



## YUMA COUNTY COMMISSIONERS

September 14, 2022

### Minutes<sup>1</sup>

On September 14, 2022 at 8:00 a.m., the Yuma County Board of Commissioners met in regular session. Chairman Robin Wiley, Commissioner Trent Bushner, 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

Deputy County Clerk Nancy Wright presented for signature the previously approved retail liquor license renewal for Vernon Liquors, LLC and BallyNeal.

#### Road and Bridge

Road & Bridge Supervisor Tom Andersen and Blade Foreman Justin Lorimer joined the meeting at 8:30 a.m. to provide department updates.

- *Financial Reports* – Andersen presented current financial and operational reports for review.
- *Landoll Trailer Minimum* – Andersen requested input on the Landoll trailer previously approved for sale by sealed bid.
- *Pickup Pricing* – Andersen provided updates on changes in trade value and purchase price for the 2023 fleet pickups planned for purchase. The group reviewed and adjusted the fleet strategy according to the updated information.
- *Road Report* – Lorimer reported on work on County Roads N at 15 over to P and then transfer to the area near the Moser Pit as well as work on County Road 58 up near Phillips County. Lorimer and the group discussed the challenges of repairing holes and washboards given the lack of moisture and the impacts of upcoming beet harvest. The group discussed a public request for mag chloride applied to a dirt road and the impacts and limitations of mag chloride as a component of our road maintenance plan.
- *Fairgrounds Water Truck* – The group discussed the utilization of a water truck at the Yuma County Fairgrounds and established the logistical transfer of the equipment between the Fairgrounds and Road & Bridge based on road needs and upcoming Fairgrounds events.
- *Permits* – Andersen presented the following for approval:
  - Road Crossing permit for Wellstone to trench across County Road 30 for installation of a water tank. **Commissioner Bushner moved to approve the road crossing permit for Wellstone to trench across County Road 30 to install a water tank as presented. Commissioner Weaver seconded the motion. It passed by unanimous vote.**

#### Human Services

The Board of County Commissioners convened as the Board of Social Services at 9:30 a.m. Human Services Director Kara Hoover, Child Welfare and Adult Protection Supervisor Hollie Hillman, and Eligibility Supervisor Dalene Rogers 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 10:20 a.m.

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



County Attorney, Ken Fellman

At 10:30 a.m., County Attorney Ken Fellman joined the Commissioners for his annual visit. The group discussed a recent bill on secure transport ambulance services, updates on recent state-wide elections lawsuits, the Colorado FMLI Leave Act, and new legislation regarding access to technology and electronic information for County constituents and employees, and discussion of efforts to replat the unincorporated community of Idalia. **Commissioner Bushner moved to authorize Attorney Fellman to participate on Yuma County's behalf in a state-wide effort to collect attorney's fees for the frivolous lawsuit filed by Tina Peters if legal basis for the suit is determined. Commissioner Weaver seconded the motion. It passed unanimously.**

At 11:08 a.m., **Commissioner Weaver moved to enter into executive session under CRS 24-6-402(4)(b) for legal advice on specific legal matters. Commissioner Bushner seconded the motion, which passed by unanimous vote.** Present for executive session were Chairman Robin Wiley, Commissioner Trent Bushner, Commissioner Scott Weaver, County Attorney Ken Fellman, Attorney Colleen McCroskey, County Administrator Andrea Calhoon, and Finance and Compliance Clerk Brandi Ritchey. Executive session ended at 11:24 a.m. No action was taken following executive session.

OWN Resources, Niels Phaf

The Commissioners were joined by Niels Phaf, Greg Jones, and Kelly Sharp of OWN Resources at 1:00 p.m. to discuss County oil & gas operations and recent/upcoming Colorado Oil and Gas Conservation Commission rulemakings. Phaf discussed recent introductions to newly appointed members of the COGCC and educational tours provided to the new members earlier in the month. Phaf introduced Sharp as the new Operations Manager transitioning in to replace Jones who will be transitioning out of the organization in mid-October.

Phaf provided updates on OWN's progress in negotiating financial assurance requirements as implemented under Senate Bill 19-181 for future plugging and abandoning of retired wells. Phaf reviewed for the Commissioners the financial assurance rules as finalized and discussed OWN's commitment to responsible plugging and abandoning activities as well as the approach OWN takes to the plugging and abandoning process. Phaf and the Commissioners discussed the value of the symbiotic and cohesive relationship between the County and OWN and the hope that such a strong relationship will be viewed favorably in the review of OWN's financial assurance proposals.

Phaf provided an overview of regulatory environments in other parts of the country and the world and their potential impact on the future of the local oil and gas industry and market. Also discussed were local environmental efforts and priorities as well as recent work in the County by environmental groups to identify and flag emissions violations. Phaf reviewed OWN's recognition of and response to the efforts. Phaf reviewed upcoming rulemaking processes for worker certification and high-priority habitat and future operational strategy for OWN as an organization.

