

# **Board of County Commissioners of Lincoln County**

Agenda for March 16, 2012

8:30 Call to order and Pledge of Allegiance

8:35 Road Foreman Chris Monks will meet with the Board to discuss the purchase of an asphalt distributor and information on maintenance/repair work on several county bridges

9:00 Bids will be opened for replacement of the carpet in the jury assembly room

9:15 Human Services Director Colette Barksdale will discuss giving a TANF grant to Baby Bear Hugs

9:45 Kent and Susan Dyer will discuss the purchase of a 40 acre parcel from the county

1. Approve the minutes from the March 7, 2012 meeting
2. Review the February reports from the Assessor and the Sheriff
3. Review and approve a liquor license for PJs General Store
4. Review two oil and gas leases presented by Pine Ridge Oil & Gas, LLC for signature
5. County Commissioner reports
6. County Administrator's report
7. County Attorney's report
8. Old business
9. New business

The Board of Lincoln County Commissioners met at 8:30 a.m. on March 16, 2012. The following attended: Chairman Steve Burgess, Commissioner Gary Beedy, County Administrator Roxie Devers, and Clerk to the Board Corinne M. Lengel. Commissioner Ted Lyons was absent and excused, County Attorney Stan Kimble arrived at 9:30 a.m., and Will Bublitz with The Limon Leader and Eastern Colorado Plainsman attended until 10:00 a.m.

Chairman Burgess called the meeting to order and led the Pledge of Allegiance, and then Mr. Beedy made a motion to approve the minutes from the meeting held on March 7, 2012, as submitted. Mr. Burgess seconded the motion, which carried.

The Board reviewed the February 2012 reports from the Assessor and Sheriff, and Mr. Beedy said he had also asked Ms. Devers to get a list of investments from County Treasurer Jim Covington so that the Board would be aware of them.

Road Foreman Chris Monks arrived to meet with the Board regarding the purchase of an asphalt distributor and to discuss the maintenance and repair work on several county bridges. First, Mr. Burgess said they had gotten a quote from Cobitco for chipseal oil, which was good until March 31, 2012; \$2.77 per gallon for Hugo, \$2.81 per gallon for Karval, and \$2.76 per gallon for Genoa. Mr. Beedy made a motion to accept the bid from Cobitco for chipseal oil and Mr. Burgess seconded the motion, which carried.

Chris had received information from the Boulder County transportation department concerning the use of cell phones being banned for all truck drivers. Chris said it was a federal law at this time, but everyone felt it was just a matter of time before it becomes Colorado law, as well. Although it was unclear if the law would pertain to interstate or intrastate truckers, Trooper Jason Bandy believed it was for all truck drivers. Chris said that, in anticipation of the passage of the law, Mesa County had already added some strident stipulations to their personnel policy.

As for the asphalt distributor, Chris had received a quote from Macdonald Equipment in the amount of \$68,200, but they will give \$1,500 as a trade-in for the two used distributors that the county now owns. Mr. Beedy made a motion to purchase a Lee Boy RMT1000 Maintenance Trailer asphalt distributor from Macdonald Equipment for a total of \$66,700. Mr. Burgess seconded the motion, which carried.

Chris also had information from TLM Constructors, Inc. regarding the repair/maintenance of the three bridges the commissioners had discussed on March 7. The bridge north of Arriba will require wing wall and abutment repair in the amount of \$6,780 (\$7,240 with four new flared bridge rail nose pieces), and to clear grub brush and trees away from the bridge in District Three will cost \$11,550. However, the bridge in District 1, just south of Hugo, has more severe damage and will cost a total of \$102,712 to repair, according to the quote from TLM. Chris said that amount does not include painting or traffic control, as they did not have that information available at the time the quote was submitted. Mr. Burgess commented that they had budgeted around \$180,000 for bridge repair and felt that it shouldn't take more than \$10,000 or \$15,000 for the painting, adding that they should have enough in that line item for all the

repair work on all three bridges. Mr. Beedy asked how long it would take them to repair the deck portion on the bridge in District 1, but Chris did not know.

Since it was 9:00 a.m., Chris placed a call to TLM to ask a couple of questions while the commissioners opened the two bids for replacement of the carpet in the jury assembly room; one from Shawn Smith Construction, LLC and the other from Superior Builders, Inc. Mr. Beedy made a motion to accept the bid from Superior Builders, Inc. in the amount of \$4,488.75 for carpet replacement in the jury assembly room. Mr. Burgess seconded the motion, which carried. The bid from Shawn Smith Construction, LLC was in the amount of \$4,858.84.

Chris then said TLM Constructors will have the bridge deck finished in three weeks, but they could not give him a price yet for traffic control, although they will do so as soon as they can. They should also have a price quote for the painting within the next week. Commenting that they will need to have time to make the deck plates, Chris went on to say that it all depends on when the commissioners want the project completed as to whether or not they should accept the quote they received and go ahead with the order. Otherwise, it may be August or September before TLM can get to it. Mr. Burgess said he would like to see the project completed by June and Mr. Beedy agreed. The question arose as to whether or not the contract could be signed with the commissioners knowing that more costs would be forthcoming, so they decided to wait and speak with County Attorney Stan Kimble about it when he arrived. Chris said he would come back later on. Mr. Burgess also checked the budget to make sure how much had been assigned to that particular line item, and discovered they had set aside \$170,000. Ms. Devers reminded Chris that he would need to ask the company to provide their proof of Worker's Comp and liability insurance, as well.

