



YUMA COUNTY COMMISSIONERS

August 31, 2018

Minutes¹

On August 31, 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.

Department of Human Services

The Board of County Commissioners convened as the Board of Social Services at 8:29 a.m. Human Service Director Phyllis Williams, Child Welfare Supervisor Hollie Hillman, and Eligibility Supervisor Grant Smith were present. Detailed minutes from this meeting are maintained by the Department of Human Services.

Commissioner Wiley moved to approve a contract with Diane Baird for provision of core services for an amount not to exceed \$5,000 for a term of August 31, 2018 to May 31, 2019. Commissioner Wingfield seconded the motion, which passed unanimously.

The Board of County Commissioners reconvened at 8:45 a.m.

Road and Bridge

Road & Bridge Supervisor JR Colden joined the meeting at 9:30 a.m. to provide the following updates:

Current Projects

- *39-H-J Project Update* – Colden provided a project review on the 39-H-J project which was finished on August 30, 2018. Colden discussed challenges with the project and remaining work to be done in the surrounding area.
- *D8 Track Pins* – Colden reported needing to replace approximately 5 track pins on the D8 and estimates the cost will be approximately \$4,000 to replace them, but that they were caught early enough that damage to the track was prevented, mitigating additional repair costs.
- *Permit 10177566 Extension* – Colden presented a request from CenturyLink for a 90-day extension on their permit issued in March of 2018.

District Attorney Brittny Lewton

District Attorney for the 13th Judicial District, Brittny Lewton, was unable to attend the meeting and will send budget materials at a later time.

Dusty Johnson, Congressman Ken Buck's Office

Dusty Johnson, representative from Congressman Ken Buck's office joined the meeting at 10:06 a.m. to provide Congressional updates and hear comments and questions from the Commissioners. Johnson provided updates on Congressman Buck's water bill as well as challenges with passing immigration bills and pending immigration bills. Johnson also discussed legislation related to financial matters including banking and estate tax as well as broadband service competition in rural areas and the Farm Bill.

The Commissioners asked questions about pending issues including the impact of immigration law on rural and agricultural economies like Yuma County and reform to the path of citizenship for contributory citizens as well as Farm Bill impacts on agriculture and local economies including hemp legislation.

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



Land Use

Yuma County Land Use Administrator/GIS Coordinator Rich Birnie was heard at 1:00 p.m. to conduct Land Use Hearings and review Land Use and GIS business.

- *Land Use Hearings* – Birnie presented the following for signature.
 - **DEV0718-03 for Yuma County and the State of Colorado** to build a 400' guyed, communications tower and 12'X20' structure to house supporting equipment including generator. The tower and supporting equipment structure are to be built on 5.73 acres of land near County Road T in the SE1/4SE1/4 of Section 2, T4S, R46W.

Land Use Hearings closed at 1:07 p.m.

Commissioner Wiley moved to sign Resolution 08-31-18 C for DEV0718-03 for Yuma County and the State of Colorado to build a 400' guyed, communications tower and 12'X20' structure to house supporting equipment including generator. The tower and supporting equipment structure are to be built on 5.73 acres of land near County Road T in the SE1/4SE1/4 of Section 2, T4S, R46W. Commissioner Wingfield seconded the motion, which passed unanimously.

- *Retirement Planning* – Birnie reported that his replacement, Colten Yoast, is scheduled to start Tuesday, September 4.
- *BioGas Facility* – Birnie presented an update received from Sheldon Kye Energy and Harvest Operating on the proposed BioGas Facility planned near Yuma.
- *Pending Land Use Activity* – Birnie reported no hearings or reviews received for September.
- *Planning Commission Terms* – Birnie reported that Scott Weaver's term on the Planning Commission is due to expire on December 31. Birnie will contact Mr. Weaver to find out if he intends to see reappointment.

GIS

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

Ag Innovation Center

Kenny Rogers of High Plains Event Center, Inc. joined the Commissioners at 3:30 p.m. to discuss upcoming grant applications and progress updates on the proposed Ag Innovation Center. The group discussed a requested letter of intent from Yuma County to DOLA requesting an administrative planning grant and an agreement and Resolution 08-31-2018 B regarding County Commitment on a GOCO grant application for expansion of the Yuma County Fairgrounds beef barn.

The requested letter of intent proposed by the High Plains Event Center was not approved in current form and Calhoon will work directly with Greg Etl of DOLA to determine what DOLA requirements for the letter are and Calhoon will write and submit the letter to DOLA. The proposed agreement and Resolution 08-31-2018 B were also rejected for content and lack of supporting materials.