Land Use

County Land Use Administrator Andrea Calhoon was heard at 1:00 p.m. to review Land Use and GIS business.

- *Administrative Land Use Permits* – Calhoon presented two lot line adjustments for approval by the Commissioners.

**Commissioner Weaver moved to approve signature on Resolution 09-14-2022 B for Marion and Fay Winger to complete a lot line adjustment in the SW ¼ of Sec 14, T2N, R48W. Commissioner Bushner seconded the motion, which passed unanimously.**



**Commissioner Bushner moved to approve signature on Resolution 09-14-2022 C for Miguel Favela-Bustillos and Brenda Williams submitted by Reese Shay to complete a lot line adjustment in the NW ¼ of Sec 26, T2N, R46W as submitted. Commissioner Weaver seconded the motion. It passed by unanimous vote.**

- *Pending Land Use Applications* – Calhoon reported one application received for hearing in the month of September.
- *Dresen Lot Line Adjustment* – The Commissioners were joined by County Assessor Cindy Taylor to discuss a lot line adjustment approved for Kevin Dresen in May of 2022.
- *1041 Powers* – The Commissioners discussed and reviewed the interplay between County Land Use Code and the County's 1041 Powers. Questions regarding the matter were reviewed to County Attorney Ken Fellman for input.
- *Proposed Land Use Code Change* – The group discussed the status of a proposed land use code by a community group recently suggested.
- *Staffing* – Calhoon reported on the status of recruiting for the vacancy at Land Use Administrator/GIS Coordinator.

GIS

- *Current Projects* – Calhoon provided updates on recent GIS activities conducted by contracted GIS Coordinator Colten Yoast.

Executive Session

At 3:30 p.m. **Commissioner Weaver moved to enter into executive session under CRS 24-6-402(4)(f) for personnel matters. Commissioner Bushner seconded the motion. It passed by unanimous vote.** Present for executive session were Chairman Robin Wiley, Commissioner Trent Bushner, Commissioner Scott Weaver, and Human Services Director Kara Hoover. Executive session ended at 4:40 p.m. No action was taken following executive session.


Administrator's Report

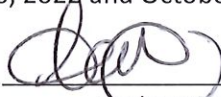
Administrator Andrea Calhoon reviewed calls, correspondence, and presented the following for discussion and action:

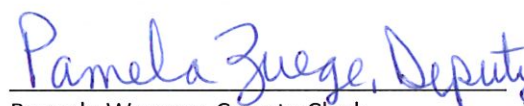
- *Minutes* – The Commissioners reviewed the minutes from the previous BOCC meetings. **Commissioner Weaver moved to approve the minutes from the August 31, 2022 regular meeting and the September 9, 2022 special meeting of the Board of County Commissioners. Commissioner Bushner seconded the motion, which passed unanimously.**
- *CAPP Report & Claim Review* – The Commissioners heard information on pending CAPP and workers' compensation claims.
- *Signatures and Ratifications* –
  - Resolutions/Ordinances/Signatures:
    - **Commissioner Bushner moved to approve signature on Resolution 09-14-2022 A expressing support for the DOLA Affordable Housing Initiative grant application being submitted by the City of Wray. Commissioner Weaver seconded the motion. It passed unanimously.**
    - **Commissioner Bushner moved to approve signature on the 2022 VALE grant application as presented. Commissioner Weaver seconded the motion. It passed unanimously.**

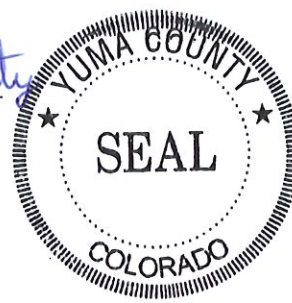
- **Commissioner Bushner moved to approve signature on the updated County Health Pool designee form with CTSI. Commissioner Weaver seconded the motion, which passed by unanimous vote.**
  - Grant Updates:
    - The Commissioners reviewed information regarding pending and submitted grant applications including the Eckley Road chip seal.
- *Department Reports* – The Commissioners received various department reports including a discussion of Yuma County's recent appointment as the administrative agent for the Eastern Transportation Planning Region with CDOT, the status of a record correction with the Office of the State Auditor on behalf of the 911 Authority Board, a discussion of a recent meeting with the City of Yuma regarding ambulance services, and a synopsis of recent meetings with OWN Resources and new appointees to the Colorado Oil and Gas Conservation Commission.
- *Prior Meeting Follow-Up* – The group discussed project updates on the status of properties in Eckley.
- *Correspondence* – Calhoon presented correspondence received since the last meeting including various board vacancies currently open and expected to open in the near future.
- *CDL Testing Unit* – Calhoon provided updates on the status of the Yuma County CDL testing unit and the planning of an Entry Level Driver Training community education program recently established with Northeastern Junior College.
- *IT Updates* – Calhoon presented updates on various IT-related topics including the status of the VOIP phone transition and an assessment of security options for remote system access, both of which will be assessed during 2023 budget planning efforts.
- *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 employee BBQ, the impending implementation of the Colorado FAMLI Leave program, a public sector salary survey obtained from the Employer's Council, and the review of job descriptions within the Commissioner's Office. Calhoon reported on the deployment of an employee-created new employee survey designed to elicit information on the early stages of employment with Yuma County including onboarding, training, and job fit. The group established a timeline goal for the establishment of a formal job description for the new position of Yuma County Fair Manager.
- **Commissioner Weaver moved to approve signature on Resolution 09-14-2022 D transferring chairmanship of the Yuma County Board of County Commissioners to Commissioner Trent Bushner until the next reorganization meeting. Commissioner Wiley seconded the motion, which passed by unanimous vote.**

