

YUMA COUNTY COMMISSIONERS
November 26, 2014
Minutes¹

On November 26, 2014 at 8:00 a.m., the Yuma County Board of Commissioners met in regular session with Chairman Dean Wingfield; Commissioners Robin Wiley and Trent Bushner were present. Administrator Kara Hoover was present throughout the day.

The Commissioners reviewed and signed accounts payable and payroll checks and discussed various meetings attended throughout the month.

20-Year Service Awards

The Commissioners presented 20-year service awards to Daryl and Sandy Juhnke in appreciation of their commitment and dedication to Yuma County. The Juhnke's have served Yuma County in the maintenance and custodial services. In addition, the Commissioners would like to provide Daryl and Sandy with a \$50 gift certificate to local restaurants for their long-standing service.

Liquor Licenses

Nancy Wright presented a Retail Liquor License for signature. Chairman Wingfield signed the Retail Liquor License for the Route 36, LLC, dba The Grainery, in Idalia, as approved on October 31, 2014.

Department of Health & Human Services

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

Assessor's Office

Equipment Request -- Assessor Cindy Taylor relays to the Commissioners that the 4-year-old computers in her office need up-dating. The lease was up in April 2014 and the equipment is getting older and needs updated software. She presented a quote for upgrading equipment of just over \$10,000 with a Yuma County based company. The Commissioners asked Taylor to get another bid for the equipment.

Crime Victims Services Grant Program

The Commissioners reviewed the 2015 Victim Assistance Program grant. **Commissioner Wiley moved to approve and sign the Crime Victims Services Grant Award, #2014-VU-14-003116-13, in the amount of \$26,442 for 2015, collected and expended from Fund 12-280. Commissioner Bushner seconded the motion; which passed unanimously.**

Road and Bridge

Supervisor Mark Shaw and Truck and Lead Equipment Operator Kevin Ritchey were in attendance to give Road and Bridge department updates. The following items were discussed:

- *Comp Time* – Mark reported that there are several employees who worked on the Kamala project that built up additional comp time. Shaw asked the Commissioners if he could convert the Comp time to Personal Leave. After some discussion, it was decided that this would not be allowed. The Commissioners determined that those employees with over the 32 hours of allowed carry-over Comp Time, be bought out at the end of the 2014, or the beginning of 2015 at the 2014 pay rate. They asked

¹ Minutes prepared by Kara Hoover-summary of discussions, not verbatim

- *County Road 7* – Shaw reported that they have been working on County Road 7 between KK and Highway 385. The base is nearly complete; there is a need for another base layer in spots and then gravel will be placed on the entire road.
- *Grader* – Shaw reported that the graders are ordered from 4 Rivers and should arrive in February or March, 2015.
- *Fairgrounds* – Shaw relayed that they are working on trading top soil at fairgrounds for the grindings from other projects to be placed in the arena.
- *Eckley Property* – Shaw reported that he has a lead on some property in Eckley for a possible new shop. Commissioner Wiley reported that the County is still working on the possibility of partnering with others on a building and shop for a new truck-driving school in Eckley.
- *County Road R* – Commissioner Bushner mentioned that he had a phone call requesting gravel on County Road R, near New Life Church. Shaw reported that he will get this completed.
- *Bill Evans Pit* – Shaw reported they are weighing the possibility of coring or excavating the Bill Evans pit. Road & Bridge will be working on this, as well. The Commissioners asked Shaw to communicate with Mr. Evans.
- *Gelvin Pit* – Shaw reported that the Road & Bridge mining personnel are working on reclaiming the pit; currently, they are skimming off the edges and continuing to explore for the best product.
- *Idalia Asphalt* – Shaw reported that the concrete and asphalt stock-piled in Idalia has been ground twice, and depending on what it is being used for, may be ready for use. Commissioner Wiley asked if the mix could be used on a street in Idalia. Shaw relayed that another crushing would be required and the next time he has a crusher in the area he will work with Wiley to get this complete.
- *Underground and Utility Permits*- Shaw presented Underground and Utility Permit for Prime Operating Company. Commissioner Bushner moved to approve the Underground and Utility Permit for Prime Operating Company to install an electric line under County Road 2 at 1,460' North of County Road Z and County Road 19. Commissioner Wiley seconded. The motion passed.

The Garland Company, Inc.,

Hayden Garrett, Territory Manager for The Garland Company, Inc., presented a summary of what his company does for building envelope management. He reported that his company has experience in government contracting from the federal level down to municipalities; and works with several school districts in the area. Garrett relayed that the company's main goal is to work with the county's current facilities and provide suggestions on how to extend building life. Garrett relayed that the company would start with providing independent consultants to complete a building envelope review; the cost is approximately 6 cents per square foot. Once the consultations give their review his company will help facilitate recommendations. He relayed his company would be interested in doing business with Yuma County, if the need arises. The Commissioners requested more information.



