

# Board of County Commissioners of Lincoln County

Agenda for February 16, 2012

9:00 Call to order and Pledge of Allegiance

9:05 Jay Jolly to discuss several water bills

10:00 Kent Dyer to discuss purchasing the W½E½ of the SW¼ of Section 5-T14S-R57W from the county

1. Approve the minutes from the February 7 and 14, 2012 meetings
2. Review a letter from the Colorado East Community Action Agency asking for a pledge of financial support to use as match for a Community Development Block Grant to acquire property in Limon to house their facility
3. Review and sign the Victim Assistance and Law Enforcement grant application for \$57,862 for the period of July 1, 2012 through June 30, 2013
4. Review and sign the Substitution or Waiver of Minimum Requirements for a Public Health Director to submit to the Colorado Department of Public Health and Environment of behalf of the county's new Director
5. County Commissioners reports
6. County Administrator's report
7. County Attorney's report
8. Old business
  - a. Discuss the proposed 1041 regulations and if they should be sent to the Land Use Board for review
9. New business

The Board of Lincoln County Commissioners met at 9:00 a.m. on February 16, 2012. The following attended: Chairman Steve Burgess, Commissioners Gary Beedy and Ted Lyons, and Clerk to the Board Corinne M. Lengel. County Administrator Roxie Devers was absent and excused, and County Attorney Stan Kimble was called but had nothing to report.

Chairman Burgess called the meeting to order and led the Pledge of Allegiance, and then Jay Jolly met briefly with the commissioners to request their assistance regarding proposals to the Colorado Constitution making public ownership legally superior to longstanding water rights, contracts, or property law. State Senate President Brandon Shaffer calls the initiatives detrimental to the state economy and agriculture, and Representative Jerry Sonnenberg said that ballot proposals 3 and 45 would turn the way Colorado handles water upside-down, adding that, "It's the most devastating thing that could happen to the state of Colorado." Mr. Jolly asked the Board to do everything in their power to oppose the initiatives.

After Mr. Jolly left, Mr. Lyons made a motion to approve the minutes from the meetings held on February 7 and February 14, as submitted. Mr. Beedy seconded the motion, which carried unanimously.

The Board reviewed a letter from the Colorado East Community Action Agency asking for a pledge of financial support to use as match for a Community Development Block Grant to acquire property in Limon to house their facility. Before they could discuss it in detail, Travis Nall stopped in to discuss the replacement of the carpet in the jury assembly room. Court staff had picked out the color they wanted and Mr. Burgess asked the others if they intended to request bids for installation. The others agreed so Travis will compile a list of what else will be needed to complete the job, such as baseboard.

As for the request from CECAA, Mr. Lyons felt that moving the office from Stratton to a more centrally located area was an excellent idea; however, Mr. Burgess commented that the letter didn't specify how much the organization was asking for, which bothered him. A call was placed to Becky Carter with Colorado East to ask her to meet with the Board, but she was unavailable. Mr. Beedy left her a message to contact Ms. Devers and schedule a time.

At 9:30 a.m., Kent Dyer arrived for his appointment to discuss purchasing the W1/2E1/2 of the SW1/4 of Section 5-T14S-R57W, also known as Parcel #15, from the county. He offered \$14,000 for the parcel, stating that he and his wife are attempting to consolidate the parcels around them and hope to start fencing and livestock purchases as soon as it begins to thaw. Mr. Beedy commented on road maintenance and Mr. Dyer said that he takes care of all of that. When asked, he responded that there really isn't much traffic from the west, except maybe during hunting season.

Mr. Lyons made a motion to accept the offer of \$14,000 for a parcel of county-owned property in the W1/2E1/2 of the SW1/4 of Section 5-T14S-R57W from Kent and Susan Dyer. Mr. Beedy seconded the motion, which carried unanimously.

A call was placed to County Attorney Stan Kimble to ask how soon he could complete the paperwork, but Mr. Kimble was unavailable.

When Mr. Dyer left, Mr. Lyons made a motion to sign the Victim Assistance and Law Enforcement grant application in the amount of \$57,862 for the period of July 1, 2012 through June 30, 2013. Mr. Beedy seconded the motion, which carried unanimously.

The Board reviewed the Substitution or Waiver of Minimum Requirements for a Public Health Director to submit to the Colorado Department of Public Health and Environment on behalf of the county's new director. Mr. Lyons made a motion to sign the document, Mr. Beedy seconded the motion, and it carried unanimously.

Mr. Lyons reported checking roads on February 8, talking with Kerry Halde on February 14 before going to Denver for the meeting with CDOT, and signing checks for RC&D at the NRCS office on February 15. He said that they are getting very close to being able to shut down the program.

