

YUMA COUNTY COMMISSIONERS
January 15, 2009

Minutes¹

At 8 a.m., the Yuma County Board of Commissioners met in regular session on the 15th of January 2009 with Chairman Dean Wingfield, Commissioners Robin Wiley, and Trent Bushner present.

Administrator Linda Briggs was present throughout the day.

The commissioners reviewed meetings that each attended within the last two weeks.

Oath of Office -

Yuma County Judge Sara Wagers-Johnson gave the Oath of Office to Commissioners Dean Wingfield and Robin Wiley, who were re-elected to their respective positions on November 4th, 2008. This will start a new four-year term for each of them.

W-Y Communications Center -

Walt Hardesty, Jeannie White, and Chan McCall discussed operations of the WY Communications Center. Walt reviewed the 20 year lease document signed when the center first opened in 1992. Options need to be considered prior to the lease terminating. The Communications Center is in need of additional space; even the area held by the Officer of Emergency Management could be used. Discussion of how Emergency Management coordinates with the Center took place. Following the discussion, the commissioners requested that Hardesty compile the cost of constructing a new building. Once that information is received the commissioners would consider the options.

Social Services -

The commissioners conducted business with Dave Henson, Director of the Department of Health and Human Services. Also present: Hollie Hillman.

Reorganize for 2009

Commissioner Wiley moved to have Trent Bushner be Chairman of the Board of County Commissioners for 2009. Commissioner Wingfield seconded the motion. The motion passed unanimously.

Commissioner Wiley moved to approve Resolution 01-15-2009 A which reappointed Dave Henson as Director of the Human Services Department, Mark Shaw as Supervisor of the Road and Bridge Department, and Linda Briggs as Yuma County Administrator, along with appointments to regional boards, setting holidays, and administrative decisions for 2009. Commissioner Wingfield seconded the motion. The motion passed unanimously. (Resolution attached.)

Commissioner Wiley made the motion that during the work week of June 29th through July 3rd, 2009 the Road and Bridge Department will be scheduled to work five 8 hour days. Commissioner Wingfield seconded the motion. The motion passed unanimously.

Road & Bridge -

In attendance from the Road and Bridge Department were: Supervisor Mark Shaw, Truck/Mining Foreman Howard McGinnis, Grader Foreman Casey Stults, and Administrative Assistant Ken Monk. Road and Bridge personnel

¹ These minutes prepared by Linda Briggs are summarized discussions, not verbatim.

updated the commissioners on road department activities.

The following were discussed:

- Shaw informed the commissioners of an incident involving county equipment. A county grader turning in the road struck a county truck as the truck was passing. There is little damage to the grader with some damage to the truck. Cost of the parts is being gathered.
- Shaw asked for clarification as to whether the broom he is getting quotes for, is for the skid-loader or small mower. There was discussion if the broom should be purchased for the skid-loader or mower. Shaw will get a quote for a broom for the grasshopper mower.
- NRCS has asked the county if they would cost share a living snow fence with the property owner. Discussion pursued on the location and cost. The commissioners supported the request which would cost the county approximately \$450.00.
- State Patrol has said they would make inspections when irrigation sprinkler water is hitting the county roads. They would make an inspection, give a first time warning, and then a citation with the next report of confirmed water hitting the road. Concerns were voiced that one needs to take into account the wind blowing the water, mechanical failure, and unjustified nuisance complaints. The Road and Bridge Department will talk to the State Patrol to confirm the process and what type of citation would be given.
- Shaw said he would like to sell the county's 1983 Case 580D backhoe and purchase the backhoe which the City of Wray has traded in. Other equipment needs were listed. The commissioners said if equipment was purchased that was not listed in the capital purchase plan approved in the 2009 budget, adjustments to that plan would need to be made.
- Other items discussed were the buyout of hours above 40 a week and that the commissioners were going to compensate for the accumulated leave hours above 480 that had not been used. The commissioners confirmed they did not expect employees to put in a lot of additional hours over 40 hours a week.
- Shaw thanked the Commissioners for the salary increase for 2009. The employees were very grateful.

Commissioner Wingfield moved to approve the Underground and Utility Permits for the following:

- **The Diamond Operating Company submitted the following road crossing request:**
 1. To install a poly gas line across CR N at ½ mile north of CR 42.
- **The Rosetta Resources Company submitted the following road crossing request:**
 1. To install an 8" poly gas line diagonally across CR 30 and CR V.
- **The Rosewood Resources Company submitted the following road crossing request:**
 1. To install a 1½ poly electric line across CR 46 at 1976' east of CR J.
- **The Y-W Electric Association, Inc. submitted the following road crossing request:**
 1. To install an underground electric line across CR J at approx. 1445' south of CR 39.

