

YUMA COUNTY COMMISSIONERS

June 15, 2009

Minutes¹

At 8 a.m., the Yuma County Board of Commissioners met in regular session on the 15th of June, 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.

Custodian -

Custodian Daryl Juhnke said on the upper level of the courthouse there is a drainage problem, as the weight of the tile have warped the board so water is not flowing to the gutters. He wanted to make sure this was on the commissioner's list to repair when areas of the roof are fixed.

Health and Human Services -

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

Gordo Roofing, LLC. -

Herbie Gordo, owner of Gordo Roofing, explained to the commissioners a method he would recommend for repairing the Health and Human Services building. He explained the process of the Ethylene Propylene Diene Monomer (EPDM) roofing system. Gordo said he would measure the Health & Human Services building and areas of the courthouse roof for the purpose of giving a quote on repairing.

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:

- Water is everywhere from heavy rains in the county. Shaw reviewed areas where the road problems were the worst.
- The road in Gardner Estates was approved prior to the county having the policy of turnarounds. Shaw said he would recommend the turnaround be 150 feet in diameter. When Gardner Estates Development was platted, an 80 foot right-of-way was accepted, but with no consideration for graders of the current size needing a wide turn around. A new home is to be constructed at the east of the development where the grader turnaround needs to be considered. Shaw recommended an outside diameter of 150 feet. The property owner will be contacted about allowing additional width for the circle turnaround.
- Shaw discussed the gravel lease agreement. Following discussion, the commissioners said there should be a separate lease document if the land owner, on which Yuma County acquires a mining permit, wants to sell material to others out of the pit.
- The temporary pipe allowed to be placed in the county right-of-way by Cargill is still in the ditch. At this point it is not being used. Shaw said he would be requesting the company to pick up the pipe.
- Shaw said the county has no further need for the Clarksville property. All county items have been removed. The county has a long term lease on the property, but when the Quonset at 56962 Hwy 59

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

was purchased, there was no longer a need for the house and shop building at 12388 County Road 57. Following the discussion, **Commissioner Wiley moved to terminate the lease agreement recorded under Book 478, Page 384 at the Yuma County Clerk's Office and relinquish possession of the property to Otto Lueking, the current owner of the property. Commissioner Wingfield seconded the motion. The motion passed by unanimous vote.**

- Shaw said the CCI Conference provided good material on county right-of-ways and felt it was worth while.
- Parts inventory was discussed. The auditors will have a finding relating to the parts inventory, as they found the information not satisfactory. The department will work to get it in place for next year.

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

- **The CenturyTel Company submitted the following road crossing request:**
 1. **To install a telephone line along CR 51 at CR AA and proceeding west approx. 6,250' along CR 51.**

Commissioner Wiley seconded the motion, which passed unanimously.

Fair Grounds –

Also present were Ron Baucke and three men wanting to stable horses on the fair grounds. Martin Garcia said he was here on behalf of individuals wanting to continue boarding horses on the fair grounds throughout the year. He confirmed the pens had not been cleaned as they should have been. There is not enough room in the horse barn for everyone that wants to have a horse. There are not a lot of things for people to do that live within the City limits. Being able to keep a horse is a benefit to these people. Community roping benefits have taken place to assist people of need in the community, financially. There are no other locations where horses can be boarded that are close enough for owners to feed the animals prior to going to work. Garcia requested the commissioners reconsider and allow horses to be boarded in the pens.

Discussion continued on the condition of the pens due to not being cleaned, damage done by horses cribbing on wood, hay areas not being kept, cans and twine not being picked up. None of the manure could be put onto fields, because of the trash. The estimated cleanup cost is at \$2500. No one should have to spend time cleaning up for a nonprofit event. Ron Baucke said he spent three days cleaning pens with a skid steer, prior to the horse event that had been scheduled on a Saturday.

Garcia said not everyone should lose the privilege, just because of a few. He agreed that the people using the pens should clean up. If the commissioners would allow use of the pens again, he would police to make sure the pens were clean.

The commissioners said they wanted to talk to Kenny Mitchell and get things written down.