Human Services Director Colette Barksdale arrived to discuss giving a TANF grant to Baby Bear Hugs in the amount of \$8,528. Mr. Beedy made a motion to allow the Human Services Department to give a TANF grant in the amount of \$8,528 to Baby Bear Hugs. Mr. Burgess seconded the motion, which carried.

Mr. Beedy also made a motion to approve the Liquor or 3.2 Beer License Renewal Application for PJ's General Store. Mr. Burgess seconded the motion, which carried. Ms. Lengel said that she had asked Sheriff Nestor if he'd had any problems with the establishment and he said that he hadn't.

The Board reviewed two oil and gas leases of county-owned property presented by Pine Ridge Oil & Gas, LLC, totaling 24.26 acres, totaling \$3,639, but chose to wait for Mr. Kimble to look them over before acting on them.

Mr. Beedy reported attending a COG meeting on March 7, the Transit and Rail Committee meeting on March 9, a bid meeting on March 14 concerning the new Karval shop, and CCI on March 15. Mr. Burgess reported attending a Centennial Mental Health meeting in Akron on March 8, where they had a presentation on where to invest money in order to receive a greater return and said that he'd given the information to Mr. Covington. On March 12, he attended

the Child Welfare Allocation Committee meeting, and on March 13 he attended the fair board meeting. He commented that Fairgrounds Manager Randy Monks had not been in attendance.

Ms. Devers had nothing to report so Mr. Burgess called for old business. Ms. Lengel showed the commissioners the plastic sleeves she had received in the mail for the plat map cabinet that she had spoken to them about at the meeting on March 7. Since the sleeves needed to be returned, Ms. Lengel said she simply wanted the Board to see them so that they would know what she was talking about when they discussed the purchase of the cabinet at a later time.

At 9:30 a.m., County Attorney Stan Kimble arrived, as well as Kent and Susan Dyer to discuss the purchase of a forty-acre parcel from the county. Mr. Dyer said that it is the last piece that they are hoping to purchase, and since there is no water, but there is buried trash and a washed-out area on the property, they were hoping the county would accept \$8,000 for it.

Mr. Beedy made a motion to approve the sale of a forty-acre, county-owned parcel of land located in the NW1/4 of Section 5, Township 14, Range 57 West to Kent and Susan Dyer for \$8,000. Mr. Burgess seconded the motion, which carried.

Mr. Burgess then addressed the fact that a resident had contacted the county because Dyers had put up a gate on an unimproved county road off of State Road 94. Mr. Dyer admitted that they had done so because they own all of the surrounding property and want to pasture cattle that they don't want getting out on the roads and causing accidents. He added that the gate is not locked and never will be, and residents are encouraged to come and go through it as often as needed, as long as they remember to close it behind them. He went on to say that the gate is very easy to open and they had considered putting in a cattle guard, but the ground is too low in that particular area and it would fill with snow, so they opted for the gate. Mr. Burgess said they would contact the landowner who had complained about it and let them know what Mr. Dyer had said. He added that the Dyers would be contacted if there were any further problems.

Mr. Kimble said he would draw up the contract for the purchase of the forty acres, adding that in the absence of Mr. Lyons, if the commissioners agree to just have Mr. Burgess sign the deed, they will need to pass a resolution allowing that. He will draw up the documents and e-mail them to the Dyers and to Ms. Devers for inspection.

Once the Dyers had gone, Mr. Kimble reviewed the two oil and gas leases for county-owned property and found no problems with them. Mr. Beedy made a motion to sign two oil and gas leases between Lincoln County and Pine Ridge Oil & Gas, LLC; one in Section 26, Township 13 South, Range 53 West, and the other in Section 9, Township 9 South, Range 54 West, for a total of 24.26 acres. Mr. Burgess seconded the motion, which carried.

Chris Monks returned at that time and discussion turned to the contract with TLM Constructors, Inc. regarding repair/maintenance of three county bridges. Mr. Kimble said as long as the contract gives the right to contest it, and is clear enough that both parties know exactly what

they are agreeing to, it should be fine. Mr. Burgess asked the best way to include the painting and traffic control costs, which are not included in the current contract, and Mr. Kimble said they would simply need to sign another contract for those additional costs. Chris said the gentleman he spoke with told him they can be here on May 21 to begin work if the commissioners sign the contract now.

Mr. Beedy made a motion to sign the contract with TLM Constructors, Inc. in the amount of \$121,502 to repair three county bridges, which includes the four new bridge rail nose pieces for the bridge in District 2. An additional contract will be signed with the company for the bridge south of Hugo when traffic control and painting costs are determined. Mr. Burgess seconded the motion, which carried.

Mr. Burgess said they would need to discuss a free landfill day soon, and then a brief discussion followed regarding Randy Monks not working at the county shop on the days he was designated to do so. The Board agreed to complete another Supervisor Contact form on Fairgrounds Manager Randy Monks addressing the situation.

With no further business to come before the Board, the meeting was adjourned until 9:00 a.m. on March 29, 2012.

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Corinne M. Lengel, Clerk to the Board

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Steve Burgess, Chairman