

Board of County Commissioners of Lincoln County
Agenda for April 29, 2020

THIS MEETING WILL BE HELD VIA CONFERENCE CALL. THE PUBLIC IS WELCOME TO CALL IN, ALTHOUGH THE PUBLIC WILL BE MUTED UNTIL THE COMMISSIONERS ASK FOR ANY PUBLIC COMMENT. PLEASE SEE BELOW FOR THE CALL IN NUMBER AND THE ACCESS CODE.

- **Call in number: (872) 240-3311**
- **Access Code: 619-953-549**

9:00 Call to order

9:30 Jeremiah Higgins and Renita Thelen with the Lincoln County Assessor's Office to discuss the Lincoln County Assessed Valuation

10:15 Apryl Huelskamp with the Lincoln County Tourism Board to discuss the Lincoln County Lodging Tax Tourism Fund Budget

1. Approve the minutes from the April 17, 2020 meeting
2. Discuss the reopening of the Lincoln County Courthouse and other matters regarding the Coronavirus Pandemic
3. Review the March, 2020, reports from the County Assessor, County Clerk & Recorder, County Sheriff and County Treasurer
4. Review the March, 2020, 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
5. Review the monthly management report from the First National Bank of Omaha
6. Review the March 2020, reports from the Colorado Counties Casualty and Property Pool and the Workers' Compensation Pool
7. Approve Retail Liquor or Fermented Malt Beverage License Renewal Application for Paul Wayne Johnson DBA PJ's General Store
8. Review and act upon a quote from Clean Harbors Environmental Services, Inc.
9. Review and act upon a governmental equipment lease-purchase agreement with Caterpillar Inc.
10. Review and act upon a quote from Automatic Access, Inc.
11. Discuss a potential position for the Lincoln County Landfill
12. County Commissioner reports
13. County Attorney's report
14. County Administrator's report
15. Old Business
16. New Business
17. Approve payroll and expense vouchers

The Board of Lincoln County Commissioners met at 9:00 a.m. on April 29, 2020. The following attended in person: Chairman Steve Burgess, Commissioner Doug Stone, County Administrator Jacob Piper, County Attorney Stan Kimble, and Clerk to the Board Corinne M. Lengel. Public Health Director Jobeth Mills attended the initial discussion, as well as Treasurer Jim Covington and Assessor Jeremiah Higgins. Commissioner Ed E. Schifferns and Juliet Lundy, with the Eastern Colorado Plainsman and Limon Leader, attended the majority of the meeting via phone. Those also attending the discussion from 9:00 a.m. to 9:40 a.m. via conference call were Lincoln Community Hospital CEO Kevin Stansbury, Dr. John Fox, Emergency Manager Ken Stroud, Sheriff Tom Nestor, Town of Limon Manager Greg Tacha, Coroner Andy Lorensen, Human Services Director Pat Phillips, District 1 Road Foreman Chris Monks, and Deputy Assessor Renita Thelen.

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

A discussion commenced regarding the “Safer-at-Home” order from Governor Jared Polis and the subsequent re-opening of the courthouse and other county offices. There were several opinions and suggestions on how to handle the public relating to the social distancing guidelines, health screenings, and requiring facial coverings or masks. Dr. John Fox spoke up to say that in the last week, Colorado reported more deaths in a single week than it had since the pandemic began. He felt the state would see an influx in people in Lincoln County because they thought it would be a safer environment in which to do business. He suggested proceeding with caution as there might be an immunization available as early as September. Dr. Fox added that he would hate to see a rapid return to standard practices for fear of creating another wave of the virus right away. Mr. Stansbury said that the hospital would be willing to supply personnel for health screenings at the entrance of the courthouse so that the security personnel could concentrate on security and keeping an eye on social distancing. Dr. Fox also asked if there were any vital services performed by county offices that staff couldn’t do virtually.

Jim Covington said that the governor would most likely extend the order to forgive interest on property taxes, which would include the full payment amount due on April 30. He added that his department only collected between \$5,000 and \$6,000 in delinquent interest the previous year. Mr. Covington also suggested putting in a drop-box in front of the courthouse.

Sheriff Nestor informed the group that the courts would open again on May 4, so the front doors of the building would have to be unlocked as well.