Historic School Signs

The Commissioners were joined by Bev Tracy and BJ Wilson at 2:26 p.m. to discuss signage for historic schools in Yuma County. Wilson and Tracy provided updates on the project of posting signage on historic school sites in Yuma County. The group discussed schoolhouse history in Yuma County. Wilson requested County support in the placement of signage at historical sites. They would prefer to have signs planted in the County rights-of-way as opposed to negotiating with private land owners. The Commissioners accepted the request and will discuss with Road & Bridge Supervisor JR Colden to determine County resources for assisting with the project.



Executive Session, Exit Interview

Commissioner Wiley moved to enter into executive session at 3:08 p.m. under CRS 24-6-402(4)(f) for personnel matters. Commissioner Wingfield seconded the motion, which passed unanimously. Present for executive session were Chairman Trent Bushner, Commissioner Robin Wiley, Commissioner Dean Wingfield, Administrator Andrea Calhoon, and Ron Bliven. Executive session ended at 3:27 p.m.

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 Wingfield moved to approve the minutes from the August 13, 2018 Board of County Commissioners meeting. Commissioner Wiley seconded the motion, which passed unanimously.**
- **Certification of Accounts Payable drawn:**
 - On Yuma County Funds on:
 - August 17, 2018 with Check #31744 through 31774 for \$10,782.22
 - August 20, 2018 with Check #31775 through 31776 for \$5,352.94
 - August 31, 2018 with Check #31777 through 31849 for \$293,884.04
 - On WY Comm Center Funds on:
 - August 31, 2018 with Check #8281 through 8299 for \$32,669.15
 - On Yuma County Payroll Funds on:
 - August 17, 2018 with Check #31611 and EFT number 43359 for \$2,195.98
 - August 31, 2018 with Check #31612 through 31644 and EFT #43360 through 43502 for \$259,016.16
 - On WY Comm Center Payroll Funds on:
 - August 31, 2018 with Check #4391 and EFT #5854 through 5866 for \$32,089.25

were signed by Chairman Trent Bushner.
- **CAPP Report & Claim Review** – The Commissioners heard information on pending CAPP claims.
- **Signatures and Ratifications** –
 - Invoices/Finance Requests:
 - **Wray Ambulance IGA** – The Commissioners reviewed a redline Intergovernmental Agreement between the City of Wray and Yuma County for the sharing of Emergency Medical Service equipment and ambulances to encourage efficient use of equipment across the county. The Commissioners approved review of the IGA by the County Attorney and review will be a component of 2019 ambulance budgeting.
 - **Burlington Ambulance IGA** – The Commissioners reviewed a proposed IGA between the Yuma County, Kit Carson County, Kit Carson County Ambulance, South YW Ambulance, YW Communications Center and Kit Carson County Dispatch Center for redistricting of ambulance service dispatch in the northern part of Kit Carson County in the interest of more efficient emergency service provision for residents in that area. **Commissioner Wiley moved to authorize Chairman Bushner's signature on the IGA between Kit Carson County emergency service agencies and Yuma County emergency service agencies to redistrict ambulance response areas. Commissioner Wingfield seconded the motion, which passed by unanimous vote.**



- Resolution 08-31-2018 A – The Commissioners reviewed resolution 08-31-2018 A rescinding Resolution 07-16-2018 A supporting a ballot question to extend the term limit for District Attorney in the 13th Judicial District from two terms to three terms. The verbiage of the ballot question was rewritten by Logan County and is intended to replace the previous resolution of support. **Commissioner Wiley moved to approve signature on Resolution 08-31-2018 A to support ballot question 7A asking for approval to extend term limits for the District Attorney in the 13th Judicial District from two terms to three terms. Commissioner Wingfield seconded the motion, which passed unanimously.**
- Resolution 08-31-2018 D – **Commissioner Wiley moved to sign Resolution 08-31-2018 D supporting the redrawing of boundaries for the Republican River Water Conservation District. Commissioner Wingfield seconded the motion, which passed by unanimous vote.**
- Grant Updates – The Commissioners heard updates on pending grant applications for the Ag Innovation Center including a DOLA Energy Impact Administrative Planning Grant and a GOCO grant, reviewed a proposed contract for an Economic Development website update grant from the Colorado Trust, a letter from the Kitzmiller Trust requesting a letter of support for the Vernon playground, and were notified of the approval of the 2018 LEMPG Grant for \$16,000.

