9:00 Call to order and Pledge of Allegiance

9:15 Conduct a phone conference with Joel Plath, CSU Extension Southern Region Director, concerning Travis Taylor being the interim Extension Director

10:00 County Assessor Jeremiah Higgins to schedule a hearing for an abatement of taxes

10:30 Public Health Director Marti Wooton to present a WIC Task Order Contract for signature and to discuss the salary for the new employee in her office

1. Review and approve the minutes from the July 16th, 19th and 23rd meetings
2. Review the June 2010 Assessor’s and Treasurer’s reports
3. Review a Final Determination from the Colorado Division of Property Taxation for the Hi Plains Baptist Church located at 29083 County Road S, Karval, CO
4. Act on an application from Jeff Coonts to charge at the county landfill
5. Review a proposal from Plains Heating & Air Conditioning to replace one of the air conditioning units at the courthouse
6. County Commissioners’ reports
7. County Administrator’s report
8. Old business
9. New business
10. Approve payroll and expense vouchers
The Board of Lincoln County Commissioners met at 9:00 a.m. on July 29, 2010. 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 after the Pledge of Allegiance was said, Mr. Beedy made a motion to approve the minutes from the meetings held on July 16, July 19 and July 23, as submitted. Mr. Lyons seconded the motion, which carried unanimously.

Travis Taylor then arrived for the 9:15 a.m. phone conference with Joel Plath, CSU Extension Southern Region Director, regarding Travis being the interim Extension Director in Lincoln County. Since it wasn’t quite time to contact Mr. Plath, Travis shared information regarding happenings at the fairgrounds. He did say that the heat in the rabbit barn is unbearable and they need to consider different options.

When the call was placed to Joel Plath, he explained that Perry Brewer is no longer serving as the director in Kit Carson County; therefore, cannot be the interim director in Lincoln County. After careful consideration and some negotiating regarding how to make Travis Taylor a CSU employee, Mr. Plath said if CSU pays ten percent of his salary, they can hire him as interim director and still stay inside the realm of CSU regulations. Mr. Plath felt that Travis is well qualified and will do an excellent job and it would be a win-win situation for both the county and CSU. If the county agrees to the proposition, Travis will be considered the official representative of CSU Extension in Lincoln County, would be required to manage the budget, supervise local staff, attend the annual conference, generally held in February, and prepare and present the 2011 budget request.

When asked if he wanted the position, Travis said that he would be willing to step in as interim director, but that his only stipulation would be that CSU still attempt to hire a full-time director in Lincoln County that would work across county lines.

Mr. Beedy wanted to know if Travis would remain a county employee regarding county benefits, and Mr. Plath agreed, yet mentioned that he felt a Memorandum of Understanding between the county and CSU Extension should be developed and signed. He asked if they could make the position retroactive to July 1, since that is when their fiscal year begins, and that he would put in for CSU paying ten percent of both salary and benefits.

Mr. Lyons made a motion to approve the position change of Travis Taylor from 4-H Club Program Assistant to CSU Extension Interim Director in Lincoln County, effective July 1, 2010, with ten percent of his salary and ten percent of his benefits to be paid by CSU. Mr. Taylor will still fulfill his duties as 4-H Club Program Assistant, as well as those of interim director. Mr. Beedy seconded the motion, which carried unanimously.

Mr. Plath said he would work the details out with Ms. Devers for the MOU.

Land Use Administrator Ken Morrison stopped in to share an e-mail from Stan Kimble regarding the RES use tax and Kara Cubbage wanting to set up telephone conferences to discuss what the county’s proposal is. Apparently, RES is reluctant to give the county numbers, even though Mr.
Kimble has told her there can be no proposal without them. Mr. Kimble questioned the Board as to if they wanted to set a time for her to meet with them at the meeting on July 30. The commissioners agreed there is no point in meeting with her until RES provides numbers for a comprehensive agreement.

Mr. Beedy commented that the county could use comparable figures from other wind farms if RES won’t provide figures, and Mr. Morrison said that the county should probably base all towers on valuation, rather than the courtesy rating that has often been provided for cell and radio towers. He added that the fees need to be addressed and a new resolution passed, and then said that he had sent an e-mail stating that they would be required to obtain building permits for transmission lines, the substation and the maintenance and operations building as well as for the towers.

