

YUMA COUNTY COMMISSIONERS

July 31, 2017

Minutes¹

On July 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. Town of Eckley Councilman Jesse Vance also attended from 8:00 a.m. to 11:05 a.m. and then from 11:55 a.m. to 3:31 p.m.

The Commissioners reviewed and signed accounts payable and payroll and discussed various meetings attended throughout the month.

Liquor Licenses

Nancy Wright presented a Special Events Liquor License for the Vernon Volunteer Fire Department, Inc. **Commissioner Wiley moved to approve the Special Events Liquor License for the Vernon Volunteer Fire Department, Inc. located at 26055 Denver Street, Vernon, Colorado to be held August 19, 2017 from 8:00 am to 11:59 pm. Commissioner Bushner seconded. The motion was unanimously passed.**

Department of Human Services

The Board of County Commissioners convened as the Board of Social Services at 8:30 a.m. Human Service Director Phyllis Williams was present. Detailed minutes from this meeting are maintained by the Department of Human Services.

The Board of County Commissioners reconvened at 8:43 a.m.

Road and Bridge

Supervisor JR Colden was present to provide the following updates.

Current Projects

- *County Roads RR* – Colden shared that Road and Bridge crews are working on the five miles of base and gravel on County Road RR. Colden says that they are almost complete with this area, but it is very difficult to work due to increased potato truck traffic.
- *Fairgrounds* – Colden said that his crews should complete work at the Fairgrounds that should improve the drainage around the arena, specifically at the new bucking chutes and crows nest. He said that the pens adjacent to the arena need to have dirt placed back in them as they are quite deteriorated.
- *Beecher Island Road, EIAF # 8302* — Colden said the Beecher Island Road project is on-target to begin August 28, 2017. The timeline has been adjusted a bit and is now as follows: Chip seal, August 28 – September 1, 2017; Fog seal September 18 and 19, 2017; Stripe painting, September 25 – 28, 2017.
- *Grader Workshop* – Colden mentioned that his experienced staff will be conducting a grader workshop on County Road 42, on August 10, 2017. He plans to have all grader operators attend. He would like all of the operators completing work alike. He believes that this training will aid in like operations.

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





- *Pit Exploration Report* – JR presented a report for gravel pit exploration in the county over the last year. The report shows 15 contacts made with land owners in the county; 7 requests that were declined, 2 with minerals conflict, 6 that have either been explored or are waiting on results. He voiced his concerns about the great difficulty he faces in finding product within the county.
- *Gravel Pit Possibility Advertisement* – Colden reported that he would like to advertise within the local papers for exploration of gravel pits throughout the county. The Commissioners agreed that this may be a good idea.
- *1999 Dodge Pickup Lost Title* -- JR reported that Ritchey's Auctions reported that the gentleman who purchased the 1999 Dodge Pickup misplaced the title and they were requesting a duplicate title. The Commissioners signed off on a duplicate title application and it will be filed with the County Clerk.

Landfill

Landfill Manager Cliff Henry joined the meeting to discuss the Scope of Work for the installation of the groundwater monitoring well installation. The contractor, Schaal Drilling, suggests for efficiency and economics to mobilize only once and complete all three wells at the same time. Originally, it was budgeted to drill one well in 2017 and two wells in 2018. Schaal Drilling reported that they could complete all three wells in the same mobilization for a cost of \$19,950; this would show a savings of approximately \$2,500. The Commissioners asked for additional information in regards to the cost of the pumps, and later service call costs for installation of the pumps. A decision will be made at the next Landfill meeting that will be held on Tuesday, August 8, 2017 following the Yuma County Fair Parade to be held at the Yuma City Hall.

CEBT

Frank Urman and Terry Rook with Willis Towers Watson, Colorado Employer Benefit Trust, CEBT Health Insurance, were present to provide bids for Yuma County to consider on the CEBT health insurance. Urman presented packages that were similar to the CHP health insurance that the county currently provides. The Commissioners will consider for the 2018 budget.

