

Board of County Commissioners of Lincoln County
Agenda for July 18, 2019

- 9:00 Call to order and Pledge of Allegiance
- 9:15 Andrew Lorensen, Lincoln County Coroner, to discuss a grant program
- 9:30 Fred Lundy, Land use Administrator, to discuss the July 11, 2019 Land Use Board meeting
- 10:00 John Palmer, Lincoln County Fair Manager, to discuss fair matters
- 10:30 Darlene Carpio, Regional Director for Senator Cory Gardner, to provide a legislative update
- 11:30 Executive Session pursuant to C.R.S. §24-6-402-(4) (f) (I) for personnel matters
1. Approve the minutes from the July 8, 2019 meeting
 2. Review the June, 2019, reports from the County Assessor, County Clerk & Recorder, County Sheriff, and County Treasurer
 3. Review the June, 2019, reports from the Colorado Counties Casualty and Property Pool and the County Workers' Compensation Pool
 4. Review the bi-annual schedule of receipts and disbursements produced by the Lincoln County Treasurer
 5. Review and act upon proposed Resolution #988, a request for the renewal of the ambulance service license of the Karval Fire Protection District
 6. Review and act upon a Public Event Application from The Colorado Prairie Arts & Music Council
 7. Continue discussion regarding a potential county finance office
 8. Perform a performance review for Ken Stroud, Lincoln County Office of Emergency Management Director
 9. Perform a performance review for Jacob Piper, Lincoln County Administrator
 10. County Commissioner reports
 11. County Attorney's report
 12. County Administrator's report
 13. Old Business
 14. New Business

The Board of Lincoln County Commissioners met at 9:00 a.m. on July 18, 2019. The following attended: Chairman Ed E. Schifferns, Commissioners Steve Burgess and Doug Stone, County Administrator Jacob Piper, County Attorney Stan Kimble, and Clerk to the Board Corinne M. Lengel. Juliet Lundy with the Eastern Colorado Plainsman/Limon Leader attended until 11:15 a.m.

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

Mr. Stone made a motion to approve the minutes from the meeting held on July 8, 2019, as submitted. Mr. Burgess seconded the motion, which carried unanimously.

The Board reviewed the June 2019 reports from the Assessor, Clerk and Recorder, Sheriff, and Treasurer, as well as the June 2019 Colorado Counties Casualty and Property Pool and County Workers' Compensation Pool reports.

County Coroner Andrew Lorensen met with the commissioners at 9:15 a.m. to let them know that CDPHE awarded him a \$5,000 reimbursable grant to help with the opioid crisis. He informed the Board that a couple of his line items would show an over-expenditure because he had to submit the receipts for purchases, and then CDPHE would reimburse the county. Mr. Lorensen ordered a \$900 evidence collection kit for scene work and planned to upgrade the department camera, which will cost another \$1,300. As for the remainder of the funds, he has no specific purpose for those yet. Because the coroner has to take an inventory of all medications of a deceased party, Mr. Lorensen said he'd considered buying a medication/pill counter until he learned they were between \$5,000 and \$7,500. Mr. Piper asked him to make sure that he kept his grant award letter and copied all vouchers for the auditor since Ronny Farmer suggested that Ken Stroud needed to do that for some of the grants the OEM received. Mr. Lorensen said he never got a grant award letter, but he would contact CDPHE and have them send him one.

At 9:30 a.m., Land Use Administrator Fred Lundy met with the Board to discuss the Land Use Board's approval of two development permits at their meeting on July 11. Development Permit #19-05 was for the Viaero Tower on County Road S west of Karval, and #19-06 was for the parcel in the Lower L where the woman wanted to build a storage/meeting area for her camping group. The board approved the former with no conditions. They approved the latter with the conditions that there would be no further development on the property at this time and that the Land Use Administrator would issue no Certificate of Occupancy.

Mr. Burgess made a motion to accept the Land Use Board's recommendations regarding Development Permit #'s 19-05 and 19-06. Mr. Stone seconded the motion, which carried unanimously.

Mr. Lundy said he would take the permits to Assessor Jeremiah Higgins, who agreed to attach them to the property records in his computer system to make them easier to search.

Mr. Stone asked Mr. Lundy if he knew what was happening five or six miles south of Hugo, as it appeared that the power company extended the power line and put in a silver box on a pedestal. Mr. Lundy said he'd heard of no activity in that area.