Laird Community Center –

Edith McGinnis, Karan Harsh, and Stan Minton requested financial support for outside improvements at the Laird Community Center. They want to have a cement slab and cover with a metal awning as a picnic area. Outside lights will be installed and picnic tables purchased. The total project cost is \$10,000. The commissioners were informed of in-kind contributions, who would be installing the cement, and where the awning would be purchased. They have \$7,000 in a checking account which are proceeds from dinners, bake sales, and a small portion from hall rent. Following the discussion, **Commissioner Wiley moved to purchase the movable carport and picnic tables for use at the fair grounds from the Conservation Trust Fund. This property will be located at the Laird Community Center, when not being used at the fair grounds. Commissioner Wingfield seconded the motion. The motion passed unanimously.**

Relay for Life -

Tracy Collins requested that the Board of County Commissioners proclaim a week to increase public awareness of the need to eradicate cancer. **Commissioner Wingfield moved to proclaim June 21 through June 27, 2009 as Relay for Life Week. Commissioner Wiley seconded the motion, which passed unanimously.** A photo of Chairman Bushner signing the proclamation was taken for publishing in the papers. (Proclamation resolution 06-15-2009 A attached)

Sheriff Sam McCoy –

Sheriff Sam McCoy informed the commissioners that at times, the City of Wray and City of Yuma have inmates housed in the jail. Typically, these individuals are out on bail after spending the night if not out the same day. Recently, the City of Yuma had an inmate jailed for 5 days, so they were sent a bill for the time at the regular rate of \$40.00 a day. The municipality did not want this individual to be released any sooner. The Judge informed the City of Yuma they may be paying a reimbursement fee to the County.

McCoy presented and reviewed an agreement between the City of Wray and Yuma County dated in 1966, relating to inmates incarcerated by the City of Wray. McCoy recommended updating this agreement and asked at what point the charges should start when keeping an inmate for a municipality. After discussing the issue, all were in agreement that the daily charge would not start until the City had inmates jailed for an accumulation of ten overnight stays each calendar year. McCoy will draft a resolution with the specifics.

Other discussion centered on courtroom security and the announcement that Judge Penny is resigning. McCoy said Judge Penny has made good changes in the system. He is the first Chief Judge that has taken responsibility of the position.

Yuma County Water Authority Public Improvement District -

At approximately 1:00 p.m., the commissioners adjourned to conduct business of the Yuma County Water Authority Public Improvement District.² The commissioner meeting resumed at around 1:10 p.m.

Treasurer's Report -

Dee Ann Stults presented the Treasurer's Report for the month of May, 2009. There were \$3,206,233.69 in current taxes collected, and \$54,310.33 in treasurer fees collected. The percentage of taxes collected is 81.43% for the year.

Other topics briefly discussed were: 1) the number of foreclosures and 2) the Republican River Conservation District fee of \$14.50 per irrigated acre, which the treasurer collects.

Greg Etl / Department of Local Affairs –

Via a phone call, DOLA Representative Greg Etl discussed the Yuma County Highway improvement grant request. The hearing for this grant will be held in Durango and will be scheduled on July 23rd or 24th. The agenda is not yet finalized.

Clerk Beverly Wenger -

Beverly Wenger informed the commissioners that due to the amount of rain received, she has cleaned up a lot of messes at the election building. She reviewed the grant submitted for improvements to the building and used removal of the station as in-kind to improve parking. An answer on the grant will be received within thirty days.

² Minutes of the Yuma County Water Authority PID are done separately.

Administrator's Report -

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

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

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

1 Stelbar Oil Corporation, Inc. wells:

Brant #1-7 McCauley #2-18

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

Certification of Accounts Payable for June 15, 2009, checks #42619 through #42751 and checks #5278 through #5289, totaling the sum of \$582,502.39, were approved and signed by Chairman Trent Bushner.

There being no further business, the meeting was adjourned at 4:30 p.m.

The next meeting of the board will be June 30 and July 16, 2009.

Trent Bushner, Chairman

Linda Briggs, Administrator

ATTEST: _____
Beverly Wenger, County Clerk