



## YUMA COUNTY COMMISSIONERS

June 15, 2015

Minutes<sup>1</sup>

On June 15, 2015 at 8:00 a.m., the Yuma County Board of Commissioners met in regular session. Chairman Trent Bushner, Commissioner Robin Wiley, Commissioner Dean Wingfield, and Administrator Kara Hoover were present throughout the day.

The Commissioners reviewed and signed accounts payable, and discussed various meetings attended throughout the first-half of the month.

### Liquor License

Nancy Wright presented a liquor renewal application. **Commissioner Wingfield moved to approve the Colorado Liquor Retail License renewal application from Brenda Condrey dba Papa's Bait Shop located at 1844 US Hwy 385, Idalia Colorado. Commissioner Wiley seconded the motion. The motion passed by unanimous vote.**

### Department of Health & Human Services

Department of Health and Human Services Director Dave Henson, HHS Chief Financial Officer Phyllis Williams and Receptionist Liz Tuttle were present to conduct business with the Commissioners.

*Replacement of Monitoring Equipment in Visitation/Interview Room* – Henson presented a quote from Mike Brown for re-cabling and equipment for the video surveillance system. He proposed that funding come from this fiscal year's child welfare block grant. **Commissioner Wiley moved to approve the quote from Linx for \$6,318.65 for re-cabling and equipment upgrade for the video surveillance system with funding from the child welfare fund. Commissioner Wingfield seconded the motion; which passed unanimously.**

*Staffing* – Henson shared that IMT Supervisor Wendy Ross resigned her position; her last day with the County was June 12<sup>th</sup>. To fill this position, Henson requested that Karina Rosas be promoted to the IMT Supervisor position and is recommending a G10, S1 wage increase. **Commissioner Wiley moved to approve the promotion of Karina Rosas to IMT Supervisor, and to move her wage to G10, S1, \$2,750 per month. Commissioner Wingfield seconded. The motion passed unanimously.**

*CDL Training* – Henson reported that they are planning to use TANF funding for the first round of CDL driver training and are planning to use Employment First funding for the class in the fall. There are six (6) participants, signed up for the first session. Henson also requested a waiver of insurance and fairground use fee for the first session; which is scheduled for June 22<sup>nd</sup> through July 17<sup>th</sup>.

**Commissioner Wiley moved to waive the insurance and use fee for the Department of Human Services sponsored CDL training driving course use of the fairgrounds from June 22, 2015 to July 17, 2015. Commissioner Wingfield seconded the motion; which passed unanimously.**

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<sup>1</sup> Minutes prepared by Kara Hoover are a summary of discussions, not a verbatim account.



*Centennial Mental Health Annual Contract* – Henson presented an annual contract for services with Centennial Mental Health. **Commissioner Wiley moved to approve the annual contract for services with Centennial Mental Health. Commissioner Wingfield seconded the motion; which passed unanimously.**

*Director Job Opportunity* – Towards the end of the day, Dave came back in to visit with the Commissioners about another employment opportunity that he is exploring. He reported that he would like to stay in Yuma County, but he believes he owes it to his family to explore the opportunity. He does not feel that his compensation is adequate compared to his peers. He would like to see the entire county climate change in regards to employees and is in hopes that the Commissioners share his vision. Henson relayed that he may be making a decision over the next few weeks.

#### Road Concern

Tracy Lungwitz reported that the road in front of his dairy, County Road 39, between County Road J and County Road K, is in terrible shape. He explained that the hill is in awful shape, and noted a truck nearly wrecked when it hit a pothole, shooting it to the ditch. Lungwitz expounded he completely understands the challenges in the county with the recent rains, but requested signs indicating road damage and speed reduction for the entire mile of road. The Commissioners assured Lungwitz that his request will be forwarded to Road and Bridge Supervisor J. R. Colden.

