

**YUMA COUNTY COMMISSIONERS**  
**May 29, 2009**

**Minutes<sup>1</sup>**

At 8:00 a.m., the Yuma County Board of Commissioners met in regular session on the 29th of May, 2009, with Chairman Trent Bushner, Commissioners Robin Wiley, and Dean Wingfield present.

Administrator Linda Briggs was present throughout the day.

The commissioners reviewed with each other on affiliated meetings that each attended within the last two weeks.

Koenig Family –

Present: Roger Koenig, Dean Koenig, Lynn Koenig, Road Supervisor Mark Shaw, and Assessor Cindy Taylor. The Koenig's requested gravel and improvements be done on Road E, going south of Hwy. 34. Photos showing deep tracks in the road bed, because of the heavy rains were presented. Gravel on this road had been requested quite some time ago. Water runs from land within the Yuma City limits west across the road onto his land. Roger Koenig said the county should not let water from the annexed property be allowed onto the county side. They should be required to have water holding areas, like the hospital had to put in. Emergency service vehicles could not get through the road, in the shape it is currently in. Mark Shaw said he had contacted the State Highway Department to see if the water could flow in the State Right-of-Way, as this would flow water west along Hwy 34. The commissioners supported this as the most favorable option.

It was requested that the county talk to the City of Yuma to see what could be done with the water. They felt this was also a City of Yuma issue, because of the property being annexed.

The Koenig's gave examples of why they felt the road employees are not as efficient as they could be. Road Supervisor Mark Shaw gave reasons for how the crew's schedule and trucking operated.

The Koenig's said that they wanted to go over their taxes, as their property appraisals have gone up when surrounding counties have remained the same. The commissioners interrupted the discussion to inform them they need to exhaust all options with the county assessor. They would then need to sign a formal protest and then present their case before the Board of Equalization in July.

Assessor Taylor informed Roger that the one property value doubled, because at their request two parcels had been combined into one. She also gave crop values used by surrounding counties.

Health and Human Services -

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

Road & Bridge -

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

The following were discussed:

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<sup>1</sup> These minutes prepared by Linda Briggs are summarized discussions, not verbatim.

- The fourth road grader will be delivered today. All of the 2003 graders will have been sold.
- Mark reviewed where the road crews were working and what projects they would be working on next.
- They are currently hauling out of the Gelvin pit, but would be moving to the Deterding pit next.
- They have been working on trees, culverts, and cattle guards.
- Drainage of rain from the Wray shop was discussed.
- Employment ads will be in the papers this week to fill the two positions currently open.
- Monk said the company handling the drug testing was changed, for the county was not promptly informed of the test results. Results from the new company are received within two days. Monk reviewed the fees associated with the drug tests.
- Shaw presented and reviewed an equipment list. Discussion centered on equipment no longer used, what needs replaced, and for which items, parts are hard to find. Shaw will get a priority list done for equipment replacement and for building improvements to houses and shops.

Roger Brown –

Roger Brown, Yuma County Emergency Management Officer, discussed the Northeast Colorado Regional Debris Management Plan. A public hearing as required prior to adopting the plan was held in Eckley. FEMA requires a plan to be in place, if the municipality or county wants their assistance. Grant funds were received for developing the plan. Adoption of the plan is up to each county and municipality of the regions. Nothing is mandatory. Brown felt the plan presented was workable, if there should be a disaster in the county.

Brown is in the process of doing the 5 year review of the hazard mitigation plan. A planning document was presented showing the updated demographics. Public meetings are planned for August to continue the plan update.

A fire protection plan is being developed. Each fire department will be presented a Fire Wise Program from the Colorado State Forestry Department. Brown presented a Logan County Ordinance, which restricts open fires on “Red Flag” warning days for consideration. Brown supported having open burning called into the Communications Center, so a spot weather forecast can be acquired from the weather service confirming the weather will be safe for fires.

An Alternate Care Facility Plan for the hospitals is in the process of being developed. Vickie Gillett is writing the plan for the Wray Hospital.

Coroner Jim Schmidt –

Coroner Jim Schmidt presented an Intergovernmental Agreement (IGA) for Coroner Services for consideration. This IGA is between the Commissioners of Washington County and Yuma County and outlines temporary assistance of services between the coroners of each county should there be multiple fatalities, complex investigations, vacation scheduling, training and meetings. The Washington County Commissioners have approved the IGA. Discussion of the agreement pursued. The commissioners said they would approve the IGA at the next meeting, once a resolution is drafted.

Colorado CustomWare, Inc. –

Assessor Cindy Taylor and Treasurer Dee Ann Stults presented the contract from Colorado CustomWare, Inc., for their respective departments. Taylor and Stults confirmed this was what they felt would be best for their department's operations. Ko Clifton from Colorado CustomWare, Inc. was called to clarify portions of the contract. Following the discussion, **Commissioner Wiley moved to sign the Master License, Services, and Support Agreement with Colorado CustomWare, Inc., for software in the Assessor's and Treasurer's departments. Commissioner Wingfield seconded the motion, which passed unanimously.** Implementation of the software packages will not take place until mid year of 2010. Taylor and Stults will give termination notice to ACS according to the contract.

Land Use –

At 1:12 p.m., Chairman Bushner opened the hearing for public comment on an Application for Exemption from Subdivision Regulations application as advertised for Duard and Adah Fix.

Briggs said no written comments or calls had been received at the administrative office relating to this application. The staff report was presented. The Yuma County Planning Commission had reviewed the application and recommended approval with stipulations.

No one from the public was present to make comment.

The commissioners reviewed the application and the planning commission recommendations. Through a duly made motion, the hearing was closed at approximately 1:14 p.m.