Senator Cory Gardner Representative

Darlene Carpio, Regional Director for Senator Cory Gardner, stopped in to visit with the Commissioners. She shared information in regards to the Senator's office. Commissioner Bushner brought up his concerns about how CDOT functions with federal funding and would like Senator Gardner's input on loosening federal guidelines. Commissioner Wiley would appreciate Senator Gardner's input with the application through the Nature Conservancy for a river restoration project for the Bonny Dam area. He will keep Senator Gardner's office informed to when the next meeting will be held. Carpio thanked the Commissioners for their input and reminded them that she is always happy to bring any information to Senator Gardner at any time.

Land Use

Rich Birnie was present to review Land Use and GIS business, and conduct a Land Use Hearing.

Land Use Hearing

Chairman Wingfield opened the Land Use hearing at 1:15 pm. No one from the public was present.



Exemptions from Subdivision

Rich presented the staff report for Exemption from Subdivision, EFS #0617-10, for the Elmer R. Hilt Revocable Trust to divide 12.1 acres, more or less, from 255.07 acres, more or less, in the NE ¼ and SE ¼ of Section 3, T3S, R42W, to separate the existing homestead from the farm land for resale. Birnie reported that there were no written objections or phone calls received about this application.

The Land Use Hearing closed at 1:20 p.m.

Commissioner Wiley moved to approve Resolution #07-31-2017 C/EFS, Exemption from Subdivision, EFS #0617-10, for the Elmer R. Hilt Revocable Trust to divide 12.1 acres, more or less, from 255.07 acres, more or less, in the NE ¼ and SE ¼ of Section 3, T3S, R42W, to separate the existing homestead from the farm land for resale , with the following stipulation: The Applicant shall be responsible for complying with all Federal, State, and Local regulations, rules, codes, conditions, and design standards. Commissioner Bushner seconded the motion; which passed unanimously. Recorded under Reception No. 00570456

Land Use Updates

- *Utility Scale Solar Farm-Community Power Group* – Birnie reported that he received a phone call from Community Power Group from Bethesda, Maryland about the possibility of placing two utility-scale solar farms in Yuma County. He was told that one farm would be approximately 110 acres and the other 200 acres. Birnie said their website already illustrates possible sites in Yuma County, Akron, Holyoke, Pueblo, and Fleming.
- *Hemp Processing Plant* – Birnie said that had conducted a bit more research about hemp processing plants following last meeting's discussion. He found that the Colorado Department of Agricultural does not have jurisdiction over the processing, sale, or distribution of industrial hemp. The CDA websites state to contact others in the industrial hemp industry with any questions. Birnie located a large-scale hemp processing plant in Fort Lupton, CO, built by PureVision Technology.
- *Solar and Wind Text Amendments, Floodplain Ordinance and Private Land Burial* – Rich shared that the Planning Commission met earlier this month with no further revisions. The schedule will be as previously discussed, beginning with advertising in July and the BOCC hearing on September 22, 2017.
- *Land Use Codes* – Birnie shared that Planning Commission also discussed various ways to advertise the land use codes.
- *Yuma County Website Draft* – Rich reported that Trish Coberly has completed the first draft for the County Website. He sent out the link this morning and encourages all staff to look at it and make any comments or suggestions.

GIS

- *Electronic Information / Interactive Map* -- Birnie reported the automatic retrieval seems to be working on the Harris side, but the Sidwell retrieval is not yet functioning. He has figured out a way to upload the zipped file manually. He mentioned that he will have to do this every Friday morning. He will continue to have Teryx, Inc. help him work on this so that it could be automatic once again.
- *Addresses* – Birnie stated that he is working on the City of Wray street centerlines on the interactive map and is entering addresses at the same time.



Elected Officials

Treasurer Dee Ann Stults, Clerk Beverly Wenger, and Assessor Cindy Taylor joined the meeting. Also present were Casey Stults, Randy Wenger, and Mike Taylor. The entire group wanted to discuss the security of the building.

- *Courthouse Building Security* – Clerk Wenger began the meeting explaining their concerns about the recent situation that resulted in a protection order filed against an individual. The group mentioned their concern about the security in place for the Courthouse and once again wanted to speak to the Commissioners about the need to make the building a one-entry point building.

