

# Board of County Commissioners of Lincoln County

Agenda for January 8, 2013

9:00 Call to order and Pledge of Allegiance

9:00 Public Health Director Sue Kelly to give her monthly report and to present for signature two Memorandums of Understanding with Kit Carson County

10:00 Sheriff Tom Nestor to discuss the trade in of two vehicles and the purchase of one

10:15 Terry Baylie and Debby Conrads with the Council of Governments to discuss the purchase of a new handicap accessible bus in 2013

11:00 Approve final expense vouchers for the 2012 budget year

Noon - Adjourn for 2012, followed by swearing in of the new County Commissioners

1:30 Reorganize for 2013

- a. Elect Chairman and Vice Chairman
- b. Designate official notice board
- c. Appointments and holidays
- d. Set the county's vacation and sick leave policy
- e. Set the E911 surcharge per C.R.S. 29-11-103(3)(a)
- f. Approve Lincoln County's investment policy
- g. Adopt a resolution designating the person to prepare the 2014 Lincoln County budget

2:15 Land Use Administrator and Emergency Manager John DeWitt to discuss the purchase of a handheld GIS

1. Approve the minutes from the December 31, 2012 meeting
2. Review the December 2012 reports from the Assessor and the Treasurer
3. Adopt a resolution concerning full time employee positions in the office of the District Attorney for the 18<sup>th</sup> Judicial District and one setting the salary for the District Attorney for the 18<sup>th</sup> Judicial District for his term of office beginning in January 2013 and ending in January 2017
4. Review a questionnaire from the Republican River Water Conservation District concerning water in the basin and the means to obtain input from producers and other water users in the basin
5. Review and complete a form from Colorado Counties, Inc. concerning 2013 Steering Committee proxies
6. County Commissioners reports
7. County Administrator's report
8. County Attorney's report
9. Old business
  - a. Discuss signing a revised Professional Services Agreement between the county and the Colorado Center for Community Development for development of a master plan for the county fairgrounds and granting the Chairman authority to sign it upon approval by the Lincoln County Fair Board
10. New business

The Board of Lincoln County Commissioners met at 9:00 a.m. on January 8, 2013. The following attended: Chairman Steve Burgess, Commissioners Gary Beedy and Ted Lyons, County Administrator Roxie Devers, and Clerk to the Board Corinne M. Lengel. County Attorney Stan Kimble attended in the afternoon. Commissioners-elect Doug Stone and Greg King were also in attendance.

Chairman Burgess called the meeting to order and asked Ms. Lengel to lead the Pledge of Allegiance, after which Public Health Director Sue Kelly met with the Board to give her monthly report and present two Memorandums of Understanding with Kit Carson County for signature. Ms. Kelly listed her activities for December, including meetings, phone conference calls, and policy manual updates. They have had an influx of patients requesting various types of shots, and she is continuing to work on successful billing for Medicare, Medicaid, Anthem Blue Cross and Rocky Mountain Healthcare. She also incorporated a more formalized inventory system and a stricter financial file back-up system as a result of the Financial Risk Management System review. Ms. Kelly reported that Lincoln County is on track with the Maternal Child Health progress assessment, according to CDPHE Maternal Child Health consultant Tsering Dorjee.

Ms. Kelly then presented the Environmental Health/Consumer Protection Agreement between Kit Carson County and Lincoln County Public Health Services in the amount of \$8,312. Mr. Beedy made a motion to sign the agreement, Mr. Lyons seconded the motion, and it carried unanimously.

Ms. Kelly said she had updated the Kit Carson County and Lincoln County Public Health Service Agreement to read more clearly and provide greater specifics regarding Family Planning and WIC services. The annual amount is not to exceed \$20,783. Mr. Lyons made a motion to sign the Public Health Service Agreement between Lincoln and Kit Carson counties. Mr. Beedy seconded the motion, and it carried unanimously.

Mr. Burgess asked Ms. Kelly if she still intended to work part time, since the current board of commissioners hired her in that capacity. Ms. Kelly stated that she is still attempting to work only part time and does not want full time employment. The new board of commissioners will need to renew her contract.

After Ms. Kelly left, Mr. Burgess reported that he had spoken with Gary Withington about the noise meter for the wind tower he has lodged several complaints about, but since he was absent during the December 31 meeting, he did not get to report that he'd spoken with him. Mr. Withington said that his noise meter measured higher than that of NextEra's, and Mr. Burgess said that since Mr. Kimble seemed to think the county should not be involved, it would be up to the new board to decide how to proceed.

Mr. Lyons reported going by the oil activity areas and the landfill. Mick Jaques asked if they could get a new, cheaper model welder, as theirs has stopped working. Mr. Stone said that the school in Karval may be getting rid of some and he will check into it.

Mr. Beedy said he went by the Karval shop and finished up the inspection with Bart O'Dwyer on January 2. There are a few small issues that will be corrected when the weather warms up.

Ms. Devers reported that she had to make several corrections to what she submitted for the county retirement plan for trustees who were either being added to the plan or taken off. They also now require the designation of a primary plan trustee, so Ms. Devers will be designated as such. Ms. Devers was contacted by Erika Iverson with Red Rocks Community College, who is working on a Rural Healthcare Project. Their goal is to recruit and retain healthcare professionals on the eastern plains, and Ms. Devers said there may even be some money available for scholarships. Ms. Iverson plans to meet with Ms. Devers to try and corroborate with others in the community about what is needed in the rural area.

Mr. Beedy made a motion to approve the minutes from the meeting held on December 31, 2012, as submitted. Mr. Lyons seconded the motion, which carried unanimously.

The Board reviewed the December 2012 reports from the Assessor and Treasurer, and then Mr. Burgess said that the person interested in the sheriff's vehicle at Anderson Motors never showed up to buy it, so Sheriff Nestor went and picked it up.

At 10:00 a.m., Sheriff Tom Nestor met with the Board to discuss the trade-in of two vehicles and the purchase of one. The sheriff said he had budgeted \$35,000 for a new patrol vehicle in the 2013 budget, and the Utah state bid from Wade Motors is \$27,986.78 on a 2013 Chevrolet pickup, which is his preference over the Dodge Chargers. According to Sheriff Nestor, the Colorado state bid came in \$2,000 higher, and Colorado will charge him between \$7,000 and \$8,000 to equip the vehicle. Although the equipment is not included in the bid from Wade Motors, the sheriff said that they will do it for \$4,000 or \$5,000. It is his intention to trade off the 2009 Dodge Charger for \$7,500 or \$8,000 in Denver tomorrow, and then he would drive the 2008 Dodge Charger to Utah to trade it in for the new pickup if the Board approves the purchase. He said he should get around \$7,000 for it, making the overall total cost of the new pickup between \$19,000 and \$20,000 with the trade-ins. If approved, he will order it this week and pick it up in a few months. Mr. Lyons made a motion to allow the purchase of a 2013 Chevrolet pickup from Wade Motors in Utah in the amount of \$27,986.78 for the Sheriff's Department. Mr. Beedy seconded the motion, which carried unanimously.

