

YUMA COUNTY COMMISSIONERS

April 14, 2017

Minutes<sup>1</sup>

On April 14, 2017 at 8:00 a.m., the Yuma County Board of Commissioners met in regular session. Chairman Dean Wingfield, Commissioner Trent Bushner, Commissioner Robin Wiley, 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.

Department of Human Services

The Board of County Commissioners convened as the Board of Social Services at 8:25 a.m. Human Service Director Phyllis Williams, Eligibility Supervisor Grant Smith, Child Welfare Supervisor Hollie Hillman, Bookkeeper Liz Tuttle, and Receptionist Robin Barnhart were present. Detailed minutes from this meeting are maintained by the Department of Human Services.

- *Family Engagement Contract* – Hollie Hillman presented an agreement for services between Karen Merritt and the County of Yuma to facilitate Family Engagement Services. **Commissioner Bushner moved and Commissioner Wiley seconded to approve an Agreement for Services between Karen Merritt and the County of Yuma to facilitate Family Engagement Services, for January 1, 2017 through June 30, 2017 at \$40 per hour and travel reimburse at \$0.42 per mile. The motion passed by unanimous vote.**
- *Executive Session* – At 8:44 a.m. **Commissioner Wiley moved to enter into Executive Session for discussion of a matter required to be kept confidential by the following federal or state law, rule, or regulation: under C.R.S. Section 24-6-402(4)(c). The motion was seconded by Commissioner Bushner; which passed unanimously.** Present were Chairman Dean Wingfield, Commissioner Trent Bushner, Commissioner Robin Wiley, Human Service Director Phyllis Williams, Child Welfare Supervisor Hollie Hillman, and Administrator Kara Hoover. Executive Session concluded at 9:01 a.m.

The Board of County Commissioners reconvened at 9:01 a.m.

Congressman Ken Buck, NE Representative

Dusty Johnson, the Northeast Representative for Congressman Ken Buck, joined the meeting to introduce herself to the Commissioners. She shared a congressional update and extended an offer of assistance on any projects or programs in the County. She stated that it is her job to be the listening ear for the Congressman and take back any concerns, questions, or successes. She thanked the Commissioners for their time to meet. The Commissioners reviewed various topics of interest in the Northeast region. Dusty remained at the meeting until approximately 11:00 am.

Yuma County Event Center Committee

Yuma County Event Center Committee Members Curt Fix and Dave Blach came in to visit with the Commissioners about the progress made on the possible Event Center at the Yuma County Fairgrounds. Curt relayed that the committee is still working on the final details of the project. The Committee recognizes the associated costs of maintaining the facility and are exploring the option of using tax funds, possibly

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



through a mill levy. The Commissioners reviewed the funding mechanisms and the process to initiate a ballot issue. Fix and Blach indicated that the committee will begin to work on the mill levy ballot question. The committee is also exploring the advantages of obtaining a 501(c)3 designation. Curt mentioned the contract with the DOLA using the University Technical Assistance, UTA, Program for a master plan for an indoor arena. Fix and Blach relayed that they have a portion of the matching funds of the \$6,500 fee for these services. The Commissioners were in consensus for the Committee to move forward using the UTA program for design work and agreed to assist with a portion of the matching funds. The Yuma County Event Center Committee will meet again, Tuesday, April 18, 2017, Commissioner Bushner plans to attend.

#### Executive Session

**At 10:40 a.m., Commissioner Wiley moved to enter into Executive Session for a conference with the County Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e). The motion was seconded by Commissioner Bushner; which passed unanimously.** Present were Chairman Dean Wingfield, Commissioner Trent Bushner, Commissioner Robin Wiley, Assessor Cindy Taylor, Administrator Kara Hoover, and joining by conference call Attorney Ken Fellman. Executive Session concluded at 10:49 a.m.