Mr. Burgess said he’d contacted Betsy Markey’s office and requested information on how much stimulus money they would actually be receiving, but he hadn’t heard anything yet.

Ms. Devers asked Mr. Morrison if he generally collects the use tax on building materials for cell towers, which he does.

The Board reviewed the June, 2010 Assessor’s and Treasurer’s reports and a Final Determination from the Colorado Division of Property Taxation for the Hi Plains Baptist Church located at 29083 County Road S, Karval, Colorado. At that time, County Assessor Jeremiah Higgins and Chief Deputy Assessor Renita Thelen met with the Board to discuss an abatement of taxes on the Hi Plains Baptist Church. Since the Final Determination stated that the property tax exemption should be granted effective January 1, 2009, and since it was over $1,000, Ms. Thelen said they had to bring it before the commissioners. Mr. Higgins added that the new law regarding that fact does not take effect until January 1, 2011.

Mr. Beedy made a motion to adopt a resolution allowing the abatement of 2009 taxes in the amount of $3,127.90 for Hi Plains Baptist Church. 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 July 29, 2010 there were present:

Steve Burgess, Chairman Present
Gary 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 #763 It was moved by Commissioner Beedy and seconded by Commissioner Lyons to adopt the following resolution:
WHEREAS, in accordance with 39-1-113(1.5), C.R.S., the Commissioners of Lincoln County authorize the assessor to review petitions for abatement or refund and to settle by written mutual agreement any such petition for abatement or refund in an amount of one thousand dollars or less per tract, parcel, or lot of land or per schedule of personal property; and

WHEREAS, the Hi Plains Baptist Church has presented a petition to Assessor Jeremiah Higgins for an abatement of: taxes on property in the south Karval tracts, aka Tract 7A in the NW¼ of Section 23, Township 15 South, Range 55 West, with both parties mutually agreeing to the following:

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<th>Tax Year 2009</th>
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<tbody>
<tr>
<td>Original</td>
<td>$41,035</td>
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<tr>
<td>Corrected</td>
<td>$0</td>
</tr>
<tr>
<td>Abatement</td>
<td>$41,035</td>
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WHEREAS, the Lincoln County Assessor’s recommendation is to approve the abatement since the Colorado Division of Property Taxation has determined that the property is eligible for property tax exemption; and

WHEREAS, notice of this meeting of the Board of County Commissioners of Lincoln County and an opportunity to be present having been given to the taxpayer and the Assessor of said county and Assessor Jeremiah Higgins being present and petitioner not being present; and

WHEREAS, the said County Commissioners have carefully considered the within petition, and are fully advised in relation thereto;

NOW, THEREFORE BE IT RESOLVED that the Board of County Commissioners of Lincoln County hereby agrees with the recommendation of the assessor and the petition be approved and an abatement be approved for property tax year 2009. The taxes to be abated for property tax year 2009 are $3,127.90, which represents an assessed value of $41,035.

Upon roll call the vote was:

Commissioner Lyons, Yes; Commissioner Beedy, Yes; Commissioner Burgess, Yes.

The Chairman declared the motion carried and so ordered.

Board of County Commissioners
of Lincoln County
Mr. Beedy made a motion to approve the application from Coonts Construction to charge at the Lincoln County Landfill. Mr. Lyons seconded the motion, which carried unanimously.

After reviewing a proposal from Plains Heating and Air Conditioning to replace one of the air conditioning units at the courthouse, Mr. Lyons made a motion to approve the purchase of an air conditioning unit in the amount of $2,050.

Mr. Burgess called for commissioner reports and Mr. Beedy reported attending the fairgrounds manager interview of Randy Monks on July 19 and the Plains to Peaks Retac meeting in Woodland Park on July 20. The Retac will receive some additional funding this year due to the increased motor vehicle registration fees. On July 22, he went to Karval and looked at roads and areas in District Three and on the Twenty-third he attended the Colorado East Community Action board meeting prior to the commissioner meeting. On July 26, Mr. Beedy attended the Economic Development board meeting and there is some potential for business development, as there are a couple of different companies interested in locating in Lincoln County. On July 27, he travelled to Sterling with the other two commissioners, Mr. Morrison and Mr. Kimble to meet with Logan County officials regarding the sales/use tax issue and the wind farm.