Mr. Burgess asked Sheriff Nestor if he had heard anything further from Stone Communications about the reprogramming of the repeaters, and the sheriff said that it was going to cost \$16,000 for the reprogramming. He added that the town of Limon plans to remove the VHF from their cars, but Sheriff Nestor felt that if he were to do that, they would never be able to page fire or ambulance services in the county. He also believes it is better to have them for a backup to the 800 MHz system. He added that the radios in the cars are fine, but that the repeaters will definitely need to have the reprogramming done. Mr. Burgess said they would table the discussion and the new board could make that decision.

Mr. Burgess also asked the sheriff if he had found anything out regarding a storage Conex container for the coroner, and Sheriff Nestor said he would prefer to go and look at one and has not had the opportunity to do so yet. If necessary, he said that the coroner could store some things in his evidence room, but only temporarily. He also mentioned that the garage at the annex may be an option as long as they could keep it secure and the Public Health office is not using it for anything.

At 10:15 a.m., Terry Baylie and Debby Conrads with the Council of Governments met with the commissioners to discuss the purchase of a new handicap accessible bus in 2013. Ms. Conrads explained that the cost of a type 2A Floor plan B bus with twelve seats and a wheelchair ramp is \$52,096. Adding lettering, mud/snow tires, wheelchair securement, and a spare tire carrier brings the total to \$53,799. The federal share is \$43,039.20, leaving the local match at \$10,759.80. Adding striping, a driver step, and armrests on the six aisle seats increases the total by \$1,275. There is \$6,683.58 available in the vehicle replacement fund which would make the overall county cost of the new bus \$5,351.22. Mr. Burgess wanted to make sure he was correct in his assumption that even though the county would own the bus, the state would mandate that it could not be sold for five years. Ms. Baylie thought it might be seven years, but confirmed his statement as correct, adding that in order for CDOT to pay their 80%, the bus would have to be used for the purpose for which it is designated. Ms. Conrads put in that the electric door opener, steel rear bumper, grab bars on the left and right of the door, and repellent fabric seats are included in the purchase price and asked what color the Board would prefer the seats to be; blue, red, green or gray. When asked how the \$6,683.58 was collected, Ms. Conrads explained that COG used to charter their bus and individual organizations would pay \$.25 per mile, as well as for the gas and driver's time.

Mr. Beedy made a motion to proceed with the purchase of a new bus through Council of Governments, using the funds as presented, with blue seats. Mr. Lyons seconded the motion, which carried unanimously.

Ms. Baylie presented Mr. Burgess with a plaque from Council of Governments, thanking him for all of the work he has done during his term as a commissioner.

Mr. Beedy made a motion to adopt a resolution concerning full time employee positions in the office of the District Attorney for the 18<sup>th</sup> Judicial District. Mr. Lyons seconded the motion, which carried unanimously.

At a regular meeting of the Board of County Commissioners of Lincoln County, Colorado held in Hugo, Colorado on January 8, 2013, there were present:

Steve Burgess, Chairman	Present
Gary A. Beedy, Vice Chairman	Present
Ted Lyons, Commissioner	Present
Stan Kimble, County Attorney	Absent & Excused
Corinne Lengel, Clerk of the Board	Present

when the following proceedings, among others, were had and done, to-wit:

**RESOLUTION #844** It was moved by Commissioner Beedy and seconded by Commissioner Lyons to adopt the following resolution:

**RESOLUTION NO. 844**

**THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF LINCOLN, COLORADO**

**A RESOLUTION CONCERNING FULL-TIME EMPLOYEE POSITIONS IN THE OFFICE OF  
THE DISTRICT ATTORNEY FOR THE EIGHTEENTH JUDICIAL DISTRICT**

**WHEREAS**, pursuant to Section 20-1-205, C.R.S., the District Attorney is authorized to appoint an Assistant District Attorney; and

**WHEREAS**, pursuant to Section 20-1-201(2), C.R.S., the District Attorney may designate and appoint Chief Deputy District Attorneys, except that no District Attorney may appoint more than one Chief Deputy District Attorney without the prior approval of the boards of county commissioners of the judicial district; and

**WHEREAS**, pursuant to Section 20-1-201(1), C.R.S., the District Attorney is authorized to appoint such Deputy District Attorneys as he deems necessary to properly discharge the duties of his office, with the approval of the boards of county commissioners of the judicial district; and

**WHEREAS**, pursuant to Section 20-1-209, C.R.S., the District Attorney is authorized to appoint a Chief Investigator and such other investigators as he may deem necessary in the conduct of his office and such stenographers, office employees, and other technical and professional assistants as are necessary to properly transact the business of his office, subject to the approval of the boards of county commissioners of the judicial district; and

**WHEREAS**, consistent with Sections 20-1-201 and 20-1-205, C.R.S., the boards of county commissioners of the Eighteenth Judicial District have previously approved a total of 73 full-time attorney positions for the District Attorney's Office, to include an Assistant District Attorney, if the District Attorney chooses to appoint one; not more than 12 Chief Deputy District Attorneys, if the District Attorney chooses to appoint them; and Deputy District Attorneys, if the District Attorney chooses to appoint them; and

**WHEREAS**, consistent with Section 20-1-209, C.R.S., the boards of county commissioners of the Eighteenth Judicial District have previously approved a total of 119 full-time non-attorney positions for the District Attorney's Office, to include a Chief Investigator, other investigators, and such stenographers, office employees, and other technical and professional assistants as are necessary to properly transact the business of the office, if the District Attorney chooses to appoint them; and

**WHEREAS**, consistent with Sections 20-1-201, 20-1-205, 20-1-209, and 20-1-302, C.R.S., the boards of county commissioners of the Eighteenth Judicial District have previously agreed that the salaries and benefits of such attorney and non-attorney positions shall be paid by the counties comprising the judicial district, with each county paying in the proportion that the population of each county bears to the population of the whole judicial district, according to the last preceding population estimate that is prepared before May 1 of the current year by the division of planning in the department of local affairs pursuant to section 24-32-204, C.R.S.; and

**WHEREAS**, consistent with Sections 29-1-101, *et seq.* C.R.S., the District Attorney's Office has discretion in the expenditure of its budget, and the boards of county commissioners of Arapahoe, Douglas, Elbert, and Lincoln Counties have agreed to give the newly-elected District Attorney greater flexibility regarding the number of attorney and non-attorney full-time employee positions, so long as the utilization of such positions does not cause the District Attorney's Office to incur expenditures in excess of its budget;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Lincoln County as follows:

1. Consistent with Section 20-1-201(2), C.R.S., the District Attorney is authorized to appoint more than one Chief Deputy District Attorney.

2. Consistent with Section 20-1-201(1), C.R.S., the District Attorney is authorized to appoint such Deputy District Attorneys as he deems necessary to properly discharge the duties of his office.