Commissioner Wiley moved to authorize Chairman Bushner's signature on the grant contract with The Colorado Trust for website redesign for Yuma County Economic Development for \$4,500. Commissioner Wingfield seconded the motion. It passed by unanimous vote.

Commissioner Wiley moved to sign the 2018 Federal LEMPG Grant 18EM-19-57 contract for \$16,000 worth of revenue in 1-406. Commissioner Wingfield seconded the motion, which passed unanimously.

- *Department Reports* – The Commissioners discussed 2019 budget planning topics and reviewed department reports including the August 2018 Veteran's Report.
- *Prior Meeting Follow-Up* – Calhoon provided updates on ongoing projects including reports for 2018 online fair ticket sales and the implementation of Blackbaud Financial Edge NXT accounting software.
- *Correspondence* – Calhoon presented correspondence received since the last meeting including:
 - A CCOERA forfeiture request for \$1,83.45 to be paid from Fund 2.
 - A letter of support to NCRETAC for recommendation of a local emergency medical nomination to State EMS Executive of the Year.
 - The agenda for the September 14 CCI Eastern District Meeting. As this meeting is in conflict with the September 14 regular meeting of the Board of County Commissioners, the Commissioners rescheduled the regular meeting to September 17, 2018.
 - County NFR ticket donations.
 - A request to use the Yuma County Fairgrounds for a Yuma FFA color run. The Commissioners opted to waive use fees for the beef barn and charge only the \$50/day restroom fee.
 - A request by Old Threshers to keep the fairgrounds bathrooms open 24 hours per day during Old Threshers Days and a request for Commissioner expectations on security for such a request. The



Commissioners will not require additional security, but any damages incurred will be the responsibility of Old Threshers.


- *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.

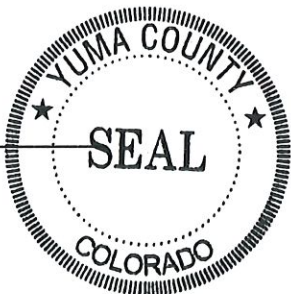
Commissioner Wingfield moved to approve a variance to schedule for Extension Office support staff to work 4 10-hour days through the end of 2018 at which time the variance will be re-reviewed. Commissioner Wiley seconded the motion, which passed unanimously.

There being no further business, the meeting adjourned at 4:06 p.m. followed by the Commissioners' monthly inspection of the County Jail. The next regular meetings of the Board of County Commissioners will be on September 17, 2018 and September 28, 2018 with a work session scheduled for September 5, 2018.


Trent Bushner, Chairman


Andrea Calhoon, Administrator

ATTEST: 
Beverly Wenger, County Clerk



BOARD OF COUNTY COMMISSIONERS
COUNTY OF YUMA, STATE OF COLORADO

RESOLUTION NO. 08-31-2018 A

A RESOLUTION REFERRING TO THE VOTERS OF YUMA COUNTY THE QUESTION OF WHETHER TERM LIMITS OF THE DISTRICT ATTORNEY FOR THE 13TH JUDICIAL DISTRICT SHOULD BE MODIFIED.

WHEREAS, Article XVIII, Section 11, of the Colorado Constitution limits elected state and local officials to two consecutive terms of office; and

WHEREAS, Article XVIII, Section 11 of the Colorado Constitution also allows the voters of any political subdivision of the state to change the limitations on the number of consecutive terms of office which may be served by any individual; and

WHEREAS, the District Attorney of the 13th Judicial District is limited to two consecutive terms of office; and

WHEREAS, a proper request has been filed with the Boards of County Commissioners of the counties comprising the 13th Judicial District to refer the question of term limits to the voters of the respective counties; and

WHEREAS, the County Commissioners of the seven counties in the 13th Judicial District jointly desire to refer the question of whether to modify the term limits for the District Attorney from two to three terms in each of the respective counties; and

WHEREAS, it is desirable that the voters of Yuma County be provided the opportunity to express their will on this matter.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF YUMA COUNTY, COLORADO, as follows:

1. The following question is hereby certified to the Yuma County Clerk and Recorder to be presented to the registered electors of Yuma County at the General Election to be held on November 6, 2018:

COUNTY REFERRED BALLOT QUESTION # 7A - CHANGING TERM LIMITS FOR THE OFFICE OF DISTRICT ATTORNEY

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 from two terms to three terms?



