

YUMA COUNTY COMMISSIONERS
September 30, 2015
Minutes¹

On September 30, 2015 at 8:00 a.m., the Yuma County Board of Commissioners met in regular session. Chairman Trent Bushner, Commissioner Robin Wiley, Commissioner Dean Wingfield, and Administrator Kara Hoover were present throughout the day.

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

Region I Translator

Stan Schafer stopped in to speak to the Commissioners about the translator towers. Schafer reported he had received phone calls complaining that there is a lot of interference in the lines. During the last couple of weeks, Stan said has been very bad because of moisture in the lines.

Road Repair Charges

Schafer reported that Cargill is charging ½ cent per bushel to haul corn south of Wray. He voiced his concerns about what this does to the farmers in the community. He believed that when he was a Commissioner the charge for road repairs was put into place for the oil and gas companies for damage on the roads; it was not meant for the farmers. Commissioner Wingfield and Commissioner Wiley relayed the state's view of charging 100% of road improvements for any new business that is set directly on the highways. The Commissioners based their decision on the state's practice.

Bomag/Rotomil

Stan mentioned he is in favor of the Commissioners purchasing the Bomag machine and rebasing the roads. He thinks that this machine could stabilize the roads and really make a difference over a long period of time.

Department of Health & Human Services

Department of Health and Human Services Interim Director Phyllis Williams, Child Welfare Supervisor Hollie Hillman, and Receptionist Liz Tuttle were in attendance to conduct business with the Commissioners and present the proposed 2016 Budget.

- *Child Welfare Report* – Hillman presented the September 2015 Child Welfare report.
- *Rural Communities Resource Center*–Williams presented a proposal from Rural Communities Resource Center requesting TANF funding. The funding will be used to assist needy families, reduce financial dependency, reduce unplanned pregnancies, and maintain healthy two-parent families. Williams explained that the request is coming in late so she would recommend \$1,000 per month for the period of October 2015 through June, 2016, totaling \$9,000. The Commissioners voiced their concerns about how the funding will be utilized. They requested that RCRC assure and document that this funding will be used for TANF eligible persons only. **Commissioner Wiley moved to approve the funding of \$9,000 for the Rural Communities Resource Center for October 1, 2015 to June 30, 2016 with the stipulation that funding is documented for use to TANF eligible persons only. Commissioner Wingfield seconded the motion; which passed unanimously.**



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Yuma County Recorder, BEVERLY WENGER Page 1 of 8
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¹ Minutes prepared by Kara Hoover are a summary of discussions, not a verbatim account.



- **Audit Reconciliation-State Fiscal Year 2007** – Phyllis reported that the State Department of Human Services requested a letter verifying when each county will be reimbursing the state for the audit reconciliation requests from 2007. **Commissioner Wiley moved to sign the letter to the State Department of Human Services informing them of Yuma County's intention to pay the \$27,778.40 back to the state in the December 16, 2015 accounting period. Commissioner Wingfield seconded. The motion passed unanimously.**
- **2016 Budget Presentation** - Williams presented the preliminary 2016 budget for the Department of Human Service. She reported that she included a step increase in salaries and the 10% increase in health insurance.

Executive Session

At 9:09 a.m., **Commissioner Wiley moved to enter into Executive Session for discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f)(I)&(II). The motion was seconded by Commissioner Wingfield; which passed unanimously.** Chairman Trent Bushner, Commissioner Robin Wiley, Commissioner Dean Wingfield, Interim Director Phyllis Williams, and Administrator Kara Hoover were present. By a duly noted motion, Executive Session ended at 9:16 a.m.

Maintenance

Travis Dinsmore, Maintenance Supervisor, reported some issues with the pipes within the heating systems at the Courthouse and the Department of Human Services. Pipes are leaking and will require major repairs in both buildings. He phoned Wern Air for repairs. These repairs are necessary for the heating system to work properly, but will more than likely be costly.