3. Consistent with Section 20-1-209, C.R.S., the District Attorney is authorized to appoint a Chief Investigator, other investigators, and such stenographers, office employees, and other technical and professional assistants as are necessary to properly transact the business of the office.

4. The former limits of 73 full-time attorney positions and 119 full-time non-attorney positions are eliminated. The District Attorney has statutory discretion about whether to appoint an Assistant District Attorney, and is hereby granted the discretion to appoint any number of Chief Deputy District Attorneys and any number of Deputy District Attorneys, as well as a Chief Investigator, and any number of other investigators, stenographers, office employees, and other technical and professional assistants as are necessary to properly transact the business of the office, so long as the utilization of all such positions does not cause the District Attorney's Office to incur expenditures in excess of its budget.

5. The Board's determination made on this date represents Lincoln County's commitment to pay its percentage of said salaries and benefits, as part of the District Attorney's Office budget. This determination shall be subject to the payment of the percentage contributions by the Boards of County Commissioners of Arapahoe, Douglas, and Elbert Counties as required by law.

**PASSED AND ADOPTED** this 8<sup>th</sup> of January 2013, in Hugo, Lincoln County, Colorado.

**THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF LINCOLN, COLORADO**

BY: \_\_\_\_\_  
Steve Burgess, Chairman

BY: \_\_\_\_\_  
Gary Beedy, Vice Chairman

BY: \_\_\_\_\_  
Ted Lyons, Commissioner

ATTEST:

\_\_\_\_\_  
Clerk of the Board

Mr. Beedy also made a motion to adopt a resolution setting the salary for the District Attorney for the 18<sup>th</sup> Judicial District for his term of office beginning in January 2013 and ending in January 2017. Mr. Lyons seconded the motion, which carried unanimously.

At a regular meeting of the Board of County Commissioners of Lincoln County, Colorado held in Hugo, Colorado on January 8, 2013 there were present:

Steve Burgess, Chairman	Present
Gary A. Beedy, Vice Chairman	Present
Ted Lyons, Commissioner	Present
Stan Kimble, County Attorney	Absent & Excused
Corinne Lengel, Clerk of the Board	Present
Roxie Devers, County Administrator	Present

when the following proceedings, among others, were had and done, to-wit:

**RESOLUTION #845** It was moved by Commissioner Beedy and seconded by Commissioner Lyons to adopt the following resolution:

**RESOLUTION NO. 845**

**THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF LINCOLN, COLORADO**

**A RESOLUTION SETTING THE ANNUAL SALARY OF  
THE DISTRICT ATTORNEY FOR THE  
EIGHTEENTH JUDICIAL DISTRICT**

**WHEREAS**, pursuant to Section 20-1-301, C.R.S., the Boards of County Commissioners of those counties comprising the Eighteenth Judicial District must set the annual salary of the District Attorney for the succeeding four-year term; and

**WHEREAS**, as set forth in Section 20-1-301, C.R.S., said salary cannot be less than one hundred thirty thousand dollars (\$130,000.00) effective January 1, 2012, and for each year thereafter; and

**WHEREAS**, the Board of County Commissioners of Lincoln County has met to review and determine a fair salary and has discussed this salary with the Boards of County Commissioners for Arapahoe, Douglas, and Elbert Counties; and

**WHEREAS**, the Board of County Commissioners has held a public meeting on this matter and is desirous of setting the salary for George Brauchler, the newly-elected District Attorney, at this time;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Lincoln County as follows:

1. That the salary of the District Attorney for the Eighteenth Judicial District for his term beginning in January, 2013 and ending in January, 2017 shall be as follows:

2013:	\$130,000
2014:	\$143,000
2015:	\$156,000
2016:	\$165,000

2. That the Board's determination made on this date represents Lincoln County's commitment to pay its percentage of said salary, and this determination shall be subject to the payment of the percentage contributions by the Boards of County Commissioners of Arapahoe, Douglas, and Elbert Counties as required by law.

3. That it is understood that the District Attorney's benefits include the use of an office car in accordance with the policy of the District Attorney's Office, as well as only those benefits (such as medical insurance, dental insurance, life insurance, long-term disability insurance, personal mileage reimbursement, matching contribution to PERA in lieu of social security contribution, 401K contribution, etc.) which are received uniformly by all full-time employees of the District Attorney's Office and that the District Attorney will not accrue any sick leave or any vacation time during his time in office.

**PASSED AND ADOPTED** this 8<sup>th</sup> of January 2013 in Hugo, Lincoln County, Colorado.

**THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF LINCOLN, COLORADO**

**BY:** \_\_\_\_\_  
**Steve Burgess, Chairman**

**BY:** \_\_\_\_\_  
**Gary Beedy, Vice Chairman**

**BY:** \_\_\_\_\_  
**Ted Lyons, Commissioner**



**ATTEST:**

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**Clerk to the Board**

The commissioners also reviewed a questionnaire from the Republican River Water Conservation District concerning water in the basin and the means to obtain input from producers and other water users in the basin, and completed it.

The commissioners approved the remaining expense vouchers from the 2012 budget.

**COUNTY GENERAL FUND**

Chief Deputy Salary \$3,058.00  
Commissioner Salary \$2,920.00  
Corporal Salary \$2,773.96  
Correctional Officer I Salary \$2,409.91  
Commissioner Salary \$2,920.00  
Correctional Officer I Salary \$2,474.88  
Clerk I Salary \$2,016.00  
Treasurer Salary \$3,650.00  
Deputy Clerk Salary \$2,403.00  
Administrator Salary \$4,230.00  
Land Use Admin Salary \$2,326.00  
Correctional Officer III Salary \$2,703.46  
Deputy Clerk Salary \$2,535.00  
Janitorial Salary \$1,171.50  
Road Deputy Salary \$2,823.31  
Correctional Officer I Salary \$2,597.88  
Assessor Salary \$3,650.00  
Clerk I Salary \$2,066.00  
Deputy I Salary \$2,308.00  
Driver Examiner Salary \$2,463.00  
Fairgrounds Manager Salary \$1,250.00  
Correctional Officer I Salary \$2,460.12  
Attorney Salary \$2,415.00  
Road Deputy Salary \$2,952.67  
Clerk Salary \$3,650.00  
Commissioner Salary \$3,650.00  
Correctional Officer I Salary \$2,585.52  
Undersheriff Salary \$3,178.00  
Maintenance Salary \$2,643.00  
Correctional Officer I Salary \$2,519.16  
Corporal Salary \$2,595.00  
Coroner Salary \$825.00  
Sheriff Salary \$4,091.67  
VA Service Officer Salary \$383.33  
Correctional Officer I Salary \$2,726.99  
Deputy Clerk Salary \$2,775.00

