

**YUMA COUNTY COMMISSIONERS****August 15, 2016****Minutes<sup>1</sup>**

On August 15, 2016 at 8:00 a.m., the Yuma County Board of Commissioners met in regular session. Chairman Robin Wiley, Commissioner Dean Wingfield, Commissioner Trent Bushner, and Administrator Kara Hoover were present.

The Commissioners reviewed and signed accounts payable checks and discussed various meetings attended through the first half of the month.

**Liquor Licenses**

Nancy Wright and Misty Tyson presented a Liquor License Special Event Application for the Vernon Volunteer Fire Department, Inc. for an event on August 20, 2016 from 8:00 a.m. to 11:59 p.m.

**Commissioner Wingfield moved to approve the Special Events Liquor Permit for the Vernon Volunteer Fire Department for August 20, 2016 from 8:00 a.m. to 11:59 p.m., located at 26055 Denver Street, Vernon Colorado. Commissioner Bushner seconded. The motion was unanimously passed.** She then presented for signature the Special Event Liquor License for the Vernon Volunteer Fire Department, August 20, 2016 event.

Nancy then presented for signature a Liquor License for the Ballyneal Golf Ltd., dba Ballyneal, located at 58839 County Road FF, Holyoke, Colorado; which was approved at the July 29, 2016 BOCC meeting.

**Department of Human Services**

The Board of County Commissioners convened as the Board of Social Services at 8:27 a.m. Human Services Director Phyllis Williams, Child Welfare Supervisor Hollie Hillman, IMT Supervisor Grant Smith, and Receptionist Robin Barnhart were present. Detailed minutes from this meeting are maintained by the Department of Human Services.

- ***Core Services Program Contract*** – Commissioner Bushner moved to approve the first of a three-year plan for the Core Services Program Contract with the Colorado Office of Children & Youth Families, Division of Child Welfare, for state funding year June 1, 2016 to May 31, 2017, totaling \$220,565.05. Commissioner Wingfield seconded. The motion passed unanimously.
- ***Wray Rehabilitation and Activities Center*** – Commissioner Wingfield moved to sign the TANF funded contract with the Wray Rehabilitation and Activities Center for \$5,000 for the periods of July 1, 2016 to June 30, 2017. Commissioner Bushner seconded the motion; which passed unanimously.
- ***Rural Community Resource Center Contract*** – Commissioner Bushner moved to sign the Rural Community Resource Center Contract for \$11,000, using TANF funds for August 1, 2016 to June 30, 2017. Commissioner Wingfield seconded. The motion passed by unanimous vote.
- ***Yuma Children's Academy Contract*** – Commissioner Wingfield moved and Commissioner Bushner seconded to approve and sign the contract with Yuma Children's Academy Contract, for the period July 1, 2016 through June 30<sup>th</sup>, 2017, using TANF funding for \$5,000. The motion passed unanimously.

---

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



- **Medicaid Incentives – Commissioner Bushner moved to allow the Medicaid Incentives received to be used as a bonus for the IMT Technicians for their additional work. The funding will be approximately \$1,700 per Income Maintenance Employee. Commissioner Wingfield seconded the motion; which passed unanimously.**

The Board of County Commissioners reconvened at 8:55 a.m.

#### Road and Bridge

Supervisor J.R. Colden was present to provide the following updates.

