

Board of County Commissioners of Lincoln County

Agenda for February 28, 2012

9:00 Call to order and Pledge of Allegiance

9:05 Land Use Administrator Ken Morrison to present the Land Use Board's decision on the development permits for John Pfefferkorn for a single family residence and for Flagler Cooperative for a grain storage and handling facility and to discuss other land use issues the Commissioners want to address

11:00 Advisors to the Commissioners on rail relocation to discuss the text re-write of the section on Rail Relocation off the Front Range in the proposed Colorado State Freight and Passenger Rail Plan

1. Approve the minutes from the February 16, 2012 meeting
2. Cancel County General check #16980 written to Tom Nestor on April 7, 2011 for \$1.90 and Public Health check #19282 written to Glaxo Smith Kline on January 31, 2012 for \$348.00 since the check was returned due to payment being made twice
3. Review the January 2012 report from the Assessor
4. Review and sign a Partnership Agreement with CSU Global Campus
5. Review the January 2012 reports of revenues and expenditures for County General, Public Health, Capital Projects, Landfill, Library, E911, Conservation Trust, Lodging/Tourism, Road & Bridge and the individual road districts
6. Review and sign Amendment #4 to Community Development Block Grant Contract #09-085 increasing the amount of the contract by \$350,000
7. Review the Notice of Filing Application for a Mined Land Reclamation Permit for Simon Contractors on Covington #5 Pit
8. Old business
 - a. Discuss advertising for the Land Use/Emergency Manager position due to the upcoming retirement of the current employee
9. New business
10. Approve payroll and expense vouchers

The Board of Lincoln County Commissioners met at 9:00 a.m. on February 28, 2012. The following attended: Chairman Steve Burgess, Commissioners Gary Beedy and Ted Lyons, County Administrator Roxie Devers, and Clerk to the Board Corinne M. Lengel.

Chairman Burgess called the meeting to order and asked Land Use Administrator Ken Morrison to lead the Pledge of Allegiance.

Mr. Morrison then presented the Land Use Board's decision on the development permits for John Pfefferkorn on a single-family residence and for Flagler Cooperative on a facility for grain storage and handling, explaining that the board had approved both permits. The commissioners had no objections, stating that they felt the grain storage facility, to be located at State Highway 71 and County Road 2W, would be an excellent improvement for the county.

Mr. Morrison commented that he'd met with a couple of gentlemen the previous day regarding another possible wind farm north of Arriba.

Mr. Burgess brought up Mr. Morrison's pending retirement, asking if he was certain of a date yet. Mr. Morrison said he would like to retire as of September 1, 2012, so the commissioners discussed advertising for the position mid-April with interviews to begin the first of May. They will plan on having the new person start on June 1 in order to receive three months of training from Mr. Morrison before he retires.

Mr. Beedy made a motion to approve the minutes from the meeting held on February 16, 2012, as submitted. Mr. Lyons seconded the motion, which carried unanimously.

Mr. Beedy also made a motion to cancel General Fund check #16980, written to Tom Nestor on April 7, 2011, in the amount of \$1.90, and Public Health check #19282, written to Glaxo Smith Kline on January 31, 2012, in the amount of \$348.00, as the check was returned due to payment being made twice. Mr. Lyons seconded the motion, which carried unanimously.

The Board reviewed the January 2012 report from the Assessor, as well as a Partnership Agreement with CSU Global Campus. Mr. Lyons made a motion to sign the Partnership Agreement and to designate Roxie Devers as the first contact and Jim Covington as the second contact. Mr. Beedy seconded the motion, which carried unanimously.

The commissioners then reviewed the January 2012 reports of revenues and expenditures for the County General, Public Health, Capital Projects, Landfill, Library, E911, Conservation Trust, Lodging/Tourism, and Road & Bridge funds, as well as for the individual road districts.

Sheriff Tom Nestor stopped in to ask the Board's permission to use county funds to send two of his officers to Washington, D.C. in May when Limon Police Officer Jay Sheridan's name is placed on the National Memorial. He stated he was counting on another funding source but the funds did not come through as anticipated. To cover the cost, he stated he and the undersheriff would each give up attendance at a conference in 2012, as they can complete their hours of

training on-line. He added that he still may need to use some funds from his meetings and trainings line item. The Board agreed to allow the sheriff to send two of his staff to the event.

While reviewing the Road & Bridge reports, Mr. Beedy asked why there was such a discrepancy among the districts for certain items such as grader blades and fuel. The commissioners spent a few minutes discussing their reasons for the way the amounts were divided up.