Correctional Officer I Salary \$2,775.96  
Correctional Officer III Salary \$2,560.00  
Part Time Salary \$1,072.00  
Victim's Assistant Salary \$2,523.00  
Weed Coordinator Salary \$2,764.00  
Office Mgr II Salary \$2,676.00  
Part Time Salary \$112.50  
4-H Program Assistant Salary \$3,072.00  
Chief Deputy Salary \$2,576.00  
Metal Detector Salary \$1,560.00  
Captain Salary \$3,118.00  
Appraisal Clerk Salary \$2,116.00  
Janitor Salary \$1,261.50  
Chief Deputy Salary \$3,118.00  
Correctional Officer II Salary \$3,289.00  
Road Deputy Salary \$2,857.20  
Admin Assist Salary \$3,040.00  
Metal Detector Salary \$840.00  
Road Deputy Salary \$3,072.70

21913 AFLAC, Premiums \$1,352.39  
21914 Alco, Supplies \$127.48  
21915 All Pro Forms, Notices \$1,070.00  
21916 Auto-Chlor, Supplies \$386.10  
21917 Gary Beedy, Mileage \$256.66  
21918 Behavioral Interventions, Maintenance Contract \$115.67  
21919 Berenbaum, Weinshienk PC, Services \$140.00  
21920 CBM Food Service, Meals \$6,103.66  
21921 Colo Department of Revenue, Garnishment \$150.00  
21922 Center for Education & Employment Law, Report \$159.00  
21923 Century Link, Communications \$66.64  
21924 CHP, Insurance \$56,394.13  
21925 Colo County Clerks Association, Dues \$688.50  
21926 CDPHE, Supplies \$25.00  
21927 Colo State Treasurer, Unemployment \$1,009.99  
21928 Colo Correctional Industries, Flag \$116.00  
21929 Colo Search & Rescue Board, Dues \$50.00  
21930 Colo County Clerks Association, Conference \$680.00  
21931 Curian Clearing, Retirement \$6,847.93  
21932 DJ Petroleum, Fuel \$186.53  
21933 Drivers License Guide, ID Guide \$175.55  
21934 Express Toll, Toll Fee \$23.85  
21935 Eastern Colo Plainsman, Notices \$575.26  
21936 Evergreen Systems, IT \$785.20  
21937 Family Support Registry, Garnishment \$200.00  
21938 First National Agency, Bond Renewal \$250.00  
21939 First Bankcard, Charges \$9.95  
21940 First Bankcard, Charges \$1,174.00  
21941 First Bankcard, Charges \$365.92  
21942 First Bankcard, Charges \$48.05  
21943 First Bankcard, Charges \$20.90

21944 First Bankcard, Charges \$198.00  
21945 Great West Life & Annuity, Deferred Comp \$2,890.00  
21946 Hart InterCivic, Election Hardware Warranty \$3,865.00  
21947 Hoffman Drug, Supplies \$209.70  
21948 Bev Holder, Reimbursement \$59.99  
21949 Stan Kimble, Mileage \$201.80  
21950 Kustom Signals, Shipping \$18.00  
21951 Limon Leader, Ads \$95.00  
21952 Lincoln Cnty Treasurer, Reimbursements \$28,031.73  
21953 LCH, Contract \$8,333.32  
21954 Lincoln Cnty Road & Bridge, Fuel \$1,340.64  
21955 Ted Lyons, Mileage \$255.60  
21956 Midwest Radar, Equipment \$280.00  
21957 PayFlex, Cafeteria Plan \$1,279.58  
21958 PayFlex, Fees \$100.00  
21959 Plains Heating, Repairs \$1,793.00  
21960 PTS of America, Transport \$937.20  
21961 Quill, Supplies \$2,813.05  
21962 Quill, Supplies \$1.70  
21963 Radiology Imaging, X-ray \$32.00  
21964 Dale Rostron, Coroner Assist \$50.00  
21965 Amy Seymour, Mileage \$27.06  
21966 Travis Taylor, Mileage \$194.80  
21967 Town of Genoa, Water \$400.00  
21968 Treasurer of Lincoln County, State Withholding \$4,086.00  
21969 Treasurer of Lincoln County, Federal Withholding \$11,713.06  
21970 Treasurer of Lincoln County, FICA \$18,091.31  
21971 UPS, Shipping \$1.71  
21972 Verizon, Communications \$53.78  
21973 Vern's TV, Supplies \$34.99  
21974 Waxie Sanitary, Supplies \$416.81  
21975 Witt Boys, Supplies \$58.91  
21976 Xerox, Lease \$758.56  
22012 The Address Pro, Postage \$3,050.00  
22013 Alco, Supplies \$125.98  
22014 Black Hills Energy, Utilities \$2,897.77  
22015 Steve Burgess, Mileage \$134.40  
22016 CBM Food Service, Meals \$3,990.48  
22017 ChemaTox, Pathology Tests \$80.00  
22018 Colo Customware, Computer Lease \$5,771.00  
22019 Colorado Brand Board, Inspection \$39.00  
22020 Derrik Dean, Horse Shoeing \$120.00  
22021 DirecTV, Television \$89.99  
22022 DJ Petroleum, Fuel \$330.85  
22023 DocuTek, Microfiche Card Readers \$1,203.00  
22024 ESRTA, Telephone \$1,787.63  
22025 Eastern Colo Plainsman, Notices \$121.38  
22026 First Bankcard, Charges \$52.40  
22027 First Bankcard, Charges \$826.96  
22028 The Hartford, Insurance Renewal \$310.00  
22029 Hugo Lumber, Supplies \$890.82

22030 Hugo Postmaster, Box Rental \$108.00  
22031 Hugo Postmaster, Postage \$675.00  
22032 Jefferson Cnty Treasurer, Autopsy \$200.00  
22033 KC Electric, Utilities \$5,852.29  
22034 Kurtzer's, Parts \$302.75  
22035 Corinne Lengel, Office Supplies \$13.98  
22036 Lincoln Cnty Treasurer, Reimbursement \$1,393.17  
22037 Lincoln Cnty Rd & Bridge, Fuel \$3,719.54  
22038 Mick Livingston, Supplies \$532.38  
22039 Dustin Nestor, Coroner Assist \$50.00  
22040 Osborne's, Charges \$251.07  
22041 Plains Medical Center, Dentist \$98.00  
22042 Quill, Supplies \$498.15  
22043 Les Swanson, Supplies \$24.37  
22044 Waxie Sanitary, Supplies \$154.25  
22045 Witt Boys, Parts \$92.06  
22046 Witt Boys, Parts \$46.86  
22047 Xerox, Supplies \$331.21  
22048 Cynthia Yowell, Postage \$6.05

