

Board of County Commissioners of Lincoln County  
Agenda for July 30, 2020

- 9:00 Call to order and Pledge of Allegiance
- 9:30 Chris Monks, District One Road Forman, to discuss matters pertaining to road and bridge equipment
- 10:00 Patricia Phillips, Human Services Director, to present the Department of Human Services monthly report
- 10:30 Taylor Henderson with NGC, to discuss a request for utility roadway crossings for easement use
- 11:00 Fred Lundy, Lincoln County Land Use Administrator, to discuss land use matters
- 11:30 Patrick Leonard, Lincoln County Weed Control Coordinator, to discuss weed control matters
- 1:00 Meredith Burcham and Marissa Gower with County Technical Services Inc., to discuss health insurance plans for 2021
1. Approve the minutes from the July 17, 2020 meeting
  2. Review the June 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
  3. Review and act upon a final project acceptance letter for Spectrum Inc. regarding completed work on the Roundhouse
  4. Review the Treasurer's Biannual Schedule of Receipts and Disbursements
  5. Review a six-month account balance report
  6. County Commissioner reports
  7. County Attorney's report
  8. County Administrator's report
  9. Old Business
  10. New Business
  11. Approve Payroll

The Board of Lincoln County Commissioners met at 9:00 a.m. on July 30, 2020. The following attended: Chairman Steve Burgess, Commissioners Ed E. Schiffers and Doug Stone, County Administrator Jacob Piper, County Attorney Stan Kimble (until 12:15 p.m.), and Clerk to the Board Corinne M. Lengel. Juliet Lundy, with the Eastern Colorado Plainsman/Limon Leader, attended until noon.

Chairman Burgess called the meeting to order and led the Pledge of Allegiance.

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

The Board reviewed the June 2020 Statements 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.

Mr. Piper had more information regarding the possible health insurance changes to share before the meeting at 1:00 p.m., so Mr. Burgess said it might be a good time for that. Chris Monks and Taylor Henderson arrived during the discussion. Mr. Burgess said he still wanted to listen to what Ms. Burcham had to say that afternoon, and the others agreed. Since Agenda Item #5 also pertained to the conversation, Mr. Piper provided copies of the six-month account balance report. He commented that the county was in excellent financial shape overall, but Mr. Burgess expressed that he was more concerned about future years.

District 1 Road Foreman Chris Monks listed several vehicles that they'd like to sell by sealed bid, including a 1972 dump truck, two 2001 Dodge pickups, and a 2003 Ford pickup. He also wanted to sell a mower and some gearboxes and asked if the commissioners wanted him to advertise the bid openings for the last meeting in August. They agreed, and Mr. Burgess added that the pickup at the landfill had some problems as well.

Human Services Director Patricia Phillips was unable to keep her appointment with the Board at 10:00 a.m., so Mr. Burgess asked Taylor Henderson to come to the table. The group discussed the bridge on County Road 43 that the county would have to replace before NGC could use the route to haul tower components to the Arriba wind farm. Mr. Burgess shared a \$265,195 quote from Contech Engineered Solutions, formerly Big R, for buried structures. He felt that the entire project cost would be close to \$750,000.

Land Use Administrator Fred Lundy arrived for the discussion at 10:30 a.m., and Mr. Henderson provided copies of a request for utility, pipeline, and miscellaneous road crossings or easement use for the intersection of County Road 2W and County Road 45. He also passed around copies of Elbert County resolutions from 2012, demonstrating county right-of-way usage. Mr. Henderson explained that they are currently negotiating with landowners for private agreements for the transmission line, but they haven't reached an arrangement with one of them yet.

Economic Development Director Troy McCue arrived as Mr. Henderson stated that he wanted to apply for the use of the county right-of-way to establish certainty for their project. However, they still hoped to reach an agreement with the landowner. Mr. Burgess expressed concern with ice falling from the lines onto traffic, but Mr. Henderson said the proposal wouldn't affect county roads, except for briefly crossing County Road 2W, if they could use the landowner's property. There are no residences in the area, so the impact would be minimal.

