

YUMA COUNTY COMMISSIONERS
March 31, 2017
Minutes¹

On March 31, 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 payroll checks and discussed various meetings attended throughout the month.

Department of Human Services

The Board of County Commissioners convened as the Board of Social Services at 8:23 a.m. Human Service Director Phyllis Williams, Eligibility Supervisor Grant Smith, Child Welfare Supervisor Hollie Hillman, and Receptionist Robin Barnhart were present. Detailed minutes from this meeting are maintained by the Department of Human Services.

- **Executive Session – At 8:43 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 8:58 a.m.

The Board of County Commissioners reconvened at 9:00 a.m.

Road and Bridge

Supervisor JR Colden was present to provide the following updates.

Current Projects

- **Schedule Change** – JR reported that due to the rain this week, Road and Bridge was closed on Wednesday, March 29, 2017, and are working Friday, March 31, 2017, instead. He shared that there is a certain ideal timeframe to get over the roads following a rain and he didn't want to miss this opportunity. He said his staff understood the request and for the most part was good about changing days.
- **CDOT Highway 385 / County Road 33.6 Turning Lane Project** – Colden shared that the project is stalled due to the rain. The rain will be very helpful for scraping and compaction moving forward. He will commence work when the weather cooperates. Colden said that CDOT has budgeted \$25,000 for flagging costs. CDOT is also set to complete the reseeding after the project is complete.
- **CDL Training Site** – Colden reported that Delbert Liming was able to cut the sod last week for the CDL Training Site. JR said that Road and Bridge crews have hauled several loads of sand to the site for leveling. Colden believes Edler Construction is planning to begin concrete work on April 3, weather permitting. The Commissioners asked Colden to contact Hastings Trenching about trenching for the tree waterlines.

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



- *Meeks Pit* – Colden stated they will be hauling out of the Meeks pit with product, hauling back to the Road and Bridge yard.
- *County Road 39* – Colden said they are patching bad spots on County Road 39 and should have improvements completed in the next week or so.
- *Beecher Island Road, EIAF # 8302* – JR reported that he placed ads for chip rock for the Beecher Island Road this week, following the EIAF #8302 grant approval.
- *Black Hills Energy* – Colden shared that he spoke to Black Hills Energy about the bill for repairs to the gas line that was damaged on County Roads J and 42.5 while mowing. The original bill was for \$5,349.37 and Colden argued that the pipeline was laying on top of the ground and was unmarked. In the end, Colden negotiated with Black Hills Energy and will be paying for half of the repair costs, of \$2,674.68.
- *Special Transport Permit* -- Colden presented a Special Transport Permit for Star House Moving. **Commissioner Wiley moved to approve Special Transport Permit for Star House Moving to move a house 28 feet by 50 feet, from County Room 27 and County Road U, Yuma, Colorado to south of Eckley, Colorado. Commissioner Bushner seconded the motion; which passed by unanimous vote.**

Sheriff's Office

Sheriff Chad Day, Undersheriff Adam Wills, and Maintenance Sergeant Travis Dinsmore presented the following for discussion.

- *Denver Post Article* – Sheriff Day shared that the recent article that was run in the Denver Post was not solicited by his office. He said that the reporter called his office asking questions and came out to do a ride-a-long. He too, was a bit surprised by the tone that the reporter took on the article. The Commissioners voiced their disappointment with the article.
- *Burn Bans* – Day discussed the current state law that requires notification of a controlled burn. With the recent Red Flag days, he questioned whether Yuma County should adopt a permit structure with ban authority. The Commissioners would like the 911 Communication Center Dispatchers to tell callers “no burning” when calling about a controlled burn on Red Flag Days.
- *Law Enforcement Tow / Tow Yards* – Day reported that the tow companies are being charged approximately \$500 for abandoned title to recover any costs associated with vehicles left behind. Day shared that it was much easier for law enforcement to obtain an abandoned title. Additionally, Day is requesting tow yards in both Yuma and Wray. He states this would allow the Sheriff's Office to pursue the abandoned vehicle process and sales. The Commissioners suggested that Sheriff Day work with both the cities about utilizing their current impound yards instead of building a separate one for county use.
- *Vehicles* -- Day said the Ford Interceptor SUV, Unit 161, has not worked out very well. He reminded the Commissioners that it was an affordable try for a patrol vehicle, but sites high repair bills, poor all-wheel-drive performance, uncomfortable seating, and high carbon monoxide reading when in emergent operation.

He would like to replace the Interceptor with a new pickup, either a 2017 Dodge Ram or a 2017 F150 Ford Pickup. He shared that he would plan to hold on to the interceptor and make it a transport/utility vehicle.