#### ROAD & BRIDGE

Road Crew Salary \$2,643.00  
Road Crew Salary \$2,343.00  
Road Crew Salary \$2,202.96  
Road Crew Salary \$2,643.00  
Road Crew Salary \$2,463.00  
Road Crew Salary \$2,283.00  
Road Crew Salary \$2,583.00  
Road Crew Salary \$2,463.00  
Road Crew Salary \$2,343.00  
Road Crew Salary \$2,463.00  
Road Crew Salary \$2,523.00  
Road Crew Salary \$2,283.00  
Road Crew Salary \$2,763.00  
Road Crew Salary \$2,343.00  
Road Crew Salary \$2,463.00  
Road Crew Salary \$2,283.00  
Road Crew Salary \$2,523.00  
Road Foreman Salary \$4,844.00  
Road Crew Salary \$2,403.00  
Road Crew Salary \$2,463.00  
Road Crew Salary \$2,403.00  
Road Crew Salary \$2,343.00  
Road Crew Salary \$2,703.00  
Road Foreman Salary \$3,004.00  
Shop Secretary Salary \$2,643.00  
Mechanic Salary \$2,912.00  
Road Crew Salary \$2,223.00

21866 A&E Tire, Supplies \$463.50  
 21867 AFLAC, Premiums \$305.12  
 21868 ALSCO, Supplies \$58.95  
 21869 Black Hills Energy, Utilities \$412.47  
 21870 CHP, Insurance \$31,296.80  
 21871 Clinton Clark, Gravel \$146.25  
 21872 Betty Clark, Gravel \$146.25  
 21873 CNH Capital, Supplies \$250.83  
 21874 Colo State Treasurer, Unemployment \$615.84  
 21875 Curian Clearing, Retirement \$4,209.65  
 21876 DJ Petroleum, Fuel \$8,691.10  
 21877 Eastern Colo Plainsman, Notices \$23.00  
 21878 Bob Eikermann, Gravel \$2,146.00  
 21879 Raymond Enderson, Gravel \$1,584.00  
 21880 Ivan Enderson, Gravel \$288.00  
 21881 Family Support Registry, Garnishment \$662.00  
 21882 First Bankcard, Charges \$348.00  
 21883 Randy Frazier, Reimbursement \$7.50  
 21884 Town of Genoa, Water \$108.85  
 21885 Town of Genoa, Water \$400.00  
 21886 Great West Life & Annuity, Deferred Comp \$2,510.29  
 21887 Horse Creek Fabrication, Supplies \$380.00  
 21888 Interstate Billing, Parts \$1,118.68  
 21889 John Elway Chevrolet, Supplies \$22.16  
 21890 Ray Kahler, Repair \$20.00  
 21891 Kelly Lammert, Reimbursement \$7.50  
 21892 Lincoln Cnty Clerk, Permit \$6.22  
 21893 Lincoln Cnty Treasurer, Supplies \$252.00  
 21894 LCH, Screening \$12.00  
 21895 Kurt Lofdahl, Gravel \$861.50  
 21896 Macdonald Equipment, Repairs \$9,761.00  
 21897 MHC Kenworth, Parts \$114.68  
 21898 Michigan State Disbursement, Garnishment \$405.50  
 21899 Clay Monks, Reimbursement \$7.50  
 21900 MVEA, Utilities \$406.90  
 21901 Professional Finance, Garnishment \$510.42  
 21902 Professional Finance, Garnishment \$538.64  
 21903 Quick Set Auto Glass, Supplies \$180.00  
 21904 Michael Smithson, Reimbursement \$7.50  
 21905 Snap On, Tools \$154.04  
 21906 Douglas Stone, Gravel \$3,295.50  
 21907 Treasurer of Lincoln County, State Withholding \$1,945.00  
 21908 Treasurer of Lincoln County, Federal Withholding \$5,103.53  
 21909 Treasurer of Lincoln County, FICA \$9,203.50  
 21910 United States Welding, Supplies \$229.95  
 21911 Wingfoot Commercial Tire, Supplies \$5,719.68  
 21912 Xerox, Lease \$15.45

21997 Colo Assoc of Road Supervisors, Dues \$30.00  
 21998 Brian Cormack, Reimbursement \$7.50  
 21999 DJ Petroleum, Fuel \$7,833.85

22000 ESRTA, Telephone \$271.72  
22001 First Bankcard, Charges \$30.89  
22002 Town of Genoa, Water \$105.16  
22003 Hoffman Drug, Supplies \$4.79  
22004 Hugo Lumber, Supplies \$356.77  
22005 Interstate Billing, Supplies \$291.98  
22006 Karval Water, Water \$70.00  
22007 KC Electric, Utilities \$354.94  
22008 Pronghorn Ace, Supplies \$82.85  
22009 Quick Set Auto Glass, Supplies \$225.00  
22010 Wagner Equipment, Parts \$1,790.60  
22011 Witt Boys, Parts \$2,774.66

#### LANDFILL

Operator Salary \$2,403.00  
Part Time Salary \$264.80  
Manager Salary \$2,824.00

21833 CHP, Insurance \$2,190.17  
21834 Colo State Treasurer, Unemployment \$50.59  
21835 Curian Clearing, Retirement \$352.83  
21836 Alco, Supplies \$72.86  
21837 Eastern Colo Plainsman, Notices \$28.56  
21838 MVEA, Utilities \$51.90  
21839 Treasurer of Lincoln County, State Withholding \$193.00  
21840 Treasurer of Lincoln County, Fed Withholding \$533.24  
21841 Treasurer of Lincoln County, FICA \$730.42  
21842 Wagner Equipment, Repairs \$223.99

21986 Colo Dept of Public Health, Fees \$830.45  
21987 ESRTA, Telephone \$64.89  
21988 Farm Gas, Fuel \$454.45  
21989 Haulin Hass Tire, Recycling \$341.25  
21990 Hugo Lumber, Supplies \$2.76  
21991 Osborne's, Supplies \$11.00  
21992 SE & EC Recycling, Fees \$1,297.95  
21993 Witt Boys, Repairs \$46.51

#### LIBRARY

Bookmobile Salary \$394.47  
Bookmobile Salary \$820.08

21843 Colo State Treasurer, Unemployment \$11.61  
21844 Treasurer of Lincoln County, FICA \$161.53  
21845 Viaero, Communications \$56.38

21994 DJ Petroleum, Fuel \$82.90  
21995 Eastern Colo Plainsman, Notices \$26.52  
21996 Hoffman Drug, Supplies \$35.09

## LODGING & TOURISM

21846 Advanced Small Business Marketing, Marketing \$3,012.85  
21847 Town of Genoa, Supplies \$2,517.60  
21848 Techno Graphics, Tour \$1,323.61

## PUBLIC HEALTH AGENCY

Doctor Salary \$50.00  
Receptionist/Educator Salary \$737.75  
Nurse Salary \$2,790.00  
WIC Educator Salary \$2,016.00  
EPR Coord/Office Mgr Salary \$2,276.00

