

YUMA COUNTY COMMISSIONERS

February 26, 2021

Minutes¹

On February 26, 2021 at 8:00 a.m., the Yuma County Board of Commissioners met in regular session. Chairman Trent Bushner, Commissioner Robin Wiley, Commissioner Scott Weaver, and Administrator Andrea Calhoon were present throughout the day. The meeting was open to the public via teleconference due to the COVID19.

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

Financial Reports

Finance Officer Sarah Carwin joined the meeting at 8:30 a.m. to provide financial updates and reports. Carwin presented office updates including leave balance reports, payroll reporting and processes, and interim January period to date expenditures.

Human Services

The Board of County Commissioners convened as the Board of Social Services at 9:05 a.m. Human Services Director Kara Hoover, Bookkeeper Melanie Fisher, and Receptionist Robin Stich were present. Detailed minutes of the Board of Social Services are maintained separately by the Department of Human Services.

The Board of County Commissioners reconvened at 9:55 a.m.

Road and Bridge

Road & Bridge Supervisor Tom Andersen joined the meeting at 10:00 a.m. to provide department updates. Also in attendance was Blade Foreman Justin Lorimer.

- *Tanker Trailer* – Andersen provided updates on his search for a replacement tanker trailer and provided pricing on a couple of options he and his team have found. **Commissioner Wiley moved to approve the purchase of a 2012 Troxell 6300-gallon water tanker trailer from Ritchey's auction to be paid out of Fund 2. Commissioner Weaver seconded the motion. It passed by unanimous vote.**
- *Scraper Tires* – Andersen presented pricing for the purchase of new tires for the scraper. The group compared pricing of tires compared to the pricing presented at the last meeting. **Commissioner Weaver moved to approve the purchase of Goodyear scraper tires from Slick Spot Farm and Truck as presented. Commissioner Wiley seconded the motion, which passed unanimously.**
- *Holiday Pay* – Andersen inquired about floating holidays and paid holidays in light of varying weather situations. The Commissioners will review the policy and discuss.
- *Water Truck Parts* – Andersen provided updates on the prior discussion related to the obsolescence of parts and reported that parts were found for the truck.
- *Blade Hours* – Lorimer presented a listing of road grading equipment and the hours on each machine for the Commissioners' consideration in capital acquisition planning.
- *Fleet Foreman* – **Commissioner Wiley moved to approve the interim wage adjustment for Matt Martin to serve as Interim Fleet Foreman as presented. Commissioner Weaver seconded the motion, which passed unanimously.**

Economic Development Updates

At 11:00 am the Commissioners were joined by Yuma County Economic Development Director Phil Riggelman to discuss economic development projects and office updates. Among topics of discussion were the local housing market and various projects that have been proposed regarding local housing. The group discussed solutions being undertaken by other local governments including a program underway in Estes Park. Also discussed were potential and proposed local business ideas, school program partnerships with local businesses, and CPACE projects.

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

Riggleman reported on his recent appointment to the Economic Development Council of Colorado Board of Directors and provided updates on his work on a Yuma County economic development strategic plan.

Yuma County Assessor, Cindy Taylor

The Commissioners met with Yuma County Assessor Cindy Taylor at 12:00 p.m. to review the annual payment in lieu of taxes (PILT) application for Colorado Parks and Wildlife. **Commissioner Wiley move to approve the 2021 Colorado Parks and Wildlife Payment In Lieu of Taxes application as presented. Commissioner Weaver seconded the motion. It passed by unanimous vote.**

Land Use

Land Use Administrator Colten Yoast was heard at 1:00 p.m. to review Land Use and GIS business and conduct Land Use hearings.

- *Land Use Hearings* – Land use hearings opened at 1:00 p.m. Yoast presented the following for signature.
 - **EFS 0221-01 for Rigoberto Ruiz** to divide 5.38 acres, more or less, and three 4.89-acre parcels, more or less, from a 20.5-acre parcel, more or less, located in the NE ¼ of Sec 32, T2N, R44W for purpose of resale.
 - **Land Use Code Changes** to update Yuma County Land Use Code Section 2-103-A-1 to require an Administrative Land Use Permit application for construction of a second dwelling on a single parcel 35 acres or larger in size and preventing the construction of a third dwelling on a parcel 35 acres or larger in size without the creation of a new parcel through an approved exemption from subdivision.

Written public comment from Ms. Rhonda White and verbal comment from Heather Hasenauer, Chris Wood, Gary Rockwell, Ty George, Dawn George, and James Edney were heard regarding concern over the potential impact to neighboring property values for the exemption from subdivision application. Concern was raised that the mobile homes currently present on the property are not compliant with the Yuma County Land Use Code regarding the age of the mobile homes.