- *CDOT Highway 385/CR 33.6 Turning Lane* – Colden reported that due to the difficulties of moving cables, the turning lane project has been postponed until April of 2017. He is very disappointed that the Colorado Department of Transportation did not locate cable prior to the initial proposal.
- *County Roads 0, 1 and 4.5* – Colden relayed that Road and Bridge crews have been working on County Roads 0, 1 and 4.5 in the southern part of the County. He shared that crews plan to place gravel on roads around Yuma, using product from the Moser Pit.
- *Link Belt Excavator* – Colden relayed that the Unit 0045-94, the 1986 Link Belt Excavator, Model # LX 28008, brought \$6,500 at the Ritchie Bros. Auction on August 4, 2016.
- *Scrap Iron* – Colden reported that Road and Bridge has a lot of scrap iron and would like to take it to the city for recycling. The Commissioners reported that scrap iron is not worth much right now and asked Colden to pile it until the price comes up.
- *Mowers/Tractors/Graders* – Colden said that Road and Bridge has several issues going with mowers, tractors, and graders. He said that they are waiting on repairs and are having a difficult time obtaining service.
- *Unit 42-12, 2003 Dump Bed* – Colden relayed that Unit 42-12, a 2003 Ford F350 XL, 4X4 Dump Bed Diesel Pickup, purchased in 2012 is in need of repairs. The vehicle has over 110,000 miles on it. He believes the repairs will cost approximately \$18,000.
- *Unit 44-98 D8 R Dozer* – Colden mentioned that the tracks on the D8 R Dozer, Unit #44-98, are quite worn and will need to be replaced next year. Colden said the 1996 model dozer has about 20,000 hours on it. He is concerned about purchasing tracks, etc. for an older machine. He received an estimate on a 2011 D8 Dozer with 11,000 hours that was just reworked with new transmission and motor for approximately \$350,000.
- *County Roads* – The Commissioners relayed that there have been complaints on County Road M from Highway 34 to County Road 30. Additionally, County Road N from County Road 42 north needs some repairs as it is holding water. Colden reported that he had already sent a grader to County Road M this morning and would take a look at County Road N.

#### Economic Development

- *CDL Training Site* -- Economic Development Director Darlene Carpio joined the meeting to share that the Gates Family Foundation grant proposal for the CDL Training Center was denied. She reminded



the Commissioners the total budget for this project, including land, was set at \$192,388. Yuma County has committed \$63,951 for the land usage, \$10,000 for in-kind labor for the dirt work, and an additional \$50,000 of cash for the project. El Pomar Regional Council committed \$25,000, providing all funds are secured by December 31, 2016. Area businesses have committed approximately \$10,000. The remaining cash needed to complete the project is \$33,437. Carpio requested direction for this project. The Commissioners discussed the options. Commissioner Wingfield mentioned that he was a bit disappointed that area businesses have not been willing to contribute more to the project. The Commissioners requested that Carpio put additional information in the papers, make a pitch to the area businesses, and come back to the next BOCC meeting.

- *Idalia Property* – Commissioner Wiley reported to Carpio that shareholders have purchased a property in Idalia and plan to improve the area with the possibility of a grocery store and a liquor store.

### Land Use

Richard Birnie, Land Use Administrator/GIS reported on the following:

- *Viaero DEV0716-013* – Birnie shared that the development permit for NE Colorado Cellular, Inc., dba Viaero Wireless, to install a 52' tower/utility pole, 30' x 30' x 6' chain link fence and utility cabinet on leased property adjacent to the north boundary line of Laird, CO. The land is located on Arcola Street in the NE ¼ of Section 6, T1N, R42W will be reviewed at the August 31, 2016 Land Use Hearing.
- *Setbacks from Site Boundaries*—Birnie reported that the text amendment to Section 5-103 Site Development Standards, E. Setbacks from Site Boundaries will be heard in September.
- *W-Y 911 Authority Board PUC Application* – Birnie shared an email from Daryl Branson, from the State PUC, with edits and comments on the W-Y 911 Authority Board PUC Application. He has set up an appointment to speak with Branson on August 23<sup>rd</sup> to review his suggestions.
- *Flashing/Warning Lights* – Birnie mentioned that YW Electric Association is asking if the Commissioners had plans to add text to the Land Use Code that would require a flashing, warning light be installed at the top of all towers over a certain height. The Commissioners agreed that a requirement for lights on towers should be included in the Land Use Codes. Birnie will review this and bring a draft back to the Commissioners for review.
- *Solar & Wind Text Amendments* – Birnie reviewed the draft text amendments and updates prepared by Attorney Barbara Green for Solar and Wind farms. He may consider speaking with someone within the industry; the Commissioners suggested a few people to contact. He also mentioned that Attorney Green would be happy to come to an upcoming meeting to discuss further.
- *Land-Locked Parcel* -- Birnie mentioned that a real estate agent had phoned him in regards to a parcel that is land-locked. The Commissioners report that there is historic access to the property and this should not present an issue for resale on the property.
- *City of Wray Industrial Park East-Lot Line Adjustment* – Birnie shared that the City of Wray wants to swap land with Darrel Ritchey in the East Industrial Park but Wray's city line is within the boundary. After discussion, it was the consensus that the county modifications could be handled by following the lot line adjustment process.