The Board reviewed Amendment #4 to Community Development Block Grant Contract #09-085, increasing the amount of the contract by \$350,000. Mr. Beedy made a motion to sign the amendment, Mr. Lyons seconded the motion, and it carried unanimously.

Also reviewed was the Notice of Filing Application for a Mined Land Reclamation Permit for Simon Contractors on Covington #5 Pit.

Mr. Burgess said that Stan Kimble had sent over the contract for the sale of the property to Kent and Susan Dyer and wanted to know if the Board requested that any changes be made to the document. No one felt anything needed to be changed and Ms. Devers said Mr. Kimble will bring it to the meeting tomorrow for final approval.

As for new business, Ms. Devers said she'd received the bill from Stone Communications to move the repeater at Cedar Point to the Genoa water tower and it came to \$2,796.00. Sheriff Nestor had asked Gary Ensign if it would be possible to pay the cost from the E911 fund. Ms. Devers said Ken Morrison said he could pay a portion from the Emergency Manager's budget, and since Road & Bridge should pay a portion, she felt it could be split into thirds.

Also, Marti Wooton had contacted Ms. Devers to ask if Sue Kelly could be issued a county credit card with a \$2,000 limit like she had. Mr. Beedy made a motion to allow Public Health Director Sue Kelly to have a county credit card with a \$2,000 limit. Mr. Lyons seconded the motion, which carried unanimously.

Mr. Burgess said he'd recently had a conversation with County Treasurer Jim Covington about spending large amounts of money prior to when tax payments start to come in. Mr. Burgess felt that if it is necessary to make those large payments or purchases, it is better to do it when the deal is the best and not to wait. He commented that a used piece of equipment or vehicle may not be available in June if someone wants to sell it in January. Mr. Lyons added that he felt the commissioners always do the best they can to save money in any way possible, as they look at the big picture or what things may be like in the future. Mr. Burgess would also like to consider paying off the motor graders and loader in Districts Two and Three this year, rather than spend the four percent on interest and keep making payments on them. If investments are only bringing in one percent in interest, it makes much more sense to pay the equipment off and save the remaining three percent of interest. Mr. Beedy put in that if Mr. Covington had a CD coming due, they could schedule the payoff at that time as long as they let him know their intentions.

Mr. Lyons asked about the vending machine in the courthouse lobby, stating that it is empty again. Ms. Devers said she'd tried to contact the new owner, Mike Albright, but he had never answered her phone calls. The Board briefly discussed buying the machine from Mr. Albright, or possibly having Lucas Hohl take over the vending machines as well as the pop machines. A call was placed to Mr. Albright, who said he would be happy to meet with the commissioners to discuss it. He preferred to have all the vending machines in the courthouse rather than just one, but said they could talk about it when he comes out. He did say that someone would be out later today to fill the machine. Mr. Lyons also wanted him to let them know when he comes out what it would cost for the county to purchase the machine.

Shawn Smith arrived for the meeting at 11:00 a.m., but informed the Board that he will start work on the women's restroom under the grandstands at the fairgrounds either later this week or the first of next week. He added that he will start on the floor in the Ellis Allen building on March 12, and commented that Randy Monks had talked to him a little bit about the rest of the floor in the building, as it is getting some cracks in it and has gotten pretty rough. They had discussed coating the floor with something to smooth it up and Shawn said they make a residential overlay that is about a half-inch thick that comes colored. He stated that it is not cheap by any means, but would be much more economical than replacing the floor. Mr. Burgess said that Randy had not mentioned anything about it to the Board.

Mr. Burgess asked for other new business and Ms. Lengel asked how long the commissioners wanted to keep the minutes posted on the county website, as she had noticed they are posted back to 2006. It was decided that two years, plus the current year, would be sufficient, so Ms. Lengel said she would ask James Martin to remove anything prior to 2010.

Mr. Lyons said he'd spoken with Pat White at Eastern Slope Rural Telephone, who told him that they are willing to work with the county if it is the county's intent to continue using their own IT person, which currently is the plan. Everyone agreed that James Martin is doing an excellent job.

Ms. Lengel also wanted the commissioners to be aware that she had hired Mindy Schifferns part-time to help catch the office up on copies and other projects that were not getting done due to the extreme amount of oil and gas research going on. She was informed by one of the parties from Diamond Resources that a copy crew would be coming in the next week or two to possibly make hundreds of thousands of copies. Ms. Lengel had not yet heard from the supervisor of the company, but had been told that they would like to bring in their own copy machine and hoped that the county would allow the crew to make their own copies. As Ms. Lengel is not comfortable with leaving them on their own, she stated she would like for Miss Schifferns to supervise them, as well as use the Reader Printer to make copies from microfiche cards, as she will not allow other parties to use that machine. Ms. Lengel explained that she has \$1,000 in her budget for part-time help, but also has no idea how long Miss Schifferns will be needed. So far, she has done an outstanding job of completing several tasks that have been on the back burner indefinitely.