Road and Bridge

Supervisor J.R. Colden was in attendance to give Road and Bridge department updates. The following items were discussed:

- **CDOT Highway 34 Turning Lanes** – Colden reported that Yuma County's portion of the CDOT Highway 34 Turning Lane project came in under budget. He mentioned that the original budget was for \$422,605 and Yuma County expended \$276,626.26, which was \$145,978.74 under budget.
- **County Road KK** – Colden updated the Commissioners about the progress on County Road KK and 8.5. The road widening will require additional culvert work.
- **County Road 35.5 Bridge** –At CR 35.5 the bridge has a broken board that will require immediate replacement.
- **Gravel Pits** –
Wudtke's Pit - Colden presented an application to pursue a new gravel pit at County Road Y.5, north of County Road 10, on Glenn Wudtke's property. **Commissioner Wiley moved to sign the application for a new gravel pit on Glenn Wudtke's property at County Road Y.5, NE¼, NW, Section 11 T4S, R45W, north of County Road 10. Commissioner Wingfield seconded the motion; which passed unanimously.**

Mullins, May, and Ekberg Pit - Colden reviewed the Mullins, May, and Ekberg gravel pit leases that are still active and have been reclaimed, but are not being used at this point. These pits cost nearly \$800 a year to the County. Colden is working on gravel pit use and closing those that are no longer used.

Brand Pit – Colden reported that there have been issues obtaining product from the Brand pit. Colden plans to meet with the landowner and work through the issues of using the pit.



- **Graders** – Colden reviewed the estimates from 4Rivers Equipment and Wagner CAT on Motor Graders. The Commissioners requested that formal bids be presented at the October 14, 2015 BOCC meeting.
- **Trucks** - Colden reviewed bids from Bruckner Truck Sales of Denver, Colorado, and MHC Kenworth of Greeley, Colorado about trading the 2011 KW, Unit #0177, and purchasing three 2016 KW T880 trucks. **Commissioner Wingfield moved to accept the bid from MHC for three 2016 KW T880 Trucks, and trading in the 2011 Kenworth T800 with a net price of \$272,386.00 to be paid from Fund 20. Commissioner Wiley seconded the motion; which passed unanimously.**
- **Water Truck**- Colden relayed that the water trucks are in need of repairs. He said there was a county-owned water tanker that hasn't been used for some time that he located. He brought the tanker into the shop and is having the mechanics go through it to get it up and running. He believes water on the roads is very important when working them; allowing the graders to work the road more evenly
- **Staffing** – Colden reported that they have hired Gale Reynolds as an equipment operator. Reynolds began employment on 9-21-15 at G5/C1/L13.
- **EIAF #7605 County Roads R & 34 Project**-The final grant worksheet has been submitted to DOLA for County Road R and County Road 34, EIAF #7605 project. The project totaled \$603,714.85, including both cash and in-kind work. This amount is \$68,445 under the budgeted \$672,159. Yuma County's portion included \$108,208.54 cash funds and \$103,091.66 of in-kind, totaling \$211,300.20. DOLA/Energy Impact Grant funds making up the remainder of \$392,414.65. The Commissioners equate varying gas prices for the reason bids came in so high last November, prior to the DOLA hearings.
- **Underground and Utility Permits and Road Access Forms** - Colden presented Underground and Utility Permits and Road Access Forms for:
 - CenturyLink QC*-Underground Utility Permit-CenturyLink QC to install a 6-pair phone line under County Road 38 at 3265 County Road 38.
 - Ronald Armstrong* – Underground Utility Permit-Ronald Armstrong to install a waterline under County Road 21 and County Road E.
 - Salvador* –Road Access Forms-Frank E Salvador for accesses at County Road 58 and ¼ mile north of County Road U, and County Road V, ¼ mile north of County Road 58.

Commissioner Wiley moved and Commissioner Wingfield seconded to approve Underground and Utility Permits for:

- **CenturyLink QC** to install a 6-pair phone line under County Road 38 at 3265 County Road 38; and
- **Ronald Armstrong** to install a waterline under County Road 21 at County Road E.

Commissioner Wingfield seconded. The motion passed unanimously.

Commissioner Wingfield moved to approve Road Access Forms for Frank E. Salvador for accesses at County Road 58 and ¼ mile north of County Road U, and County Road V, ¼ mile north of County Road 58. Commissioner Wiley seconded the motion; which passed unanimously.



- **Road and Bridge Policy and Procedures** –Colden reviewed the updated policies and procedures including the updated \$.55 per cubic yard of unprocessed gravel for pit owners, and the \$8 charge for unscreened gravel. **Commissioner Wiley moved to approve Resolution #09-30-2015 A Yuma County Road Department Policies and Procedures. Commissioner Wingfield seconded the motion; which passed unanimously.**

Sheriff's Office

Sheriff Chad Day, Undersheriff Adam Wills, Deputy Kellie Curtis, Deputy Austin Molyck, and Intern Austin Clapper were in attendance and presented the following:

Out-of-State Training - Sheriff Day shared that the Rural Crime Prevention training that CJ Fell is attending in California will be reimbursed by POST. The Commissioners reviewed the out-of-state training approval process. Chairman Bushner requested that Sheriff Day provide information about such training ahead of time, even if it is in an email. Sheriff Day agreed that he could do this in the future.

