

**YUMA COUNTY COMMISSIONERS**

**July 16, 2018**

**Minutes<sup>1</sup>**

On July 16, 2018 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 Andrea Calhoon were present throughout the day.

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

Special Events Permit

Yuma County Deputy Clerk Nancy Wright presented the following for approval of special events permit:

- Vernon Volunteer Fire Department, 26055 Denver Street, Vernon, CO 80755

**Commissioner Wingfield moved to approve signature on the application for a special event permit for Vernon Volunteer Fire Department. Commissioner Wiley seconded the motion and it passed by unanimous vote.**

Department of Human Services

The Board of County Commissioners convened as the Board of Social Services at 8:32 a.m. Human Service Director Phyllis Williams, Eligibility Supervisor Grant Smith, Bookkeeper Melanie Fisher, and receptionist Robin Barnhardt were present. Detailed minutes from this meeting are maintained by the Department of Human Services.

**Commissioner Wiley moved to cancel the existing contract with Maria Mollenberg for provision of core services and approve the revised contract for core services increasing the hourly rate by \$5 per hour to \$85 per hour for a term of June 1, 2018 to May 31, 2019. Commissioner Wingfield seconded the motion, which passed unanimously.**

The Board of County Commissioners reconvened at 8:48 a.m.

Road and Bridge

Mining and Reclamation Supervisor Don Marr joined the meeting at 9:22 a.m. along with Road & Bridge Supervisor JR Colden via teleconference to provide the following updates:

Current Projects

- **Gravel Projects** – Marr discussed the following road gravel projects:
  - Wauneta area
  - CR 23
  - CR 32
- **Mowing** – Marr reported that seasonal mowing operations have started for the year and presented a map of current mowing operations.
- **966 Loader** – Colden and Marr presented information on a loader unit 0116-00 that is 18 years old requiring significant maintenance expenditures and compared the cost of repair with the cost of replacement. Estimated repair cost is approximately \$44,651 with the replacement cost being approximately \$250,000. The Commissioners reviewed the provided estimated figures and opted to fix what needs fixed to keep the equipment running and assess budget status to determine financial ability to replace the equipment.
- **D7 Dozer** – Marr presented repair history information on a D7 dozer unit 0047-91 including progressive damage on the nose cone that has prior been repaired but continues to require repair as well as other frame fatigue damage. The Commissioners will review budget figures and determine fund availability for equipment replacement.

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





- **Kirk House Furnace – Commissioner Wiley moved to approve the purchase of a new furnace for the Kirk house from Chad Collette for a total of \$2,710.62. Commissioner Wingfield seconded the motion, which passed unanimously.**
- **Salary Authorizations – Colden and Marr presented salary authorizations for new hires Colton Brenden and Travis Ritchey, both to start July 23, 2018 with Brenden to start at Grade 5, Level 1, Category 1 and Ritchey to start at Grade 4, Level 1, Category 1. Commissioner Wiley moved to approve the salary authorization for Colton Brenden at G5, L1, C2 to start July 23, 2018 and the authorization for Travis Ritchey at G4, L1, C1 to start July 23, 2018. Commissioner Wingfield seconded the motion, which passed by unanimous vote.**
- **Permits**
  - **Underground and Utility Permits – Colden presented Road Crossing Permits for:**
    - **Underground Utility Permit – Black Hills Energy to install a 4” HDPE line along CR J from CR 44 to CR 37. Commissioner Wiley moved to approve the series of underground utility permits for boring of a gas main under Yuma County Roads with no construction during the month of August due to the chip seal project on CR 29. Commissioner Wingfield seconded the motion, which passed unanimously.**

Yuma County Assessor

At 9:55 a.m., the Board of County Commissioners met with Yuma County Assessor Cindy Taylor to discuss estimated assessed values for the upcoming year as well as to review a report of unsubmitted personal property declarations. Taylor is estimating an increased County valuation of approximately \$6,000,000. Taylor also reported that Oil and Gas Clerk Patrick Dolezal has completed valuations of wells and found approximately \$1,300,000 of undervalued property and reported no protests from oil and gas companies this year. Taylor discussed the assessment of expanded acres on irrigated crop land that has been previously unreported.