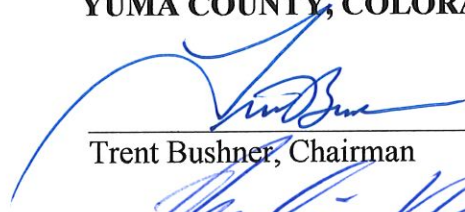
_____ **Yes/For**

_____ **No/Against**

- 2. The Yuma County Clerk and Recorder is hereby designated the Election Official for this referred question.
- 3. This resolution rescinds and replaces the previously adopted Resolution 07-16-18 A referring the same ballot question under different verbiage.

ADOPTED AND SIGNED this 31st day of August, 2018.

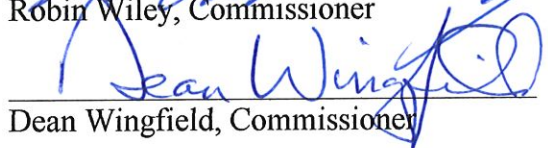
**BOARD OF COUNTY COMMISSIONERS
YUMA COUNTY, COLORADO**



Trent Bushner, Chairman




Robin Wiley, Commissioner



Dean Wingfield, Commissioner

I, Beverly Wenger, County Clerk and Recorder in and for the County of Yuma, State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of Yuma County, Colorado, in regular session on the 31st day of August, 2018.





County Clerk and Recorder



BOARD OF COUNTY COMMISSIONERS

COUNTY OF YUMA, STATE OF COLORADO

RESOLUTION NO. 08-31-2018 D

**A RESOLUTION SUPPORTING THE EXPANSION OF THE
REPUBLICAN RIVER WATER CONSERVATION
DISTRICT'S BOUNDARIES**

WHEREAS, the Board of County Commissioners ("Board") has the authority to exercise all County powers within Yuma County pursuant to Section 30-11-103, C.R.S.; and

WHEREAS, the Colorado General Assembly established the Republican River Water Conservation District ("District") in 2004 and set its boundaries based on the recommendation of the State Engineer's Office; and

WHEREAS, the District purchased the necessary groundwater permits and built and operates the Compact Compliance Pipeline ("Pipeline"), which assists the State of Colorado in achieving and maintaining compliance with the Republican River Compact ("Compact"); and

WHEREAS, wells that withdraw groundwater with the Compact Administration Groundwater Model's domain deplete waters that are subject to the Compact; and

WHEREAS, the construction and operation of the Pipeline has been and will continue to be funded by those within the boundaries of the District that consume water that impacts Colorado's allocation under the Compact; and

WHEREAS, the boundaries of the District are smaller than the Compact Administration Groundwater Model's domain, and a number of wells that impact Compact compliance are located outside the boundaries of the District; and

WHEREAS, the continued operation of the Pipeline, as well as other conservation programs are necessary to assure that Colorado achieves and maintains compliance with the Compact; and

WHEREAS, the State of Colorado must achieve and maintain compliance with the Compact order for the wells that impact Compact compliance to continue operation; and

WHEREAS, the Board of County Commissioners of Yuma County believe that all who benefit from the compliance programs funded by the District should be included within its boundaries, be properly represented in District governance, and have their groundwater depletions covered by District compliance programs,

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

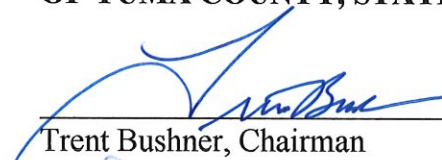


That the Board of County Commissioners of Yuma County does declare its support for the expansion of the Republican River Water Conservation District's boundary to include all wells that impact Compact compliance.

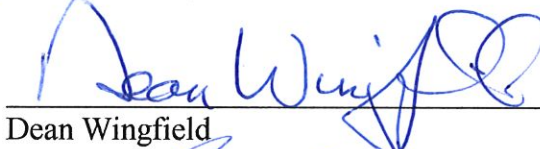
MOVED, READ AND ADOPTED by the Board of County Commissioners of the County of Yuma, State of Colorado, at its regular meeting held on the 31st day of August, 2018. The above and foregoing Resolution was, on a motion duly made and seconded, adopted by unanimous vote of the Board of Yuma County Commissioners.

ADOPTED this 31st day of August, 2018.

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



Trent Bushner, Chairman



Dean Wingfield



Robin Wiley

ATTEST:



Beverly A. Wenger, County Clerk



