



YUMA COUNTY COMMISSIONERS

December 14, 2021

Minutes¹

On December 14, 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 Commissioners reviewed and signed accounts payable and discussed various meetings attended throughout the prior month.

Liquor License Renewals

At 8:15 a.m. Deputy County Clerk Nancy Wright presented for signature the retail liquor license renewals for Milan Ventures and Route 36 DBA The Grainery. **Commissioner Weaver moved to approve the retail liquor license renewals for Milan Ventures and Route 36 DBA The Grainery as presented. Commissioner Bushner seconded the motion, which passed unanimously with Commissioner Wiley abstaining.**

Human Services

The Board of County Commissioners convened as the Board of Social Services at 8:30 a.m. Human Services Director Kara Hoover, Eligibility Supervisor Dalene Rogers, Child Welfare and Adult Protection Supervisor Hollie Hillman, 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 10:15 a.m.

Commissioner Weaver moved to enter into executive session at 9:15 a.m. under CRS 24-6-402(4)(c) for items to be kept confidential by law. Commissioner Wiley seconded the motion. It passed by unanimous vote. Present for executive session were Chairman Bushner, Commissioner Wiley, Commissioner Weaver, Director Hoover, and Supervisor Rogers. Executive session ended at 9:40 a.m. No action was taken following executive session.

Commissioner Weaver moved to enter into executive session at 9:40 a.m. under CRS 24-6-402(4)(f) for personnel. Commissioner Wiley seconded the motion. It passed by unanimous vote. Present for executive session were Chairman Bushner, Commissioner Wiley, Commissioner Weaver, and Director Hoover. Executive session ended at 10:10 a.m. No action was taken following executive session.

District Attorney, Travis Sides

At 10:30 a.m. the Commissioners met with 13th Judicial District Attorney Travis Sides to discuss the 2022 budget request and office updates. Also in attendance was Yuma County Sheriff Todd Combs, Undersheriff Larry Gilliland, Patrol Sergeant Matt Allacher, and Wray Police Chief Kevin White. Sides presented an outline of the current status and goals of his office and answered questions on operations, negotiations, and strategies.

Sheriff Combs presented concerns related to the prosecution of recent cases and challenges created in local law enforcement as a result of the local prosecution styles and decisions. Also discussed by Sheriff Combs were concerns over lack of communication and cooperation between local law enforcement and the District Attorney's Office. Sides shared challenges within his office, primarily surrounding staffing turnover and lack of experience in the current prosecution team. Chief White was also heard to express

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



concerns over the disposition of cases brought by Wray PD. The group agreed on the criticality of communication and partnership in the local enforcement of the law. The Commissioners inquired of Sheriff Combs what benchmarks and improvements are needed to support the requested increase in funding. Combs suggested that the plea bargains being offered are, in his opinion, not strong enough based on the cases to which they apply and reported that he would more closely monitor the disposition of the cases brought forward by his deputies. Combs also offered a suggested timeline of six months for Sides to address and resolve the presented issues.

Chairman Bushner expressed his concern that local law enforcement is reporting that they are not receiving the services and support that they need from the District Attorney's Office and suggested that resolution of the local law enforcement issues is critical for Yuma County to support the increased funding request. Commissioners Weaver and Wiley expressed their expectation of improved communication and cooperation with local law enforcement.

Undersheriff Gilliland expressed his frustration with the perceived transition of the relationship from collaborative to confrontational over the preceding couple of years and provided examples of the disconnect in communication between prior stages of his career and what is being experienced today. Gilliland highlighted the importance to him in returning to a cooperative relationship. Commissioner Weaver suggested the provision of a quarterly report from the District Attorney's Office to Sheriff Combs regarding office statistics and case dispositions to improve accountability for the funding provided. Also suggested was at least an annual meeting between Sides and the Commissioners to maintain open lines of communication.

Commissioner Wiley moved to approve the increased budget request for the District Attorney for 2022 for the first six months as recommended by Sheriff Todd Combs with any further increased payment being subject to reevaluation and report of improved performance in consultation with Sheriff Combs. Commissioner Weaver seconded the motion. It passed with Commissioners Bushner and Wiley voting in the affirmative and Commissioner Weaver voting in the negative.

Land Use

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

- *Land Use Updates* – Yoast reported on land use activities including two applications for the month of November, including one exemption from subdivision and one gravel pit application.
- *Laird Updates* – Yoast provided updates on a recently approved application from Laird as well as updates on other potential applications.
- *Mobile Home Permits* – Yoast reported on a mobile home permit recently submitted.
- *Wind Energy Updates* – The group discussed current and recent information obtained regarding potential wind energy development within the county.

GIS

- *Current Projects* – Yoast reported on various GIS topics including work on the master map, gravel pit maps, dispatch center maps, the plat map, and completed work on the bus route maps.

Public Comment

At 2:00 p.m. the Commissioners heard public comment regarding wind energy production in Yuma County and assimilation into the State of Kansas from by Mr. Benny Cantrell. Mr. Cantrell suggested the Commissioners consider establishing an initiative for Yuma County to succeed from the State of Colorado

and become part of the State of Kansas. The group discussed the pros and cons of such a plan including the impacts on government oversight, energy production, and water rights. Mr. Cantrell also relayed concerns over the construction and operation of wind turbines in Yuma County.