Mr. Lyons reported attending the commissioner meeting on July 19 where Randy Monks was interviewed and later hired for the fairgrounds manager position. On the Twentieth, Mr. Lyons attended the Southeast Colorado recycling meeting, on the Twenty-third he attended the hospital board meeting and the tail end of the RC&D meeting, and on the Twenty-sixth he spoke with Travis Taylor and visited the fairgrounds. On July 27, Mr. Lyons attended the Public Health secretary/receptionist interviews, then travelled to Sterling with the others, and talked to Travis Taylor again. He stopped by the landfill on July 28.

Mr. Burgess reported that on July 16 he was made aware of a problem on County Road 63 at the Arikaree bridge. It has since been repaired. He, too, attended the interview of Randy Monks on July 19. On the Twentieth, he went to Dumas, Texas for a Ports-to-Plains conference and reported that things seem to be going quite well for that area. On the Twenty-sixth, he spoke with Wilbur Schreiber about his fence and later discovered some of Linneburs cattle had gotten out. He called the sheriff and Joe Linnebur. On the Twenty-seventh, he travelled to Sterling with the others and on the Twenty-eighth he checked on fair ads, spoke with Chris Monks about mixing gravel and asphalt for County Road 63, and went by the fairgrounds. They have the restrooms fixed there. Gene Vick had asked him about using the Outback Express to transport drivers without licenses to alcohol treatment classes, as it is difficult for them to get to their classes if they are not allowed to drive. Mr. Burgess said that Sheriff Nestor is not in favor of the idea as there are more than just alcohol classes and they are not all conducted in the same location. Ms. Devers asked who would pay for the driver and the use of the bus and stated it
would be no different than a charter trip, which means those chartering the trip would have to pay the associated costs.

At 10:30 a.m., Public Health Director Marti Wooton met with the Board to present a WIC Task Order Contract for signature and to discuss the salary for the new employee in her office. She stated that she had decided to hire Patricia Miller, the part-time worker in the Treasurer’s office, and it was decided that she would start on Level 1, Step 1, with an hourly rate of $11.60.

Mr. Beedy made a motion to start Patricia Miller, part-time Public Health secretary/receptionist at Level 1, Step 1 at $11.60 per hour. Mr. Lyons seconded the motion, which carried unanimously.

Ms. Wooton then presented the annual WIC contract in the amount of $40,584.00 for the period ending September 30, 2011. Mr. Beedy made a motion to sign the WIC contract, Mr. Lyons seconded the motion, and it carried unanimously.

Mr. Burgess asked Ms. Wooton if she was scheduling days to give shots prior to the start of school and she responded that they had recently had issues with the refrigerator where they keep the vaccines. She said that the alarm had failed to contact someone in the office and therefore the vaccines were not kept at the proper temperature, although it seems that most of them will not have to be destroyed. She has since moved the vaccines to the hospital and called the refrigerator repairman who fixed the relay switch that turns the compressor on. Ms. Wooton said there still seemed to be a problem, however, as the temperature still isn’t right. She asked if it would be acceptable to purchase a new refrigerator if they can’t get it regulated and Mr. Burgess told her to call Hoffman Drug and order one, as the vaccines must be taken care of. Ms. Wooton said she would be scheduling vaccination clinics before school starts.

Once Ms. Wooton had gone, Ms. Devers reported that Katie Zipperer found a laptop for the bookmobile and requested that she order it. The amount, with a mat and mobile hub, comes to $659.97 and the funds are in the 2010 budget. The Board told Ms. Devers to go ahead and order the laptop. She had also received a request for an appointment to CCI as the commissioners’ legislative committee member. Mr. Beedy volunteered and was chosen for the position. Ms. Devers had the Board review a letter from Carol Chambers concerning funds from the DOC that have not been reimbursed since 2007 and then she updated them on activities regarding the fair.

At this point, there are five “Ranchers Pen of 3” entries, she spoke with Larry Higgins and he and Jackie didn’t pay anything for their food booth last year. Previously, Karen Mosher went around and collected the money and issued a receipt, but there wasn’t a form to fill out and they generally paid $50 for the week for their area. They had two spaces, one with electricity and the other that they ran extension cords to. Ms. Devers spoke to Ruth Owens who said she has come out the past three years but never paid anything. Ms. Devers had found an old fee schedule where a space without electricity was five dollars per day and one with electricity was ten dollars per day. She asked what the Board wanted to charge, if anything, this year, as she has had several people who have called and reserved spaces. The decision was made to use the old fee schedule for now and then to look at it again after the fair. She added that the National Guard will be at the fairgrounds Thursday and Friday and will have a rock climbing wall and several
vehicles. Her question was where to put them. They may also put the vehicles in the parade. Ms. Devers said that Barbara Vaughn called and they are going to have pedal car races for the kids before and during the demolition derby and Barbara will talk to Randy Monks about preparing the track. Lastly, regarding the fair, Ms. Devers wanted to know if anyone had reserved the motel rooms for the CPRA and L Bar 4, but no one had, so she will take care of it.