Mr. Kimble stated that he sent the Bronco Plains Wind Road Use Agreement to Jennifer Herron, who met with Mr. Lundy the previous week. Mr. Lundy gave her a copy of an MOU so that she could have her attorney draw one up using the same format. Ms. Herron also asked that the commissioners agree to release the performance bond as soon as the county allowed someone else to use the routes. They would also like a video and report of how the roads look before they begin their project so that they know what condition to return them to when they're finished.

Mr. Lundy suggested creating a magnetic placard that companies could have their drivers put on their trucks. A simple, colored circle would help designate each company. He added that shortly, there would be three separate companies using the roads, and it would be increasingly difficult to figure out which one to assess the fine.

Mr. Lundy left, and the Board reviewed the biannual schedule of receipts and disbursements produced by the Lincoln County Treasurer.

After reviewing the ambulance service license renewal for the Karval Fire Protection District, Mr. Stone made a motion to adopt a resolution approving the license renewal. 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 July 18, 2019, there were present:

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| Ed E. Schifferns, Chairman | Present |
| Steve Burgess, Vice Chairman | Present |
| Doug Stone, 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 #988 It was moved by Commissioner Stone and seconded by Commissioner Burgess to adopt the following resolution:

WHEREAS, pursuant to the Colorado Emergency Medical Services Act, Section 25-3.5.101, et seq., C.R.S., the Board of County Commissioners has the authority to establish requirements for the inspection, licensure, and operation of ambulance services, ambulance personnel, and ambulance vehicles operating in the county; and

WHEREAS, the Lincoln County Commissioners adopted Resolution #651 and thereby established rules and regulations governing the licensure of ambulance services operating within Lincoln County; and

WHEREAS, the Karval Fire Protection District has presented the Board of County Commissioners with an application to license the ambulance service and to permit their ambulances as basic life support vehicles; and

WHEREAS, upon review, the Board of County Commissioners determined that the documentation presented met the rules and regulations established under Resolution #651;

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Lincoln County that the Karval Fire Protection District Ambulance Service is hereby authorized to provide ambulance service in Lincoln County with basic life support ambulances.

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

Mr. Burgess made a motion to approve the Special Event Application from The Colorado Prairie Arts and Music Council for a beer garden at the Lincoln County Fair concert on August 10. Mr. Stone seconded the motion, which carried unanimously. The Board scheduled the hearing for July 31, 2019, at 9:30 a.m.

Discussion ensued regarding a potential county finance office. Mr. Piper handed out a revised Administrator's job description that included the position and responsibilities of Finance Director and managing the department. Hiring and cross-training the person, as well as the responsibility of all financial operations in that person's absence, were also additions to the Administrator's job duties. Mr. Piper said he'd created a job description for the Finance Officer as well, which the Board also reviewed. Mr. Burgess told Mrs. Lengel that in most counties they toured, they found that the finance director was under the Administration Department. They

found it interesting that Kit Carson County didn't pay unemployment insurance; instead, they are self-insured, which saves them money. Mr. Burgess added that it might be worth looking into further. Mr. Piper said that if they hired a finance officer, he or she would have to cross-train him in their duties. Mr. Burgess put in that the commissioners felt the person should shadow the Clerk's office employees for a month or two to learn the job, and Mr. Piper said he thought the person should job shadow for a full quarter. Mrs. Lengel noted that if they hired someone with an accounting degree, they should already know almost everything except the computer system. Mr. Piper checked the pay schedule and recommended they start the finance officer on Level 3, Step 1. He reiterated that it was his understanding that the person wouldn't have to have an accounting degree.

Fair Manager John Palmer arrived at that time for his 10:00 a.m. appointment, so the Board tabled further discussion on the matter until later.

First, Mr. Palmer said the numbers of contestants at the rodeo are down and that they have to pay \$8 per contestant if they don't meet the 300-contender limit. There is still a lot of slack in the team-roping, barrel racing, and calf-roping. Mr. Palmer also expressed his concerns with not having money to pay the support staff, which is mostly young adults, until the end of the month. He commented that it would be nice if he could pay them right away. He would need to take \$1,500 out of the Support Staff line item using a voucher so that he could pay them from the fair account's checkbook once they finished working. The Board agreed to allow Mr. Palmer to use the checkbook to pay his help during the week of the fair.