The Commissioners discussed options for security. Commissioner Bushner shared his concern about the difficulty of truly securing the building. He shared an example of how he is able to access the Capitol building without going through the security. Commissioner Bushner cautioned that the public may be less pleased with the security measures. Randy Wenger relayed that he believes 95% of the public would be accepting of security measures. The group would like to work together with the Commissioners to resolve this issue.

The Commissioners asked the group to discuss various ideas with their employees and return at the August 31, 2017 meeting.

- *Staffing* – Additionally, the Elected Officials wanted to discuss their concern for filling the soon-to-be vacated County Administrator's position and the Land Use Administrator and GIS position when Rich Birnie retires. They asked the Commissioners to carefully consider both positions, citing that the Commissioners decision affects all in the Courthouse.

HVAC Project

- *Ceiling Grid and Tile* – Hoover shared that the ceiling grid and tile are nearly complete in the Administrative and Extension Offices. The contractor has started in the basement, but there have been some issues as the grid that was removed was a 2 X 4 and is being replaced with a 2 X 2 tile. The new AHU, duct work, etc. have posed some challenges with re-installing lights, return, and fresh air vents.
- *Lights* – Hoover reported that AC Electric is here today to install the new lights in the Administrative offices, the conference room in the Extension, and the short hall in the basement by the Sheriff's Lobby door.
- *Scheduling/Moving* – Hoover shared that Road and Bridge Staff and JP Carwin helped Travis, Les, and the Extension staff unload the Lenz Farms truck last Thursday, July 27, 2017 to meet their August 1 deadline. Everything was unloaded in the back conference room that is nearly complete. The next move is set for Monday, August 7, 2017, for the Commissioners and Administrative Offices to relocate from the basement back to their main floor offices. Hoover said that Teryx, Inc. will be in on Tuesday to reinstall all of the networking back to the original offices. The final move is scheduled for the week of August 21st, when the Extension Offices are moved back from the Elections Center.
- *Boilers* – Hoover shared that Wern Air continues to work on the installation of the boilers but should have this wrapped up in the next week or so.



- *Controls* – Hoover mentioned that the Controls company will be back to put the finishing touches on everything when the boilers are completely functional.

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 meetings. **Commissioner Wiley moved to approve the July 14, 2017 Board of County Commissioners minutes. Commissioner Bushner seconded the motion; which passed unanimously.**
- *Certification of Accounts Payable* drawn on Yuma County Funds on July 31, 2017 with check #65862 through Check #65983 for \$600,910.48 and Accounts Payable drawn on WY Communications Funds with check #7960 through #7974 in the amount of \$30,552.37 were signed by Chairman Dean Wingfield.
- *Certification of Payroll* drawn on Yuma County Funds on July 31, 2017, with check #31221 through #31243, system #41545 through #41683 for \$241,237.99 and payroll drawn on WY Communications funds with system #5689 through #5701 for \$30,785.90 were signed by Chairman Dean Wingfield.
- *Veterans Report* -- The Veterans Report for July 2017 was signed by Chairman Wingfield.
- *District Attorney's 3rd Term Ballot Question* – The Commissioners, after discussion with their peers, decided to complete the intent to participate in the 2017 coordinated mail ballot election form. The ballot question would read as follows: "Shall the term limit imposed in Article XVIII, Section 11(1) of the Colorado Constitution on the office of the District Attorney for the Thirteenth (13th) Judicial District be modified so as to permit the elected District Attorney to seek and, if the voters of the Thirteenth (13th) Judicial District choose to, re-elect the elected District Attorney to a third term in office, to serve a third consecutive term." **Commissioner Bushner moved to approve the preliminary formal notification to participate in 2017 coordinated mail ballot election as submitted to Clerk Beverly Wenger on July 20, 2017. Commissioner Wiley seconded the motion; which passed by unanimous vote.**

Clerk Wenger joined the meeting and reported that she took an average over the last few years of election costs. She reported that the average per election is \$32,976.00. She shared that as of right now all of the schools in the county have school board members on the ballot; although she mentioned that the schools have until the 25 days before the election to withdraw from their ballot. She estimated that if the City of Wray is the only question on the ballot besides this County question, the cost to the county would be approximately \$13,293.00. The Commissioners decided to ask for a joint meeting with the other County Commissioners within the 13th District before a final decision is made.