Land Use Hearings closed at 1:26 p.m.

Commissioner Weaver moved to postpone definitely until March 15, 2021 consideration of Resolution 2-26-2021 B regarding exemption from subdivision EFS 0221-01 for Rigoberto Ruiz to divide 5.38 acres, more or less, and three 4.89-acre parcels, more or less, from a 20.5-acre parcel, more or less, located in the NE ¼ of Sec 32, T2N, R44W for purpose of resale until further information can be obtained on the current dwellings can be obtained. Commissioner Wiley seconded the motion. It passed unanimously.

Commissioner Wiley moved to approve signature on Resolution 2-26-2021 C approving Land Use Code Changes to update Yuma County Land Use Code Section 2-103-A-1 to require an Administrative Land Use Permit application for construction of a second dwelling on a single parcel 35 acres or larger in size and preventing the construction of a third dwelling on a parcel 35 acres or larger in size without the creation of a new parcel through an approved exemption from subdivision. Commissioner Weaver seconded the motion. It passed unanimously.

- *Coordination* – The group discussed Resolution 11-30-2012 A regarding coordination and the proposed applicability to COVID response efforts.
- *Land Use Code* – Yoast initiated a conversation regarding code requirements for notice to surrounding land owners, and specifically mineral rights owners. A recent application required certified letters sent to over



60 mineral rights owners at neighboring properties and concern was expressed by the local post office over inability to efficiently handle such a request. The group discussed potential options for notice as compared to the value of the current notification process.

Commissioner Wiley moved to approve signature on Resolution 2-26-2021 D approving Burial Notification Permit filed by Fily Robles for Christina Robles at 39.820771, -102.104150 coordinates and services done by Deputy Coroner Javan Jones. Commissioner Weaver seconded the motion. It passed unanimously.

- *Pending Land Use Activity* – Yoast reported on pending land use activity including three expected applications for the month of March.

GIS

- *Current Projects* – Yoast reported on various GIS topics including ongoing work on the master map, plat book, and preliminary census data received.

Executive Session

At 2:30 p.m., the Commissioners conducted an executive session. At 2:32 p.m., **Commissioner Wiley moved to enter into executive session under CRS 24-6-402(4)(f) for personnel matters to conduct an exit interview. Commissioner Weaver seconded the motion which passed unanimously.** Present for executive session were Chairman Trent Bushner, Commissioner Robin Wiley, Commissioner Scott Weaver, Administrator Andrea Calhoon, and Fleet Foreman Jerry Gunn. Executive session ended at 3:05 p.m. No action was taken following executive session.

WY Communications, Don Nadow

WY Communications Director Don Nadow met with the Commissioners at 3:25 p.m. for introductions and to discuss Comm Center status and plans. Nadow provided updates on what he has been working on during his first week and what his plans are moving forward. Among topics discussed were staffing, financial status, training, and other logistical topics.

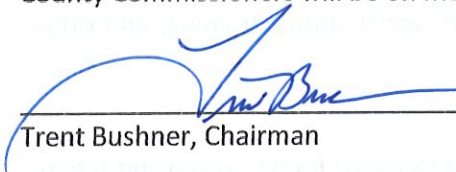
Administrator's Report


Administrator Andrea Calhoon reviewed calls, correspondence, and presented the following for discussion and action:

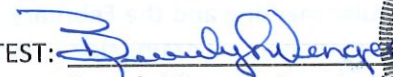
- *Minutes* – The Commissioners reviewed the minutes from the previous BOCC meetings. **Commissioner Weaver moved to approve the minutes from the February 16, 2021 regular meeting and the February 18, and February 25, 2021 special meetings of the Board of County Commissioners. Commissioner Wiley seconded the motion, which passed unanimously.**
- *CAPP Report & Claim Review* – The Commissioners heard information on pending CAPP and workers' compensation claims.
- *Signatures and Ratifications* –
 - Resolutions/Ordinances/Signatures:
 - **Commissioner Wiley moved to approve signature on Resolution 2-26-2021 A approving the dissolution of the Northeast Colorado Bookmobile. Commissioner Weaver seconded the motion and it passed by unanimous vote.**
 - **Commissioner Wiley moved to approve signature on Resolution 2-26-2021 E recognizing Yuma County livestock producers and establishing March 20, 2021 as Yuma County Livestock Producers Day. Commissioner Weaver seconded the motion, which passed unanimously.**