**Commissioner Wiley moved to approve the settlement agreement with Caerus Washco, LLC for a tax abatement of \$65,000. Commissioner Bushner seconded the motion; which passed by unanimous vote.**

#### Road and Bridge

Supervisor JR Colden was present to provide the following updates. Commissioner Bushner stepped out of the meeting at 11:00 a.m. to attend a CCI Legislative Conference Call, rejoining the meeting at noon.

#### Current Projects

- *CDOT Highway 385 / County Road 33.6 Turning Lane Project* – Colden shared that the county's portion of the dirt work for the CDOT Highway 385, County Road 33.6 is at 90% completion.
- *Weis Pit/County Road RR* – Colden shared that Road and Bridge crews have been hauling product from the Weis Pit to County Road RR.
- *CDL Training Site* – The Commissioners discussed the following concerning the CDL Training Site at the Yuma County Fairgrounds.
  - *Waterline Trenching and a Hydrant* -- Colden mentioned that the concrete was poured earlier in the week for the CDL Training Site at the Fairgrounds. He presented bids for the waterline trenching and a hydrant at the Fairgrounds. **Commissioner Wiley moved to approve the bid from Sean Hastings for \$1,673.90 for trenching and placing the water line and hydrant for the trees that will be placed around the concrete just poured for the CDL Training Site at the Yuma County Fairgrounds in Yuma, paid from 20-907-8920. Commissioner Wingfield seconded. The motion passed.**
  - *Planting Trees* – The Commissioners reviewed a bid from Tim Powell to plant the trees, lay the weed barrier, and drip line on the trees at the Yuma County Fairgrounds around the CDL Training Site Concrete Pad. **Commissioner Wiley moved to approve the bid from Tim Powell to plant 42 trees, lay weed barrier, and set drip line at the Yuma County**



**Fairgrounds / CDL Training Site of no-more than \$800. Commissioner Wingfield seconded the motion; which passed unanimously.**

- *Pubworks/Time Clocks* – JR mentioned that his office is exploring the idea of using an automated time keeping system through Pubworks. The Commissioners asked him to hold off on a decision pending the Financial Office's decision on Financial software and a time-keeping system.
- *Beecher Island Road, EIAF # 8302* – JR reported a hard start date for this project of August 29, 2017. He shared that he will have bids for chip rock to present at the next BOCC meeting.
- *Unit 0166-09* – Colden shared that Unit 166, a 1999 Kenworth T880 Truck, needs a complete engine overhaul. The truck was purchased in 2009 for \$23,500. He presented bids for the overhaul. **Commissioner Wiley moved to approve the bid from Hitchcock for \$16,298.11 for the overhaul on Unit 0166-09, 1999 Kenworth T880 Truck. Commissioner Wingfield seconded the motion; which passed.**
- *County Road 39* – Colden presented bids for regrinding and stabilization for County Road 39. He states that the costs for this remain high at nearly a half-million dollars and will be labor intensive for the County. Discussion was tabled, citing financial constraints.
- *Office Flooring* – JR provided cost estimates for flooring in the Road and Bridge offices. He would like to replace the worn out carpet with laminate flooring. **Commissioner Wiley moved to approve the bid from Jacob Engels' of \$1,770 and allow Colden \$2,500 to purchase laminate flooring for the offices at Road and Bridge. Commissioner Wingfield seconded. The motion passed.**
- *County Road M and County Road 42* – Colden shared cost estimates as prepared by Earth Bind Stabilization for County Roads M and 42. This 5-mile projected cost is \$934,450.00. He plans to share this estimate with Cargill. The Commissioners again reminded Colden of the financial constraints.
- *Part-Time Mowing* – Colden shared that Lauren Hill will begin mowing 2 days a week throughout the mowing season. The Commissioners told Colden that he would need to provide training and have Hill sign an additional job description.
- *Osmus billing* – JR shared that John Osmus extended a culvert on County Road 13. Road and Bridge estimated the costs at \$550 for materials. Osmus paid in full.
- *Shop Tools and Tool Box* – Colden stated that the shop needs to purchase additional tools and a tool box to better operate. The Commissioners asked Colden to speak to Maintenance Sergeant Travis Dinsmore to see if he had any additional tools.
- *Underground and Utility Permits-*
  - *CenturyLink Extension* -- Colden presented Underground and Utility Permit extension request from CenturyLink to install a 144 fiber line under and along County Road 35 at Highway 34 and North along County Road CC, that was originally approved on September 30, 2016 and is now outside the original 180 day completion deadline. **Commissioner Wiley moved to approve a 180 day extension for CenturyLink to install a 144 fiber line under and along**