County Clerk

Beverly Wenger, County Clerk, visited with the Commissioners about the following:

- *Retirement Party* – Wenger informed the Commissioners about a retirement party for long-time employee Sally Gillett. Sally will be retiring on December 5, 2014. The party is set for December 15th, 2014 from 3:00 to 5:00 at the Elections Center. The Clerk's office will be closed at 3:00 that day so the entire staff can be present. She invites all to attend.
- *Oath of Office Ceremony* – Wenger reported that she will be out of town during the Oath of Office ceremony in January. She asked to be sworn-in with the Treasurer on December 31, 2014. Re-elected officials include; County Clerk Beverly Wenger, Sheriff Chad Day, Treasurer Dee Ann Stults, Assessor Cindy Taylor, Commissioner Trent Bushner; and the newly elected Coroner, Dan Baucke.
- *Elections* – Wenger reported that the election went very well, especially since it was the first all-mail general election. Both Wray and Yuma election centers were open and well attended, specifically on the last day with an 86% turn out.

2014 Budget Hearing –

At 11:30 a.m., Chairman Wingfield opened the hearing to accept public comment on the proposed 2015 Yuma County Budget. Chairman Wingfield reviewed the budget documents. County Clerk Wenger and Treasurer Stults were present. No one from the public was present to make comments. **Commissioner Willey moved to approve the 2015 Yuma County Budget as presented. Commissioner Bushner seconded. The motion passed unanimously.** Formal resolutions will be approved at a subsequent meeting. The hearing was closed at approximately 11:52 am.

Fund Transfers– The Commissioners discussed the Capital Acquisition and Separation of Employment fund.

Commissioner Willey moved to accept:

- Resolution 11-26-14 C to transfer \$50,000 from the General Fund #01 to the Separation of Employment Fund #22; and
- Resolution 11-26-14 D to transfer \$500,000 from the Recreation Fund #5 to the Capital Acquisition Fund #20.

Commissioner Bushner seconded the motion; which passed unanimously.

Land Use

Rich Birnie, Land Use/GIS Coordinator was present for a Land Use hearing.

Also present for the hearing were: Rick Bailey, Viaero Wireless; Cassidee Gleghorn, Sandra Murphy, Bob Seward, Roger Koenig, Attorney Al Wall, Lynn Koenig, Bill Andrews, Shane Galles, Kelly Seward, George Seward, Thomas Holtorf, Tom Holtorf, Harold Blach, Lance Wood, Paul Lynch, Ruben and Riley Richardson.

Land Use Hearing

Chairman Wingfield opened the hearing at 1:00 pm. The following items were heard:

- Yuma County Major Land Use Permit for NE Colorado Cellular Inc., dba Viaero Wireless. Birnie presented his staff report on the request from Viaero Wireless to install a 30' tall self-supporting antenna structure with supporting equipment and a 6' tall cedar fence, on leased land west of Wesley Drive in the NW1/4 of Section 12, T1N, R44W. This site will give additional support to a



heavy usage area in the City of Wray. No one else from the public was present for comments. Birnie reported no written comments or calls were received in his office relating to this request.

- Application for Exemption from Subdivision for Godsey Farms, LLC. Birnie presented his staff report on the request from Godsey Farms, LLC to divide 6.50, plus or minus acres, from 160' plus or minus acres, in the NW1/4 of Section 16, T1N, R45W, to exchange with a family member, for the purpose of a future home site. No one from the public was present to make comment, and Birnie reported no written comments or calls were received in his office relating to this request.
- Yuma County Major Land Use Permit Amendment for Schramm Feedlot Inc. Birnie presented his staff report on the request from Schramm Feedlot, Inc. to add separate pens to house natural cattle away from conventionally-fed cattle on 20.5, plus or minus, leased acres in the NE1/4 of Section 27, T 2 North, R 47 West.

The Commissioners addressed Mr. Holtorf with several questions.

Access: Commissioner Wingfield asked how Schramm was working with Road & Bridge on access to the new pens. Mr. Holtorf reported he spoke with Road & Bridge several months ago about building up the road. Commissioner Bushner asked about gaining access straight across the county road, and thus, reducing truck traffic on the county road. Holtorf reported that it would be better for Schramm if they could drive straight across, and not turn on the county road. Birnie noted that Schramm would need to gain another access. Holtorf reported that he will contact Road & Bridge about obtaining a better access.

Well Usage: Commissioner Wingfield asked about the well and water usage on the addition. Holtorf reported that there is a well on site and all the water used remains on the same side of the road; there is no co-mingling of wells. Holtorf presented a new well permit #296272 issued to Horse, LLC, from the Office of the State Engineer, Colorado Division of Water Resources for one commercial business described as a confined animal feeding operation, issued 11-26-2014.