At 10:20 a.m., Darlene Carpio, the Regional Director for Senator Cory Gardner, met with the Board to provide a legislative update. She commented that she'd spent a couple of very beneficial days in the area and felt that she better understood the challenges faced by the rural communities. Ms. Carpio was excited to report that the Bureau of Land Management would move from Washington, D.C. to Grand Junction, Colorado, which was something the senator worked diligently to accomplish for quite some time. Senator Gardner is also working on the NAFTA deal and recognizes how valuable the conversations are encouraging trade. Ms. Carpio said the senator introduced the Map Improvement Act, which deals with a standardized mapping process to ensure that broadband goes where it's most needed. He also introduced the Trace Act, which would require phone companies to guarantee that phone calls are person-placed and not robocalls. Ms. Carpio finished her updates by stating that Senator Gardner is now in the top 10% of most effective senators and asked the commissioners what was on their radar.

Mr. Burgess told her that the court ruling in California against Round-up would have a devastating effect on agriculture if the decision were to spread throughout the nation. He added that it is one of the safest chemicals in this area. Ms. Carpio responded that Senator Gardner believes that people need to base their decisions on science, not perception. Mr. Burgess also said that salt-cedar trees seem to be taking over certain areas, and that they require a lot of water, which is a concern in rural Colorado. He felt they were noxious but

commented that it would take a lot of money to get rid of them. Ms. Carpio said it might be possible to list them as noxious in order to get federal money to help control the problem.

Mr. Schifferns said he didn't know if the senator could do anything about it, but desecrating the American flag is inappropriate, and those individuals doing it should be punished.

Mr. Burgess emphatically stated that there must be some control of immigration as the country couldn't pay for it if it continued. Senator Gardner's opinion was that the country must support the president on full border control, and Ms. Carpio said that he believes that immigration needs a complete overhaul, but one piece at a time, and that every conversation regarding the topic should be in an intelligent and composed manner.

The Board thanked Ms. Carpio, and then Mr. Burgess suggested they table further discussion about the finance office so that they could move forward on the agenda. He added that they could complete the performance evaluations for Ken Stroud and Jacob Piper after lunch and then talk about it more at that time if they wanted to.

Mr. Burgess reported touring Kit Carson, Yuma, and Washington counties' administration/finance/bookkeeping departments on July 9 with the other commissioners and Mr. Piper. He felt the tour was informative. On July 10, Mr. Burgess went to Clayton, New Mexico, for Ports-to-Plains. Travis Miller, with CDOT, asked to use some of the millings in Arriba for the I-70 project. Mr. Burgess called Mr. Schifferns and Mr. Stone, and they agreed to allow Mr. Miller to use and then replace whatever he used. Mr. Miller called Mr. Burgess back on July 11 to tell him they'd use the state's millings instead of the county's, as he was unaware the county had already stockpiled theirs. Kiowa County Commissioner Donald Oswald called to ask questions about the weed truck. Since it had to go to Lamar for some recall work, Mr. Burgess told him he and Wayne Shade would bring it by for him to look at on July 17. Mr. Burgess stopped at the landfill on July 16 where staff told him they had a load of shingles come in from Flagler. They charged \$495 for it since it was the out-of-county rate. The Flagler garbage truck also came in, and they found trash from Seibert and Vona in the load. Mr. Burgess commented that there were pluses and minuses of using the scales. He checked roads with Bruce Walters that day and also looked at ditch erosion in a couple of areas. Mr. Burgess and Wayne Shade went to Eads on July 17 where they showed the Kiowa County commissioners and administrator the weed truck and shared the 2019 budget. Mr. Burgess promised to have Mr. Piper send them Lincoln County's weed policy. He and Mr. Shade then continued to Lamar to have the recall items fixed on the truck. Mr. Burgess also participated in a Prairie Development Corporation phone meeting.

Mr. Stone reported going on the tour with the others on July 9. He also attended the fair board meeting later that evening and stated that the fairgrounds looked great and that John Palmer was ready for the fair. On July 10, Mr. Stone participated in a call with the CSU Extension to discuss the new extension agent in Lincoln County. He checked roads northwest of Karval on July 11 and went to the Hugo Main Street Initiative meeting on July 15. Twenty-six people attended. On July 16, Mr. Stone had a call from the same business owner previously discussed

in the July 8 meeting. The party wondered why he would have to pay \$25 per year for a fire code inspection if his business sits in the county instead of the town limits. Mr. Stone talked with Rick Ashcraft on July 17. He got his new pickup, and the road crew was doing some mowing. Mr. Stone checked roads that afternoon and reported that they were patching oil today.