- *DRMO/1033 Program* – Day reviewed how the DRMO/1033 program works. He shared that he believes the program provides a great number of needed and useful tools and equipment for the Sheriff's Office. He understands the Commissioners' concerns about the amount of equipment that the office has acquired. Day assures the Commissioners that each piece can be used for the Sheriff or Jail application. Commissioner Bushner requested better communication about items that are going to be requisitioned, as the Commissioners are ultimately responsible. Day acknowledged that there does need to be better communication both ways. He requested the Commissioners spend some time in his office or on ride-alongs to better understand the Sheriff's Office. Commissioner Bushner asked Day to set up a ride-along for him in the next week.

Day stated that he believes that the current Labor break-out for DRMO equipment is unfair as there are pieces of equipment that can be used county wide, and not used just by the Sheriff's Office. A discussion followed on the allocation of labor and expenses for DRMO equipment. The Commissioners asked for the Sheriff to come up with a worksheet showing the labor and expenses for DRMO/1033 items that he would like to cost-share. The Commissioners also provided guidelines about obtaining DRMO/1033 equipment to specific items that have a legitimate use for law enforcement.

Land Use

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

Land Use

- *Resolution #03-31-2017 A/VAC* – Birnie presented Resolution 03-31-2017 A/VAC, for roadway and alley vacation in the City of Robb, Yuma County, Colorado, located in the SW ¼ SW ¼ of Section 26, Township 2 North, Range 45 West initiated by the Board of County Commissioners of Yuma County, Colorado, at the March 20, 2017 meeting.

Commissioner Wiley moved and Commissioner Bushner seconded to approve Resolution #03-31-2017 A/VAC, roadway and alley vacation in the City of Robb, Yuma County, Colorado, dedicated to the public on February 8th, 1918 by C.J. Yenter and located in the SW ¼ SW ¼ of Section 26, Township 2 North, Range 45 West initiated by the Board of County Commissioners of Yuma County, Colorado made by a duly made motion on March 20, 2017 with the following stipulations:

- In compliance with C.R.S. 43-2-302, (1) (c), title to the vacated roadways/alleys shall vest in the owners of the abutting land, each abutting owner taking to the center of the vacated roadways/alleys.
- In compliance with C.R.S. 43-2-303, (2) (a), all present and future owners of the property surrounding the Frank Welt parcel, aka R215092, shall provide a private-access easement connecting said parcel with another established public road.

The motion passed by unanimous vote. Recorded under Reception No. 00569451

- *Resolution #03-31-2017 B/ADM-Chapman-Jeurink* – Birnie reviewed a Lot Line Adjustment between Glenn and Carol Chapman and Betty Jeurink, ADM 0317-01, of 11.00 acres, more or less, in the NW ¼ of Section 15, T2S, R43W, leaving the 2.5 acre, more or less, tract which contains the water well for the Chapman residence.

Commissioner Wiley moved to approve the Resolution #03-31-2017 B/ADM approving a lot line adjustment between Glenn and Carol Chapman and Betty Jeurink and recognize the parcel to change ownership containing a total of 11.00 acres, more or less, in the NW ¼ of Section 15, T2S, R43W. This 11.00 acres, more or less, is transferred from Glenn and Carol Chapman to Betty J. Jeurink and the 2.5



acre, more or less, tract which contains the water well for the Chapman residence will remain with the Chapman property. Commissioner Bushner seconded the motion; which passed unanimously.

Recorded under Reception No. 00569452

- *Exemption from Subdivisions* – Birnie reported that since notices went out with property tax notices he has received a lot of applications. Exemptions to be reviewed by the Planning Commission and heard by the BOCC in April include:
 - *Gardner*—EFS from Shana Gardner
 - *Allen*—Two EFS from Harvey and Mary Allen
 - *Tuelland*—EFS from Trevor Tuell
 - *Stuart & Kamla*—EFS from Bonnie Stuart and Roger Kamla
- *Floodplain Ordinance* – Birnie reviewed the Planning Commission's recommendations regarding the Floodplain Ordinance. They recommend 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.
- *Solar and Wind Text Amendments* – Birnie shared that the Planning Commission also reviewed a draft Solar and Wind and their only concern is the minimal 2' setback from any property boundary or ROW for solar energy equipment (not panels). The Commissioners believe that setbacks should be the same as indicated in other land use regulations.
- *Eckley Wastewater Treatment Plan Improvement Project* – Birnie completed the USDA Rural Development Intergovernmental Review Consultation Form that was received on March 20, 2017 and reviewed his response with the Commissioners.
- *1917 Deed / Quit Claim Deed* – Rich contacted Attorney Margi Fix about filing 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.
- *Bunkhouse* – Birnie inquired as to what Land Use Permit would apply to the modification of a freight container to be used as a bunkhouse. The Commissioners relayed an Activity Notice would be appropriate for such use.
- *Willow Creek Wind – Apex Clean Energy* – Birnie reported that he received a call from Mark Sydnor at Apex Clean Energy inquiring about the land use process started by Duke Energy for the Willow Creek Wind Project. Apex Clean Energy has no definite plans for the project, but continue to work with land owners. Birnie shared that Apex Clean Energy would have to start the land use process over since so much time has passed.
- *Lot-Line Adjustments* – Birnie shared that he has received three lot-line adjustments in his office and is waiting for applications between:
 - John and Connie Newbanks and the W.E. Leslie Family Trust for 50 acres, in Section 22, T3N, R46W
 - Alfred Renzelman and Kenny and Jeri Rose for 8 acres in Section 22, T2S, R43W
 - Matt and Jena Hendrix and Circle 3 Farms, LLC for 1.36 acres in Section 35, T5N, R43W.