21849 CDPHE, Vital Records Supplies \$104.00  
21850 Century Link, Telephone \$160.40  
21851 CHP, Insurance \$2,217.89  
21852 Colo State Treasurer, Unemployment \$75.60  
21853 Curian Clearing, Retirement \$136.08  
21854 Alco, Supplies \$2.19  
21855 Evergreen Systems, IT \$136.67  
21856 First Bankcard, Charges \$69.57  
21857 Tracy Grimes, Rent \$500.00  
21858 KCCHHS, WIC Contract \$4,274.80  
21859 Lewan & Associates, Lease \$20.08  
21860 Limon Leader, Subscription \$23.00  
21861 Lincoln Cnty Treasurer, Postage \$65.00  
21862 Henry Schein, Supplies \$36.74  
21863 Treasurer of Lincoln County, State Withholding \$233.00  
21864 Treasurer of Lincoln County, Federal Withholding \$586.81  
21865 Treasurer of Lincoln County, FICA \$1,046.69

21978 ESRTA, Telephone \$270.39  
21979 Dee Kaster, Mileage \$54.40  
21980 Kit Carson Cnty HHS, WIC \$8,256.72  
21981 Lincoln Cnty Road & Bridge, Fuel \$52.98  
21982 Osborne's, Supplies \$2.50  
21983 Quill, Supplies \$299.95

## CAPITAL PROJECTS

21829 Steve's Body & Paint, Repairs \$2,537.64  
21984 Structures Unlimited, Repairs \$7,500.00

E-911

21830 Century Link, Communications \$289.17  
21831 Town of Genoa, Lease \$400.00  
21832 Kit Carson Cnty, 911 Share \$172.05

21985 Century Link, Communications \$289.17

HUMAN SERVICES ADMINISTRATIVE FUND

Director Salary \$5,210.00  
Admin Assist IV Salary \$2,438.00  
Legal Tech III Salary \$2,838.00  
Accountant Salary \$2,457.00  
Accountant Salary \$114.44  
CKLECC Coordinator Salary \$1,005.75  
IMT IV Salary \$2,463.00  
Assistance Pmts Supervisor V Salary \$2,975.00  
Caseworker III Salary \$3,109.00  
Caseworker IV Salary \$3,473.00  
Caseworker Supervisor Salary \$4,018.00  
Caseworker IV Salary \$3,438.00  
Srvcs Administrator Salary \$4,947.00  
Caseworker IV Salary \$3,333.00  
Caseworker IV Salary \$3,673.00  
IMT IV-Fraud Investigator Salary \$1,283.50  
Leap Technician Salary \$562.50

64682 Eastern Colo Plainsman, Advertising \$509.25  
64683 ESRTA, Communications \$535.58  
64684 Farm Gas, Fuel \$324.13  
64685 Flagler News, Subscriptions \$23.00  
64686 Jean's Family Kitchen, Meeting \$9.00  
64687 Laboratory Corp of America, Test \$114.00  
64688 Limon Leader, Advertising \$680.33  
64689 Lincoln Cnty Road & Bridge, Supplies \$38.65  
64690 Lincoln Cnty, Travel \$823.55  
64691 Scranton Specht & Assoc, Contract Pmt \$12,631.00  
64692 Century Link, Telephone \$109.25  
64693 Colo State Treasurer, Unemployment \$426.52  
64694 Darling Delights, Meeting \$13.50  
64695 Eastern Colo Plainsman, Subscription \$23.00  
64696 El Paso Cnty Sheriff, Fee \$62.18  
64697 Evergreen Systems, IT \$193.33  
64698 First Bankcard, Charges \$315.16  
64699 First Bankcard, Charges \$610.31  
64700 First Bankcard, Charges \$262.27  
64701 First Bankcard, Charges \$48.11  
64702 First Bankcard, Charges \$59.93  
64703 First Bankcard, Charges \$243.13  
64704 First Bankcard, Charges \$183.38  
64705 First Bankcard, Charges \$209.60  
64706 Tracy Grimes, Rent \$375.00  
64707 Janet Jacobs, Reimbursement \$189.02  
64708 Laboratory Corp of America, Test \$228.00  
64709 LexisNexis, Fee \$50.00  
64710 Lincoln Cnty Road & Bridge, Fuel \$328.37



64711 Lincoln Cnty DHS, Travel \$1,107.90  
64712 Lincoln Cnty DHS, Postage \$13.18  
64713 Lincoln Cnty Holiday Basket, Supplies \$122.64  
64714 NADA Car Guide, Subscription \$99.00  
64715 Office Max, Supplies \$118.30  
64716 Lincoln Cnty Treasurer, Rent \$1,882.00  
64717 Rose Padilla, Contract Pmt \$215.00  
64718 Rural Solutions, Subscription \$200.00  
64719 State Forms, Supplies \$62.00  
64720 Verizon, Communications \$152.64  
64721 Viaero, Communications \$40.21  
64722 Colette Barksdale, Reimbursement \$407.99  
64723 Shannon Sheffield, Travel \$22.40  
64724 Lincoln Cnty Treasurer, FICA \$12,160.70  
64725 CHP, Insurance \$18,149.42  
64726 Curian Clearing, Retirement \$2,827.63  
64727 Great-West Life & Annuity, Liabilities \$1,350.00  
64728 AFLAC, Premiums \$314.81  
64729 PayFlex, Cafeteria Plan \$475.00  
64730 Fast & Friendly Food Marts, Client Pmt \$62.54  
64731 Alco, Client/Prov Pmt \$92.22  
64732 Darling Delights, Meeting \$13.50  
64733 ESRTA, Communications \$525.41  
64734 Farm Gas, Client Pmt \$253.69  
64735 Fast & Friendly Food Marts, Client Pmt \$98.75  
64736 Hoffman Drug, Client Pmt \$19.25  
64737 Hugo Lumber, Supplies \$44.47  
64738 Osborne's, Client Pmt \$3,466.23

With no further business to come before the Board for 2012, the meeting was adjourned until 1:30 p.m. on January 8, 2013.

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Corinne M. Lengel, Clerk to the Board

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Steve Burgess, Chairman

Commissioners-elect Doug Stone and Greg King were then sworn in by District Court Judge Holmes.

The Board of Lincoln County Commissioners met at 1:30 p.m. on January 8, 2013. The following attended: Commissioners Ted Lyons, Doug Stone and Greg King, County Administrator Roxie Devers, Clerk to the Board Corinne M. Lengel, and County Attorney Stan Kimble.

Mr. Lyons called the meeting back to order and asked who would consider taking over the chairman of the board duties. Mr. King made a motion to appoint Ted Lyons as the chairman

of the board for 2013. Mr. Stone seconded the motion, and it carried unanimously. Mr. Stone then made a motion to appoint Greg King as the vice-chairman. Mr. Lyons seconded the motion, which carried unanimously.

Mr. King also made a motion that the official notice board for the Board of County Commissioners would be that which is located in the hallway of the county courthouse. Mr. Stone seconded the motion and it carried unanimously.