Land Use

Yuma County Land Use Administrator/GIS Coordinator Rich Birnie was heard at 1:00 p.m. to review Land Use and GIS business. Present were Dave Potter, Michael Gillespie, and Margaret Tyler representing ERM on behalf of One OK and the Elk Creek Pipeline.

- **OneOK Pipeline – Dave Potter, Michael Gillespie, and Margaret Tyler of One OK joined Birnie to discuss the Administrative Land Use Permit application process for the Elk Creek Pipeline being built through Yuma County. The group discussed construction plans, especially as related to floodplain construction and construction requirements. The Commissioners inquired as to how much of the steel pipeline is domestically produced and Gillespie confirmed that the entire project is domestic.**
- **Colorado Parks and Wildlife – Josh Melby of Colorado Parks and Wildlife called on July 2 to inquire as to information received on wildlife plans for the Elk Creek Pipeline. Melby reported that there is a wildlife easement on the parcel where the pipeline will cross the Arikaree River and that Parks and Wildlife has not yet been contacted regarding the plan. Potter reported being in communication with Melby.**
- **Pending Land Use Activity – Birnie reported no pending land use applications for July.**

GIS

- **Addresses – Birnie said he will continue to work on the City of Wray addresses while editing street centerlines.**

Jessie Vance

The Commissioners heard from Jessie Vance at 1:40 p.m. to discuss upcoming County fair events.



Administrator's Report

Administrator Andrea Calhoon 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 minutes from the June 29, 2018 Board of County Commissioners meeting. Commissioner Wingfield seconded the motion, which passed unanimously.**
- **Certification of Accounts Payable** drawn on Yuma County Funds on July 16, 2018 with Check #68433 through 68582 for \$491,237.36 and WY Comm Center Funds with Check #8246 through 8254 for \$1,940.71, were signed by Chairman Trent Bushner.
- **CAPP Report & Claim Review** – The Commissioners heard information on pending CAPP claims.
- **Signatures and Ratifications** –
  - **Invoices/Finance Requests:**
    - **Yuma Ethanol Tax Refund** – The Commissioners reviewed a request from Yuma Ethanol, LLC for a refund of \$85,659.44 for tax year 2017. The request was denied due to not meeting the policy for approval.
    - **County Fair Account Fund Transfer** – **Commissioner Wingfield moved to approve the Check payment of \$20,000 to the Fair Account for 2018 Yuma County Fair start-up cash. Commissioner Wiley seconded the motion, which passed unanimously.**
    - **2017 Audit Extension** – **Commissioner Wiley moved to approve signature on a request to the State of Colorado Office of the State Auditor for extension of time to file the 2017 audit report by 60 days. Commissioner Wingfield seconded the motion, which passed unanimously.**
    - **Grant Updates** – The Commissioners heard updates on the status of grant applications submitted earlier this year by South YW Ambulance and Idalia Ambulance as well as received additional information on the proposed playground in Vernon. The Commissioners will assess ambulance replacement as more information on grants and purchasing is available and confirmed the need for Vernon playground to secure a maintenance commitment from a local group prior to a support commitment from the County.
- **Department Reports** – The Commissioners reviewed department reports including the semi-annual Treasurer's report, the 2018 2<sup>nd</sup> Quarter Public Trustee report, the June 2018 Treasurer's report, the June 2018 Clerk and Recorder's report, and the June 2018 TV System Maintenance Log. They also reviewed and acknowledged a salary authorization promoting Austin Molcyk from Patrol Deputy to Patrol Sargent at Grade 4, Step 1 effective July 7, 2018. **Commissioner Wingfield moved to approve the semi-annual Treasurer's Report. Commissioner Wiley seconded the motion, which passed unanimously.**
- **Prior Meeting Follow-Up** – Calhoon provided updates on ongoing projects including online fair ticket sales, the implementation of Blackbaud Financial Edge NXT accounting software, 2018 County Board of Equalization appeals, upcoming meeting dates, and the process of acquiring land on which to build additional emergency communication towers. The Commissioners set upcoming meeting dates of September 5, 2018 for the first budget meeting, and regular meeting dates of September 14, September 28, October 16, October 31, November 14, November 30, December 12, and December 31.