Commissioner Wiley seconded the motion, which passed unanimously.

Later in the day, after the commissioners looked at the backhoe previously owned by the City of Wray, **Commissioner Wiley made a motion giving Shaw the authority to purchase the 1996 Caterpillar Backhoe 416B for \$25,250.00. Commissioner Wingfield seconded the motion. The motion passed unanimously.** The county's 1983 Case 580D Backhoe will be put up for bid.

Liquor License -

Pam Zuege presented an application for renewal of a liquor license. **Commissioner Wiley moved to sign the Renewal Application for the Liquor License for Roadhouse Liquors. Commissioner Wingfield seconded. The motion passed unanimously.**

Treasurer's Report -

Dee Ann Stults stated that the Treasurer's Report for the month of December, 2008 had been emailed to everyone. There were \$25.81 in current taxes collected, and \$5,012.45 in fees collected.

- The semi-annual Treasurer's report was presented. This is to be published in the paper. The commissioners said to continue publishing in both the Gazette and Pioneer as in the past. Commissioner Bushner signed the report.
- The Public Trustee's quarterly report showed \$3,240.00 collected, \$3,125 paid out. The year end balance in the Public Trustee Fund is 13,565.01.
- Stults requested approval to cancel a mobile home tax and reviewed the circumstances. **Commissioner Wiley moved to approve canceling the tax due on Schedule Number M003220 for the tax year 2005 in the amount of \$3.39. Commissioner Wingfield seconded the motion, which passed by unanimous vote.**
- Stults presented a resolution updating the agencies in which funds can be located. The only change was the addition of CSafe as a qualified bank. **Commissioner Wiley moved to approve Resolution #01-15-2009 B, authorizing the banking institutions in which the Treasurer may deposit and invest funds. Commissioner Wingfield seconded. The motion passed by unanimous vote.** (Resolution attached.)
- Stults confirmed that people have been surprised with the amount assessed by the Republican River Water Conservation District. There was discussion of how the assessment works between the RRWCD and the Treasurer's office.
- Stults asked if the commissioners would want to impose a fee for delinquent taxes. A sample resolution was passed around for consideration. The commissioners confirmed they would pass a similar resolution once drafted.
- One entity has not paid the possessory interest due to the county. Deputy Assessor Carrie Sharp reviewed the situation and what constitutes possessory interest. The taxpayer will be contacted.

Economic Development -

Pat Duran, Yuma County Economic Development Director, and Stan Holmes, Manager for the City of Wray, discussed the status of the New Energy Communities Grant. Greg Etl has requested an update. Holmes said Wray is interested in pursuing the majority of the projects depending where the final costs come in. Yuma County is still interested in doing the window replacement in both the Courthouse and Health and Human Services building. One company has confirmed they would visit, but no date has been established. A second company has been contacted with no response.

The Governors Energy Office is gathering information for the stimulus package being considered by the Federal Government. They are asking if the region has projects being planned that can be completed within 18 months.

Duran said he had been contacted by a representative from "Farmers Union" about searching for companies to construct transmission lines within the area.

Department Head Meeting -

In addition to the commissioners, the following department heads were present: Dee Ann Stults, Mark Shaw, David Henson, Cliff Henry, and Linda Briggs.

Dave Henson reviewed the defensive training being considered. Because of several department heads not being present, it was decided to continue the discussion at the next meeting.

Treasurer Dee Ann Stults brought up several items for discussion.

Laurie Jones –

Laurie Jones, bookkeeper for the Nebraska Board of Directors of the Pioneer Irrigation District, discussed the payment process of the Board. Discussion centered on the frequency of payables and payroll so Yuma County's contribution can be made timely to the Nebraska Board to pay the bills. Jones said she would make copies of the invoices and request reimbursement from the county.

Board Appointments –

Yuma Planning Commission

Commissioner Wingfield moved to reappoint Steve Andrews and accept the recommendation of the Town of Eckley to appoint Lynn Hagemeyer to the Yuma County Planning Commission Board. Commissioner Wiley seconded the motion. The motion passed by unanimous vote. These appointments will expire on January 1, 2012.

Weed & Pest Control

Commissioner Wiley moved to reappoint Mike Newbanks and Don Andrews to the Yuma County Weed & Pest District Board. Commissioner Wingfield seconded the motion. The motion passed by unanimous vote. These appointments will expire on January 1, 2012.

Eckley Cemetery

Commissioner Wingfield moved to reappoint Jeanne Yenter to the Eckley Cemetery District Board. Commissioner Wiley seconded the motion. The motion passed by unanimous vote. This appointment will expire on November 1, 2011.