The commissioners took several minutes reviewing the appointments and holidays for 2013, Ms. Devers presenting a letter from Keith James, the Lincoln Community Hospital and Nursing Home board president, requesting that the commissioners make an exception to 25-3-302 C.R.S. for a period of one year and allow Del Beattie to remain as a board member. Mr. Beattie should be replaced on the board as the statute clearly states that no member can simultaneously hold a position on a county, city, or municipal board. Mr. James's letter requested that the commissioners do further research on what the board deems to be an obsolete law. Although Mr. Kimble sympathized with the fact that it is often difficult to acquire people to serve on rural boards, he stated that he could not advise the commissioners *not* to follow the law. Mr. King said that he would not be comfortable with violating the law and, after some discussion, Mr. Lyons stated he would speak with Mr. Beattie and give him until January 15 to decide if he wanted to continue to serve on the Limon town board or if he would choose the hospital board over his position as a town trustee. Mr. Kimble suggested another option would be to see if the hospital board would consider using Mr. Beattie as a volunteer consultant with no voting powers, just to keep him in an advisory position.

Mr. King made a motion to approve the 2013 list of appointments and holidays, and Mr. Stone seconded the motion, which carried unanimously.

### **APPOINTMENTS FOR 2013**

#### **POSITION**

County Attorney	Stan Kimble
Official Banks	First National Bank of Hugo Mile High Bank Equitable Savings & Loan ColoTrust Csafe High Plains Bank Eastern Colorado Bank First Financial Equity Corp
County Physician	Dr. John Fox
Public Health Specialist	Kelly Alvarez

Fairgrounds Manager

Julie Joffe

Veterans Service Officer

Parker Newbanks, Jr.

Shop Foreman

Chris Monks

Road Foremen

District #1

Chris Monks

District #2

Mark McHone

District #3

David Seymour

Jail & Juvenile Officer

Tom Nestor

Official Newspaper

The Limon Leader

Hospital Board – 7 Members – 5 Year Term

2014

Gorden Hollowell

2015

Lucas Hohl

2015

Linda Orrell

2016

Warren McCue

2017

Jack Cross

2017

Keith James

2018

Vacancy

Fair Board – 9 Members – 3 Year Term

2014

Clinton Clark

2014

Renee Ewing

2014

Becky Ravenkamp

2015

Dave Hubbard

2015

Ed B. Schifferns

2015

Mike Vaughn

2016

Wendy Simmons

2016

LaRay Becker-Patton

2016

Chip Reid

Land Use Board – 9 Members – 3 Year Term

2014

Scott Ravenkamp

2014

Vacancy

2014

Harold Yoder

2015

Ephron Brent

2015

Shawn Smith

2015

John Forristall

2016	John Reid
2016	Chris Monks
2016	Paul Martin
John DeWitt	Secretary

Land Use Board of Adjustment

2014	Robert Boyd
2014	Scott Ravenkamp
2014	Paul Jenkins, Alternate
2014	Jim Mannis
2015	Shawn Smith
2015	Ephron Brent, Alternate
2016	Sid Yoder

Weed Board – 9 Members – 3 Year Term

2014	Tom LeValley
2014	Shelby Britten
2014	Gary Withington
2015	Scott Ravenkamp
2015	Robert W. Raines, Jr.
2015	David Riemenschneider
2016	Terry Saffer
2016	Todd Thompson
2016	Wade Hollowell

E911 Authority Board – 5 Members – 2 Year Term

2014	Gary Ensign
2014	Patrick Leonard
2015	Jack Cross
2015	Diane Kimble
2015	Mark McHone

Bookmobile Board – 5 Members – No Term Limit

Dolle Lehrkamp	Cherry Stogsdill
Mary Andersen	Lisa Miller
Pam Brown	

Prairie Development Corporation – 2 Members – 2 Year Term

1/2015	Robert Safranek
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1/2015

Steve Burgess

Tourism Board – 5 Members – 2 Year Term

1/2014

Steve Beedy

1/2014

Linda Orrell

1/2015

Donna Metcalf

1/2015

Vernon Stone

1/2015

Apryl Huelskamp

Representatives for:

Baby Bear Hugs

Greg King

Centennial Mental Health

Greg King

County Health Pool

Doug Stone

Roxie Devers – Alternate

Colorado East Action Agency

Doug Stone

Council of Governments

Greg King

COG Economic Development Board Member

Vacancy

EMS and RETAC

Greg King

Roxie Devers – Alternate

RETAC Pre-hospital

John DeWitt - Alternate

Land Use

Rob Handley

Lincoln Community Hospital

John DeWitt

Southeast & East Central Recycling

Ted Lyons

Resources Unlimited

Ted Lyons

Transit Advisory Committee

Ted Lyons/Greg King

Eastern Colorado Services for the

Greg King

Developmentally Disabled

Gary Beedy

Bookmobile

Greg King

Human Services Region Citizen Review Panel – 3 Year Term

1/2014

Linda Messer

Holidays:

January 21, 2013

Martin Luther King Day

February 18, 2013

President's Day

May 27, 2013

Memorial Day

July 4, 2013

Independence Day

September 2, 2013

Labor Day

October 14, 2013

Columbus Day

November 11, 2013

Veterans Day

November 28 and 29, 2013

Thanksgiving

December 25, 2013  
January 1, 2014

Christmas Day  
New Year's Day

Mr. Stone made a motion to set the county's vacation and sick leave policy for 2013, per the current county personnel policy. Mr. King seconded the motion, which carried unanimously.

Mr. King made a motion to set the E-911 surcharge at \$.70, per C.R.S. 29-11-103 (3) (a). Mr. Stone seconded the motion, which carried unanimously.

County Treasurer Jim Covington presented the Lincoln County Investment Policy, explaining that, with the exception of government securities and government agency backed investments, he'd increased the amount of any single type investment of public funds with an individual institution to \$4 million. He also requested that he be able to invest county funds in banks within a hundred and fifty mile radius, and the Board agreed. Mr. King made a motion to adopt the Lincoln County Investment Policy for 2013. Mr. Stone seconded the motion, which carried unanimously.

Mr. King made a motion to adopt a resolution designating Roxie Devers as the Lincoln County budget officer who will complete the preparation of the 2014 budget. Mr. Stone seconded the motion, which carried unanimously.

At a regular meeting of the Board of County Commissioners of Lincoln County, Colorado held in Hugo, Colorado on January 8, 2013 there were present:

Ted Lyons, Chairman	Present
Greg King, Vice Chairman	Present
Douglas D. Stone, Commissioner	Present
Stan Kimble, County Attorney	Present
Corinne Lengel, Clerk of the Board	Present
Roxie Devers, County Administrator	Present

when the following proceedings, among others, were had and done, to-wit:

**RESOLUTION #846** It was moved by Commissioner King and seconded by Commissioner Stone to adopt the following resolution:

**WHEREAS**, C.R.S. 29-1-104 states that the governing body of each local government shall designate or appoint a person to prepare the budget and submit the same to the governing body; and

**WHEREAS**, one of the duties of the County Administrator is to act as the budget officer for Lincoln County;

**NOW, THEREFORE BE IT RESOLVED** by the Board of County Commissioners of Lincoln County that County Administrator Roxie Devers is designated as the person to prepare the 2014 budget.