The group discussed face coverings and requiring them of everyone who enters the building. Mr. Stansbury asked if the county had enough to supply them for people who didn’t bring their own. Mr. Stroud responded that the county did *not* have an overabundance of masks. Mr. Covington commented that 70% to 80% of the people he sees out in public are not wearing any facial covering, which is disheartening. Mr. Burgess felt that people should be required to provide their own. Dr. Fox put in that surgical or N95 masks are far better than bandanas or

cloth masks and should be provided to employees. Andy Lorensen commented that DHS had a box of approximately forty-five surgical masks that they would be willing to share. Mr. Burgess believed the county needed to return to some semblance of normalcy while Mr. Schifferns felt they should proceed with care. Mrs. Mills commented that the county could reopen but that the commissioners needed to do it gradually. Mr. Stone agreed, stating that they would need to limit the number of people in the building, follow the screening procedures and social distancing guidelines, and continue the practice of only staffing offices with 50% staff.

Sheriff Nestor said he'd spoken with one of the clerks at the courts who told him they wouldn't actually be opening for in-person contact until May 18. He asked about the security personnel who operate the metal detector, and Dr. Fox suggested that Mrs. Mills provide an in-depth explanation and strongly encourage them to take time in considering whether or not they wanted to work.

Mr. Piper asked if employees needed to wear masks if they were working in their own offices. The commissioners agreed they wouldn't have to, but leaving their office or interacting with the public required facial coverings.

Mr. Stone made a motion to open the courthouse to the public on May 4, 2020, with limited access to individual offices, as long as employees and members of the public followed social distancing guidelines and complied with required health screenings due to COVID-19. Mr. Schifferns seconded the motion, which carried unanimously.

Several people dropped off the call at 9:40 a.m., so the Board met with Assessor Jeremiah Higgins to discuss the assessed valuation for Lincoln County. Renita Thelen remained on the line. Mr. Higgins said that while they might want to begin taking precautions now, their estimated values weren't as bad as they thought they might be. Oil and gas values were understandably down, but Mr. Higgins said that it always bounces back quite rapidly. He commented that they should plan for the worst and hope for the best. Mrs. Thelen commented that the 2022 budget might be the one to watch as it could be an even bigger issue than 2021.

Mr. Piper said he'd looked at the sales tax numbers, which were actually higher in March and up overall for the year so far. He attributed it to the possibility that people now get charged sales tax when they order online, such as from Amazon.

At 10:15 a.m., the Board met via phone with Apryl Huelskamp, Steve Beedy, and Tim Andersen, members of the Lodging/Tourism Board. Mr. Burgess told them he had concerns with their spending and accruing expenses when so many places were canceling their events. Mr. Beedy said that there were certain activities, such as the Ranch Rodeo and July 4th celebrations, that they hadn't given up on yet, so they still plan to fund them. He added that they certainly wouldn't spend more money than they had in their budget but noted that they do have a full year of funds in their reserves. Mr. Burgess said that they're still promoting events, which he felt was unnecessary. Mr. Beedy disagreed, stating that now seemed like the perfect time to

endorse Lincoln County. He added that they realized the reduction to their income would affect their budget, but since they'd also cut back on expenses, they should be okay. He added that they would address it in August or September when it was time to budget for 2021. Tim Andersen commented that if the money were gone, they would no longer promote tourism; it was that simple. Mr. Burgess told him that the commissioners just wanted them to know that the county wouldn't supplement the fund, which the group understood.

Apryl Huelskamp spoke up to say that the pandemic provided a perfect opportunity to promote the county because people will most likely change their traveling habits in the coming months. Instead of planning vacations to places like Disneyland, they might look for camping opportunities or other areas where they could spend time with their families that avoided large crowds. She went on to say that they would use the CDC, CDPHE, and hospital guidelines to provide accurate information so that tourists would know what they could do safely. As for the fund's promoters, Mrs. Huelskamp said that one of the individuals invoices hourly and has been working fewer hours lately, resulting in some savings. They also don't pay for an event that they've promised to fund until the organization submits invoices, so if someone cancels an event, they won't be out that money, which would put even more into their reserves.

Mr. Piper asked if the tourism board committed to any deposits for the fair that they might not get back, but no one could think of anything. Mrs. Huelskamp said she'd heard that several entities have agreed to rollover contracts into 2021 at no additional cost, which might be the same for any entertainment scheduled for the fair.

The tourism group finished up their discussion, and then Mr. Burgess said that the commissioners needed to address the employee leave policy again. Mr. Piper didn't see the need to change anything from the current plan, and the others agreed. Mr. Burgess noted they could discuss it again if employees started to abuse it. Mr. Piper said that if a health official turned an employee away from entering the building because of an elevated temperature, they would have to honor the policy anyway. Gillian Laycock spoke up from the conference call to say that the hospital had two log sheets at the front doors, one for employees and one for visitors. The commissioners agreed that it would be a good idea to do something similar at the courthouse. Mr. Kimble said he would send the form over so that Mr. Piper could adjust it to the county's needs.