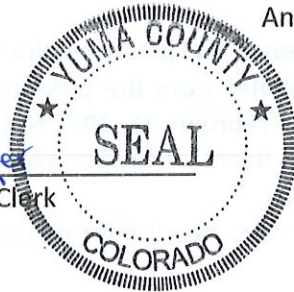
- **Commissioner Wiley moved to approve signature on the CDOT Access Category change request letter for Highway 34 at County Road E. Commissioner Weaver seconded the motion. It passed by unanimous vote.**
- Grant Updates:
 - The Commissioners reviewed information regarding pending and submitted grant applications including: DOLA energy impact funds for chip sealing of the Eckley Road, an update on the previously approved DOLA Administrative Planning grant to conduct a feasibility study for the proposed Ag innovation Center, and CDOT multimodal funds for sidewalk updates in cooperation with the City of Wray. The Commissioners also heard a report on CARES Act Coronavirus Relief Funds.
- *Department Reports* – The Commissioners heard various department updates including updates on the WY Communications Center, the Northeast Colorado Bookmobile, a memorandum of understanding being drafted with Golden Plains Extension and the Yuma County Fair Board, the renewal of Roger Brown as the Yuma County Terrorism Liaison Officer, and the February 2021 Veteran's Service Officer report.
- *Correspondence* – Calhoon presented correspondence received since the last meeting including the status of the non-disturbance agreement being negotiated with Tiffany Widoe and Kyle Roberts following the purchase of an easement through their property.
- *CDL Testing Unit* – Calhoon provided updates on the status of the Yuma County CDL testing unit.
- *Oil & Gas Updates* – Calhoon reported on oil and gas updates since the last meeting.
- *IT Updates* – Calhoon presented updates on various IT-related topics.
- *Maintenance Updates* – Calhoon reported on various facilities maintenance topics.
- *HR Updates* – Calhoon reported updates on county Human Resource topics including employee correspondence received and DOLA's Best and Brightest Internship Program.

There being no further business, the meeting adjourned at 5:30 p.m. The next regular meetings of the Board of County Commissioners will be on March 15, 2021 and March 31, 2021.


Trent Bushner, Chairman


Andrea Calhoon, Administrator

ATTEST: 
Beverly Wenger, County Clerk



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

RESOLUTION NO. 2-26-2021 A

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF YUMA COUNTY
REGARDING DISSOLUTION AND TERMINATION OF THE NORTHEAST COLORADO
REGIONAL LIBRARY (known as the Regional Bookmobile)**

WHEREAS, an agreement was made in 1961 between the counties of Kit Carson, Logan, Morgan, Washington, and Yuma, to create the Northeast Colorado Regional Library; and

WHEREAS, over time, counties have joined and withdrawn from the Northeast Colorado Regional Library, and at present, the participating counties are Yuma, Washington and Logan; and

WHEREAS, the regional library has come to be known as the Regional Bookmobile “Bookmobile;” and

WHEREAS, the Bookmobile was originally created under Title 84 of the 1953 Colorado Revised Statutes; and

WHEREAS, the agreement that created the Bookmobile provided that the Bookmobile would be governed by and could be dissolved under Title 84 of the 1953 Colorado Revised Statutes; and

WHEREAS, the Title 84 of the 1953 Colorado Revised Statutes has been repealed; and

WHEREAS, the parties subsequently entered into “The Northeast Colorado Regional Library Agreement” in 1983; and

WHEREAS, that agreement provided for governance and dissolution under Article 90 of the 1979 Colorado Revised Statutes; and

WHEREAS, it is believed that the reference to “Article 90” in the 1983 agreement is to Title 24, Article 90 of the 1979 Colorado Revised Statutes, which is known as the Colorado Library Law; and

WHEREAS, the Title 24, Article 90 of the 1979 Colorado Revised Statutes has been repealed; and

WHEREAS, while no specific records have been located, at some point the Bookmobile entity was designated as a separate intergovernmental entity, presumably under Colorado Revised Statutes § 29-2-104, and identified as such with the Colorado Department of Local Affairs, Division of Local Government; and

WHEREAS, the Bookmobile is identified in the records of the Division of Local Government as Northeast Colorado Bookmobile Services; and

WHEREAS, at present, Title 24, Article 90 of the Colorado Revised Statutes addresses and governs, among other things, the dissolution of “joint” libraries under § 24-90-114; and

WHEREAS, the Bookmobile falls under the definition of “joint library” in C.R.S. § 24-90-103(4), which provides in part that joint libraries are libraries that are “established and jointly funded through an agreement by two or more governmental units...;” and

WHEREAS, that statute provides for dissolution of a joint library by resolution or ordinance of two or more governmental units in which the library is located acting through their governing bodies, after a public hearing; and



WHEREAS, the current members of the Bookmobile believe that given changed conditions, the Bookmobile is no longer utilized in a manner that justifies its costs, and that organization should be dissolved; and


WHEREAS, the Yuma County Board of County Commissioners finds it to be proper to dissolve the current regional library entity known as the Bookmobile, following procedures described in C.R.S. § 24-90-114.