2016 Budget Proposal – Sheriff Day and Undersheriff Wills presented the 2016 Sheriff's Budget proposal.

Assessor

Assessor Cindy Taylor imparted that the valuation notices originally sent on August 25, 2015 were amended on September 21, 2015, when she discovered a protested adjustment had not been recorded. The 2015 Assessed Valuation for the County is at \$280,003,370 with an abatement amount of \$39,238.22.

Land Use

Rich Birnie, Land Use/GIS Coordinator, was present for Land Use Hearing and Department updates.

Land Use Hearing

Rick Bailey from the Viaero was present for Viaero's staff report and to answer any questions. Chairman Bushner opened the hearing at 1:01 pm.

Permit Applications for Exemptions from Subdivisions:

- *NE Colorado Cellular, Inc., dba Viaero Wireless* - Birnie presented the staff report for NE Colorado Cellular, Inc., dba Viaero Wireless to install a 100', self-supporting, telecommunication tower on a piece of property, 50' x 60', leased from Deterdings adjacent to the south edge of Vernon. It will include: an equipment cabinet, an emergency generator, and a 1000 gallon, buried, propane tank. The leased parcel will be fenced with a 6' tall chain-link fence with three strands of barbed wire atop. Birnie reported he had received a letter from YW Electric stating that the proposed tower would not interfere with any YW Electric high lines. Birnie reported he has not received any other written comments or calls relating to this request.
- *Latoski EFS* – Birnie presented an EFS staff report for the EFS application submitted by Tyler Richards for Robert B. and Kim M. Latoski to divide 10.00 acres, more or less, from 160 acres, more or less, in the SE1/4 of Section 29, T1N, R43W, for the purpose of resale to Tyler Richards as a home site. Birnie reported no written comments or calls were received in his office relating to this request.
- *Reyes EFS* – Rich reviewed the staff report for an EFS for Jaime & Patricia Reyes, to divide 7.59 acres, more or less from 17.96 acres, more or less in the NW1/4 of Section 27, T2N, R47W (Barker Subdivision), for the purpose of resale. Birnie reported he received one call from a mineral owner on this property, but she had no concerns. No written comments or other calls were received in his office relating to this request.





The Land Use hearing closed at 1:30 p.m.

Commissioner Wingfield moved to approve Resolution #09-30-2015 B, Development Permit #0815-17, allowing NE Colorado Cellular, Inc., dba Viaero Wireless to install a 100', self-supporting, telecommunication tower on a piece of property, 50' x 60', leased from Deterdings adjacent to the south edge of Vernon. To include: a supporting equipment cabinet, an emergency generator, and a 1000 gallon, buried, propane tank; with a 6' tall chain-link fence with three strands of barbed wire atop. 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 and Records Office; and the Applicant shall Inform both the Wray and Yuma Airports of the existence and location of the tower.

Commissioner Wiley seconded. The motion passed unanimously.

Recorded under Reception No. 00565056

Commissioner Wiley moved to approve:

Resolution #09-30-2015 C, Exemption from Definition of Subdivision Permit #0815-18 from Applicant Tyler Richards for Robert B. and Kim M. Latoski to divide 10.00 acres, more or less, from 160 acres, more or less, in the SE1/4 of Section 29, T1N, R43W, for the purpose of resale to Tyler Richards as 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 apply for a septic system permit from the Northeast Colorado Health Department and a water well permit from the Colorado Division of Water Resources; the Applicant shall be responsible for contacting Yuma County Road and Bridge for approval of existing access or if a new access point is desired; and prior to construction, the Applicant shall submit an Activity Notice notifying the County of the type and cost of construction.