Mr. Stone made a motion to approve the minutes from the meeting held on April 17, 2020, as submitted. Mr. Schiffers seconded the motion, which carried unanimously.

Mr. Schiffers made a motion to approve the Retail Liquor or Fermented Malt Beverage License Renewal Application for Paul Wayne Johnson, dba PJ's General Store. Mr. Stone seconded the motion, which carried unanimously.

The Board reviewed a quote for approximately \$3,500 from Clean Harbors Environmental Services, Inc. for disposal of the hazardous material at the landfill. Mr. Piper explained that it might not be that much; it depended on how long it took. Mr. Stone made a motion to accept

the proposal from Clean Harbors Environmental Services, Inc. Mr. Schifferns seconded the motion, which carried unanimously.

District 1 decided to purchase a new 950GC Caterpillar loader to replace the one that wouldn't start. The Board reviewed the governmental equipment lease-purchase agreement with Caterpillar, Inc. for a CAT loader. The annual lease payment is \$42,654.00 and begins in 2021. Mr. Kimble said he'd reviewed the document and agreed with all except the indemnification clause. It states that the purchaser "assumes liability for, agree and do indemnify, protect, and hold harmless us and our employees..." However, since it also reads, "To the extent permitted by law," he felt it would be okay since an entity cannot lawfully indemnify a county government. Mr. Kimble also commented that the commissioners wouldn't need to adopt a resolution as long as they provided a copy of the minutes in which they approved the appropriation of funds.

Mr. Schifferns made a motion to approve the lease-purchase agreement with Caterpillar, Inc. for a Caterpillar 950GC loader for District 1. Mr. Stone seconded the motion, which carried unanimously.

The Board reviewed a proposal from Automatic Access, Inc. for a disabled access door for the Treasurer's office. Mr. Schifferns made a motion to approve the \$1,213.44 quote, and Mr. Stone seconded the motion, which carried unanimously.

As the commissioners discussed allowing Brenda Howe to work full-time at the landfill, County Treasurer Jim Covington re-joined the meeting. He felt that his office needed to continue handling the billing to provide the system of checks and balances. The group agreed that Ms. Howe might be able to track the new regulations that continue to fall upon the landfill since she is computer proficient. Mr. Piper said that he completes a couple of reports, such as the annual stormwater discharge and the user waste fee reports, which he could turn over to Ms. Howe as well. Mr. Burgess said that if she performed the load inspections, it would free up the other two employees for working the trash.

Mr. Stone said that he was in favor of allowing Ms. Howe to work full-time since the state imposes more regulations and expects more from the landfills all the time. Mr. Piper asked where on the pay schedule they would like Ms. Howe to start if she went full-time, and the Board agreed \$2,666 per month. Mr. Piper said they could also add a new position to the pay scale, such as Landfill Secretary or Receptionist.

Mr. Stone made a motion to allow Brenda Howe to work a thirty-five hour week at the landfill as a Clerk I or Secretary/Receptionist with a starting salary of \$2,666, beginning May 1. Mr. Schifferns seconded the motion, which carried unanimously.

Mr. Burgess called for commissioner reports, and Mr. Stone reported attending the public health call on April 21. He checked roads west of State Road 71 on April 22 and participated in the online fair board meeting on April 23. So far, they've had to cancel twenty-two events at

the fairgrounds. They discussed several scenarios for a virtual fair, should it come to that, and will make a decision by July 1. Mr. Stone checked roads on April 25 and talks to Rick Ashcraft on the phone almost daily. He attended another public health call on April 28 and said that the Colorado East Community Action Agency applied for one of the small business loans through the CARES Act.

Mr. Schifferns reported attending the COVID-19 public health update via phone conference on April 21. He also talked to Chris Monks. On April 23, he discussed the hazardous material at the landfill with Mr. Piper and attended the call-in fair board meeting. Mr. Schifferns received a complaint regarding the hospital on April 24, which he discussed with Mr. Burgess. He also participated in the public health COVID-19 call on April 28.

Mr. Burgess reported that he came to Hugo on April 17 to pick up a lease agreement. It allows the county permission to cross Higgins's property to get to the Hoffman Pit. On April 20, he called Roxie Devers about painting the roundhouse. He said they would try and set up a meeting sometime in early May. Mr. Burgess said he called a gentleman about removing a fence on County Road 21 and replacing it with cattle guards. He saw no problem with it since the party owns property on both sides of the fence. On April 21, Mr. Burgess participated in the public health conference call regarding COVID-19. Economic Development also held a conference call on April 22 that he attended. Public Health Director Jobeth Mills called on April 23 to discuss high school graduations during the pandemic. On April 27, Mr. Burgess went to Denver and picked up the carpet for the courthouse. The District Two road crew put in some pipes on County Road 109 north of Genoa. There were some changes in the lease agreement with Higgins's, so Mr. Burgess picked up the new document, signed it, and then delivered it. He participated in the COVID-19 call on April 28 and reported his road crew installed pipes on County road 3H from County Road 28 to County Road 31. Mr. Burgess checked roads on April 29.