- *Kinnon Entertainment* – The Commissioners reviewed the revised Kinnon Contract. **Commissioner Bushner moved to ratify and approve the contract with Kinnon Entertainment to provide stage, sound, and light for the 2017 night show performance at the Yuma County Fair for \$9,963. Commissioner Wiley seconded. The motion passed unanimously.**

- *Yuma County Fair Parade / Fair Account* – The Commissioners reviewed Resolution #07-31-2017 A and #07-31-2017 B, naming current county representatives at the Bank of Colorado on the Yuma County Fair Parade Account and the Yuma County Fair Account.

Commissioner Wiley moved to approve:

- **Resolution #07-31-2017 A, removing Luretha Eastin from the authorized signers and adding Judy K. Kassman to the Bank of Colorado, Yuma County Fair Parade Account #4202002712. Current signors include: Dean Wingfield, Robin Wiley, Trent Bushner, Judy Kassman, Dee Ann Stults, and Chrystal Hammond. Commissioner Wiley seconded. The motion passed by a unanimous vote, and;**
- **Resolution #07-31-2017 B, removing Mark Murphy and Samantha VanVickle from the authorized signers and adding Chrystal Hammond to the Bank of Colorado, Yuma County Fair Account #4202002704. Current signors include: Dean Wingfield, Robin Wiley, Trent Bushner, Kim Latoski, Dee Ann Stults, and Chrystal Hammond.**

Commissioner Bushner seconded the motion passed by a unanimous vote.

- *Community Development Block Grant (CDBG) Amendment* – The Commissioners reviewed the request from Northeastern Colorado Revolving Loan Fund CEO Valerie Hibbert to amend the Community Development Block Grant, CDBG, for \$11,600. The amendment is for an additional \$10,000 for business assistance and \$1,600 for administration. **Commissioner Wiley moved to approve and sign the letter to the Community Development Block Grant, Contract F17CDB16604, requesting an amendment for \$11,600 for business assistance and administration. Commissioner Bushner seconded the motion; which passed unanimously.**
- *Board Appointments* – The Commissioners reviewed the City of Yuma appointment of Steve Hoch to the Landfill and Water Authority Boards. Steve replaces outgoing City Council Member Roc Rutledge.
- *Salary Authorization* – A salary authorization for Zachary Baldwin was presented. **Commissioner Wiley moved to approve the Salary Authorization for Zachary Baldwin, Patrol Deputy I, at a G1/S6. Commissioner Bushner seconded the motion; which passed by unanimous vote.**
- *2017 EMPG #17EM-18-64* – The grant agreement for the State of Colorado, Department of Public Safety Division of Homeland Security Emergency Management Performance Grant for 2017 was presented. **Commissioner Bushner moved to approve and sign the 2017 State of Colorado, Department of Public Safety Division of Homeland Security Emergency Management Performance Grant, EMPG, #17EM-18-64, in the amount of \$16,000, for contract period of January 1, 2017 through December 31, 2017. Commissioner Wiley seconded. The motion passed by unanimous vote.**
- *Colorado Opportunity Scholarship Initiative (COSI)* – Hoover presented for signature the 2017 Colorado Opportunity Scholarship Initiative, COSI, grant agreement. **Commissioner Wingfield moved and Commissioner Bushner seconded to approve and have Commissioner Wiley sign the 2018/2019, 2019/2020, Colorado Opportunity Scholarship Initiative, COSI, grant agreement with Morgan Community College Foundation and Northeastern Junior College Foundation, Kit Carson, Lincoln, Morgan, Yuma, and Washington Counties. The motion passed unanimously.**
- *Employee Contract Labor* – Southards presented an invoice from Cliff Henry for work completed on the grandstands at the Yuma County Fairgrounds. **Commissioner Wiley moved to approve the**




portion of the cleaning, resurfacing, and painting of the grandstands of \$2,370 to Cliff Henry; and \$750 paid to Robin Albright, to be paid from 01-507-6366. Commissioner Bushner seconded the motion; which passed by unanimous vote.