#### Road and Bridge

Supervisor J.R. Colden and Truck and Mining Foremen Howard McGinnis were in attendance to give Road and Bridge department updates. The following items were discussed:

- *Current Projects*

*Gravel Pit Lease* – Howard presented an updated lease with Ruby Henrichs for the Virginia Lee gravel pit. He reported that he is exploring additional locations for gravel pits throughout the county. **Commissioner Wiley moved to approve the lease with Ruby Hendrichs for the Virginia Lee gravel pit in the NW ¼ of Section 21, T4S, R47W. Commissioner Wingfield seconded. The motion passed unanimously.**

*Cargill Material* – J.R. said that his staff is moving the material; they should have this completed soon for use with the Highway 34 and County Road H and J Turning Lane projects.

*June 5, 2015 Storm* – The Commissioners and J.R. discussed the massive damage caused in the June 5, 2015 storm in the Southern part of the county. J.R. requested additional assistance repairing and rebuilding roads that were severely damaged by the flooding. He relayed the severity of damage to the roads and the dangerous road conditions, mentioning that some roads still remain closed. He explained that there is so much work to do that his staff is not able to keep up.

Colden solicited bids from three separate contractors for assistance with the emergency repairs. He presented estimates from Blach Services Equipment, Big Dog Excavation, and Ron



Marshall. He estimated a total of \$500,000 in repairs, including approximately \$250,000 of contracted labor. Commissioner Wingfield reminded Colden of the importance of the contractors holding MSHA certifications, and asked him to ensure that only properly certified contractors are allowed in the gravel pits. **Commissioner Wiley moved to hire all three contractors to help with road damage with a \$250,000 cap for now; leaving the discretion of where each contractor would work to the Road and Bridge Supervisor J.R. Colden. Commissioner Wingfield seconded the motion; which passed unanimously.**

*Greg Etl* - The Commissioners spoke with Greg Etl, from DOLA about emergency funding possibilities to assist with the damage repair. Etl relayed he would research DOLA's funding.

*Additional Storm Damage* – Commissioner Wiley forwarded an email from Chad Towns, who lives on County Road DD, demonstrating the damage to his shop and home from the recent storm flooding. Towns requested assistance with a new culvert for his area to help alleviate these challenges in the future.

- *CDOT Highway 34 Turning Lanes* – Colden reported that the dirt work for the turning lanes is nearly completed; compaction is the state's responsibility. CDOT is slated to begin work in the next couple of weeks. Colden conveyed that YW Electric will be moving a pole on CR J on June 11<sup>th</sup>, with an estimated cost of \$2,500.
- *EIAF #7605 County Roads R & 34 Project* – Colden informed the Commissioners that nearly  $\frac{3}{4}$  of the rock for the project has been delivered. He noted that the base modification bids are coming in approximately \$100,000 over budget due to the materials needed, based on the results of the soil testing. He also mentioned that the rock bids were well under budget projections. J.R. will review the grant budget with Administrator Hoover.
- *Road Access Permit* – The Commissioners reviewed a road access form for Rosewood Resources, Inc. at County Road 32 and LL that was approved by Road and Bridge Supervisor J.R. Colden.
- *Underground and Utility Permits and a Special Transport Permit*- Colden presented Underground and Utility Permits for Zach and Leigh Baldwin to install a gas line under County Road 35 between 29917 County Road 35 and 29919 County Road 35 and for YW Electric to install a 7.2 – 12.5 Kv line along County Road E at 3,495 feet North of Highway 34 and a Special Transport Permit for J & S Heavy Haul on County Road 30.

**Commissioner Wingfield moved and Commissioner Wiley seconded to approve:**

**Underground and Utility Permit for Zach and Leigh Baldwin to install a gas line under County Road 35 between 29917 County Road 35 and 29919 County Road 35;**

**Underground and Utility Permit for YW Electric to install a 7.2 – 12.5 kv line along County Road E at 3,495 feet North of Highway 34, and;**



**Special Transport Permit for J & S Heavy Haul to transport a scraper from the intersection of Highway 385 and County Road 30 to the intersection of County Road JJ and County Road 30 on June 15, 2015. The motion unanimously passed.**

### Treasure Report

Treasurer Dee Ann Stults was in attendance and presented the following:

