

YUMA COUNTY COMMISSIONERS
February 17, 2009

Minutes¹

At 8 a.m., the Yuma County Board of Commissioners met in regular session on the 17th of February, 2009 with Chairman Trent Bushner, Commissioners Robin Wiley, and Dean Wingfield present.

Administrator Linda Briggs was present throughout the day.

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

The day started with the commissioners doing a ten minute phone interview by KSIR, a regional radio station out of Brush, Colorado.

Social Services -

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

Henson said Dee Ann Stults had informed him that her name needs to be on the Checking Account opened through Resolution 11-15-2007D. Following discussion, **Commissioner Wiley moved to have the resolution redrafted to add Treasurer Dee Ann Stults as a signer on the account. Commissioner Wingfield seconded the motion. The motion passed unanimously.**

The commissioners met with Dave Henson for the purpose of doing his yearly employee evaluation.

Treasurer's Report -

Dee Ann Stults presented the Treasurer's Report for the month of January, 2009. There were \$721,803.42 in current taxes collected, and \$30,788.75 in fees collected.

Other discussion:

- Stults informed the board that Sandhills Water District was in the negative at the end of the month. They had been notified and made the correction.
- The possessory interest due to Yuma County from the building at the Yuma Country Club has not been paid.
- Currently there is \$13,565 in the Public Trustee account. Stults said according to statute, these funds should be earning interest. The interest can be paid once a year through a resolution, as the other fund interest payments are made, or she will open an interest bearing account for the Public Trustee funds. There was discussion as to the maximum amount of funds that should be retained in the Public Trustee account, as all of the Public Trustee expenses are allowed for in the approved Treasurer's budget. There was discussion of capping it at \$12,500, which is the allowed Public Trustee Salary. Stults felt the amount should be more than the salary amount. The commissioners said they would consider the request.
- Stults requested that checks be used instead of the warrants. This would make the treasurer's job simpler. Briggs said they were open to making this change as soon as the warrant stock was used.
- Stults said her name is to be on all accounts if they contain the County Federal Identification Number. The bank gave her a statement which had not been picked up. It was for an account through the Health and Human Services Department. Stults said she was not happy about this being done without consulting her, so they are to be made aware of in the future. She asked if the PID account had a different FEIN. Briggs said a different number was acquired for that account.

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

- The west vault lock is showing signs of needing fixed. It is getting harder to open. The commissioners confirmed it would be best to find someone that would work on it before she gets locked out.
- The wall holding the east vault door still needs fixed.
- She has had a lot of calls and questions about the television reception when broadcasting goes digital. The commissioners said the rural areas have three years to get the conversion complete. It will be a gradual change.
- A representative from Yuma Ethanol called about receiving a refund of the taxes they paid. Stults knew nothing about what they were talking about. Once she contacted the administration office, the documents were presented.
- The commissioners said Yuma Ethanol had not yet applied for the refund. The process of a business applying for a refund was done several years ago. Stults stated that if another elected official is mentioned in a document, that person should be consulted at that time.
- In response to a question, Stults stated that the foreclosures are down from a year ago.

Assessor Cindy Taylor –

Assessor Cindy Taylor met with the board, with Dee Ann Stults also in attendance. Taylor reviewed some personal property legislative changes being considered, which would adversely affect Yuma County's assessed value. She requested that the board make contact with the legislators to keep the legislation changes in the county's best interest.

Taylor reviewed reasons for the abatements being presented. **Following the discussion, Commissioner Wiley moved to approve three abatements: Resolution 02-17-09 A, an abatement to Public Service Company of Colorado under schedule No C000327, in the amount of \$7,018.12. Resolution 02-17-09 B, an abatement to Noble Energy, Inc. under schedule No L902714, in the amount of \$4,341.02, and Resolution 02-17-09 C an abatement to Noble Energy, Inc. under schedule No L902702, in the amount of \$1,293.44. Commissioner Wingfield seconded the motion. The motion passed unanimously.**

Taylor presented for approval, the request being sent to the Colorado Division of Wildlife stating the amount they need to pay in lieu of taxes. **Commissioner Wiley moved to sign the Colorado Division of Wildlife Impact Assistance Grant Application in the amount of \$2,430.23 for the 2009 tax year. Commissioner Wingfield seconded the motion, which passed unanimously.**

Taylor and Stults asked the commissioners if they would want to schedule a meeting with representatives of Colorado CustomWare, Inc. (CCI), to see the Assessor/Treasurer computer programs. The commissioners said it is important that the departments understand the program; they are more concerned about the purchase price. Taylor will schedule a meeting with CCI to discuss specifics of a contract. Taylor and Stults reiterated the need to make a change from the current ACS program.

