

YUMA COUNTY COMMISSIONERS

July 15, 2014

Minutes<sup>1</sup>

At 8 a.m., the Yuma County Board of Commissioners met in regular session on the 15<sup>th</sup> of July, 2014 with Chairman Dean Wingfield, Commissioners Robin Wiley and Trent Bushner present.

Administrator Linda Briggs and newly appointed Administrator Kara Hoover were present throughout the day.

The commissioners reviewed and signed accounts payable checks.

The commissioners paused to conduct a phone interview by KSIR, a regional radio station out of Brush, Colorado.

Health and Human Services

The commissioners conducted business with Dave Henson, Director of the Department of Health and Human Services. Staff members also present, Phyllis Williams and Robin Barnhardt.

Road and Bridge

In attendance from the Road and Bridge Department were: Supervisor Mark Shaw, Truck/Mining Foreman Howard McGinnis, Office Manager Debbie Logue and Office Assistant Sarah Corwin.

The following items were discussed:

- Gravel Pit: McGinnis presented a lease agreement for opening a new gravel pit on property owned by Dean Wingfield. **Commissioner Bushner made a motion to approve the Lease Agreement for the Robert Dean Wingfield Gravel Pit located in Section 29, T2S, R45W, seconded by Commissioner Wiley. Being the owner of the property, Commissioner Wingfield abstained. Commissioners Bushner and Wiley both voted yea. Motion passed.**
- Graveling Roads: The department is graveling roads. Currently working on County Road 9, between Highway 385 and County Road KK, and County Road U, 1 mile south of County Road 28.
- Right Away: Road and bridge reports of intrusions on right away due to sprinklers, farming, and honey wagons, discussion held.
- Mowing Practices: Mark requests clarification on mowing practices. Discussion is to mow 10-12 feet (1 pass) consistently throughout the county. Discussion held in regards to safety on corners with tall corn and mowing out corners.
- Tumbleweeds: Discussed areas that are blocked with tumbleweeds. Discussion on solutions to remedy tumbleweed issue, particularly to Road 30 west of Deterdings.
- Eckley Property: Road and bridge employee Wayne Pletcher has lived in this house for 22 years and has stated he would like to purchase the property from the county. **Commissioner Bushner made a motion to accept the 2012 appraised value of \$40,000 for the property at 247 SW Kansas Avenue in Eckley. (Block 5; lots 7 and 8 in South Eckley). Commissioner Wiley seconded. The motion passed unanimously. A letter will be sent to Pletcher confirming this action.**
- Eckley Shop Site: Mark presented information about a possible new site for a shop in Eckley. 2/3 block in Eckley, (near Community Center), priced at \$3,000. Shaw reports that a shop can be put on South quadrant or the ground can be leveled out. Commissioners instructed Shaw to move forward.
- Landfill road project: Mark presented costs for revisions to the landfill road. Several different scenarios were offered. After discussion about costs, Mark was instructed to prepare break-outs for each segment of road. There will be continued discussion at the next commissioner meeting.
- Gravel Pit Inspection: Howard reported the county recently underwent a gravel inspection. He reports that there were concerns of additional disturbance at the Moser pit; obnoxious weed issues and high walls at the Mekelberg Pit. The county has until September to reply to the report.

<sup>1</sup> Minutes prepared by Kara Hoover-summary of discussions, not verbatim



- Culvert: Mark reported on a smashed culvert at County Roads LL & 13. Due to wet weather, the road & bridge has not been able to make the repairs needed yet, but will get it completed when weather cooperates.
- Software: Debbie and Sarah presented information on various software options for the road & bridge. They reviewed upgrades to Pubworks, new software Computer Information Concepts and webDPW. After discussion, **Commissioner Wiley moved to allow the purchase of the webDPW software, with a cost of \$11,410. Motion seconded by Commissioner Bushner. The motion passed unanimously.**

#### Centennial Mental Health Center

Executive Director Liz Hickman checked in and provided their Annual Report Summary of 2012-2013. She reports Yuma County totaled 421 clients, providing 4,633 services, and no new programming is expected in the next year.

#### Treasurer's Report

Dee Ann Stults presented the treasurer's report for the month of June, 2014. There were \$2,235,225.35 in taxes collected, and \$44,853.23 in fees collected. She reported that 98% of taxes have been collected. She also reported that the Treasures office is now using the new software.