NOW, THEREFORE, BE IT RESOLVED, that


1. The Bookmobile is no longer necessary for the purposes for which it was originally created and should be dissolved.
2. The Board of Trustees of the Bookmobile shall take all appropriate steps for the payment of any outstanding debts and the distribution of any remaining assets to its member counties in a manner mutually agreed to by each County.
3. All indebtedness, including obligations arising from lease-purchase agreements, if any, of the Bookmobile shall be fully protected until retired, all trusts of the library, if any, will be continued as specified under current terms, and all property of the Bookmobile shall be divided as provided in any manner that is mutually agreed to by the Boards of County Commissioners of Logan, Washington, and Yuma Counties.
4. Such payment of outstanding debts and distribution of remaining assets shall be completed on or before December 31, 2021.
5. On or after December 31, 2021, the Yuma County Board of County Commissioners shall notify the Department of Local Affairs, Division of Local Government of the dissolution and termination of the Bookmobile (Northeast Colorado Bookmobile Services) as an intergovernmental entity, provide copies of each county's resolution authorizing and directing such action and notification indicating that all Bookmobile debts have been paid and assets distributed.

ADOPTED this 26th day of February, 2021.

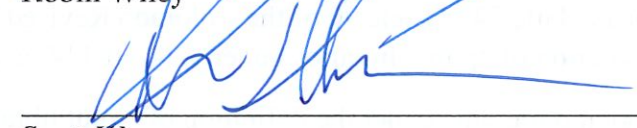
THE BOARD OF COUNTY COMMISSIONERS
OF YUMA COUNTY, STATE OF COLORADO



Trent Bushner, Chairman

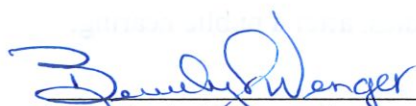


Robin Wiley



Scott Weaver

ATTEST:



Beverly A. Wenger, County Clerk



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

RESOLUTION NO. 2-26-2021 E

**RECOGNIZING THE MANY PAST AND CURRENT CONTRIBUTIONS OF YUMA
COUNTY LIVESTOCK PRODUCERS AND SUPPORTING THE LOCAL RANCHING
INDUSTRY**

WHEREAS, the Governor of Colorado has proclaimed a boycott of meat products, referred to as a “MeatOut” - in order to promote meatless diets as promoted by the Farm Animal Rights Movement (FARM), to be observed by Coloradans on March 20, 2021; and

WHEREAS, Yuma County is the second largest agricultural producing county in the State of Colorado, including considerable livestock production; and

WHEREAS, livestock production has historically been, and continues to be, one of the key economic drivers in Yuma County; and

WHEREAS, Yuma County ranching families are part of a \$3.4B state industry with a \$40B economic impact and accounts for 10% of the state’s total export sales; and

WHEREAS, The U.S. Department of Agriculture reports (2017) the annual sale value of Yuma County cattle, calves, poultry, and hogs exceeds \$26M; and

WHEREAS, The 2020-2025 Dietary Guidelines issued by the U.S. Food and Drug Administration recognizes that a variety of animal and plant proteins is important to a healthy diet; and

WHEREAS, Yuma County is a “Right to Farm” county and holds that designation in high regard to protect our active farms and ranches; and

WHEREAS, the Colorado General Assembly is considering passage of Senate Bill 21-079 which concerns deregulation of direct to customer meat sales in support of ranch to table private enterprise.

THEREFORE, BE IT RESOLVED, THAT THE YUMA COUNTY BOARD OF COUNTY COMMISSIONERS OF YUMA COUNTY, COLORADO declares its support for our cattlemen and other livestock producers and proclaims March 20, 2021 as Yuma County Livestock Producers Day; and

BE IT FURTHER RESOLVED, that the Commission express their concern that the Governor of Colorado would call for a boycott, even of one-day duration, of an industry that is key and essential to both our local and state economy; and



FINALLY, SHALL IT BE RESOLVED, that this Commission supports Senate Bill 21-079 concerning deregulation of direct to customer meat sales in support of ranch to table private enterprise and all other legislative actions that support strengthening Colorado agriculture.

ADOPTED this 26th day of February, 2021.

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

Trent Bushner, Chairman

Robin Wiley

Scott Weaver

ATTEST:

Beverly A. Wenger, County Clerk