Waiver: Commissioner Wingfield asked if Holtorf had received a waiver from neighbors within a mile. Holtorf reported that he had yet to complete this task and would get with Rich to obtain the necessary forms.

Vegetation Plan: Commissioner Bushner asked if Holtorf had contacted NRCS about a vegetation plan. He reported that he has spoken to NRCS and they are supposed to be coming out to complete a site visit. To date he has not completed any work on this.

Dust Control: Commissioner Bushner questioned their work to control dust in the pens. Holtorf reported that keeping the pens full was the best way to control dust problems and admitted there are times of the year that even the best attempts to control dust is an issue. They do not have a sprinkler system in place, and it is not in the plans.

Natural Water Drainage: Attorney Al Wall, representing the Koenigs and Andersons, reported that his clients would like the natural drainage flow restored in some fashion. He reported that his clients do not have a problem with the expansion; they have a problem with how their land has been impacted by this expansion. The group discussed various options to deal with correcting the drainage issue, but recognized that they will need an engineer to help resolve it. Engineer Eric Dunker has been working



on this project, and the Commissioners recommended that he be contacted to work on improving the drainage issue as a condition for approval.

Good Neighbor: Commissioner Bushner relayed to Mr. Holtorf that the Commissioners are committed to assist in remedying this issue, but voiced his frustration that Schramm's were not better neighbors from the beginning. Bushner conveyed that a lot of these issues may have been avoided by being a better neighbor from the start. Bushner also relayed that he is glad that Schramm is expanding agriculture in Yuma County.

Through a duly made motion the Land Use hearing closed at 2:28 p.m.

Viaero Wireless --Commissioner Bushner moved to approve Resolution #11-26-14 A/DEV for the Major Land Use Development Permit #1014-20 from NE Colorado Cellular Inc., dba Viaero Wireless to install a 30' tall self-supporting antenna structure with supporting equipment and a 6' tall cedar fence, on leased land west of Wesley Drive in NW ¼ of Section 12, T1N, R44W. Stipulations include:

- The applicant shall be responsible for complying with all Federal, State, and Local: regulations, rules, codes, conditions, and design standards.
- The applicant and owner of the leased property shall record access easements with the Yuma County Clerk & Records Office.
- As a courtesy to the Wray Airport, the Applicant is requested to inform the Wray Airport of the existence and location of this self-supporting antenna structure.

Commissioner Wiley seconded the motion; which passed unanimously. *Recorded under Reception No. 00562256*

Chad and Melanie Godsey and Godsey Farms --Commissioner Wiley moved to approve Resolution #11-26-2014 B/EFS for the Exemption from Subdivision Request #1014-19 from Chad and Melanie Godsey and Godsey Farms, to divide 6.50 plus or minus acres from 160 plus or minus acres in the NW1/4 of Section 16, T1N, R45W, to exchange with a family member, for the purpose of a home site. Stipulations include:

- The applicant shall be responsible for complying with all Federal, State, and Local: regulations, rules, codes, conditions, and design standards.
- The applicant shall be responsible for verifying with Yuma County Road & Bridge that the existing access to the proposed parcel is an acceptable access and;
- If access from County Road X or a different location along Road 35 is desired, the Applicant shall contact Yuma County Road & Bridge for access permission.

Commissioner Bushner seconded the motion; which passed unanimously. *Recorded under Reception No. 00562431*

Schramm Feedlot, Inc. -- Commissioner Bushner moved to close the public comment part of the hearing and continue the land-use hearing process for the Schramm Feedlot, Inc. until the suggested recommendations are met. Commissioner Wiley seconded the motion; which passed unanimously.

After the hearing Thomas Holtorf returned to the Commissioner's Office to request approval to use the pens on a temporary basis. Commissioner Wiley moved to allow a conditional, temporary, approval to allow usage of the pens until June 1, 2015 at which time all conditions must be met. Commissioner Bushner seconded. The motion passed unanimously.



Treasurer's Office

- *O'Brion Severed Mineral Rights* -- Treasurer DeeAnn Stults reported that she has a Treasurers' deed that will be deeded on December 9, 2014 for the severed mineral rights for Doris O'Brion. Stults reported that there is \$345.94 that needs to be paid. The fees are for four-year's taxes, clerk recording fees, treasurer's deed fee, and for mailings. Stults requested reimbursement. The Commissioners discussed the fees, but felt that the revenues would come back to Fund 1 anyway and therefore would not allow. The 2014 taxes were discussed and it was decided to abate them. The Commissioners will turn the mineral rights over to the land owners, Lanny Noble, Barbara Noble, Ryan Noble, Ronela Noble, and Midnight Sun, Inc.
- *Tax Roll Process Change* – Stults reported that processing the tax rolls in 2015 with the new software (CIC) is going to be a bit cumbersome when importing data from the Assessor's office. She is anticipating that the time-line is going to be extremely tight this year.