Dee Ann presented new contracts for the CIC software as the first contract signed on 3-28-2014 did not have the accounts payable module included in the Exhibit A. **Commissioner Wiley moved to sign a new contract with CIC, updating the CIC licensing system (listing the accounts payable piece). Commissioner Bushner seconded; no discussion. The motion passed unanimously.**

Dee Ann reports that there has been a corrected treasure's deed recorded for Cody R. Minton, Township one (1) North, Range forty-two (42), west of the 6<sup>th</sup> p.m. ½ mineral interest in: section 7: tract in NE corner of the NW ¼ and Section 6: tract in SE ¼ of the SW ¼ per Attorney Michael Grinnan's recommendations.

#### AirMedCare Network

Will Winters and Lynn Arenson were in to discuss the services provided by AirMedCare Network. Will reported that Greeley, Erie, and Akron are the aircraft locations in Northeast Colorado. This is a membership program that started in Missouri for rural areas. The cost would be \$65 per year per household. Yuma County would pay \$46,328 annually. Commissioners discussed and suggested that they may have a conversation to consider splitting up costs between Wray, Yuma, Eckley and Yuma County.

#### Liquor License-Renewal Application

County Clerk Beverly Wenger presented a renewal application for the Liquor or 3.2 Beer License for Ballyneal Golf, Ltd. **Commissioner Wiley moved to approve the Liquor or 3.2 Beer Renewal Application for Ballyneal Golf Ltd. Commissioner Bushner seconded. The motion was unanimously passed.**

#### Tri-State Fair and Rodeo Grounds

Assessor Cindy Taylor and Attorney Margie Sieboldt-Fix presented discussion on the non-profit status of the Tri-State Rodeo Grounds. Also present: Drake Johnson, Danny Cumley and Norma Seward. Assessor Taylor reports that she has received notification from Norma Seward that Tri-State Fair and Rodeo Association, Inc. has submitted their Articles of Reinstatement with Colorado Secretary of State as a Nonprofit Corporation and the state now shows they are in good standing as of 07-15-2014.

Margie Sieboldt-Fix gave a bit of history regarding the dissolution of the non-profit status. She relays that in early 2000 the state sent out letters to members of non-profits requiring them to respond or become inactive. She felt since the organization did not respond, they were no longer considered as a non-profit. Margie is unclear if the procedure the group just conducted for non-profit status reinstatement followed their bylaws and suggested that they have a members meeting to review. After discussion was held, the commissioners request additional documentation of non-profit status and financial reporting.



### Sheriff's Report

Sheriff Chad Day presented a leave of absence for a Sheriff's Office employee to care for an ill spouse. **Commissioner Wiley moved to accept the leave request as presented by Sheriff Day, Commissioner Bushner seconded. The motion unanimously carried.**

Sheriff Day relayed information on inmate welfare accounts following the auditor's recommendation. He is currently researching how other agencies handle these accounts and reports he would like an attorney's opinion (Attorney Robert Lees). Sheriff Day informed the commissioners that he will continue to research before bringing formal written information.

Sheriff Day reports a deputy was in response to a "hot" 911 call and apparently lost an engine. In addition, there is another vehicle at Korf Chevrolet awaiting repairs. The department currently does not have a spare vehicle. He further stated that a new car is ready, but is not here yet and the new pickup is still under assembly.

Sheriff Day reported on an incident where the hospital called requesting a relay of medicine from St. Francis, KS to Wray. Dr. Buchanan reported to him that the medicine arrived just in time and the patient had a good outcome.

### Broadband

Darlene Carpio, Yuma County Economic Development Director, presented a tentative broadband meeting agenda, scheduled for Thursday, July 17, 2014. Carpio requested guidance as to who should attend the upcoming meeting for the broadband discussion.

### Viaero

Jon Becker, Bob Hirsekorn & Viaero Site Acquisition Specialist Rick Bailey were present to discuss communication tower setbacks. Setback summaries were discussed. Rick reports they would like to erect a new tower by the high school. He requests that the commissioners allow them to erect this tower. He relays that they feel it would take three towers to cover the City of Wray. He went on to explain the current engineering of towers and how they are built to collapse back on to themselves. Chairman Wingfield plans to speak with the one property owner (that falls within the setback guidelines) and see if they have objections to the tower location.