- *Treasures Report* - Treasurer Dee Ann Stults presented the Treasurer's report for May 2015. She reported there were \$1,065,779.85 in taxes collected; \$222,778.53 in Specific Ownership taxes collected, and \$27,195.39 in fees collected for the month. June 15 was the tax deadline day. Stults reported 90% of taxes are collected this year.
- *CIC Annual Maintenance Software Agreement* – Stults mentioned that she submitted the CIC annual maintenance software agreement for the next year; with an annual cost of \$19,280 for 7-1-2015 to 7-1-2016.
- *Public Trustee* – Later in the meeting the second quarter Public Trustee Fees were presented for payment. The second quarter report will be presented at the July 14, 2015 meeting. **Commissioner Wiley moved to approve the second quarter Public Trustee fees for April through June, 2015 in the amount of \$3,125.00. Commissioner Wingfield seconded the motion; which passed unanimously.**

### Sheriff

Undersheriff Adam Wills and Maintenance Sergeant Travis Dinsmore presented the following for discussion:

- *Wrecked Vehicle (081)* – Wills shared that Sheriff's vehicle #081, a 2009 Dodge Charger, has been wrecked. Corporal Rhett Morris and another jail staff member were attending a training class in McCook, Nebraska when they hit a section of heavy duty angle iron that was lying in the road, after topping a hill. The car had to be towed into McCook; the estimate to fix the vehicle is approximately \$9,000. This vehicle was being prepared for auction, but they did continue to use it for training classes and transporting inmates to save miles on other Sheriff Office vehicles. Commissioner Bushner researched NADA and noted the trade-in value of the vehicle is \$6,000. The Commissioners asked Administrator Hoover to contact CTSI about submitting a claim.
- *Hail Damage to patrol car* – Wills shared that three vehicles were damaged in the recent storms by hail and wind. Vehicle #141, used by Sheriff Day, had a cargo light broke. Vehicle #131, used by Steve Gallagher and Vehicle #143, used by C.J. Fell had severe hail damage. The Commissioners directed Undersheriff Wills to obtain estimates for repairs to the vehicles so that they may be repaired.
- *Ram Pickup* – Commissioner Wiley checked on the Dodge Ram that was approved with this year's budget and ordered last fall. According to Ron, from Korf Continental the rubber flooring is the issue as there is only one company that can supply this for the fleet vehicles



and they are quite backlogged. The Sheriff's Office recommendation was to change the order to carpet, so that the pickup can be built and put into operation this year. The Commissioners agreed with the recommendation and instructed Wills to follow up with Korf.

- *Meth Lab* - Wills conveyed that the Sheriff's Office, in coordination with the City of Wray Police Department, recently located and successfully shut down a house where methamphetamines were being manufactured. The estimated cost for cleanup, according to Wills, is \$8,000 to \$10,000. Wills relayed that the DEA no longer has funding available for Meth Lab clean up. He is currently researching other funds to help with these costs. Commissioner Wingfield questioned why the county was responsible for the cleanup, instead of the City of Wray; Wills reported it was because the original case started at the County level as they were searching for a fugitive. Wills shared that the Sheriff's Office is speaking with the City of Wray about splitting the costs.
- *Certified VIN's* – Wills reported that the Sheriff's Office tried to work with the Colorado Highway Patrol about getting a VIN certification class in this area; since the office is so far behind on completing these. Wills told the Commissioners that unfortunately; even though he had 30 individuals committed to the class, the Colorado Highway Patrol reported that they do not have enough staff to offer an additional class. Wills notified the Commissioners that they will remain behind until they are able to certify additional officers; which won't be until this fall when the next class is offered.
- *Electronic Recycling* – The Sheriff's Office will be cleaning out the storage sheds here and at the fairgrounds, according to Wills. He imparted that they will using Encore Life's E-recycling to dispose of the computer monitors and other electronics.

#### Courthouse Data Infrastructure/Cabling Bids

Mike Brown confirmed that the cable necessary for the court-house will need to be Plenum cable instead of the non-Plenum, as was originally bid. He said this would increase the bid by about \$5,000. He is still waiting on bids for cable removal and new servers. The Commissioners tabled the decision on the cabling to wait on the other bids. Brown also mentioned that he met with Auditor Paul Backes to discuss IT within the county. Backes recommended that the server room at the Courthouse be more secure; with a traditional lock, pin pad, or badge reader, etc. for entering. Mike asked the Commissioners to think about this as they move forward with various IT projects. He will be returning with the other bids, once they are received.