At that time, Kenny Yoder, Scott Ravenkamp, Cody Jolly, and Travis Taylor arrived to discuss the text re-write of the section on Rail Relocation off the Front Range in the proposed Colorado State Freight and Passenger Rail Plan. First, the group related that they had changed the name of their group to Citizens Advocating Rural Rights, which they felt better fit their purposes. Travis Taylor stated that they were all very happy with the outcome of the meeting at CDOT and added that according to Angela Drumm, they should be seeing a letter from Director Don Hunt around the first of March. Scott Ravenkamp agreed that the meeting had gone beyond his expectations, and Ms. Devers asked if they wanted her to tell Ms. Drum that the draft was fine, which they agreed they did. Travis added that he felt it was the first time that the group was actually listened to and taken seriously and thanked the commissioners for all of their help, saying he couldn't give them enough credit for their input. The other CARR members all voiced their agreement.

Mr. Beedy felt it imperative that the group continue to keep future boards of county commissioners advised and involved in the situation, adding that state planning documents are done every five years; however, it is a continuous process as the state is already working on the 2040 Plan. Travis agreed that he felt it is the responsibility of CARR to keep the dialogue going and remain up-to-date on everything.

Mr. Burgess brought up the 1041 regulations, stating that copies had been sent to all Land Use Board members, as well as several other interested parties. He added that they want the regulations out in the public eye for input. Scott Ravenkamp asked if CARR could involve the Stewards of the Range with the 1041 regs, and Mr. Beedy cautioned that it would be fine as long as they understood that the regulations are for large companies, not general landowners. When asked, he confirmed that the 1041 regulations are separate from Land Use regulations.

Travis Taylor spoke of the annual CARR board meeting the night before, where T.J. Deora, the director of the Governor's Energy Office, and Thom Kerr, interim director of the Oil and Gas Commission, had talked of wind projects and oil and gas activities. He added that Elbert County had hosted a full day meeting and wanted to know if the commissioners felt that it would be beneficial to hold such a meeting in Lincoln County. Scott added that he thought there were probably more questions than what there was time for responses, and Mr. Beedy put in that he would suggest two separate meetings; one for oil and gas and one for wind energy, as it would be excellent public information that people wouldn't have to pay an attorney for. Mr. Burgess added that it actually would fit well into the new CARR organization and felt they should take the lead on it, rather than the commissioners. He also felt that by changing their name, the group would attract a larger group of people, and Mr. Lyons put in that it was a relief to him to know that there was someone other than the commissioners out there who could assist with large projects such as these.

Mr. Beedy also made the comment that he felt it was time for the county to update the Comprehensive Plan and even though it is a huge process, it is a good one and well worth having in effect. It has been almost fifteen years since the plan was last updated.

Before Travis left, Mr. Burgess asked if he would have use for the RSVP van and Travis said that he does have a rather large group of kids interested in livestock judging and it would be good to be able to use it on the weekends.

Before the lunch break, Mr. Beedy wanted the others to know that they have started advertising for the new shop in Karval.

When the meeting reconvened after lunch, Ben Orrell with K.C. Electric met with the Board to discuss electrical lines at the fairgrounds for the purpose of camper hookups. He said that he'd asked for a quote but thought he'd gotten incorrect information, as what they'd given him was for two transformers and two meters, but he thought the commissioners only wanted one meter. When Mr. Burgess confirmed that, Mr. Orrell said a single-phase line would be relatively inexpensive, but they would need towers to put the antenna on. If they could use the county's tower, there would be no charge for the service; otherwise, it would be between \$4,000 and \$6,000. He added that if they had permission from the county they would go ahead and test it, and that they would need coverage probably to Flagler.

Mr. Lyons said that Eastern Slope owns the tower north of Gene Vick's and that would give them adequate coverage, so Mr. Orrell said he would contact them as well. Ms. Devers put in that they would need to make sure another repeater wouldn't cause interference with any existing equipment already on the county's tower before they could add repeaters, antennas or anything else. She added that she would ask Tom Nestor to see if he knew who to contact.

Mr. Orrell said he would do more research and refine the cost and get back to the commissioners once he had done so.

The commissioners approved the February 2012 payroll and expense vouchers for the month and then, with no further business to come before the Board, the meeting was adjourned until 9:00 a.m. on February 29, 2012.

Corinne M. Lengel, Clerk to the Board

Steve Burgess, Chairman