Recorded under Reception No. 00565057

and

Resolution #09-30-2015 D, Exemption from Definition of Subdivision Permit #0815-19 for Jaime & Patricia Reyes, to divide 7.59 acres, more or less from 17.96 acres, more or less in the NW¼ of Section 27, T2N, R47W (Barker Subdivision), for the purpose of resale. Stipulations include: the Applicant, or the new owner, shall be responsible for complying with all Federal, State, and Local: regulations, rules, codes, conditions, and design standards; the Applicant, or the new owner of this tract, shall apply for a septic system permit from the Northeast Colorado Health Department and a water well permit from the Colorado Division of Water Resources; the Applicant, or the new owner, shall be responsible for contacting Yuma County Road and Bridge for written access approval, and: prior to construction, the new owner shall submit an Activity Notice notifying the County of the type and cost of construction. *Recorded under Reception No. 00565058*

Commissioner Wingfield seconded the motion; which passed unanimously.

Lot Line Adjustments

- *Einspahr, Oestman Ranch LLC* – Birnie presented a Lot Line Adjustment between Gayln Einspahr and Oestman Ranch, LLC, to change ownership containing 17.07 acres, more or less, 0.50 acres, more or less, 8.38 acres, more or less and 1.16 acres, more or less in Section 34 and the SW1/4 of Section 35, T5N, R45W.
- *HGB Ranch, LTD and Worely Family LLLP* – Birnie reviewed a Lot Line Adjustment between HGB Ranch, Harry and Sally Brinkema, and Worley Family, LLLP, Aaron Worley to change ownership in a parcel containing 11.29 acres, more or less, and 6.06 acres, more or less, in the NW1/4 of Section 11, T5N, R44W. The Commissioners request the survey be provided prior to recording.





Commissioner Wiley moved to approve Resolution #09-30-2015 E/ADM for a Lot Line Adjustment between Gayln Einspahr and Oestman Ranch, LLC to change ownership containing 17.07 acres, more or less, 0.50 acres, more or less, 8.38 acres, more or less and 1.16 acres, more or less in Section 34 and the SW¼ of Section 35, T5N, R45W, as shown on the accompanying survey prepared by Forty North Land Surveying, LLC, dated 8/7/2015. This total of 1.66 acres, more or less, is transferred from Oestman Ranch, LLC to Gayln Einspahr and 25.45 acres, more or less, is transferred from Gayln Einspahr to Oestman Ranch, LLC. Commissioner Wingfield seconded the motion; which passed unanimously. *Recorded under Reception No. 00565059*

Commissioner Wingfield Resolution #09-30-2015 F/ADM for Lot Line Adjustment between HGB Ranch, LTD and Worley Family, LLLP to change ownership containing 11.29 acres, more or less, and 6.06 acres, more or less, in the NW1/4 of Section 11, T5N, R44W, as shown on the accompanying survey prepared by Forty North Land Surveying, LLC, dated 9/29/2015. This total of 11.29 acres, more or less, is transferred from Worley Family, LLLP to HGB Ranch, LTD and 6.06 acres, more or less, is transferred from HGB Ranch, LTD to Worley Family, LLLP. Commissioner Wiley seconded the motion; which passed unanimously. *Recorded under Reception No. 00565166*

Pending

- *Wind Turbines / Heritage Dairy* – Birnie reported that Heritage Dairy will be submitting an Administrative Land Use Permit application for two wind turbines to power the dairy. He is in the process of notifying adjacent land and mineral owners of the application and will be posting notices in the paper.
- *YW Electric* – Birnie shared that YW Electric Association is purchasing one-acre of land on Highway 385, south of Wray to place a 180' telecommunication tower.

GIS

Department Requests - Rich conveyed that he has been very busy in GIS with requests from various offices and departments. He is working on a request from the broadband consultant, Alex Telthorst, for tower and fiber optic locations; a request from County Administration for assistance in the PUC Applications for the CDOT, BNSF Railway crossing upgrades at County Roads H, L and PP; and a request from the Sheriff's Office for individual townships on 8.5 X 11 sheets of paper.

Cadastral Lines, Mapping - Birnie continues to work on this project and reported that he is approximately 55% complete with justifying the road centerlines to the aerial photography maps.

Assessor's, Clerk's and Treasurer's Office

County Assessor Taylor, County Clerk Wenger, and County Treasurer Stults were in to revisit with the Commissioners about current staff salaries and proposed 2016 wages.

Employee Salaries - The group brought salary recommendations for employees in each office. After discussion: Commissioner Wiley moved to change Treasurer Clerk Jared Josh to G5/S7, Deputy Treasurer Chrystal Hammond to G8/S7, Assessor Personal Property, Mobile Home Clerk Pamela Foster to G7/S16, Clerk Motor Vehicle/Election/Driver's License Clerk Brandi Ritchey to G5/S6, Recording Clerk Karen Nelson to G5/S5, and Driver's License Clerk Daryl Eggers to G5/S5, effective 9-1-15. Commissioner Wingfield seconded the motion; which passed unanimously.