### GIS

Birnie again relayed that minimal work is being done on GIS, until the PUC application is complete. He has asked the Assessor's office to redraw the area around Flirtation Point in Wray to better conform to the aerial photography. He is working on adding addresses to the map and would like to expand the information on the interactive map to include the USGS soil survey.

### George K. Baum & Company

Don Diones from George K. Baum & Company joined the Commissioners by phone to discuss the different options for the Yuma County Water Authority Public Improvement District Bonds. Diones shared there is an opportunity to reduce the amount of interest paid on the bonds. He would like to provide more information, but required an Underwriting Agreement and Supplemental approved before proceeding. **Commissioner Bushner moved to sign and refer to the Yuma County Water Authority Public Improvement District for ratification, the Non-Binding Underwriting Agreement and the Supplemental with George K. Baum & Company to research reducing the interest paid on the Water Authority Bonds. Commissioner Wingfield seconded. The motion passed unanimously.**

### The Jim Hutton Educational Foundation

The Commissioners discussed the application for water rights by the Jim Hutton Educational Foundation. Commissioner Wiley mentioned that Attorney Steven Sims is developing a Statement of Opposition to this case, awaiting approval. After discussion, **Commissioner Bushner moved to proceed with the Statement of Opposition to the application for water rights by the Jim Hutton Educational Foundation Case; also referring to the Yuma County Water Authority Public Improvement District for ratification. Commissioner Wingfield seconded. The motion passed by unanimous vote.**

### Treasurer

Treasurer Dee Ann Stults presented the following for discussion:

- *Possessory Interest* – Dee Ann presented the delinquent possessory interest list to date.
- *Treasurers Report* - Stults presented the Treasurer's report for July 2016. She reported there were \$235,304.42 in Taxes Collected; \$165,110.73 in Specific Ownership taxes collected, and \$3,642.36 in fees collected for the month. She relayed that taxes are 97.5% collected.

### Administrator's Report

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

- *Minutes* – The Commissioners reviewed the minutes from the previous BOCC meeting. **Commissioner Wingfield moved to approve the July 29, 2016 Board of County Commissioners minutes. Commissioner Bushner seconded the motion; which passed unanimously.**
- Certification of Accounts Payable drawn on Yuma County Funds on August 15, 2016 with check #63134 through #63312 for \$271,750.37 and Fund 16 W-Y Combined Communication accounts payable, with check #7665 through #7670 totaling the sum of \$2,097.97 were signed by Chairman Robin Wiley.
- Certification of Fair Payroll for August 15, 2016 drawn on Yuma County Funds, EFT system #39987 through #39990 and checks #30897 through #30900 totaling the sum of \$4,156.47 was signed by Chairman Robin Wiley.