**County Road 35 at Highway 34, north along County Road CC. Commissioner Wingfield seconded. The motion passed.**

- *Y-W Electric Association* – Y-W Electric to install a 7.2-12.5 kv line under County Road 45, approximately 1,580 feet east of County Road L. **Commissioner Wiley moved to approve the Underground and Utility Permit from CenturyLink to install a 7.2-12.5 kv line under County Road 45, approximately 1,580 feet east of County Road L. Commissioner Wingfield seconded; which passed.**
  
- *Foundation Energy Management, LLC* – Later in the day, the Commissioners reviewed Underground and Utility Permits from Foundation Energy Management, LLC to install a 3 inch poly line under County Roads H, J, and K. **Commissioner Wiley moved and Commissioner Bushner seconded to approve the Underground and Utility Permits from Foundation Energy Management, LLC to install:**
  - a 3 inch poly line under County Road H, between the section lines running north and south of Section 31, T3N, R47W, and Section 36, T3N, R48W.
  - a 3 inch poly line under County Road J, between the section lines running north and south of Sections 31 and 32, T3N, R47W.
  - a 3 inch poly line under County Road K, between the section lines running north and south of Sections 32 and 33, T3N, R47W.

**The motion passed by unanimous vote.**

#### Land Use

Rich Birnie was present to conduct Land Use and GIS business.

#### Land Use

- *Exemptions from Subdivisions* -- Rich reported on the following Subdivision Exemptions that will be reviewed by the Planning Commission and heard by the BOCC at the April 28, 2017 meeting:
  - *Allen, EFS0317-03* – EFS for Harvey & Mary Allen to divide 5.74 acres, more or less, from 160 acres, more or less, in the N1/2N1/2 of Section 17, and 0.4 acres, more or less from 320 acres, more or less, in the SE1/4 of Section 8, T3S, R43W, to deed the homestead to Jeff & Kristy Hurlburt.
  - *Allen, EFS0317-04* – EFS for Harvey & Mary Allen to divide 16.95 acres, more or less, from 321.48 acres, more or less, in the SW1/4 of Section 19, T4S, R43W, to deed the homestead to Perry & Jessica Allen.
  - *Gardner, EFS0317-05* -- EFS for Shana L. Gardner to divide two parcels, one 30.20 acres, more or less, and one 8.85 acres, more or less, from 78.32 acres, more or less, in the N1/2NW1/4 of Section 35, T2N, R45W, the larger of the two parcels for resale purposes.
  - *Tuell, EFS0317-06* -- EFS for Trevor Tuell, Tuelland, Inc. to divide 9.5 acres, more or less, from 440.15 acres, more or less, in the NW1/4 of Section 3, T3N, R46W, for the purpose of separating homestead from agricultural land.
  - *Stuart and Kamla, EFS0317-07* -- EFS for Roger D. Kamla & Bonnie J. Stuart, to divide 7.48 acres, more or less, from 640 acres, more or less, in the NW1/4 of Section 22, T3S, R43W, for the purpose of resale.



