members agreed to purchase the scales for the landfill and wondered when they'd be put in. Mr. Stone said they didn't discuss it, but Mr. Burgess might know.

There was no new business to discuss, so the commissioners approved the October payroll and several of the expense vouchers until 10:30 a.m.

At that time, the Board reviewed a request to grant an ambulance service license for the Limon Area Fire Protection District with a recommendation to approve by the county administrator. Attending the meeting for the Limon Area Fire Protection District were Ian and Tara Christie, Fritz Gilbert, and Justin Rhodes, from the Limon Ambulance Service Rob Handley, town of Limon Administrator Dave Stone, Bob Carson and Rachel Smith with Lincoln Community Hospital, and concerned community members Galen and Alice Harreld, Joy Johnson, and Sam and Cheri Walker.

Mr. Kimble spoke for the Board, stating that the various boards of commissioners over the years have tried to understand their specific roles when it came to ambulance licensure. Colorado Revised Statute, the commissioners' resolution #651 regarding Emergency Medical Services adopted on January 9, 2007, and the Code of Colorado Regulations, Health Facilities and Emergency Medical Services Division, specifically chapter four – rules pertaining to licensure of ground ambulance services, are tools used by the Board in their decision-making process. If the entity meets particular criteria, namely minimum staffing requirements and minimum equipment requirements, the commissioners will grant the license. Mr. Kimble went on to say that the Board doesn't have the authority to look into the economic aspect of an entity, or whether or not two services are or not necessary in an area of the county. If the

staffing, vehicles, and equipment meet the requirements established by the state medical council and board of health, the commissioners approve the license. Although the state has given fire districts the right to have an ambulance service, and the conflict seems to be if two services can co-exist in the Limon area, while valid, it is not part of what the county commissioners have control over. The basic question is if the Board feels there is enough personnel in the fire protection district to operate the ambulance.

Assistant Fire Chief Tara Christie said that they have three EMTs; an EMT-B, an EMT-I, and an EMT-P, which are basic, intermediate, and paramedic. They also have some EMRs and nine people currently taking their EMT classes. Joy Johnson asked what the difference between an EMR and an EMT is, and Mrs. Christie responded that the difference lies in what skills and responsibilities they have. EMTs are allowed to dispense medication while EMRs or Emergency Medical Responders, cannot. Mrs. Christie added that their plan isn't to "go live" until January 1, 2019; once those individuals who are taking the EMT class pass the class and receive their certifications, which should happen on December 7.

Mr. Kimble asked if the commissioners could wait until after they find out if those people pass the EMT class to approve the license, but Mrs. Christie said they couldn't do their Medicare billing or submit reports to the state without their license.

Dave Stone commented that one of the fire board members wasn't even aware that the department was applying for an ambulance license, but Mrs. Christie told him that the board member has since resigned. She added that their Service Plan allows them to form an ambulance service to cover the area in the district, which is all they want to do. They do not want to operate inside the city limits of Limon, but the town will not enter into an Intergovernmental Agreement with them and does not want to negotiate with them. The fire district only wants to provide coverage outside of the city limits. Ian Christie put in that they do have IGAs with other entities such as the hospital.

Rob Handley said the Limon Ambulance Service has twenty-eight members; fourteen or fifteen of which are EMTs. They have a minimum of two EMTs on every shift. Mrs. Christie stated that Limon Ambulance also covers far more calls than the Limon Area Fire Protection District does and that they average fifty calls per year. She added that they would also like to be able to provide medical service to their members during training sessions.

Dave Stone asked if the Board approved the Service Plan during a public hearing or a regular commissioner meeting, and Mr. Stone told him it was not a public hearing.

Mr. Kimble said that since the commissioners are not medical experts, they would rely on the opinion of those in the field regarding how much staff is adequate. Mrs. Johnson asked if they could find a neutral third party that would be able to help them, and Mr. Handley stated that the Karval Fire Protection District operates with one EMT.

Mrs. Christie said they could justify that their calls wouldn't be in the 100's and stated they merely want to know if they meet the requirements.

Mr. Kimble said the commissioners asked him to see if he could determine the length of time they have to act on the request, but statute only implies a "reasonable time" and doesn't give a specific timeframe. He added the Board could certainly hire an outside source to gather more information from other ambulance services regarding the number of staff recommended. Mr. Schifferns commented that he would feel better waiting as he sees valid points on both sides.

Mr. Handley said more time would give them a chance to see if they could work together, and Mr. Schifferns made a motion to table further discussion for thirty days. Mr. Stone seconded the motion, which carried.

Mrs. Christie stated again that their Service Plan gives them the authority to operate an ambulance service and they would love to sign a mutual aid agreement with the Limon Ambulance Service.

Mr. Piper asked if Elbert County approved their license application yet, but Mrs. Christie said they hadn't heard anything.

Rachel Smith told the group that Lincoln Community Hospital could help the commissioners find a neutral third party.

After looking at the calendar of scheduled commissioner meetings and determining that December 7 might be a better day to discuss the issue again, Mr. Schifferns made a motion to amend his motion to table the discussion for thirty days and do it at 9:00 a.m. on December 7. Mr. Stone seconded the motion, which carried.

The group left, and Fairgrounds Manager John Palmer met with the Board to discuss the Colorado Van Council renting the fairgrounds. The organization wants to hold their 50th Annual Van Convention in Lincoln County in 2022. Mr. Palmer said the group would bring generators, showers, and port-o-potties and would possibly put in electrical hook-ups, although he wasn't sure how they would do that. The event would bring in five-to-seven hundred vans, food vendors, a carnival and midway, and live bands, and the participants would camp for a week. Mr. Palmer said they would also have to bring dumpsters and provide security as well, although they would still have to contact local law enforcement and emergency responders according to the event form the county now requires. The current rate to rent the fairgrounds is \$500 per 24-hr period, but Mr. Palmer asked if the Board wanted to charge more, adding that the gentleman he talked to said they had paid \$1,200 per day in the past. After discussing that the event would utilize the entire fairgrounds, the Board decided that \$1,200 per day wouldn't be too much. Mr. Palmer said they hadn't looked at the fairgrounds yet, so they might determine it's not what they want after all, but he wanted to get the opinion of the commissioners before he called them back. They want to hold the event in July, and since there are gymkhanas every

Friday in July, Mr. Palmer said the roping club would have to find another night for one weekend, but there is plenty of time for that.

Mr. Palmer said they were doing some soil samples at the fairgrounds for the new building and then informed the Board he'd like to paint the floor in the Ellis Allen building. The paint alone would be about \$2,000, and he wondered if he could take the expense from the Conservation Trust Fund. He has talked to Wayne Nestor about someone to do the painting. Mrs. Lengel suggested paying for it out of this year's fair budget, and Mr. Palmer said he could take the expenditure from the Repairs and Maintenance line item.

Mr. Stone asked if he would be around the following day when they meet with Mike Vaughn regarding the LC Derby Club. Mr. Palmer said he would not, but gave the commissioners some information concerning the demolition derby and points he would like to change in the 2019 contract.

The commissioners went to lunch and then approved the remaining vouchers when they returned. With no further business to come before the Board, Mr. Stone adjourned the meeting until 9:00 a.m. on October 31, 2018.

Corinne M. Lengel, Clerk to the Board

Douglas D. Stone, Chairman