Mr. Kimble reported that he'd printed off the governor's "Safer-at-Home" order and a checklist for screening county employees, which he provided for review.

Toward the end of February, the commissioners discussed closing a portion of a county road for a Colorado Parks and Wildlife study. Jeff Belveal was supposed to get back with them but never did. Mr. Piper said that he'd spoken with Mr. Belveal, who was on the agenda to meet with the Board shortly after the commissioners closed the building and discontinued in-person meetings. Mr. Belveal said they agreed with the resolution and told Mr. Piper he'd meet with the Board once the pandemic was over.

County Treasurer Jim Covington returned to ask the commissioners if they would agree to forgive interest on the full amount of property tax payments if the governor extended the executive order. The commissioners agreed.

The group discussed installing a drop-box at the front of the courthouse so that customers wouldn't have to come inside. They could drop off tax payments, motor vehicle renewal

payments, and other items that could easily be taken care of by staff. Mrs. Lengel said that although she didn't want it to be designated as a ballot drop-box, she knew that people would use it as such, which would mean they'd have to have a surveillance camera on it as well as specific sign postings.

Mr. Piper reported that he and Emergency Manager Ken Stroud attended the call-in FEMA meeting so that the county would be able to apply for public assistance grants. He stated that if personnel specifically spends time working on COVID-19-related issues, they would be able to document and use those hours; however, if the employee is already on the clock, it wouldn't apply. He added that the county would have to put in a 25% match, and payment would be at least a year out.

Regarding electric hand sanitizing stations, Mr. Piper said Teena Ludwig priced them at roughly \$40 per station. They felt they would need at least fifteen stations for the courthouse. The group discussed getting them for the annex, county shops, and fairgrounds as well, but the commissioners felt they could get the push units instead of the electric ones to save money. They told Mr. Piper to have Mrs. Ludwig order them.

Land Use Administrator Fred Lundy stopped by to inform the Board that Chris Monks resigned from the Land Use Board, effective immediately. He also let the commissioners know that Black Hills Energy wanted to move the pipeline that runs from south of Lincoln County north of the county line. They'd like to move it to the east end of Hugo and then run it north, and they would like to meet with the commissioners about it.

After some discussion regarding a replacement on the Land Use Board and a call to Tim Brown to see if he'd be interested, Mr. Schiffers made a motion to appoint Tim Brown to the Land Use Board, effective immediately. Mr. Stone seconded the motion, which carried unanimously.

Mrs. Lengel asked how the commissioners planned to handle the meeting on May 6, whether it would be a call-in or in-person meeting. They agreed to limit the number of attendees to ten and that everyone would have to wear a mask and practice social distancing.

As for old business, Mrs. Lengel said she would prefer to wait until at least June 1 to open driver's license since the majority of customers come from out-of-county. The Board supported her decision. Mrs. Lengel said she would have the driver examiner station himself outside of the Clerk's office door to allow one customer in at a time.

Discussion turned to allowing employees, specifically Patrick Leonard, to attend fire or ambulance calls. Mr. Kimble asked if the practice would be acceptable to the county's liability insurance company. Mr. Piper said the employee would not be eligible for Workers' Comp insurance, and it would be the responsibility of the entity they were responding with to provide coverage. He added that it would be up to the individual department head to allow it, but the employee would be required to use annual leave time if they did.

Mr. Schiffers dropped off the call, and the Board reviewed the March 2020 reports from the County Assessor, Clerk and Recorder, Sheriff, and Treasurer. They also reviewed the March 2020 Statements of Revenues and Expenditures for the General, Public Health, Capital Projects, Conservation Trust, E911, Landfill, Library, Lodging/Tourism, and Road & Bridge funds, as well as the individual road districts.

The commissioners also reviewed the monthly management report from the First National Bank of Omaha and the March 2020 reports from the Colorado Counties Casualty and Property and Workers' Compensation Pools.

Lastly, the commissioners approved the April 2020 payroll and monthly expenditures.

With no further business to come before the Board, Mr. Burgess adjourned the meeting at 1:50 p.m. The next meeting will be at 9:00 a.m. on May 6, 2020.

Corinne M. Lengel, Clerk to the Board

Steve Burgess, Chairman