Mr. Lundy advised that any agreement with Arriba Wind Farm for a county right-of-way usage should be put in writing, as he wouldn't want all developers to believe that it was standard county practice. Mr. Kimble commented that it's up to the county to determine what is safe, and Mr. Burgess reiterated that there was a nominal safety factor since there were no homes along the route and little traffic. Mr. Burgess also suggested they table further discussion until the county could draft a resolution and asked if August 5 would be soon enough for a decision. Mr. Henderson agreed.

Mr. Lundy asked Mr. Kimble if NGC needed another development permit if they wanted to add underground cable not included in the original development permit. Mr. Henderson clarified that it would be an underground medium voltage collection line between the turbines. The landowner specified he didn't want towers in that area, and since it would be underground, Mr. Lundy commented that there would be no impact on the use of the land. Mr. Kimble felt another permit wouldn't hurt.

Mr. Monks commented that, according to Heather Brickey with Xcel Energy, NGC would be the last company to tie into the transmission line before it reaches its capacity.

Mr. Henderson, Mr. Monks, and Mr. McCue left, and Mr. Lundy met with the Board at 11:00 a.m. to discuss land use matters. Mr. Burgess said he'd asked to meet because he felt that Mr. Lundy spent most of his time on wind energy, and work on gravel pits was suffering because of it. Mr. Lundy responded that he knew he was behind on the pits and understood how important they are. Still, he wasn't sure what to put on hold instead, transmission line projects, oil and gas pipelines, or subdivision exemptions. He'd discovered that some duties were neglected, and he'd had to do a lot of research to find out how to do other things correctly. Looking back, previous land use administrators got the gravel permits done but left other things undone. Mr. Stone also expressed his concern that gravel pit expansion was too slow, and Mr. Lundy said he realized that. He was doing some research on a company that other counties use to do their gravel permits and said he'd bring the commissioners the cost estimate.

At 11:15 a.m., Weed Coordinator Patrick Leonard met with the Board to provide updates on weed control. He went over a few maps and several daily log sheets of areas and miles he'd sprayed, and then Mr. Burgess said the commissioners had received some complaints from people who had seen Mr. Leonard driving the weed truck without the trailer. Mr. Leonard said he didn't want to drag the trailer all over the county when going home to Karval if he were spraying up north the following day, so he left it as they'd discussed doing when the Board

hired him. Although public perception isn't always accurate, the commissioners wanted him to be aware of what they'd heard.

Mr. Leonard said he would probably get some chemicals in totes for safety reasons and ease of loading, which would provide a slight savings on the price of Amine and Tordon but would require a one-time purchase of pumps. He felt they could cost between \$400 and \$500. He also felt that the county should buy a pallet jack, and Mr. Schiffers told him to see what it would cost.

Mr. Leonard asked for a secondary sprayer for the smaller pickup if they could upgrade it to 4WD. It would be a 100-gallon unit for spraying yards, the courthouse/driveways, the Hugo walking path (including the Canada thistle in the creek), and the Limon gun club. Mr. Burgess offered a pickup with 4WD from District 2; the Board agreed that it would be better to keep one of the 2001 Dodge pickups that Chris suggested they put on the bid list and get rid of the one Mr. Leonard drove instead.

Mr. Leonard received a recall notice for the steering on the F550, so he said he'd schedule the repairs at the end of the spraying season. He also asked if 2020 was the year he was supposed to take the truck and sprayer to Washington, which he would rather not do if possible. No one could remember when Wayne Shade last took it there for upgrades.

Mr. Leonard left, and since it was noon, and Mr. Kimble preferred not to stay for the afternoon, Mr. Burgess asked him to give the attorney's report.

Mr. Kimble said he'd put a question out on the county list serve regarding how counties enforced executive and public health orders. Most responses were the same; counties would prefer that public health issued the orders. Then the counties could impose them through an injunction from the district court. He also touched briefly on the Bode/Brent dispute, and then the group broke for lunch.