- *Floodplain Ordinance* – Birnie reported that he made the revisions with the Planning Commission's recommendations to leave the Floodplain Ordinance as a stand-alone section within the existing code (using the State model as the template) and remove or modify any text that indicates there is a separate Floodplain Permit and any indication that the County will inspect the construction. The revisions will be reviewed by the Planning Commission this month.
- *Solar and Wind Text Amendments* – The Commissioners studied the Solar and Wind draft text amendments. Again, the Planning Commission, will review in April.
- *1917 Deed / Quit Claim Deed* – Rich presented a Quit Claim Deed between Yuma County and Joyce and Kurt Musgrave deeding back the right-of-way purchased by Yuma County from Lena G. Lamb in 1917 in Section 12, T4S, R48W, adjacent to Highway 59, prepared by Attorney Margie Fix. **Commissioner Wiley moved to approve and sign the Quit Claim Deed between Yuma County and Joyce and Kurt Musgrave deeding back the right-of-way purchased by Yuma County from Lena G. Lamb in 1917 in Section 12, T4S, R48W, adjacent to Highway 59. Commissioner Bushner seconded the motion; which passed by unanimous vote. Reception No. 00569571**
- *Lot Line Adjustments* – Birnie has the following Lot Line Adjustments waiting for complete applications:
  - *Newbanks-Leslie* – Lot Line Adjustment between John & Connie Newbanks and the W.E. Leslie Family Trust in T3N, R46W, Section 22, involving 50 acres.
  - *Renzelman -Rose*– An adjustment between Alfred Renzelman and Kenny & Jeri Rose in T2S, R43W, Section 22, involving 8 acres.
  - *Hendrix-Circle 3 Farms* – Lastly, a Lot Line Adjustment between Matt & Jena Hendrix and Circle 3 Farms, LLC in T5N, R43W, Section 35, Involving 1.36 acres.
- *Private Land Burial* – Birnie shared the information about human burial on private property. Commissioner Wingfield was approached about designating private property for a family cemetery. Rich said that the only requirement in the statute, CRS 25-2-111, is that the plot must be registered with the County. Although there is nothing in the statute about setting aside a separate parcel of any particular size, the Commissioners believe that a minimum of one acre should be designated for this use. The Commissioners suggested that Birnie put together draft language for review.
- *County Website* – Elected Officials, Treasurer Dee Ann Stults, Assessor Cindy Taylor, Clerk Bev Wenger, and Sheriff Chad Day joined the meeting. Rich presented a couple of mock-ups for a new home-page for the County Website as designed by Trish Coberly. The group chose one example, Birnie will get back with Coberly who will need additional insight on design.

#### GIS

Birnie stated that he continues his work with addresses to the digital map.

#### Sheriff

Sheriff Chad Day and Undersheriff Adam Wills were present to discuss the following:

- *Vehicles* – Day mentioned that the Ford Interceptor has not been a good test for a patrol vehicle. He said that this vehicle is not safe due to high carbon monoxide readings when in emergent mode. He asked Bonanza Ford to look into the repairs for this issue. If Ford is able to remedy this issue,



the Ford Interceptor will be used for a utility vehicle. Wills presented bids for a pickup to replace the Ford Interceptor. After discussion, **Commissioner Wiley moved to approve the bid from Korf Continental for a 2017 Dodge Ram SSV, of \$31,094.00 and the up fit from AV-Tech Electronics of \$19,888.49, total cost of \$50,982.49, paid from 20-903-8942. Commissioner Bushner seconded the motion; which passed unanimously.**

Office of Emergency Management

Yuma County Emergency Manager, Roger Brown joined the meeting to provide the following updates.

- *Red Flag Warning, W-Y Communications Center* – Commissioner Wiley questioned the reason the Communication Center would allow a controlled burn on a day that was stated to be a red flag warning day. Brown said that the Center does not receive such notices as they chose not to enroll in the weather notification. He said it frustrates him as well that this does not occur.
- *Bureau of Reclamation Exercise*—Roger shared information about a Bureau of Reclamation Exercise that is scheduled for April 18, 2017.
- *Wray and Yuma Emergency Operations Center Exercises* – Roger is in the process of coordinating emergency exercises for the Cities of Wray and Yuma.
- *Healthcare Coalition* – Brown informed the Commissioners that there will be one healthcare coalition in Northeast Colorado that will have funds to distribute throughout the region.
- *Co-Assist* – Brown said that the State of Colorado has a new program, called Co-Assist, for all private sector information. He currently has this information in WebEOC this will take some time to coordinate.
- *Kansas Interop* – Brown relayed that he spoke to Kansas about placing a tower to translate information across state lines. He received funds through the Homeland Security Grant Program. Currently, the State of Kansas does not want to allow a tower. He will continue to work on this.
- *2017 Homeland Security Grant* – Brown reported that the availability of grant funds have been drastically reduced with the new President's administration.
- *Local Emergency Operation Plan / Severe Weather Plan* – Brown recently reviewed the Local Emergency Operation Plan, LEOP, and noted several items that need updated. He would like to have a full review and coordinate a meeting to work on this.