**Commissioner Wiley moved to approve signature on the contract with Marian Dean Warren for the purchase of 7 acres of land in the NE ¼ of Section 14, T2N, R49W in Washington County for purposes of the State of Colorado building an additional emergency communication tower adjacent to the existing tower for a total expense of \$17,300. Commissioner Wingfield seconded the motion, which passed unanimously.**

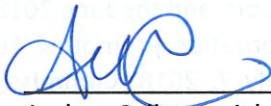
**Commissioner Wingfield moved to approve signature on the Development Permit Application to Yuma County Land Use for construction of an additional emergency communication tower adjacent to the existing Idalia tower. Commissioner Wiley seconded the motion, which passed unanimously.**

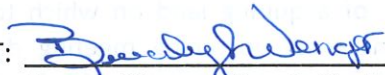
**Commissioner Wingfield moved to approve an increase of the hourly wage for Yuma County Fair Security supervisor to \$14/hour. Commissioner Wiley seconded the motion, which passed unanimously.**

- *Correspondence* – Calhoon presented correspondence received since the last meeting including:
  - A proposed ballot question extending the term limit for the District Attorney in the 13<sup>th</sup> Judicial district from 2 terms to 3 terms. **Commissioner Wingfield moved to approve signature on Resolution 7-16-2018 A approving Yuma County Ballot Question authorizing a change of the term limit for the District Attorney in the 13<sup>th</sup> Judicial District from two (2) terms to three (3) terms. Commissioner Wiley seconded the motion, which passed unanimously.**
  - A call for information from participants on planned participation in the 2018 Coordinated Election, of which there is only the ballot question on District Attorney term limits.
  - A request for information from the Bureau of Reclamation on the use of ATVs and recreational vehicles on the County Roads in and around former Bonny Reservoir.
  - A request to install a memorial bench for Kathy Fonte and Ashley Turvey at the Yuma County Fairgrounds. The request was approved.
- *Oil & Gas Updates* – Calhoon reported no updates on the proposed Elk Creek pipeline since the last meeting. The Commissioners requested input at the next meeting on road impact fees for upcoming projects.
- *Maintenance Updates* – Calhoon provided updates on facilities maintenance projects across the County.
- *HR Updates* – Calhoon reported updates on County Human Resource topics including recruitment efforts for County employment vacancies and pending HR issues.

There being no further business, the meeting adjourned at 2:22 p.m. The next regular meetings of the Board of County Commissioners will be on July 31, 2018 and August 13, 2018.

  
 Trent Bushner, Chairman

  
 Andrea Calhoon, Administrator

ATTEST:   
 Beverly Wenger, County Clerk





**BOARD OF COUNTY COMMISSIONERS**

**COUNTY OF YUMA, STATE OF COLORADO**

RESOLUTION NO. 07-16-2018 A

**A RESOLUTION PROVIDING FOR THE SUBMISSION TO THE REGISTERED QUALIFIED ELECTORS OF YUMA COUNTY, COLORADO, OF A BALLOT QUESTION WHICH WOULD EXTEND TERM LIMITATIONS FOR THE OFFICE OF DISTRICT ATTORNEY IMPOSED IN ACCORDANCE WITH ARTICLE XVIII, SECTION 11 OF THE CONSTITUTION OF THE STATE OF COLORADO; SAID BALLOT QUESTION TO BE SUBMITTED AT THE GENERAL ELECTION TO BE HELD NOVEMBER 6, 2018; PRESCRIBING THE FORM OF BALLOT QUESTION FOR SUBMISSION AT SAID ELECTION; PROVIDING FOR CERTIFICATION OF THE ELECTION QUESTION TO THE COUNTY CLERK AND RECORDER; AND OTHERWISE PROVIDING FOR THE CONDUCT THEREOF.**