Mr. Schifferns also reported going on the tour to Kit Carson, Yuma, and Washington counties on July 9. He took a call on July 12 regarding the Bronco Plains Road Use Agreement. Mr. Piper called and asked him to come in and sign some paperwork for the CDBG end-of-cycle grant, which he did and then checked roads. He attended the Hugo Initiative meeting on July 15 and checked roads again on July 16.

Mr. Kimble discussed a status conference on the land dispute case but had nothing else to report.

Before Juliet Lundy left, Mr. Burgess commented that he'd talked to Sheriff Nestor about Marshal Schier's last report in the newspaper. It indicated the Hugo Marshal's Office had 128 calls for service and that they'd patrolled 1,512 miles and put in 304 hours. Deputy Marshal Steve Ryan agreed to stay on until after the fair, but then he will go to work for Limon P.D. Mr. Burgess felt the county couldn't possibly take on the extra burden of the town's law enforcement. If it did, the sheriff would probably have to add at least one additional employee, more likely two.

At 11:30 a.m., Jodi Mohan, the courthouse janitor, met with the Board for an executive session regarding personnel matters. John Mohan, the county's maintenance person, arrived with her. Mr. Piper explained that he'd scheduled the meeting as an executive session, but that Mrs. Mohan could ask for an open session if she wanted John to stay and didn't care if the clerk took minutes on the discussion. Mr. Kimble added that the commissioners had the right to include whoever they wanted in the executive session, so if she wished to have Mr. Mohan there, he might not be allowed to stay if it were a closed meeting. If she preferred an open session, the meeting would be considered public, and Mr. Mohan wouldn't have to leave. Mrs. Mohan said an open session would be okay.

Mr. Schifferns told her the commissioners had several concerns with her health and asked if she could perform her job duties to their satisfaction. He added that Mr. Mohan had plenty of work to do himself and couldn't continue to complete her job as well. Mrs. Mohan stated she could do the work but would prefer thirty-five hours per week. Mr. Piper informed the Board that Mrs. Mohan was out of sick and vacation time and that the FMLA ran out. She also had sixty hours unaccounted for, but he thought that other employees would donate time to cover those hours for her. Mr. Schifferns said that she had to be able to work thirty-five hours, and Mr. Piper added that the commissioners told her previously that she would have to clean at least four hours of each day in the courthouse during business hours.

John Mohan asked if he could say something, and when the Board told him to go ahead, Mr. Mohan said that the problem was that Mrs. Mohan had to babysit during the day, so working those four hours when the courthouse was open would be difficult. He added that she couldn't vacuum or mop the lobby while the public came in and pulling the trashcan around was distracting. Mr. Mohan said that the commissioners agreed to allow Mrs. Mohan to work at night when they hired her as the previous janitor did.

Mr. Stone said she would have to spend at least some time in the courthouse during working hours to take care of the vaults. Mr. Piper asked Mrs. Mohan if she could come in on Fridays since the kids she had to babysit for didn't have school. Mrs. Mohan responded that Mr. Mohan could watch them when he got off work, and she would still have time to get in before the offices closed. Mr. Piper said that if the Board felt accountability was an issue, he would recommend that Mrs. Mohan check in with each department when she was in the building to see if they had any specific areas to clean.

Mr. Burgess thought they could cut the position back to thirty-five hours since another county employee cleans the annex building now. He reiterated what Mr. Schiffers said about making sure she could do the job since the commissioners are responsible for the courthouse, which had to be clean. Mrs. Mohan responded that she understood. Mr. Schiffers told her that she was not to bring anyone else with her when she came in to clean, and if she couldn't do the job, they would have to dismiss her.

Mr. Piper gave Mrs. Mohan her new salary on the 35-hour-per-week pay scale, which would drop her from \$3,063 per month to \$2,616 per month.

Mr. Kimble asked if Mrs. Mohan would work fifteen hours per week during business hours and the remainder either at night or on the weekend, and Mr. Burgess said they could probably have her put in two hours per week during business hours unless there were extenuating circumstances that required she spend more time there. Mr. Piper told Mrs. Mohan that she would have to clean the vaults, check in with him, and also check in with department heads at least weekly to see if they had anything in particular that she needed to do.