Road and Bridge

Road & Bridge Supervisor Tom Andersen, Blade Foreman Justin Lorimer, and Truck Foreman Jeremy Lund joined the meeting at 3:00 p.m. to provide department updates.

- *Wire Trenching Request* – Andersen reported on a request from Mark Cofield to trench electric fence wire across County roads in three locations. **Commissioner Wiley moved to allow Mark Cofield to trench an electric wire encased in a pipe across County Roads 60, 57, and 54 to install wiring for an electric fence. The wire shall be no shallower than 1 foot deep, be clearly and visibly marked at both sides of each road crossing, installed at his expense with waiver of all permit fees and any and all maintenance expenses belonging to Mr. Cofield. Commissioner Weaver seconded the motion. It passed unanimously with Commissioner Bushner abstaining.**
- *Bridge Timbers* – Andersen reported on an alternative bridge construction protocol used by Morgan County that he would like considered for recently proposed bridge repairs. Andersen will gather further information and bring it back to a future meeting.
- *Road Reports* – Lorimer provided reports on current road work throughout the County including the delay of rip work on LL.5 until weather conditions are optimal for a rip and rebase. Lorimer also provided updates on complaints on KK near Bonny and County Road 37 east of Highway 385, the completion of NN from 17 to 18 and 15 to 16 including rebase and elevation of the road. The group discussed prioritization of road projects and how to balance road complaints with the breadth of road maintenance efforts across the county.
- *Mek 1 Pit Updates* – Andersen presented correspondence received from the lessor regarding the Mek 1 gravel pit lease. The group reviewed the current lease and clarified the requested information.
- *Permits* – Andersen presented for signature three utility permits. Two for Pauley Construction and one for YW Electric to install utility line in the Yuma County Road rights-of-way.
 - **Commissioner Wiley moved to approve the two underground utility permits for Pauley Construction to trench utility line along County Road 38 at County Road B and County Road E at Apache Drive. Commissioner Weaver seconded the motion. It passed unanimously.**
 - **Commissioner Wiley moved to approve the underground utility permit for YW Electric to trench utility line along County Road C. Commissioner Weaver seconded the motion, which passed unanimously.**
- *Executive Session* – At 3:30 p.m., **Commissioner Wiley moved to enter into executive session under CRS 24-6-402(4)(f) for personnel. Commissioner Weaver seconded the motion, and it passed by unanimous vote.** Present for executive session were Chairman Bushner, Commissioner Wiley, Commissioner Weaver, and Supervisor Andersen. Executive session ended at 4:00 p.m.. No action was taken following executive session.

2022 Budget Hearing

At 4:30 p.m., Chairman Bushner opened the hearing to accept public comment on the proposed 2022 budgets for Yuma County, Yuma County Landfill, Yuma County Water Authority, and the Yuma County Water Authority Public Improvement District. The Commissioners reviewed the budget documents. No member of the public was present to make comments. The hearing was closed at approximately 4:40 p.m. **Commissioner Wiley moved to approve the 2022 Yuma County Budget, the 2022 Yuma County**



Landfill Budget, and the 2022 Yuma County Water Authority Budget as presented. Commissioner Wiley seconded. The motion passed unanimously.

- **Commissioner Wiley moved to approve Resolution 12-14-2021 A setting Yuma County's Mill Levy for the year 2021 to defray costs for the 2022 budget year. The total Yuma County Mill Levy is set at 21.719 mills with the General Fund receiving 16.685 mills, plus an abatement of .005 mills. Road and Bridge is to receive 2.529 mills; Human Services 1.000 mill; Insurance Fund 0.500 mill; and Recreation Fund 1.000 mill. The total tax revenue expected to be collected for all County Funds is \$6,117,781. The 2021 County Assessed Valuation, as certified with the County Assessor is \$281,678,770. Commissioner Weaver seconded the motion, which passed by unanimous vote.**
- **Commissioner Wiley moved to approve Resolution 12-14-2021 B a Resolution to adopt the 2022 budget which summarizes expenditures and revenues for each fund and adopts a budget for the County of Yuma, Colorado, for the calendar year, beginning the first day of January 2022 and ending on the last day of December 2022. Total Expenditures approved \$26,363,799. Commissioner Weaver seconded the motion, which passed unanimously.**
- **Commissioner Wiley moved to approve Resolution 12-14-2021 C which appropriates sums of money to the various Yuma County funds and spending agencies for the 2022 budget year. Commissioner Weaver seconded. The motion passed by unanimous vote.**

Commissioner Wiley moved to set the 2021 mill levies as presented. Commissioner Weaver seconded the motion, which passed unanimously.