Annual Leave -

The commissioners considered the hours above the 480 which are the maximum carry over allowed into a new year. Following discussion of the circumstances of specific individuals the following motions were made,
Commissioner Wiley moved to approve ½ of 8 hours as bonus to Ken Monk because of an error in calculating the additional hours worked, to be paid at the 2008 salary rate. Amount to be paid is \$58.28. Commissioner Wingfield seconded the motion. The motion passed unanimously.

Commissioner Wingfield moved to approve buying out 6.70 hours over the 104 hours allowed for the personal leave buyout at the 2008 salary to Pam Zuege. This is due to special circumstances relating to the election.
Commissioner Wiley seconded the motion. The motion passed unanimously.

Commissioner Wiley moved to pay the leave hours accumulated over the allowed 480 of 119 hours to Casey Stults and 230 hours to Howard McGinnis at the 2008 wages. This is due to special circumstances relating to reorganization of the department. Commissioner Wingfield seconded the motion. The motion passed unanimously.

Administrator's Report -

Administrator Linda Briggs reviewed calls, correspondence, and presented items for approval.

The final payment of \$36,000 was made to Milton E. "Bud" Mekelburg for gravel located in the SE1/4 of Section 8, T5N, R48W. The first payment was made in 1993.

The Useful Public Service coordinator has resigned. Communication is taking place with the probation department as to how handle the position in the future. Briggs will keep them updated.

Chairman Trent Bushner signed the Veterans Report for December 2008.

Commissioner Chairman Bushner signed the acknowledgment of contribution received from Kitzmiller-Bales Trust in the amount of \$25,000 for the Idalia Ambulance Renovation Project.

Commissioner Chairman Bushner signed three, "Certificate of Equipment Acceptances" with Motorola for the project named PSIC Grant 2008. This stated the warranty was effective as of 1-15-09 for the mobile equipment.

Commissioner Wingfield moved to approve the minutes of December 15, 2008. Commissioner Wiley seconded the motion, which passed unanimously.

Commissioner Wingfield moved to approve Yuma County Permit Ordinance 1982-1 for the following:

1 Petroleum Development Corporation wells:

R & J Klie 14-34

R & J Klie 24-34

Commissioner Wiley seconded the motion. The motion passed by unanimous vote.

Commissioner Wiley moved to reimburse Judy Wilson \$500, as documentation has been provided that the yearly deductible amount to both CEBT/PacifiCare and to County Health Pool/Anthem Blue Cross has been paid for her. Commissioner Wingfield seconded the motion. The motion passed by unanimous vote.² Commissioner Wiley moved to approve Resolution #01-15-2009 C, a resolution authorizing County Administrator, Linda Briggs to sign The State Board of the Great Outdoors Colorado Trust Fund grant document for the Liberty Track and Field Project. Commissioner Wingfield seconded, with the motion passing unanimously. (Resolution attached.)

Commissioner Wiley moved to approve Resolution #01-15-2009 D, a resolution amending the 2008 budget and appropriating additional money to defray expenses in excess of amounts budgeted for the County of Yuma. Commissioner Wingfield seconded the motion. The motion passed by unanimous vote. (Resolution attached.)

Commissioner Wiley moved to approve the request from McElvain Oil & Gas, Inc., to operate a seismic 3-D vibroseis in T2S, R46W and T3S, R45W, with an expected start date of January 25. Commissioner Bushner seconded the motion, which passed with Wiley and Bushner voting, Yea. Commissioner Wingfield abstained as he has property located in the area.

Commissioner Wiley moved to approve the Ambulance Service Licenses for the City of Yuma Ambulance Service. Commissioner Wingfield seconded. The motion passed unanimously. The Ambulance Licenses, issued by Yuma County, authorizes these agencies to operate in Yuma County from January 1, 2009 to January 1, 2010.

Certification of Payroll for 2008 buyouts payable for January 12, 2009, system/warrants #28059 through #28070 totaling \$12,404.68 and 2008 buyouts payable for January 15, 2009, system/warrants #28071 through #28074 totaling \$7,706.89, were approved and signed by Chairman Trent Bushner.

Certification of Accounts Payable for January 15, 2009, system/warrants #41600 through #41659 and system/warrants #5070 through #5074 totaling the sum of \$601,997.49, were approved and signed by Chairman

² See related motion in April 30, 2008 minutes.

Trent Bushner.

There being no further business, the meeting was adjourned at 5:20 p.m.

The next meeting of the board will be January 30 and February 17, 2009.

Trent Bushner, Chairman

Linda Briggs, Administrator

ATTEST:_____
Beverly Wenger, County Clerk