Treasurer

Treasurer Dee Ann Stults presented the following:

*Treasurer's Report* -- Treasurer's report for March 2017. She reported there were; \$1,155,645.94 in taxes, \$195,271.57 in Specific Ownership, and \$28,986.26 in Treasurer Fees collected for the month.

*COGCC Abandoned Oil and Gas Wells* – Stults reviewed a draft bill that would affect the county taxes about abandoned oil and gas wells.

*County Auction* – Stults told the Commissioners that she is still waiting on bids from other auctioneers for the county auction.

#### Clerk

*Office Remodel* -- County Clerk Bev Wenger came in to share the contractor's estimate on the remodel plan as prepared by Cody Bohall of Studio 8.18 Engineering. She said that the rough estimate is around \$32,000 - \$35,000. The Commissioners are concerned about the costs associated with the current HVAC project, the reduction is assessed value, and don't believe they could approve any additional expenditures at this time. Clerk Wenger said she certainly understood.

*Elections 2018* – Bev shared that her 2018 Elections budget may be a bit higher than years past because of the requirement to send to all unaffiliated voters. She wanted the Commissioners to be aware of this prior to budget work 2018.

*Elections Center Chairs* – Commissioner Wiley found chairs at the cost of \$8.00 per chair for the Election Center. Clerk Wenger requested that these be purchased. **Commissioner Bushner moved and Commissioner Wiley seconded to purchase 32 chairs at \$8.00 each, totaling \$256, from the Idalia Restoration, LLC, splitting payment by thirds from 01-108-6210, 02-701-6495, 12-310-6220, for the Elections Center. The motion passed by unanimous vote.**

#### Assessor

Assessor Cindy Taylor was present to discuss the following:

- *Server* – Cindy presented a bid for a server to replace the catastrophically failing server. She reported to the Commissioners that she has had continuous failures that have not been resolved and she fears that the server is near a complete crash. **Commissioner Bushner approved the purchase of a Power Edge R530 Server Package from Teryx, Inc., in the amount of \$6,515.25. Commissioner Wiley seconded the motion; which passed by unanimous vote.**
- *Abandoned Pipe Lines* – The Commissioners alerted Taylor of the Forms 42 received from the COGCC of Foundation's pipe lines that are being abandoned in the County.

#### 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 Bushner moved to approve the March 31, 2017 Board of County Commissioners minutes. Commissioner Wiley seconded the motion; which passed unanimously.**
- Certification of Accounts Payable drawn on Yuma County Funds on April 14, 2017 with check #65035 through Check #65190 for \$629,368.48 and Accounts Payable drawn on WY Communications Funds with check #7882 through #7889 in the amount of \$1,616.26 were signed by Chairman Dean Wingfield.
- *WY Authority Board Appointment* – The Commissioners reviewed a letter of interest from Ronnie Oestman to serve on the WY Authority Board. **Commissioner Wiley moved and Commissioner Bushner seconded to approve and appoint Ronnie Oestman to the WY Authority Board, beginning term date of 4-14-17 to 12-31-2018, filling Tyler Chamberlains vacated position. The motion passed by unanimous vote.**