**Commissioner Wingfield moved to approve, as recommended by the YC Planning Commission, the Application for Exemption from Subdivision Regulations for Duard and Adah Fix to divide 2.0 plus or minus acres from 4.3 plus or minus acres in NW/4 NE/4 of Section 6, T1S, R43W with the following restrictions:**

- **The designated 0.50 acre easement for septic system is restricted from having any physical building or construction that would hinder using this designated area for use as a waste disposal system.**
- **The Applicant shall be responsible for complying with all Federal, State, and Local regulations.**

**Commissioner Wiley seconded the motion, which passed unanimously.**

Liquor License -

Pam Zuege presented a liquor license renewal application. **Commissioner Wiley moved to approve the renewal application from Papa's Bait Shop at 1844 Hwy 385, Burlington Colorado. Commissioner Wingfield seconded the motion. The motion passed unanimously.**

Clerk Beverly Wenger –

Clerk Beverly Wenger informed the commissioners that Image Base, LLC has completed the digitizing of records per the agreement, including the indexing. This came in approximately \$8,000 less than what was quoted. Image Base called and asked about continuing the process of indexing grantor/grantee documents from a hand written index, which had never been done. Wenger said at the time of the call, she made the commitment to Image Base for indexing those documents.

Following the discussion, **Commissioner Wiley moved to approve the expenditure of \$46,254.24 to Image Base for indexing documents previously scanned, but never indexed. Commissioner Bushner seconded the motion, which passed unanimously.**

Discussion pursued as to the possibility of having the scanned records assessable through the Yuma County's website.

Wenger said the grant for funds to make the physical improvements for the election center was submitted and she should have a response within 30 days.

Department Head Meeting -

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

Department Head Chairman Cindy Taylor opened the meeting with discussion of recommended changes to the Employee manual. Changes discussed were: Stating on the time sheets, the in and out time when an employee is absent from work on partial days; a new section stating the current practice of when an employee receives "No Pay", and changes recommended by the Sick Leave Bank Board. Following the discussion, Briggs made a motion recommending the Board of County Commissioners approve the discussed changes. The motion was duly seconded and approved unanimously.

**Commissioner Wingfield moved to approve Resolution # 05-29-2009 A, making revisions to the Yuma County Employees Handbook which include: changes to Section 4, Employment 402 Attendance Records; Section 6, Benefits 611 Employee No Pay; Section 7, 701 Sick Leave Bank –B. Enrollment. Commissioner Wiley seconded the motion, which passed unanimously.** The remainder of the Employees Handbook remains unaffected and in full force. (Resolution attached)

Stults asked the commissioners for guidance on preparing the 2010 budget. At this point the assessed valuation which will set the tax revenue, is not known at this time. The commissioners said to build in a \$25 cost of living allowance into the pay scale.

#### GIS -

GIS Coordinator Richard Birnie said he had been contacted by a company that wants the County GIS maps and information. The commissioners were asked to clarify if it matters as to what is done with the information. Some of these requests may be for the purpose of having it on a website and when someone pays a fee to access the information, our maps and data would be available. The company has not yet stated how the county's information is to be used. Discussion pursued.

The commissioners set this basic premise for use of GIS maps and data: Data from the GIS department is not to be used by any business or entity for the purpose of making a profit. The current fee structure is still in place and the practice of sharing the information with municipalities and special districts within Yuma County free of charge is acceptable. Birnie will change the disclaimer statement to reflect the "no profit" premise.

#### Administrator's Report -

Administrator Linda Briggs reviewed calls, correspondence, special projects, and presented the following action items:

**A motion was made by Commissioner Wingfield and seconded by Commissioner Wiley to approve the minutes of May 18, 2009. The motion passed unanimously.**

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

**1 Omimex Petroleum, Inc. wells:**

Bledsoe Federal 1-29-5-44

Bledsoe Federal 6-29-5-44

Bledsoe Federal 14-20-5-44

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

**Commissioner Wingfield moved to approve increasing the monthly compensation to Yuma County's Emergency Manager as Grant Agreement 9EM09L64, State of Colorado, Department of Local Affairs has been received, which is matching 50% of the department's yearly expenditures. Commissioner Wiley seconded the motion. The motion passed unanimously.** Roger Brown will receive the approved salary increase amount retro to October 1, 2008. Grant year is October 1, 2008 through September 30, 2009.

**Commissioner Wiley moved to sign the 2009/2010 Colorado State Hazard Mitigation Program grant, under Contract Number 9EM708H12, to receive \$600 in Federal EMPG funds for purchase of NOAA weather radios. Commissioner Wingfield seconded the motion which passed unanimously.**

Chairman Bushner signed the Revised Residence Lease with employees, William Thompson living in the Idalia house at 26982 County Road 9.1, Idalia, Colorado and Nathan Minor living in the Abarr house at 19375 Hwy 59, Yuma, Colorado.

Certification of Accounts Payable for May 29, 2009, checks #42536 through #42618 and checks #5262 through #5277, totaling the sum of \$292,232.51, were approved and signed by Chairman Trent Bushner.

Certification of Payroll for May 29, 2009, EFT system #28576 through #28703 / checks: #28546 through #28566 and EFT system #4325 through #4338 / checks: #4302 through #4303, totaling the sum of \$253,225.25, were approved and signed by Chairman Trent Bushner.

The commissioners made their routine inspection of the jail.

There being no further business, the meeting was adjourned at 5:00 p.m. The next meeting of the board will be June 15 and June 30, 2009.

A listing of meetings attended by the Commissioners during the month of May 2009 is attached.

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Trent Bushner, Chairman

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Linda Briggs, Administrator

ATTEST: \_\_\_\_\_  
Beverly Wenger, County Clerk