Earl Wernlein -

Earl Wernlein from Wern Air, Inc. discussed the commissioners' options for improving the roof at the Health and Human Services building. Discussion centered on relocating the 13 HVAC units located on the roof of the building to a newly constructed pitched roof. Wernlein discussed a different roofing option that puts a pitch on the current flat roof, which would improve drainage. At the conclusion of the discussion, Wernlein said he would have a company contact the county that has done similar projects.

Jeannie Leerer –

Jeannie Leerer requested support for the Town of Eckley to pursue a Great Outdoors Colorado mini-grant to construct an outdoor restroom near the park just south of the Community Center. There will also be some improvements made to the park. The total project cost is \$59,380.00 with a request to GOCO for \$43,000. The Town of Eckley has committed \$6,000; in addition there have been some smaller local contributions. After Leerer reviewed specifics of the project, **Commissioner Wingfield moved to authorize \$6,000 from the Conservation Trust Fund toward the restroom / park upgrade. This is contingent upon receiving enough funds to complete the project. Commissioner Wiley seconded the motion. The motion passed unanimously.** The commissioners signed a letter of support for the improvements.

Northeast Colorado Health Department -

Northeast Colorado Health Department Administrator, John Crosthwait joined by Julie McCaleb, their Environmental Health Director, reviewed the \$7,500 grant which was received to assess a current capability development plan, should there be a catastrophic event such as a tornado or flood in a densely populated area. A power point presentation was given outlining the steps for completing the grant requirements. This included process of agency and county collaboration; assessing and inventorying the existing infrastructure, such as the landfill locations and what type of debris they would accept; having a plan for building inspections should a tornado cause extensive damage; developing a plan for where environmental sensitive materials such as lead-based painted materials and asbestos should be taken; and completing a process for the disposal of dead animals. After the plan is developed through the grant, each county can then decide if it or portions of the plan would be adopted. The grant will also cover the cost of printed pamphlets to educate the public on the disaster management plan.

Following the presentation, the commissioners expressed the need to keep a common sense attitude toward a clean up process, should a catastrophic event happen, so one is not limited by a set procedure or binding process.

Cedardale Health Care Centre –

Carol Chapman, Bill Kolling, and Bob Fix said they were representing families of residents of Cedardale. Kolling stated family members of the residents in the home want to keep the facility open and operating. Bill Kolling reviewed reasons for trying to keep the facility operating. There was discussion of the process of acquiring a 501 C3 which is being considered as a foundation to purchase and operate the facility. The Commissioners gave recommendations of whom they could contact that has previously been involved with forming and operating under the 501 C3 umbrella. Subsequent to discussing reasons to keep the facility operating, the commissioners said they supported and wanted Cedardale to continue operating, but it is not something the County could take over.

Road & Bridge -

In attendance from the Road and Bridge Department were: Supervisor Mark Shaw, Truck/Mining Foreman Howard McGinnis, and Administrative Assistant Ken Monk. Road and Bridge personnel updated the commissioners on road department activities.

The following were discussed:

- Shaw informed the commissioners of a vehicle accident on a county road that took place this morning.
- Shaw requested to start the 4-ten hour work week the first part of March, allowing him flexibility on the start and ending time. For the first couple of weeks he would begin at 7:00 a.m. to 5:30 p.m. and in approximately 3 weeks move the work schedule to 6:30 a.m. to 5:00 p.m. Daylight savings begins on March 8th. The commissioners requested that he see what the visibility is at that time of day.