Upon roll call the vote was:

Commissioner King, Yes; Commissioner Stone, Yes; Commissioner Lyons, Yes.

The Chairman declared the motion carried and so ordered.

Board of County Commissioners  
of Lincoln County

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ATTEST:

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Clerk of the Board

At 2:15 p.m., Land Use Administrator John DeWitt met with the Board to discuss the purchase of a handheld GIS. Mr. DeWitt explained that the device would save him hours of labor and Mr. King said that since he had used a similar unit at his previous employment, he knew the benefits that it would serve. Mr. Stone added that if the device will benefit other jurisdictions, as Mr. DeWitt indicated, then he also would approve the purchase. Mr. Lyons asked about the unit being compatible with a different GIS system if the county ever goes in that direction, and Mr. DeWitt informed the commissioners that Zach Edwards with Frontier Precision, Inc., where he hopes to purchase the unit from, assured him that they have a software patch which is compatible with all major software systems.

Mr. King made a motion to purchase a handheld GIS from Frontier Precision, Inc. for the Land Use Administrator/Emergency Manager in the amount of \$5,402. Mr. Stone seconded the motion, which carried unanimously. Ms. Devers commented that since all vouchers had been approved for 2012, the money would have to come from the 2013 Capital Projects budget.

At 2:30 p.m., County Coroner Jennifer Nestor and Deputy Coroner Zane Nestor met with the Board to discuss the storage facility they had requested in December. Mr. Lyons told them what Sheriff Nestor had said earlier in the day about wanting to see the Conex unit before getting one, and Zane said that he had heard they are no longer allowing counties to obtain items through the 1033 program at Fort Carson. He had checked into the cost of a Conex container from the same company the county had purchased the other two units from, but they only had the larger units and they are \$2,500 per unit, plus a \$500 delivery fee.

Ms. Nestor asked Mr. Kimble if he knew how long personal effects need to be kept by law, and Mr. Kimble told her that there is a provision in statute under the lien section where effects may be disposed of after thirty days. He said she would have to send a certified letter to any next of kin and give them fifteen days to respond and claim the effects. If the letter is returned

unclaimed, she would be required to publish the information one time and then could dispose of the personal effects thirty days after the publication if the items remained unclaimed.

Ms. Nestor said they are required to take the personal effects from a deceased party, but asked Mr. Kimble if they could develop a form letter or agreement that a relative or next of kin would be required to sign giving the coroner the authority to dispose of the effects if they went unclaimed after a certain period of time. Mr. Kimble said he would check the statutes and see if he could find something.

Mr. Lyons asked Ms. Nestor if she had replaced the lost magnetic signs for the pickup, but she stated that she had not ordered them yet.

Zane Nestor went back to the topic of storage for the evidence and personal effects, stating that they have a storage cabinet that is approximately seven feet high by five feet wide and eighteen inches deep that they need to find a place for. Doug Stone said that Steve Bailey deals with storage containers and he would speak to him about it. Mr. Lyons added that the sheriff said they could use the evidence room temporarily but that the garage at the annex had also been suggested. A call was placed to Public Health Director Sue Kelly to ask if she is currently using the garage for storage, but Ms. Kelly was unavailable. Mr. Lyons told Ms. Nestor that the commissioners would find a solution and let her know.

Mr. Kimble gave the new commissioners an overview of Gary Withington's noise complaint on the NextEra wind tower, letting them know that the zoning regulations were in place when the wind turbines went in and the companies were well aware of that. He also mentioned the state has preempted counties in certain areas including commercial activity, commercial use of property, farming or ranching, activity of a utility, or mining and oil and gas operations. Counties, cities and municipalities cannot become involved in noise related issues where electricity is concerned, due to the necessity for public utilities and electricity. Mr. Kimble added that if the county attempts to enforce the noise ordinance with its zoning code, the state may preempt the action. He went on to say that he had told the Board he would look for a service to perform a noise level test rather than spending the money to purchase a decibel meter, but, in the meantime, he received the letter from NextEra stating they had tested the tower and came up with a reading well below that listed in the county's zoning regulations. However, he did obtain information to have someone perform the test if the commissioners wanted to go that route; unfortunately, most were professional engineers and would be relatively expensive. Mr. Kimble finished up by stating that the county may want to consider updating the zoning regs acknowledging the preempting rules.

Mr. Lyons asked if hiring someone to perform the test would then make it seem that the county was taking Gary Withington's side in the dispute. Mr. Kimble said he could send Mr. Withington a letter outlining the information if the commissioners wanted him to, and the Board agreed to have him do so.



Mr. Kimble asked about the marijuana ordinance, stating that Cheyenne County has either passed or is in the process of passing an ordinance. Weld County and Douglas County have also passed ordinances prohibiting the commercial portion of the law. He went on to say that he will have an ordinance ready if the commissioners decide they want to go ahead with it. The Board all agreed that it would be better not to wait, so Mr. Kimble will send the ordinance for approval.

Ms. Devers asked Mr. Kimble if the easiest option to collect the past due landfill bill of \$272 from Fritz Gilbert would be to take him to small claims court, and after locating the appropriate statute, he said that it would be.

Ms. Devers explained to the new commissioners that the Board usually appoints Human Services Director Colette Barksdale as the proxy for the Colorado Counties, Inc. Health and Human Services Steering Committee to protect the county's interest, as she generally attends the meetings. Mr. King made a motion to appoint Human Services Director Colette Barksdale as the 2013 Health and Human Services Steering Committee proxy. Mr. Stone seconded the motion, which carried unanimously.

Mr. Lyons called for old business; mainly whether or not to sign a revised Professional Services Agreement between the county and the Colorado Center for Community Development for development of a master plan for the county fairgrounds, and granting the chairman authority to sign it upon approval by the Lincoln County Fair Board. Mr. Lyons' opinion is that there should be some form of a plan, and both Mr. King and Mr. Stone agreed. Mr. King asked Mr. Lyons if he felt the fair board would approve this particular agreement, adding that he would like to see it signed regardless. Mr. Lyons gave the other two board members some insight into what had been discussed in past commissioner meetings regarding the fairgrounds and many of the issues there. When he had finished, Mr. King made a motion to authorize Mr. Lyons, the chairman of the board, to sign the Professional Services Agreement between the county and the Colorado Center for Community Development upon approval of the Lincoln County Fair Board. Mr. Stone seconded the motion, which carried unanimously.

Public Health Director Sue Kelly called back as the meeting was adjourning and Mr. Lyons asked her to leave a key with Travis Taylor and the commissioners could look at the garage area before or after this evening's fair board meeting at the annex.

With no further business to come before the Board, Mr. Lyons adjourned the meeting until 9:00 a.m. on January 15, 2013.

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Corinne M. Lengel, Clerk to the Board

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Ted Lyons, Chairman