#### Land Use

Rich Birnie, Land Use/GIS Coordinator, presented Department updates.

- *Permit Applications/Amendment*
  - *Tri-State Generation and Transmission, Inc.* - Birnie reported that an Amended Development Permit Application will be heard by the County Commissioners on June 30, 2015 from Tri-State Generation and Transmission, Inc. to amend Resolution #06-28-13 A



to include a new telecom fiber regeneration site on easements adjacent to the Burlington-Wray Transmission Line on County Road 1 between Road LL.5 and Road QQ in T5S, R42W, SW1/4SW1/4, of Section 30.

- *Tim and Mariane Ortner* – Birnie reported that Tim & Mariane Ortner have submitted a Exemption from Subdivision Permit Application to divide 27 acres, more or less, from 320 acres, more or less, in the W/2 of Section 24, T5N, R43W, for the purpose of resale to Supreme Investments, LLC (Stromberger Farm).
- *Pending*
  - *The Nature Conservancy* - Birnie mentioned that the Nature Conservancy has submitted an Activity Notice for an addition of a 3-bedroom house on Fox Ranch owned by The Nature Conservancy in T3S, R45W, NW/4 of Section 31.
  - *Saul and Katherine Castillo* – Birnie researched the exemption files back to 1990 and did not find an exemption for subdivision for the Castillo parcel. The Commissioners recommended that Birnie send a letter to the Castillo's asking them to work through the subdivision process and correct the drainage issue.
  - *Anthony Kelly* – Birnie received a phone call from Anthony Kelly's neighbor Mark Dickinson in regards to activity at the Kelly residence. Dickinson reported that Kelly is constructing a building and wanted to ensure that Kelly was following Land Use code. Rich will research a bit more.
  - *Viaero Wireless notice* - Birnie received a letter from Viaero Wireless stating they would be constructing a 100-foot tower south of Vernon on County Road CC. The letter is requesting comments about historic landmarks within the process. Commissioner Wiley recommended that Birnie send a letter reminding Viaero of the Land Use process.
- *GIS* – Birnie relayed he participated in a tornado drill on June 10<sup>th</sup> at the Election Center as a representative from the Yuma County GIS.

### Clerk

*Staffing* – Bev shared that Brandi Ritchey took the driver's license certification test, but was unsuccessful. She is not sure when Brandi can test again. The same staffing hours will be enforced until more staff is trained and certified. Additionally, the state is here today to observe the driver's license clerks. They will be shadowing in Yuma tomorrow.

*Bond certification/Title Examiner* – Bev relayed that "We the People," sent a letter to several counties challenging the need for bonding vs. insurance. Wenger mentioned that the county is following Colorado Revised Statutes and are covered under the CTSI insurance instead of bonding, but there is no formal record of the approval. She said many counties adopt a resolution stating as



such. The Commissioners decided they will adopt a resolution stating this decision at the next BOCC meeting and will include it in the reorganization resolutions at the beginning of each year.

Additionally, "We the People," questioned the need for an Examiner of Titles for the Torrens section of recording. Wenger relayed that, in the past, her office had used retiring attorney Margaret Fix-Sebold, but will now need to find another attorney that specializes in Torrens. She spoke with the Washington County Clerk; who told her that they have a Title Examiner they use on an as needed basis. The Commissioners asked Wenger to conduct a bit more research to find an attorney with the Torrens experience and to speak with District Judge Singer for the appointment.

#### Yuma County Economic Development

Darlene Carpio, Yuma County Economic Development Director, presented information about the following:

*Proposed CDL Testing Site-* Carpio reported that she has been in conversation with El Pomar about a competitive grant to help cover the cost of paving the area at the fairgrounds for CDL testing. She relayed that Yuma County would have to write the grant and reminded the Commissioners that El Pomar has a three-year grant cycle. The Commissioners were in consensus to pursue this and asked Administrator Hoover to conduct preliminary work.

*NECALG Enterprise Zone Application* – Carpio shared that the Northeast Colorado Council on Local Governments are renewing their enterprise zone designation. They are required to provide letters of support with their application, and Carpio is requesting that Yuma County Commissioners provide such; to which the Commissioners were in agreement. Administrator Hoover will have this letter ready for signature at the next BOCC meeting.