Administrator's Report


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

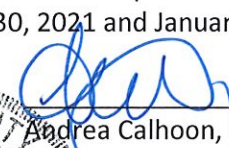
- *Minutes* – The Commissioners reviewed the minutes from the previous BOCC meetings. **Commissioner Wiley moved to approve the minutes from the November 15, 2021 regular meeting of the Board of County Commissioners and the November 23, 2021 special meeting of the Board of County Commissioners. Commissioner 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 Weaver moved to approve signature on the 2020 Landfill Financial Assurance letter. Commissioner Wiley seconded the motion. It passed unanimously.**
 - **Commissioner Wiley moved to approve Yuma County's participation in a letter to Governor Jared Polis regarding funding support for the Republican River Water Conservation District. Commissioner Weaver seconded the motion which passed by unanimous vote.**
 - **Commissioner Weaver moved to approve the payment of 2022 Colorado Counties, Inc. membership and Public Lands dues for \$13,500 and \$150, respectively. Commissioner Wiley seconded the motion. It passed unanimously.**
 - Grant Updates:
 - The Commissioners reviewed information regarding pending and submitted grant applications including the Eckley Road chip seal, American Rescue Act funds, and a CDPHE recycling grant. **Commissioner Wiley moved to ratify Chairman Bushner's**

signature on the Colorado Department of Justice Bodyworn Camera Grant application. Commissioner Weaver seconded the motion. It passed unanimously.

- *Department Reports* – The Commissioners heard various department updates including updates on the dissolution of the Northeast Colorado Bookmobile, updates on the interim management of the Yuma County Office of Emergency Management, landfill administrative updates, the October and November 2021 TV System Maintenance Logs, the November 2021 Veteran’s Service Officer report, status updates on the 2022 ambulance service licenses, the 2021 Q3 Seaboard and Smithfield quarterly monitoring reports, the status of PPE currently in storage following the 2019 COVID pandemic, and the Region 4 Opioid Council. The Commissioners acknowledged receipt of formal notice of County Treasurer Dee Ann Stults’ retirement effective January 7, 2022. **Commissioner Weaver moved to sign Resolution 12-14-2021 D appointing Deputy County Treasurer Chrystal Hammond as Yuma County Treasurer effective January 8, 2022. Commissioner Wiley seconded the motion, which passed by unanimous vote.**
- *Prior Meeting Follow-Up* – Calhoon provided project updates on the status of properties in Eckley.
- *Correspondence* – Calhoon presented correspondence received since the last meeting including various meetings attended and upcoming meeting requests. The Commissioners set upcoming meeting dates as January 17 & 31, February 15 & 28, March 15 & 31, and April 15 & 29.
- *CDL Testing Unit* – Calhoon provided updates on the status of the Yuma County CDL testing unit.
- *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 recruitment and retention, the 2022 Section 125 plan agreement, 2022 holiday schedule options, updates on the upcoming employee holiday party, year-end bonuses, and the establishment of the annual Christmas Coffee to be held Friday, December 17.

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 December 30, 2021 and January 17, 2022.

 Trent Bushner, Chairman

 Andrea Calhoon, Administrator

ATTEST:  Beverly Wenger, County Clerk





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

RESOLUTION NO. 12-14-2021 D

**A RESOLUTION APPOINTING CHRYSTAL HAMMOND TO THE OFFICE OF YUMA COUNTY
TREASURER UNTIL AN ELECTION IS HELD AS PROVIDED BY LAW**

WHEREAS, the Board of County Commissioners of Yuma County, State of Colorado has convened a duly and lawfully called regular meeting on the 14th day of December, 2021, and;

WHEREAS, the Board of county Commissioners has received notice of the retirement of Yuma County Treasurer Dee Ann Stults effective January 7, 2022, and;

WHEREAS, pursuant to CRS, 30-10-105, the office of Yuma County Treasurer is considered vacant as of January 8, 2022, and;

WHEREAS, pursuant to Article XIV, Section 9 of the Constitution of the State of Colorado and CRS 30-11-117 the Board has the power to fill the vacancy in the Office of Yuma County Treasurer until an election can be held as provided by law, and;

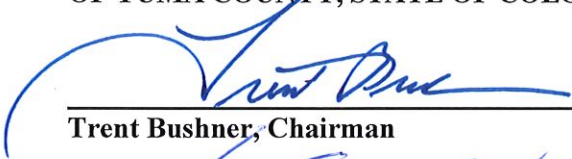
WHEREAS, the Board wishes to exercise its power to fill the vacancy of the office of Yuma County Treasurer by appointing Chrystal Hammond as Yuma County Treasurer subject to those qualifications as provided by law,

NOW, THEREFORE, BE IT RESOLVED, the Commissioners of Yuma County, State of Colorado hereby appoint Chrystal Hammond to serve in the office of Yuma County Treasurer effective January 8, 2022 until an election is held as provided by law.

The above and foregoing Resolution was, on motion duly made and seconded, adopted by unanimous vote of the Yuma County Board of Commissioners on the 15th day of November, 2021.

ADOPTED THIS 14th DAY OF DECEMBER, 2021.

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



Trent Bushner, Chairman



Robin Wiley, Commissioner



Scott Weaver, Commissioner

ATTEST: 

Beverly A. Wenger, County Clerk