Administrator's Report

Administrator Kara Hoover reviewed calls, correspondence, and presented the following for action:

- *Minutes* – Commissioner Wiley moved to approve the November 17, 2014 Board of County Commissioners minutes. Commissioner Bushner seconded the motion; which passed unanimously.
- Certification of Accounts Payable for November 28, 2014, drawn on Yuma County Funds, with check #58231 through #58310 for \$293,349.89 and Fund 16 W-Y Combined Communication accounts payable for November 28, 2014, check #7091 through #7110 totaling the sum of \$37,710.62 were signed by Chairman Dean Wingfield.
- Certification of Payroll for November 28, 2014, drawn on Yuma County Funds, EFT system #37075 through #37210 and checks #30228 through #30256 totaling the sum of \$224,132.91 and along with Fund 16 W-Y Combined Communications EFT system number #5256 through #5270 totaling the sum of \$36,340.35 were approved and signed by Chairman Dean Wingfield.
- *RAMP / Department of Transportation Agreements US 385 and CR 33.6 and US 34 and CR J* –
RAMP US 385 and CR 33.6 Grant Application - Commissioner Wiley moved to sign DOT Agreement US 385 and Yuma County Road 33.6 #20204 in the amount of \$349,000, with the revised project manager's name changed to current County Administrator Kara Hoover and the completion year modified to 2016, appearing in the contract. Commissioner Bushner seconded. The motion passed unanimously.
RAMP US 34 and CR J Grant Application – Commissioner Wiley moved to sign DOT Agreement US 34 and Yuma County Road J #20203 for \$297,000, with the revised project manager's name changed to current County Administrator Kara Hoover and the completion year modified to 2015, appearing in the contract. Commissioner Bushner seconded the motion; which passed by unanimous vote.
- *Encore Life, Inc. MOU* – The Commissioners reviewed a Memorandum of Understanding with Encore Life, Inc. The MOU outlined the understanding between Encore Life and Yuma County Commissioners for the proposed Electronic Recycling program. Commissioner Wiley moved to approve the MOU with Encore Life, Inc. as suggested by the Landfill Board. Commissioner Bushner seconded the motion. The motion passed by unanimous vote.



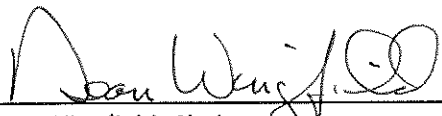
- *Community Board Positions* – The Commissioners reviewed Board appointments for November and December, 2014. A letter of interest from Jeanne Yenter was read. **Commissioner Wiley moved to appoint Jeanne Yenter to the Eckley Cemetery District for a three-year term, ending November 1, 2017. Commissioner Bushner seconded the motion; which passed unanimously.**
- *2015 EMPG-LEMS Program* – **Commissioner Wiley moved to approve and sign the 2015 EMPG-LEMS Annual Program Paper for the Emergency Program Manager, Roger Brown, with the exception of updating the salary budget line to reflect actuals for 2015. Commissioner Bushner seconded the motion; which passed unanimously.**
- *Victim Assistance and Law Enforcement (VALE) Statement of Grant Award (SOGA)* – The Commissioners reviewed the 2015 VALE SOGA in the amount of \$19,125. **Commissioner Wiley moved to approve and sign the 2015 Victim Assistance and Law Enforcement (VALE) SOGA #2015-13 for January 1, 2015 to December 31, 2015 in the amount of \$19,125. Grant funds will be collected and expended from Fund 12-280. Commissioner Wingfield seconded. Commissioner Bushner abstained as he sits on this board. The motion passed.**
- *Bookmobile* – Commissioner Wiley mentioned that the Bookmobile Board Member Roberta Helling had been in contact with him about the financial concerns of the Bookmobile for 2015. She reported that with Morgan County withdrawing funding, the Bookmobile has only \$85,500 to operate on in 2015. This falls short of the needed funds. The Commissioners discussed possible options, more discussion is needed.

Chairman Wingfield signed the Veterans Report for November 2014.

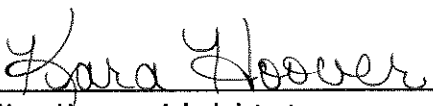
The Commissioners made their routine inspection of the jail.

There being no further business; the meeting was adjourned at 4:17 p.m. The next regular meetings of the Board of County Commissioners will be December 16, 2014, and December 31, 2014.


A listing of meetings attended by the Commissioners during the month of October 2014 is attached.



Dean Wingfield, Chairman



Kara Hoover, Administrator

ATTEST: 

Beverly Wenger, County Clerk



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Yuma County Recorder, BEVERLY WENGER Page 7 of 7
COMM R [fee:rec] S [fee:sur] D [fee:doc]