*NREDA Conference-*Carpio mentioned that the NREDA, National Rural Economic Development Associations, is holding their convention on July 16, 2015 in Denver. She invited the Commissioners to attend. The cost would be \$300/day. She has obtained funding through donations for the conference.

*Broadband* – Darlene reported that she attended the Broadband convention last week and relayed that she thought the conference was excellent. She was able to network with individuals that are currently working with Yuma County, the City of Wray, and the City of Yuma.

#### Probation

Marty Greek was in to visit with the Commissioners requesting an update on the offices at the Department of Human Services. Currently, Centennial Mental Health is remodeling another office in Wray and may be vacating the offices at DHS in July. Greek mentioned that he believes he has funding for the security door, but noted additional remodeling will need to be done for the bathrooms to work. The Commissioners asked Greek to check back in the middle of July.

#### Office of Emergency Management

Roger Brown visited with the Commissioners about the following items:



*Hazard Mitigation Plan* - Brown presented the 2015 Hazard Mitigation Plan. He reported the major change to the plan was the addition of dust storm mitigation. This is a five-year plan. **Commissioner Bushner moved to approve Resolutions #06-15-2015 D accepting the Northeast Colorado Regional Hazard Mitigation Plan. Commissioner Wiley seconded the motion; which passed unanimously.**

*Declaration of Local Disaster* - The group discussed the damages that occurred on June 5, 2015 in the Southern part of the county. Cost estimates for repair are near \$500,000. After discussion, the Commissioners elected to formalize the declaration of a local disaster. **Commissioner Wiley moved to approve Resolution #06-15-2015 E declaring a local disaster pursuant to C.R.S. 24-33.5-709 and Colorado Disaster Emergency Act of 1992, 24-32-2101. Commissioner Wingfield seconded the motion; which passed unanimously.**

*Tornado Table Top Exercise* – Brown reported that the tornado exercise that occurred on June 10<sup>th</sup> was well attended and went very well.

*Sandbags* – Brown is concerned that we do not have a stock-pile of sandbags in our county. Sedgwick County needed the sandbags last year and they have not been replaced. It was the consensus of the Commissioners to order 2,000 sandbags with an estimated cost of \$400 to \$500.

#### Executive Session

At 3:22 pm, Commissioner Wingfield moved to enter into Executive Session for an Exit Interview under C.R.S. Section 24-6-402(4)(f)(I)&(II). The motion was seconded by Commissioner Wiley; which passed unanimously. Present were: Commissioners Bushner, Wingfield, and Wiley, Maribel Bustillos and Administrator Kara Hoover. By a duly noted motion, Executive Session ended at 3:44 pm.

#### Purchase of the Kinnison Estate, Eckley Property

Commissioner Wingfield moved to approve Resolution 06-15-15 F approving the purchase of the Morrison D. Kinnison Estate property, located at Block 26: Lots 1-7 and 11-14 in Eckley, Colorado as duly noted by motion in the May 15, 2015 BOCC meeting in the amount of \$10,000. **Commissioner Wiley seconded the motion; which passed unanimously.** The property was purchased for a Road and Bridge shop to replace the property that was sold to Wayne Pletcher in September, 2014. At 4:00 pm the Commissioners went to the Yuma County Abstract Office to close on this property.

#### Administrator's Report

Administrator Kara Hoover reviewed calls, correspondence, and presented the following for action:

- *Minutes* – Commissioner Wiley moved to approve the May 28, 2015, Board of County Commissioners minutes as corrected. Commissioner Wingfield seconded the motion; which passed unanimously.