At 1:00 p.m., the group called Meredith Burcham and Marissa Gower with County Technical Services, Inc., to discuss health insurance plans for 2021. Others attending the discussion in person were Sheriff Tom Nestor, Jail Captain Michael Yowell, Sergeant Jason Case, Patrick Leonard, and County Treasurer Jim Covington. Several county employees joined by phone. Ms. Burcham answered numerous questions about coverage on both the county's current Plan A and the new high-deductible plan, how the Health Savings Account would work, and prescriptions. Ms. Burcham cleared up the misconception that an employee's total out-of-pocket costs would be \$6,850 for a family; instead, it would be \$1,850 because the total included the deductible. The group learned that the county could offer more than one plan to its employees; some could choose to stay on Plan A, while others might opt for the high deductible/HSA plan. If selecting that option, the county could still offer the PayFlex cafeteria plan to employees who stayed with Plan A as well. Ms. Burcham said that if they wanted to, employees could also contribute up to the IRS maximum in the new HSA. After a few more questions and answers regarding emergency coverage, copays, and when CHP would know the

latest rate increase, Ms. Burcham said she'd have Ms. Gower provide more education to employees if the county decided to change plans.

After the discussion and phone call ended, Mr. Schifferns made a motion to approve the final project acceptance letter for Spectrum General Contractors, Inc., for completed work on the roundhouse. Mr. Stone seconded the motion, which carried unanimously.

The Board reviewed the Treasurer's Biannual Schedule of Receipts and Disbursements, and then Mr. Burgess called for commissioner reports.

Mr. Stone reported that Mr. Burgess called him on July 17 regarding a notice he got from the FSA office about a resident's land. Mr. Stone contacted the office on July 20 and spoke with Brenda Toft about it. Mr. Stone went by PJ's General Store to discuss the dust problem on the county road with Paul Johnson, but he wasn't around. Mr. Stone talked to Mr. Johnson's wife and told her that the road crew would put down a quarter of a mile of millings to help with the dust the next time they were in the area. On July 22, Mr. Stone attended the Public Health Zoom call, and on July 23, he checked roads and stopped by the county shop. Jack Pfost called on July 24 to thank the commissioners for their efforts with the COVID-19 pandemic, and Mr. Stone talked to Rick Ashcraft on July 27. The District 3 road crew mowed and hauled gravel on County Road 109. Mr. Stone took a complaint about someone plowing up to the edge of the road, so he looked at the area and then tried to contact the farmer about it. He hasn't yet been successful. Earlier this morning, Mr. Stone stopped by the fairgrounds to see the tent they'd put up.

Mr. Schifferns reported speaking with Mr. Burgess about the bridge on July 21. He attended the Public Health Zoom call on July 22 and then checked roads. On July 23, Mr. Schifferns and Mr. Burgess discussed the possible cancellation of the Aaron Watson concert, and on July 24, Mr. Schifferns talked to Jobeth Mills about it. The following day, Mr. Schifferns spoke with Landfill Manager Mick Jaques about overages on the seven-yard roll-offs. Mick felt the county should reconsider what fees to charge for them. On July 26, Mr. Schifferns talked to the sheriff about a resident in Arriba, and on July 27, he contacted Mr. Burgess about the concert cancellation.

Mr. Burgess reported stopping at the FSA office after the meeting on July 17. He then called Mr. Stone since it pertained to property down south. On July 20, Chris Monks asked if the landfill could stay open until 4:30 so Mr. Burgess called the landfill, and they agreed. Bruce Walters called Mr. Burgess about an injured employee on July 21, and Mr. Burgess told him to take the employee to the doctor. He also had a call from a resident in Genoa about trash. Mr. Burgess attended the Economic Development meeting on July 22 and learned that Limon sales tax decreased between twelve-and-fifteen percent. They scheduled the annual meeting for August 26. Mr. Burgess also received the quote from Contech for the buried structures to replace the bridge on County Road 43, and Chris Monks picked up a new loader in Denver. Mr. Burgess went to Genoa to look at the new 950 Cat loader on July 23. He also stopped by the landfill, and Mick Jaques told him they had quite a few TVs for disposal. A gentleman in south