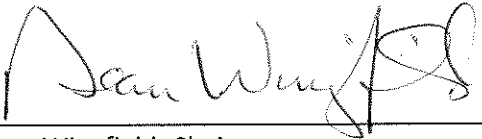
- *WRAC Property Tax Reimbursement* – Hoover presented a letter received from the Wray Rehabilitation and Activities Center requesting tax reimbursement. The paid tax amounts of \$314.17 were confirmed through the Treasurer's office. **Commissioner Bushner moved and Commissioner Wiley seconded to reimburse tax payments to the Wray Rehabilitation and Activities Center of \$314.17, paying from Fund 5. The motion passed by unanimous vote.**
- *Stephen Monks, P.C.* -- The Commissioners reviewed the bill and email explanation from Attorney Stephen Monks in regards to the CCI/Harris Bankruptcy case. After some discussion, the Commissioners decided to send a letter to Attorney Monks requesting more information. They do not believe that this bill is warranted since they did not request or authorize such legal work. Yuma County's portion of the case was settled in July of 2016.
- *FFA Kiddie Barnyard* -- The Commissioners reviewed a request from Lee Vetter and the Yuma High School FFA program to hold a Kiddie Barnyard event at the Fairgrounds at no charge. **Commissioner Bushner moved to waive the deposit, use fee and insurance requirement for use of the Beef Barn for the Yuma High School FFA program Kiddie Barnyard to be held on May 17, 2017; but charge the regular use fee of \$50 for the use of restrooms at the Concessions Building. Commissioner Wiley seconded the motion; which passed unanimously.**
- *CDL Training Site Concrete* – An invoice for \$93,900 was presented by Edler Construction, ECS, which included an additional \$1,000 for final grade work. **Commissioner Wiley moved to approve and pay the invoice to Edler Construction Service for \$93,900, (\$92,900 approved at the February 14, 2017 BOCC meeting) which included an additional \$1,000 for final grade work. Commissioner Bushner seconded. The motion passed by unanimous vote.**
- *HVAC Piping Project* – The Commissioners reviewed the current schedule for the HVAC Piping Project. Currently the project is on-schedule. Crews are working upstairs in the Court Rooms at this time. Asbestos abatement was completed in the Jail booking area this week.
- *West Yuma Cemetery Board*— The Commissioners discussed the need to find a replacement for outgoing board member Dan Baucke for the West Yuma Cemetery Board. Ads will be placed for a new appointment at a later BOCC meeting.
- *Exhaust Fan* – Hoover presented a bid for an exhaust fan for the lower level bathrooms from Wern Air, Inc., totaling \$4,993.78. The Commissioners reported that they did not believe they could approve any additional expenditures for the building because of the decreased valuation and the current HVAC piping project.
- *Administration Office Carpet* -- Administration discussed the need to replace the worn out carpet in the offices, especially since the offices will have to be vacated soon for asbestos abatement. The Commissioners requested estimates before making any decision.
- *Financial Software* – Administrative staff shared that they have not had adequate time to review software. They plan to continue to work on this before the next meeting.



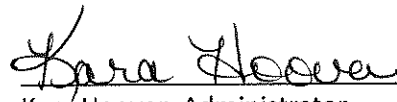


- *BOCC Meeting Dates* –The Commissioners reviewed dates for upcoming meeting dates. The following are meeting dates for the summer months: June 14, June 30, July 14, July 31, August 15, and August 31.
- *Landfill Salary Discussion* – Hoover shared information on landfill salaries, as requested by Cliff Henry, Landfill Manager. Henry asked that the Landfill salaries be comparable to Road and Bridge salaries. The Commissioners reviewed and reported they would discuss at the next Landfill Board meeting.
- *Sheriff Salary Discussion* – Commissioner Bushner presented salary information from area law enforcement departments for comparison with the Sheriff's Office salaries. The Commissioners will review again later in the year during the budget season.
- *CAPP/Worker's Compensation Monthly Loss Reports* – The Commissioners reviewed the monthly CAPP and Worker's Compensation loss reports.


There being no further business, the meeting adjourned at 5:10 p.m. The next regular meetings of the Board of County Commissioners will be on April 28, 2017 and May 15, 2017.



Dean Wingfield, Chairman



Kara Hoover, Administrator

ATTEST:   
Beverly Wenger, County Clerk