- *Vistabeam* – Hoover shared that Vistabeam plans to host internet service at the Yuma County Fair in 2017. **Commissioner Bushner moved to provide a booth space, 10 Tuesday Rodeo, 10 Wednesday Rodeo, and 10 Concert Tickets to Vistabeam in exchange for internet service at the 2017 Yuma County Fair. Commissioner Wiley seconded the motion.**
- *Employer's Unity, LLC* – Hoover reported that Account Executive Tim Loyd from Employers Unity, LLC phoned to report that the current contract does not end until 07-31-2018. They received the County's letter that was sent in early July with the intent to terminate the contract. Hoover reported that she believes the Commissioners should revisit this in early 2018 with the new Administrator and decide if their services are still needed. She reminded the Commissioners that there is a 90-day written notice requirement.
- *June 26, 2017 Hail Storm* – Hoover reported on claim # C217YUM002, from the hail storm on June 26, 2017. She said that a Structural Engineer had been out on Friday, July 21st to look at the flat roofs at the Courthouse and the Human Services Building. She spoke to him last week and he reported significant damage to the underlayment on both buildings and said his preliminary findings is that each roof would need replaced. Hoover said she is still waiting on the official notice from the insurance company before proceeding with replacements or repairs.
- *Wern Air Letter* – Hoover read a letter received from Rita Wernlein, praising Courthouse Custodial Staff for their work throughout the building. The letter sent accolades for the cleanliness of the facility with all of the construction in progress. Hoover said she shared this letter with Custodian Staff Les Hasty and Robin Stich. She also praised the maintenance team, Travis Dinsmore and Lyle Dinsmore for their part in the tidiness of the Courthouse during this project.
- *County Land* – Commissioner Wiley said that Dave Schaffner asked about parcel #R215084, which is 2.68 acres in Section 34, T2N, R45W that the county owns. This triangular piece of ground sits adjacent to Schaffners Auction and they would either like to purchase this land or possibly lease it for a long period of time. The Commissioners discussed the possibility of selling the property. They would need to have the property appraised. They also discussed the necessity of applying a deed restriction that would preclude the owner from putting a building on this site if they do decide to sell. Commissioner Wiley will speak to Mr. Schaffner about his interest before the Board continues further discussions.
- *Colorado Open Records Act Revisions* – The Commissioners reviewed changes that go into effect as of August 9, 2017 to the Colorado Open Records Act. Changes include providing digital documents in the form in which they are stored and the conditions to deny such requests.
- *City of Wray Broadband Agreement* – Hoover shared an email from Wray City Manager James DePue about the final draft of the approved City of Wray and PlainsTel Broadband agreement. DePue states that the PlainsTel Board plans to meet today, July 31, 2017 to execute the agreement.
- *Floor Cleaners* -- Fair Manager Kim Latoski dropped in to speak to the Commissioners about using a floor cleaner from the Wray Schools. Kim said she spoke with Cliff Merritt from Wray Schools and

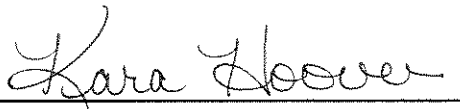


they would let the Fair borrow a floor cleaner to use during the fair. The Commissioners were in consensus to borrow the floor cleaner this year with proper training. Latoski will coordinate training with cleaning staff, Lyle Dinsmore and Cliff Merritt.

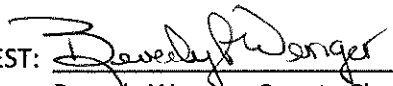
There being no further business, the meeting adjourned at 4:37 p.m. The next regular meetings of the Board of County Commissioners will be on August 15, 2017 and August 31, 2017.



Dean Wingfield, Chairman



Kara Hoover, Administrator

ATTEST: 

Beverly Wenger, County Clerk