Limon would pick them up for a fee, so Mr. Burgess said they would have to decide how to handle it. On July 27, Mr. Burgess took a complaint from a resident regarding a fence on County Road 3V east of County Road 109. He checked it out and let the party know what he'd found. They took their John Deere mower tractor to Flagler for repairs because Chris Monks felt they were better equipped than the shop to handle the problem. Mr. Burgess also talked to Mr. Monks about what vehicles to put on the bid list. On July 28, Mr. Burgess spoke with Jobeth Mills about a possible problem at a local business in Limon. Jim McCormick called and expressed his appreciation for all the work the county gave his company. He wanted to know if there was something the county could use at the fairgrounds. Mr. Burgess contacted the other commissioners, John Palmer, and Robin Halley about the offer. District 2 had trucks help District 1 haul asphalt from Stratton to Hugo. On July 29, Mr. Burgess participated in the weekly Public Health Zoom call.

John Mohan stopped in the meeting to ask why no one informed him that Superior Builders would begin replacing the flooring in the Driver Examiner's office the following week. Mr. Burgess apologized and said he'd forgotten to let him know.

The group discussed what to do with the TVs at the landfill, and Mrs. Lengel said that at one time, James Martin took them for recycling. Mr. Piper called Mr. Martin, who said he didn't do it anymore. He offered to check and see what else they could do with them and said he'd report back by August 5.

Mr. Piper asked if the commissioners still intended to allow county offices to close at noon the following Friday for fair, and they agreed.

Mr. Piper informed the Board what it cost to haul the contaminated pipe from the landfill, and then said a Hugo resident asked about contact-tracing at the fair. Public Health Director Jobeth Mills felt the county was handling it efficiently.

Benefit Health Advisors, the group that spoke with the commissioners about insurance the previous year, contacted Mr. Piper to see if the county would like to meet with them again. The commissioners all agreed they did not.

Mr. Stone had previously asked Mr. Piper about doing a salary survey, and Mr. Piper found that most positions in the county were on track. However, there were three that were considerably behind other counties. He stated that he wanted the Board to have the information before budget time so that they could decide if they wanted to increase at least two of those salaries or adjust the pay schedules. Speaking of the budget, Mr. Burgess asked the others if they'd considered employee pay increases. However, before they could discuss it, Mr. Piper said he'd received a text message from Roxie Devers asking the commissioners to call her.

Mrs. Devers said she might have a problem with the State Historical Fund grant for the roundhouse concerning the cash match. When she filled out the application, Mrs. Devers assumed the cash match was CDOT and Lincoln County, not Roundhouse Preservation, Inc. She

contacted Anne McCleave, who was going to check into it. If it became a problem, Mrs. Devers asked if the county would be able to cover the \$13,922 payment to Spectrum if Ms. McCleave told her they couldn't use the county for the cash match. Mr. Burgess asked how much was in the Capital Projects fund budget for the roundhouse, and when they learned there was enough, the commissioners agreed they would cover the payment if necessary. Mrs. Devers thanked the Board and said she would contact Mr. Piper the following day as soon as she heard from Ms. McCleave.

Mr. Burgess asked Mr. Piper to see if Jeremiah Higgins or Renita Thelen were in the assessor's office to discuss valuations for budget purposes. When Mrs. Thelen arrived, she said they wouldn't know anything until the last meeting in August.

When she'd gone, Mr. Piper said that a two-step cost-of-living raise for all employees would be roughly \$130,000. The Board agreed to have department heads figure COLAs with a one-step raise and a two-step raise.

The Board approved the July 2020 payroll, and then, with no further business to discuss, Mr. Burgess adjourned the meeting at 3:30 p.m.

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Corinne M. Lengel, Clerk to the Board

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Steve Burgess, Chairman