**WHEREAS**, Article XVIII, Section 11, of the Constitution of the State of Colorado, provides that no elected officials of any county or political subdivision of the State of Colorado, shall serve more than two consecutive terms in office; and

**WHEREAS**, Article XVIII, Section 11 of the Constitution of the State of Colorado further provides that the voters of the County may eliminate the limitations on terms of office imposed by this Section 11; and

**WHEREAS**, a District Attorney is an elected official subject to these same term limit restrictions; and

**WHEREAS**, the District Attorney for the Thirteenth Judicial District serves Morgan, Logan, Kit Carson, Washington, Phillips, Sedgwick and Yuma Counties; and

**WHEREAS**, the Board of County Commissioners has been requested to submit to the electors, voting in the next general election, a question to extend the term limit for the elected office of District Attorney by one additional and consecutive term of four years, thereby limiting the term of the District Attorney to three four-year terms rather than the current two four-year terms; and

**WHEREAS**, the electors of Yuma County may desire the option to retain certain elected officials in office to benefit from the skills, expertise and knowledge they possess; and

**WHEREAS**, extending the term limit by one additional term is consistent with the elector's desire to broaden participation in public service by retaining a term limit, while allowing some more continuity in service if desired by the electors; and



**WHEREAS**, the Board of County Commissioners believes that the electors of Yuma County should have the option to vote to extend the term limits of the elected officials for an additional term if they so desire; and

**WHEREAS**, the proposal for the extension of District Attorney term limits may be submitted at the election to be held on November 6, 2018; and

**WHEREAS**, such election shall be conducted by the Yuma County Clerk and Recorder in accordance with the "Uniform Election Code", Articles 1 to 13, of Title 1, Colorado Revised Statutes.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF YUMA, STATE OF COLORADO:**

**Section 1.** Certification of Question to Clerk and Recorder for Election. The following questions shall be presented at the General Election to be held on Tuesday, November 6, 2018. That said election shall be held in accord with the provisions of Uniform Election Code.

**Section 2.** Form of Title and Ballot Question. At the general election, there shall be submitted to a vote of the registered electors of the County the following question:

**"COUNTY REFERRED MEASURE # \_\_\_ - MODIFYING TERM LIMITS FOR THE DISTRICT ATTORNEY BY ONE TERM (FOUR YEARS)**

**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 (13<sup>TH</sup>) JUDICIAL DISTRICT BE MODIFIED FROM TWO TERMS TO THREE TERMS."**

**Section 3.** Certifying the Ballot. Pursuant to the provisions of C. R. S. 1-5-203(3), the County Clerk, as the designated and coordinated Election Official, shall certify the ballot.

**Section 4.** Severability. If any part, section, paragraph, clause or provision of this Resolution shall be adjudged to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect the remaining sections, paragraphs, clauses or provisions of this Resolution, it being the intention that the various parts hereof are severable.

**MOVED, READ AND ADOPTED** by the Board of County Commissioners of the County of Yuma, State of Colorado, at its regular meeting held the 16th day of July, 2018. The above and foregoing resolution was, on a motion duly made and seconded, adopted by unanimous vote of the Board of Yuma County Commissioners.

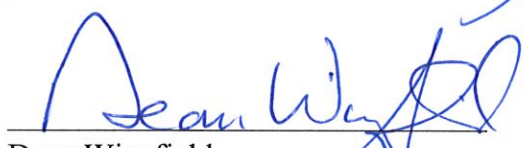


**ADOPTED THIS 16TH DAY OF JULY, 2018.**

**THE BOARD OF COUNTY COMMISSIONERS  
OF YUMA COUNTY, STATE OF COLORADO**

  
Trent Bushner, Chairman

  
Robin Wiley

  
Dean Wingfield

ATTEST: 

Beverly A Wenger, County Clerk