- *Flea Market Business* – Birnie reported that the land-owner had inquired about the flea market in the February 14 minutes has proceeded with the operation of such. Birnie shared that she is not happy about changing the use of her property from agricultural to commercial. She has not completed a major land use permit application as of yet. The land-owner argues that she is only going to use the ground for this purpose 12-days-a-year. The Commissioners decided that there will be no action at this time.

GIS

Birnie stated that he continues to close in on completion with addresses to the digital map.

Clerk

Office Remodel -- County Clerk Bev Wenger presented her office remodel plan as prepared by Cody Bohall of Studio 8.18 Engineering. The Commissioners were in consensus for Bev to contact a contractor and get cost estimates.

Elections Center Chairs – Bev requested additional chairs for the Election Center. The Commissioners asked Bev to get cost estimates for new chairs.

Joes Fire Department- Helipad

Calvin Sanford, Joes Fire Department Chief, Tycie Lichty and Bruce Mann from South YW Ambulance, were in to talk about the helicopter pad that is being poured at the Fire Department in Joes, Colorado. Tammy Sanford was also present. Calvin shared that he was able to fund the concrete pad with grant monies and donations and is requesting assistance with lighting the pad for night safety. He presented a bid from Benton Electrical Services for \$2,202.50. **Commissioner Wiley moved to cover the cost of the lighting for the helipad in Joes, Colorado, in the amount of \$2,202.50, once invoiced, paying from 01-403-6352. Commissioner Bushner seconded the motion; which passed by unanimous vote.**

Elected Official/Department Supervisors

Elected Officials and Supervisors present included: Commissioners Wingfield, Wiley, and Bushner, Kara Hoover, Dee Ann Stults, Cliff Henry, Chad Day, Cindy Taylor, Vicky Southards, and Richard Birnie.

- *County Auction* – A preliminary list of auction items has been prepared. Stults reported that she spoke to Auctioneer John Schaffner and he said the dates of May 6 or 20 are already full. He would like the County to consider a Friday instead. Schaffner reported that he would have to charge 10% for large items, and 30% of the smaller items. She also called the school and the city about bringing items, but has not received a call back. Stults was asked to check with other auctioneers for additional bids and find out if Schaffner had any Saturday dates in June.
- *Website Update* – Birnie presented the additional proposals for updating the County's website received from Stormy Productions and Trish Coberly. He learned that SIPA site is not mobile friendly at this time, but was told the State was working on it. The group reviewed the bids from both companies using SIPA formatting and using Word Press. After some discussion, **Commissioner Bushner moved and Commissioner Wiley seconded the motion to accept the bid from Trisha Coberly to work with the Word Press redesign of the Yuma County Website in the amount of \$1,000 for the re-design.**
- *Breakroom* – Stults shared that the breakroom is cleaned out now and ready for some paint. She said that Jared Josh, in her office, has some ideas about sprucing up the paint in the room with possible painting scenes of Yuma County. She asked for any other ideas.



- *IT Policies* – The group reviewed the draft IT policies. No new suggestions were given. Hoover will get a final copy put together.
- *April RAK* – Sarah Carwin, Admin Clerk, stepped in the meeting to relay the Commissioners' Office April Random Acts of Kindness. She relayed that the RAK will be "Change for a Cause," with the proceeds to go to Hospice of the Plains of Yuma County. Handcrafted piggy banks were handed out to each department/office present.

Landfill

Landfill Manager Cliff Henry shared his concerns about the additional reporting that would go along with the passing of HB17-1275 concerning additional measures to increase waste diversion. He asked the Commissioners to keep track of this bill.

Executive Session

At 3:23 p.m., Commissioner Wiley moved to enter into Executive Session for a conference with the Commissioners' 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 3:31 p.m.