There being no further business, the meeting adjourned at 4:55 p.m. The next regular meetings of the Board of County Commissioners will be on September 30, 2022 and October 15, 2022.

  
Trent Bushner, Chairman

  
Andrea Calhoon, Administrator

ATTEST:   
Beverly Wenger, County Clerk



**BOARD OF COUNTY COMMISSIONERS  
COUNTY OF YUMA, STATE OF COLORADO  
RESOLUTION NO. 09-14-2022 A**

**A RESOLUTION ESTABLISHING FORMAL SUPPORT FOR THE YUMA  
COUNTY ECONOMIC DEVELOPMENT/CITY OF WRAY APPLICATION  
FOR LOCAL GOVERNMENT HOUSING FUNDING THROUGH THE  
DEPARTMENT OF LOCAL AFFAIRS**

**WHEREAS**, the County Commissioners of Yuma County, State of Colorado, convened at a duly and lawfully called regular meeting of the Board of County Commissioners on September 14<sup>th</sup>, 2022; and,

**WHEREAS**, the City of Wray intends to submit a Grant Application to DOLA for the Innovative Affordable Housing Strategies Program, which is a one-time program offering funding to local governments to assist with housing needs; and,

**WHEREAS**, Yuma County Economic Development is coordinating a regional housing initiative in collaboration with said funding; and,

**WHEREAS**, Yuma County is committed to a proportional funding match to be determined after such time as all regional members can be identified and a funding proportion function can be developed; and,

**WHEREAS**, Yuma County strongly supports this application and the need for affordable housing in the region,

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

1. The Yuma County Commissioners Strongly support the DOLA Innovative Affordable Housing Strategies Grant.
2. The Yuma County Commissioners have committed to a proportional funding match for the regional Innovative Affordable Housing Strategies Grant, specific amount to be determined.
3. The Yuma County Commissioners support the grant application submitted by the City of Wray on behalf of the multi-county Northeast Colorado region.

**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 14<sup>th</sup> day of September, 2022. 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 14<sup>th</sup> day of September, 2022.**

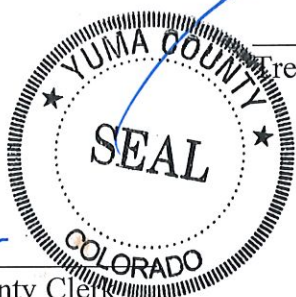
**THE BOARD OF COUNTY COMMISSIONERS  
OF YUMA COUNTY, STATE OF COLORADO**

\_\_\_\_\_  
Robin Wiley, Chairman

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Scott Weaver

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Trent Bushner

**ATTEST:**



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Beverly A. Wenger, County Clerk



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**BOARD OF COUNTY COMMISSIONERS  
COUNTY OF YUMA, STATE OF COLORADO  
RESOLUTION NO. 09-14-2022 D**

**A RESOLUTION TRANSFERRING CHAIRMAN OF THE YUMA COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**WHEREAS**, the County Commissioners of Yuma County, State of Colorado, convened at a duly and lawfully called regular meeting of the Board of County Commissioners on September 14<sup>th</sup>, 2022; and,

**WHEREAS**, Chairman Robin Wiley has announced his mid-term retirement following a distinguished career of over 21 years of service to the people of Yuma County; and,

**WHEREAS**, Chairman Robin Wiley's last day of service is officially September 14, 2022; and,

**WHEREAS**, the Yuma County Board of County Commissioners desire to appoint Commissioner Trent Bushner as Chairman of the Board of County Commissioners until the next regularly scheduled reorganization meeting,

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

1. The Yuma County Commissioners express their formal gratitude to Chairman Robin Wiley for his years of service to the people of Yuma County.
2. The Yuma County Commissioners hereby appoint Commissioner Trent Bushner to the seat of Chairman, Yuma County Board of County Commissioners until the next regularly scheduled reorganization meeting.

**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 14<sup>th</sup> day of September, 2022. 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 14<sup>th</sup> day of September, 2022.**

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

  
\_\_\_\_\_  
Robin Wiley, Chairman

  
\_\_\_\_\_  
Scott Weaver

  
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Trent Bushner

**ATTEST:**

  
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Beverly A. Wenger, County Clerk



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