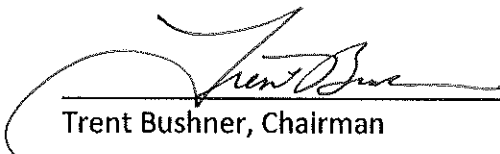




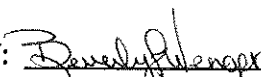
- Certification of Accounts Payable for May 29, 2015 drawn on Yuma County Funds, with check #59665 through #59760 for \$304,671.74 and Fund 16 W-Y Combined Communication accounts payable, with check #7275 through #7291 totaling the sum of \$29,274.68 were signed by Chairman Trent Bushner.
- Certification of Payroll for May 29, 2015 drawn on Yuma County Funds, EFT system #37906 through #38035 and checks #30428 through #30457 totaling the sum of \$225,811.30 and Fund 16 W-Y Combined Communications EFT system number #5344 through #5355 totaling the sum of \$29,313.58 were signed by Chairman Trent Bushner.
- Certification of Accounts Payable drawn on Yuma County Funds, for June 5, 2015, check #59761 through 59762 for \$10,952.00 and June 15, 2015, check # 59763 through #59878 for \$178,054.95 and Fund 16 W-Y Combined Communication accounts payable, with check #7292 through #7302 totaling the sum of \$2,212.64 were signed by Chairman Trent Bushner.
- *DOLA Administrative Grant Amendment* – Hoover reported that Greg Etl, from DOLA, had contacted her concerning the Broadband Administrative grant application. He told her that the maximum amount that the County could request in an administrative grant application would be \$25,000. He offered other grant opportunities, but cautioned they may take additional time to process. After some discussion, **Commissioner Wingfield moved to approve the change in the Department of Local Affairs Administrative Grant request to \$25,000. Commissioner Wiley seconded the motion; which passed unanimously.**
- *COGCC Local Designee*– A Local Governmental Designee form from the State of Colorado Oil and Gas Conservation Commission was presented, naming Administrator Hoover as the local designee. **Commissioner Wiley moved and Commissioner Wingfield seconded to approve County Administrator Kara Hoover as the local designee for the State of Colorado Oil and Gas Conservation Commissioner. The motion passed unanimously.**
- *Electronic Recycling Grant Funds* – A revision was noted in the recent audit to move funds that were deposited in December, 2014 to the Grant Fund 9 to the Capital Acquisition Fund 20 to align expenditures to the same fund. **Commissioner Wingfield moved to approve Resolution 06-15-2015 A to transfer \$5,216.21 from the Grant Fund (Fund 9) to the Capital Acquisition Fund (Fund 20) as recommended in the 2014 audit. Commissioner Wiley seconded the motion; which passed unanimously.**
- *Transfer of 1 mill for construction/capital acquisition* – Commissioner Wingfield moved to approve Resolution #06-15-2015 B to transfer 1 mill of the 2014 Assessed value of \$250,930,420, equaling \$250,930 from the General Fund (Fund 1) to the Capital Acquisition Fund (Fund 20) for construction and/or capital acquisition. Commissioner Wiley seconded. The motion passed unanimously.
- *Employee Handbook Changes* – Commissioner Wiley moved to approve Resolution #06-15-2015 C for handbook changes to Section 6, Benefits 607 B, approved on April 15, 2014 and to Section 8, 803 Drug Free Workplace Act as recommended at the May 28, 2015 meeting. Commissioner Wingfield seconded the motion; which passed unanimously.

- **Cost Allocation Approval** – The Commissioners reviewed the 2014 Consolidated Cost Allocation Plan. **Commissioner Wiley moved and Commissioner Wingfield seconded to approve the Yuma County Colorado Consolidated Cost Allocation Plan for the year ended December 31, 2014. The motion passed unanimously.**
- **East Yuma Cemetery District Board Appointment** - Minutes from the November 6, 2012 East Yuma Cemetery District Board reveal a motion to change the appointment dates from May 1 to January 1, to mirror other boards within the county. The Commissioners conceded to make this board appointment change.
- **Fair Parade Budget** – The Commissioners reviewed the proposed Fair Parade budget. They noted that the requested amount exceeds the \$1900 budget by nearly \$700. The Commissioners are in consensus for holding the committee to the original budget and will ask them to find the remaining funds, if needed.

There being no further business; the meeting was adjourned at 5:40 p.m. The next regular meetings of the Board of County Commissioners will be June 30, 2015 and July 14, 2015.

  
Trent Bushner, Chairman

  
Kara Hoover, Administrator

ATTEST:   
Beverly Wenger, County Clerk