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 20, 2017 Board of County Commissioners minutes. Commissioner Wiley seconded the motion; which passed unanimously.**
- Certification of Accounts Payable drawn on Yuma County Funds on March 31, 2017 with check #64957 through Check #65034 for \$406,352.21 and Accounts Payable drawn on WY Communications Funds with check #7864 through #7881 in the amount of \$30,017.06 were signed by Chairman Dean Wingfield.
- Certification of Payroll drawn on Yuma County Funds on March 31, 2017, with check #31111 through #31136, system #40978 through #41119 for \$249,700.43 and payroll drawn on WY Communications funds with system #5634 through #5646 for \$28,290.49 were signed by Chairman Dean Wingfield.
- *Veterans Report* -- Chairman Wingfield signed the Veterans Report for March 2017.
- *Colorado Opportunity Scholarship Initiative* – Hoover presented a request from Kari Linker for a support letter requesting COSI funds for the upcoming school year. **Commissioner Bushner moved to submit a letter requesting Yuma County's allocation, in the amount of \$16,729 for the Colorado Opportunity Scholarship Initiative for Morgan Community College and Northeastern Junior College. Commissioner Wiley seconded. The motion passed by unanimous vote.**

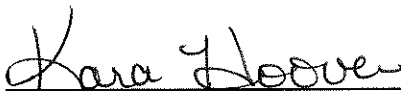





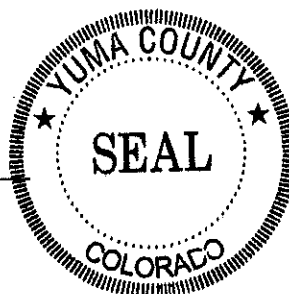
- **Reduced Hour Health Insurance Exception** – The Commissioners reviewed the draft policy of providing health insurance to employees working reduced hours. **Commissioner Wiley moved to approve the reduced Hour Health Insurance Policy, that would allow an employee to work reduced hours, staying above the PPACA threshold, and retain county paid health insurance reducing proportionally the county paid amount with the hours worked. Also approving the Reduction-In-Hour Request Form. Commissioner Bushner seconded the motion; which passed unanimously. See attached**
- **Courthouse Stair Coverings**—Hoover presented another bid submitted by Travis Dinsmore for the stair coverings for the lower stair cases. She noted that she did have an employee complain about catching his toe on the cracked stair coverings earlier in the week. **Commissioner Wiley moved to purchase the stair covering materials for the lower stair cases from Wray Lumber, Inc. for \$3,531.55 Commissioner Bushner seconded the motion; which passed by unanimous vote.**
- **Pioneer Ditch Use** – Hoover reported that Bryan Beckner, of Wellstone, stopped in with a request to trench a 2" water line in the road right-of-way for the Pioneer Ditch. The Commissioners discussed the request and instructed Beckner to contact the Pioneer Ditch Board for their approval first; returning to the Commissioners at a later date.
- **Attorney Conflict of Interest** – Attorney Ken Fellman inquired to whether his representation with the City of Wray on their Broadband project would be conceived as a conflict of interest with the County. The Commissioners did not foresee any issue with his involvement with the City of Wray Broadband.
- **Beecher Island Road, EIAF Grant #8302** –The Commissioners reviewed the executed contract for the Beecher Island Road with a performance start date of March 21, 2017 and end date of October 13, 2018. Road and Bridge Supervisor JR Colden had presented the tentative project schedule to which he anticipates advertisements for bids to go out this week and the project to be completed by mid-October, 2017.
- **Assessment Appeals Process Training** – Hoover reviewed the training highlights from the Assessment Appeals Process that she recently attended with Assessor Taylor and staff.
- **Financial Software** – Administrative staff shared that they are still in process of gathering information from various financial software companies for review. They plan to present a complete review at a BOCC meeting in April.

There being no further business, the meeting adjourned at 4:17 p.m. The next regular meetings of the Board of County Commissioners will be on April 14, 2017 and April 28, 2017.


Dean Wingfield, Chairman


Kara Hoover, Administrator

ATTEST: 
Beverly Wenger, County Clerk



Yuma County
Reduced Hour Health Insurance Policy
Adopted March 31, 2017

Health Insurance is made available for all eligible employees, excluding temporary employees. A portion of the coverage is paid by Yuma County and the employee. Since rates vary annually, please confirm with the Financial Office for current rates.

If a Full-time employee wishes to reduce their working hours, staying above the federally mandated PPACA 30 hours a week, then Yuma County would consider this request. It is the intent of Yuma County to review these requests on a case by case basis. The County reserves the right to review the business need of the department and/or office before determining if they can accommodate the reduced hour request.

All reduced hour requests must be submitted by the Supervisor to the Yuma County Commissioners for consideration. If a reduced hour request is granted, then the county paid portion will be reduced proportionally to hours worked. All requests will be made for a six-month period. A signed Reduction-in-Hour approval form will be required.