Rick Bailey relays that Viaero would like to see revisions regarding setback requirements in the Yuma County Land Use Code. He will bring Viaero's suggestions to Rich at a later date.

### Schramm Feedlot CAFO Lagoon/Koenig Issues

Roger Koenig, Bill Andrews, Dean Koenig and Lynn Koenig were present to discuss expansion issues by Schramm Feedlot on the west side of County Road M. The group conveyed to the commissioners that they felt the lagoon poses several issues. They relayed their issues: they feel it is built too close to the property line, it is too small, occludes the natural flow of water, and poses the danger of excess seepage contaminating their grain bins

Set-back restrictions for such lagoons were discussed by the commissioners. Commissioner Bushner asked Rich to contact Prowers, Morgan and Weld County and see if they have any set-back restrictions for such lagoons.

**Commissioner Bushner moves that a letter be sent to the Division Water Resources-State Engineers Office, and to the W-Y Ground Water Management District stating what county land use requests have been approved on this property. Motion seconded by Commissioner Wiley. The motion unanimously passed.**

### Administrator's Report

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

**Commissioner Wiley moved to approve the minutes of May 30, 2014 and June 16, 2014. Commissioner Bushner seconded the motion; which passed unanimously.**



Augustus Drilling Contracts reviewed as presented. **Commissioner Wiley moved to approve Yuma County Permit Ordinance 1982-1 for the following wells from Augustus Energy Partners Company wells:**

- |                        |                            |                         |
|------------------------|----------------------------|-------------------------|
| Westerberg 24-20 1S44W | Taylor Family 21-14 4N47WW | Richers 33-14 1S45W     |
| McConnell 21-23 4N47W  | McCall 43-09 1N46W         | McCall 42-09 1N46W      |
| McCall 33-09 1N46W     | Lundgren Farms 22-08 5N46W | Lippert 24-01 1S45W     |
| Hagemann 43-10 1N46W   | Hageman 31-19 1S44W        | Hagemann 31-15 1N46W    |
| Gelvin 12-18 1S44W     | Franson 42-33 4N47W        | Franson 23-33 4N47W     |
| Franson 14-19 3N46W    | Ferguson 11-30 2N46W       | Dusty Farms 42-13 5N47W |
| Deterding 24-17 1S44W  | Chapman 34-19 1S44W        | Chapman 13-19 1S44W     |
| Cantrall 34-34 1S44W   | Brueggeman 11-24 1S45W     | Barber 34-07 5N46W      |
| Allison 12-22 1S44W    |                            |                         |

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

The board considered the RAMP Grant Contract for County Road 34 and H. Commissioners spoke with Karen Schneiders, Region 4 Transportation Planner with the Colorado Department of Transportation, with questions regarding the difference in budget requests from pre-application vs. contract. Karen reports that she will do more research on the budget page and get back to the commissioners with clarification.

**Commissioner Wiley moved to accept the salary agreement and salary authorization for new County Administrator Kara Hoover. Commissioner Bushner seconded and the motion carried unanimously.**

**Commissioner Bushner moved to accept the transitional salary agreement (August 1, 2014 to December 31, 2014) for Linda Briggs. Commissioner Bushner seconded. The motion unanimously passed.**

Chairman Wingfield signed the lease with Bonanza Ford, Inc. of a 2013 Ford F250 pickup for Yuma County Fair Queen use during the 2014 Yuma County Fair.

Certification of Accounts Payable for July 15, 2014, drawn on Yuma County Funds, with check #57101 through #57260 totaling the sum of \$520,213.98; and Fund 16 W-Y Combined Communication accounts payable checks #6970 through #6979, totaling the sum of \$2,722.57 were signed by Chairman Dean Wingfield.  
~~\$ 518,025.98~~

There being no further business, the meeting adjourned at 6:15 p.m. The next meetings of the board will be July 31 and August 15, 2014.

  
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Dean Wingfield, Chairman

  
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Kara Hoover, Administrator

ATTEST:   
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Beverly Wenger, County Clerk