Ms. Devers also reported that the new superintendent at the roundhouse is Jerry Grandt. McCauley has asked for payment on the portions of the billings that don’t include the roof, which totals $141,993.15, and Ms. Devers wanted to know what they would like her to do. There is a little over $100,000 still outstanding for the roof, as well as $3,070.70 of “general conditions” that hasn’t been paid. Mr. Burgess told her to hold back those amounts until the roof is repaired.

The picnic area at the annex park got hit by a strong wind and came down. Part of the roof went across the street to the west and did some damage to a woman’s car. Sean Daniels with the Hugo Marshal’s Office took pictures and is writing up a report for the insurance company and there were several witnesses. Ms. Devers commented that they were very lucky that no one was hurt and Mr. Burgess said the commissioners would take a look at it at lunchtime and decide what to do to have it fixed.

Ms. Devers asked the Board if they want Kim Hilferty to help Sheree Miller at the courthouse next week while Travis Nall is catching up, since he’s been on vacation. The Board agreed.

She also said that Cathy Shull with Progressive 15 sent an email from Ken Strauch, President of the NE Chapter of the Colorado Oil & Gas Association, concerning Rule 804. Apparently, David Neslin, Director of the COGCC, has changed his mind and all counties have to go through the hearing process to have the rule waived. George Munson, Morgan County Attorney, has offered to go through the process for all counties and the Board agreed to ask him to represent Lincoln County as well.

Mr. Morrison came back with copies of several e-mails between Stan Kimble and Kara Cubbage with RES regarding the use tax issue. Ms. Cubbage’s last statement was that it appears that the conversation on tax is preventing the application and approval of the company’s building permits and the commissioners agreed that as soon as they pay $1.2 million for the building permits, they can have them. The price is based on $10,492 per building permit, per tower.

Mr. Beedy commented that working out a comprehensive agreement with them would save the county time and money by not having to hire an auditing firm to go through all the receipts to determine how much was purchased for building materials. He added that another negotiating factor would be to require a third inspection of the construction, which is a permitted fee. Mr. Morrison said that they had been told that there would be a third party inspector.

Mr. Burgess feels that RES wants the county to make the first move, adding that he certainly isn’t afraid to negotiate, but that they need to have some numbers to work with first. Mr. Morrison said he would e-mail Mr. Kimble to have him notify RES of the cost of the building permits.
Ms. Devers put in that Mr. Kimble may be able to convince the RES attorney to begin negotiations if he provides the statute numbers where the major components are listed, and Mr. Beedy added that since they are stating that everything is confidential, they could suggest that if a comprehensive agreement isn’t done then the county would obtain all the receipts, which would make them public record.

Mr. Morrison added that the information definitely could be kept confidential and Mr. Burgess suggested that he let Ms. Cubbage know that. Although the final agreement would be a public document, the details could remain confidential.

County Treasurer Jim Covington had stopped by the meeting to thank the Board for their support during the remodeling of his office and asked that any further information regarding possible revenue from the wind farm be passed on to him.

Mr. Burgess called for old business, stating that they are hoping to get enough sand out of the Allen Pit to use it at the landfill. He would like to work on getting that finished up the week of fair and asked that the other two districts help out. He also said that someone is interested in buying the old orange mower and the others agreed that it could be sold.

As for new business, Mr. Burgess said there had been an accident on County Road X the previous day and also wanted to know if Mr. Beedy knew anything about the wooden bridge south of his parents’ place, as there had been reports of it needing repairs. Mr. Beedy said he really didn’t know as he hadn’t been that way and hadn’t looked at it. Mr. Burgess said that he and Chris Monks would check it out as soon as possible.

The decision was made to allow the county offices to close at noon on Friday, August 13, in order for employees to enjoy the county fair.

The Board approved the July 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 July 30, 2010.