- Three representatives from Mac Trucks had visited the shop and said they have figured out how to solve the problems with the trucks. They will allow usage of a rental truck while they make repairs to those in the county fleet.
- Shaw reviewed employee position changes and where the new employees would be located. There were over 20 applications for the last job openings placed in the papers.
- Shaw said he has had additional requests for assisting with the living windbreaks. The commissioners supported assisting with living windbreak tree strips, if they are in locations that assist with keeping snow from critical roads. The department could approach the property owner in these key locations to see if they would partner with the county for a living windbreak.
- The extensions to the culvert on County Road V have been installed. Shaw discussed the options for doing the retaining wall.
- Concrete Specialists out of Sterling will be sending a quote on the cost of the concrete on the Homm Bridge.
- Shaw said that the process in place to handle dirt blowing onto roads, is very lengthy. He reviewed a problem of a property blowing west and south of Wray.
- Cargill removed snow from the county road, but in doing so most of the gravel was removed. Shaw said he would make a visit to them and let them know that when it rains, they will have more problems because of no gravel on the road.
- Last year there were two road crossings installed on Road K and N without a permit. The party that installed the lines was contacted, the application filled out, the fee paid, and approval granted. Monk asked if the reimbursement should be allowed under the circumstances. The commissioners confirmed that the reimbursement amount should be returned to the party.

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

- **The Petroleum Development Corporation submitted the following road crossing request:**
 1. To install an electric line across CR 15 at 1340' west of the SE corner of Section 17.
- **The Taylor Family, LLLP submitted the following road crossing request:**
 1. To install a stock well hydrant across CR M at approx. 1760' south of CR 52.

Commissioner Wingfield seconded the motion, which passed unanimously.

The commissioners met with Mark Shaw for the purpose of doing his yearly employee evaluation.

Board Appointments –

Commissioner Wingfield moved to appoint Danny Prather to the Yuma County Planning Commission as recommended by the City of Wray. Commissioner Wiley seconded the motion. The motion passed unanimously. This three year appointment will expire January 01, 2012.

Commissioner Wiley moved to appoint Harold Blach to the West Yuma County Cemetery District Board. Commissioner Wingfield seconded the motion. The motion passed by unanimous vote. This appointment will expire January 31, 2015.

Calls were made to:

Karen Schneider was contacted to discuss the commissioner's opinion as to which highway improvements should receive top priority for funding, should stimulus funds become available.

Greg Etl was called to clarify the process of the New Energy Community Initiative Grant received by Yuma County. The discussion centered on the timing of signing agreements, which give approval for the selected company to proceed with the detailed development, and then with the implementation of the project without compromising the process established by the Division of Local Government. Etl said he would get clarification of the process.

Administrator's Report -

Administrator Linda Briggs reviewed calls, correspondence, and presented the following for action:

Commissioner Wingfield moved to approve the minutes of January 30, 2009. Commissioner Wiley seconded the motion, which passed unanimously.

Chairman Trent Bushner signed the Veterans Report for January, 2009.

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

1 Berry Petroleum Company wells:

Acker 14-25 1S44W	J. Brophy Estate 33-31 1S43W	J. Brophy Estate 34-31 1S43W
J. Brophy Estate 43-31 1S43W	Day 14-35 4N47W	Edens 24-17 1N44W
Ekberg 33-32 1S43W	Ekberg 34-32 1S43W	Ekberg 43-32 1S43W
Gardner Trust 44-18 2N46W	Jones 23-18 1N44W	Jones 33-18 1N44W
Jones 41-19 1N44W	Jones 43-18 1N44W	Kirchenschlager 14-11 1N47W
McCaslin 11-14 1N47W	McCaslin 21-14 1N47W	McCaslin 22-14 1N47W
Miller 22-08 1N44W	Miller 23-17 1N44W	Miller 31-08 1N44W
Miller 32-08 1N44W	Weeks Trust 23-25 2N47W	

2 Petroleum Development Corporation wells:

Stone 32-26	Toner 31-28	Toner 42-28
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Commissioner Wiley seconded the motion. The motion passed by unanimous vote.

Chairman Wiley moved to sign the Yuma County Financial Assurance Package Local Government Financial Test, drafted by the county auditor McMahan and Associates, LLC. Commissioner Wingfield seconded the motion, which passed unanimously.

Certification of Accounts Payables for February 17, 2009, systems/warrants #41749 through #41863 and systems/warrants #5090 through #5098 totaling the sum of \$1,182,038.62 were approved and signed by Chairman Trent Bushner.

There being no further business, the meeting was adjourned at 6:15 p.m.

The next meeting of the board will be February 27 and March 16, 2009.

Trent Bushner, Chairman

Linda Briggs, Administrator

ATTEST: _____
Beverly Wenger, County Clerk