Mr. Burgess reported attending a meeting with NextEra representatives and representatives from Blattner Energy to discuss roads for the new wind farm. They want to move in on March 15, begin construction on April 1, and start bringing turbines in during the months of July and August. Mr. Burgess said he wanted to lower the speed limits in the vicinity and asked if doing so would require a board resolution. Mr. Beedy felt that as long as it is done during a construction period it should be okay. On February 9, Mr. Burgess attended the Centennial Mental Health meeting in Holyoke, on the Tenth he attended CCI, and on the Fourteenth he attended the meeting at CDOT in Denver. He added that he thought the meeting went well and had later asked Ms. Devers to type a thank-you letter, which she had. The commissioners signed the letter. On February 15, Mr. Burgess reported attending the Colorado Child Works Allocation meeting and felt it is totally unacceptable that they want to decrease funding in Lincoln County from \$335,000 to \$23,000. The next meeting is on March 12 and Mr. Burgess asked Mr. Beedy if he could attend with him.

Mr. Beedy reported staking out the location for the new shop in Karval on February 8, and attending CCI steering committee meetings on February 9, and STAC and Transit & Rail Advisory Committee meetings on the Tenth. On February 14, he attended the same meeting at CDOT as the others, and on the Fifteenth he attended a Colorado Blueprint meeting sponsored by the Office of Economic Development and International Trade. Mr. Burgess stated that he had attended that meeting as well. Mr. Beedy commented that the meeting itself wasn't very informative; however, he did speak with some people afterward that made it more beneficial.

Mr. Burgess called for old business, and the commissioners discussed the proposed 1041 regs and whether or not they should have the Land Use Board review them before they decide to adopt them. All agreed that they should be consulted. Ms. Devers had forwarded some corrections to Mr. Kimble, so once they are made, the document will be sent on to the Land Use Board members.

As for new business, Mr. Burgess said Ms. Devers had left some information regarding the governor's TBD project, a large-scale civic-engagement effort across the state, sounding out Coloradans on education, health care, transportation, state personnel rules, and the budget. On the Fifteenth, Greg Etl with DOLA had asked the commissioners for recommendations of two Democrats to the project team. Mr. Beedy said he had contacted Mr. Etl and told him to ask Cherry Stogsdill and Sharon Newsom.

Mr. Burgess stated that he had spoken with Land Use Administrator Ken Morrison about his intentions for retirement, and Mr. Morrison gave him September 1 as his target date. The commissioners agreed that they should try to hire someone as soon as possible, so Mr. Beedy suggested beginning the hiring process in April with a May 1 start date. The Board agreed to discuss it again at the end of the month.

The Board reviewed the January 2012 Treasurer's report, and then Mr. Burgess said that he should be tying things up with Bart O'Dwyer in regard to the Genoa shop sometime soon. He had a total of thirty-five to forty days that he felt Mr. O'Dwyer should pay for since the building was not done by the deadline, but added that there were several things that Mr. O'Dwyer did that he never charged for. Mr. Burgess said the only fair thing to do would be to have Mr. O'Dwyer determine a cost for those additions and then they will get together to decide who owes what.

County Assessor Jeremiah Higgins stopped in to discuss weed districts in the county, stating that there is a county district, as well as a Hugo, a Limon, and a Karval district that basically should be taken off the books. Because they still show up, DOLA requires that they be issued a number, which then means they should have a budget and a board, as well as other things. Mr. Higgins said the problem is that the Assessor's office doesn't know how the districts were put on; if it was through commissioner resolution, they can be removed the same way. However, if it was through a vote of the people, then they will have to be voted on to be removed. He added that sometimes the districts have an expiration date on them, but he has no idea how to find out and DOLA can't offer advisement of what to do. The suggestion was made to take the issue to a Weed Board meeting and ask if there is ever any intention of using the districts, and Mr. Burgess contacted Wayne Shade and asked him to set up a meeting. Mr. Higgins said he would be happy to attend the meeting to discuss it.

Stan Kimble called in so Mr. Burgess asked if he could expedite the Warranty Deed to Kent and Susan Dyer for the county-owned property purchase, since they are interested in putting up fence as soon as possible. Mr. Kimble said it would be fine for Mr. Burgess to drop off the paperwork when he returned to Limon. Mr. Kimble had nothing else to report and the Board let him know that they would like to send the 1041 regulations to the Land Use Board for their review.

Mr. Burgess said he'd spoken with Randy Monks about the rodeo contract, and Randy told him he had finally spoken to the gentleman who said he was planning on doing the rodeo. So far, he had not received the contract in the mail.

With no further business to come before the Board, the meeting was adjourned until 9:00 a.m. on February 28, 2012.

---

Corinne M. Lengel, Clerk to the Board

---

Steve Burgess, Chairman