Mr. Burgess told Mrs. Mohan that they would give her sixty days and that she would have to meet with them again on September 20. Mr. Piper scheduled her for 11:30 a.m.

The Mohans left, and Mr. Piper reported that the commissioners would need to act as the Board of Equalization on July 31. He explained the process but said that they wouldn't be able to discuss the details. Mr. Kimble added that since the commissioners act in a quasi-judicial manner, they must hear the case as presented at the time.

Mr. Piper also reported that with the addition of the 2010 Dodge Charger infrequently used by departments, they would have four county vehicles to list for sale. The sheriff decided to keep his ice machine because the company that now handles the inmate medical services asked that

he not get rid of it. Mr. Piper said he'd have Kris Smith advertise the sale in the newspapers for the next two weeks, and the commissioners agreed to open bids at 10:00 a.m. on August 6.

Mr. Piper talked with Roxie Devers about Spectrum painting the trim on the roundhouse when they did the other work, and Mrs. Devers told him she would have them submit a quote.

The remaining Maglock magnetic door locks came in, and Mr. Piper asked if the commissioners wanted him to run the bid request or wait until the next budget year to install them. The Board agreed that since they had the locks, they might as well have them installed. Mr. Piper wasn't sure how to put together a bid request and asked if he could contact the electrician that put the locks in the Clerk's office for input. Mr. Burgess suggested they set a date for a walk-through, similar to what they did at the fairgrounds, and ask for bids afterward. County Treasurer Jim Covington asked to install a disabled access unit on his front door at the same time. The commissioners felt it should be a separate quote from the door lock bids.

Mr. Piper reported on the Karval Water Users meeting and said there were three ways that the organization could request funding: a DOLA grant through Greg Etl, a USDA loan, or an SRF grant through the Colorado Water Resources and Power Development Authority. The first would probably be the best option because it would have the potential for a pass-through, although the county would still be responsible for the debt. As a non-profit, KWU was eligible for the USDA loan right away, but they wouldn't be able to do a grant/loan split. The county wouldn't be involved at all. However, the interest rate was 2.75%, and Patrick Leonard told Mr. Piper that they couldn't afford a forty-year loan or the interest rate. The SRF program also uses DOLA funding, but it's different from the financing that Greg Etl works with and only awards two grants per year. KWU was eligible for the loan program without the county, but if they wanted to apply for grants, they would have to be a government entity. Mr. Piper said he felt that Mr. Etl was their first step, but since he didn't know if KWU should contact him or if he should do it on behalf of KWU, he left it up to Mr. Etl. Mr. Piper felt that Patrick Leonard needed to set up a meeting between the commissioners, Greg Etl, and KWU and added that the project truly was a backup water system.

Lastly, Mr. Piper reported attending the Hugo Main Street Initiative meeting and said he got the feeling that the town of Hugo wants the county to become a Certified Local Government, which would mean appointing a board and creating bylaws.

Mr. Schifferns called for other business, and Mr. Burgess told the group that there would be a going-away party for Vista Volunteer James Dingwall on July 23. He and Wayne Shade discussed some issues with chemical prices, and he also stated that the governor appointed Gary Beedy as a highway commissioner for this area.

Mr. Burgess suggested that the commissioners break for lunch and then return to complete the evaluations and discuss the finance office further. He told Mrs. Lengel that one thing they'd discussed on their tour was that they would have to open the position up to county employees first. Mrs. Lengel said that unless there were another county employee with an accounting

degree, it wouldn't be any different than her office keeping it. Mr. Piper said none of the finance officers in the counties they'd visited had accounting degrees.

With two separate accounting systems in place this year, Mrs. Lengel asked that the Board have a pre-audit completed for 2019 before Ronny Farmer started his audit next year. She felt it was necessary and suggested they contact Dave Copsy who is the pre-auditor for the town of Limon. Mr. Piper said he thought they were going to have one done this year but that he'd never heard anything back from Mr. Farmer.

Since the commissioners didn't feel they'd need Mrs. Lengel to take minutes after lunch, she asked if the Board planned to allow county offices to close at noon on August 9; the Friday of the fair. The commissioners agreed.

With no further business to come before the Board, Mr. Schiffers adjourned the meeting at 12:10 p.m.

Corinne M. Lengel, Clerk to the Board

Ed E. Schiffers, Chairman