- **Fairground Concrete** – The Commissioners reviewed the concrete for the new arena shaded pavilion area and the sidewalk by the Beef Barn. The shade awning was donated by Ryan Noble. **Commissioner Bushner moved to approve the invoices from Chamberlain Concrete for \$1462.50 for the pavilion and \$1,192.50 for the sidewalks, totaling \$2,655.00 to be paid from the Conservation Trust Fund #6 Fund. Commissioner Wingfield seconded. The motion passed by unanimous vote.**
- **Fairground Use Form and Policy Review** – Hoover presented the revised Fairgrounds Policy and Use Agreement after the revisions made in the July 29, 2016 BOCC meeting with Attorney Ken Fellman. The group made additional revisions and after another attorney review, the policy will formally be adopted at the August 31, 2016 BOCC meeting.
- **Fair Board** – Hoover presented a letter of interest from Shane Galles, to serve on the Fair Board. She was instructed to advertise for the position and keep Galles' letter of interest on file for future consideration.
- **Garry Moore Amusements 2017 Contract**—Hoover submitted a contract from Garry Moore Amusements for the 2017 Yuma County Fair, to be held on August 5 through August 8, 2017. **Commissioner Wingfield moved to accept the 2017 contract of \$7,000 with Garry Moore Amusements for the carnival at the Yuma County Fair, August 5<sup>th</sup> through August 8<sup>th</sup>, 2017 with the following stipulation; Yuma County reserves the right to provide the same or comparable food and beverage concessions as the 2016 fair. Payment will be as follows: \$3,500 by November 2016 and the remaining \$3,500 upon arrival at the fair. Commissioner Bushner seconded the motion; which passed by unanimous vote.**
- **Sheriff's Office Vehicle's**
  - **2016 Dodge Ram Pickup - Unit #162** – Hoover shared an email from Sheriff Day showing the invoice and title for the 2016 Dodge Ram Pickup donated by the Law Enforcement Education Foundation for use by Sheriff Day. The pickup had a cost of \$45,124 before upfit. Sheriff Day reported that the upfit will be completed by L.A.W.S and the Law Enforcement Education Foundation has funds committed for this as well.
  - **2016 Ford F150 Patrol Pickup** – Day relayed in an email that the 2016 Ford F150 Special Service Pickup that was approved in the June 14, 2016 BOCC meeting is scheduled for delivery today, August 15, 2016. The bid on the pickup was \$32,894.70 with an upfit of \$11,617.34.
  - **2015 Dodge Durango** – Hoover reported that Sheriff Day also indicated that the 2015 Dodge Durango that was approved to purchase from the Kansas Highway State Patrol at the May 16, 2016 BOCC meeting for \$19,500 is available for delivery. This vehicle will replace Unit 111, Chevrolet Tahoe, that is currently being used by the Victim's Advocate.
- **County Health Pool Life Insurance Eligibility Requirements** – Hoover shared that County Health Pool recognizes Permanent Part-Time employees that average at least 24 hours a week over a 12 month period, are eligible for the employer paid life insurance for the employee and their spouse. After a bit of discussion, the Commissioners were in consensus to follow the CHP guidelines.
- **Republican River Water Conservation District Board Appointee** – The Commissioners reviewed a letter received from the Republican River Water Conservation District regarding Yuma County's appointee to



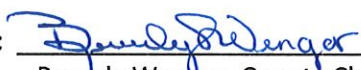
the Board of Directors that will expire in October 2016. An advertisement will be placed for this appointment.

- *FEMA Storm Damage Update* – Hoover relayed that she was alerted by FEMA, that the contractor selection process completed, after the June 2015 storm, did not meet their stringent procurement requirements to be considered an emergency. FEMA is still considering the proposal and are now looking at the contractor fees on a cost-comparison basis. Staff is currently compiling additional information and will work with Road and Bridge Supervisor J.R. Colden to obtain additional bids to submit to FEMA.
- *CTSI Loss Ratios* – Hoover reported that Ted Lindtveit from CTSI stopped in her office last week and delivered the first quarter 2016, reports for Worker's Compensation Pool and the Casualty Property pool. Both reports show a decrease in losses in the first quarter.
- *Quiet Title* – Hoover shared the Answer to the Complaint prepared by Attorney Ken Fellman in regards to the Robert H. Velten vs. Co-Defendants; The RHV Trust, Carolyn Pickering Trustee, and Daniel C. Patten.
- *Colorado Customware, Inc. Chapter 11* – The Commissioners reviewed the Approved Settlement Agreement with Yuma County and Colorado Customware, Inc. (Docket No. 455) as approved and signed at the July 15, 2016 BOCC meeting.
- *Vistabeam Colorado Broadband Fund Application* – The Commissioners reviewed Vistabeam's Colorado Broadband Fund application and a map showing the proposed service areas. The project, according to the application, is intended to upgrade existing wireless network. Thirteen towers will have additional equipment installed and there will also be labor for installation and radio swap. The equipment cost is \$74,550; tower labor of \$88,000; and radio swap labor is \$16,600. The total project cost is \$179,150.
- *2016 EMPG Special Project Grant Application* – The Commissioners reviewed the 2016 EMPG Special Grant Application of \$4,025, submitted by Roger Brown for the installation of the emergency generator at the Courthouse.

There being no further business; the meeting adjourned at 4:14 p.m. The next regular meetings of the Board of County Commissioners will be August 31 and September 14, 2016.

  
Robin Wiley, Chairman

  
Kara Hoover, Administrator

ATTEST:   
Beverly Wenger, County Clerk