Administrator's Report

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





- **Minutes – Commissioner Wiley moved to approve the September 15, 2015 Board of County Commissioners minutes. Commissioner Wingfield seconded the motion; which passed.**
- Certification of Accounts Payable, drawn on Yuma County Funds, for September 18, 2015 with check #60703 through #60705 for \$30,548.70, and September 22, 2015 with check #60706 for \$893.75.
- Certification of Accounts Payable for September 30, 2015, drawn on Yuma County Funds, with check #60707 through #60801 for \$291,049.30 and Fund 16 W-Y Combined Communication accounts payable, with check #7382 through #7396 totaling the sum of \$30,611.67 were signed by Chairman Trent Bushner.
- Certification of Payroll for September 30, 2015 drawn on Yuma County Funds, EFT system #38457 through #38590 and checks #30569 through #30594 totaling the sum of \$236,326.27 and Fund 16 W-Y Combined Communications EFT system number #5398 through #5410, and checks #4353 through #4354 totaling the sum of \$32,489.22 were signed by Chairman Trent Bushner.
- **Yuma County Fair Board Appointments – Letters were received from Harold Blackham, and Darcy Stallings for reappointment and David Blach for new appointment to the Yuma County Fair Board, three-year term. Commissioner Wingfield moved to reappointment Harold Blackham and Darcy Stallings and appoint David Blach to the Yuma County Fair Board for three-year-terms, September 1, 2015 to September 1, 2018. Commissioner Wiley seconded the motion; which passed unanimously.**
- **4-H Shooting Sports – The Commissioners reviewed a letter received from Earl McCasland outlining his concerns about a current 4-H Shooting Sports Leader. Chairman Bushner reported that 4-H Youth Development Coordinator JoLynn Midcap is working on a resolution to these concerns.**
- **Courthouse IT – Commissioner Wiley relayed that Courthouse IT consultant Mike Brown has been unable to fulfill his commitment to the Courthouse for service. Brown shared with Administrative staff he took on the Courthouse believing he could complete his commitment to Linx and still have time to devote to the Courthouse. He has come to understand that his Linx position is taking much of his time, leaving him strapped to complete the necessary IT work at the Courthouse. Brown imparted that he is committed to finishing the projects that are in place, the completion of the cabling switchover and the server for the Administration office, but would be unable to complete any additional projects.**

Wiley told the other Commissioners that he and Administrator Hoover had met with City Managers, Sid Fleming and James DePue, about combining forces to hire a county-wide IT staff member. Wray City Manager DePue was a bit reluctant at this point because they are very happy with their current outside consultant. Various options were discussed. The Commissioners directed Administrator Hoover to put together a Request for Proposal for Information Technology Support.

- **Halloween Potluck – Courthouse staff would like to once again host a Halloween Potluck on October 30, 2015. The Commissioners were in favor of this event.**
- **Budget Work Session – An additional Budget work session will be held on October 7, 2015 beginning at 8:00 a.m.**
- **Public Lands Dues Assessment – The Commissioners deliberated about information from Chip Taylor, CCI, of the proposed changes to the 2016 Public Lands budget and dues schedule. Chairman Bushner reported that**

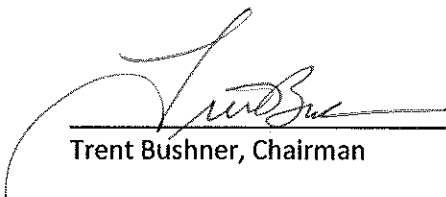


he will weigh in on the conversation and let the Commissioners know of the outcome.

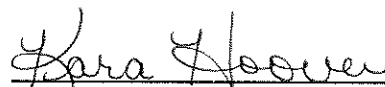
- *CCI Proposed 2016 Dues* – The Commissioners received a letter from Colorado Counties, Inc., CCI, with the 2016 proposed dues schedule. Yuma County dues will remain the same as last year at \$13,500.
- *Highways 34 and 59 Parking Restrictions* – Sid Fleming, City Manager for the City of Yuma, sent out a letter outlying Yuma's position on parking restrictions along Highway 34 and Highway 59 corridors. The Yuma City Council is allowing public discussion on the restrictions on October 6, 2015 at 7:30 p.m. and invited the Commissioners to attend. Chairman Bushner relayed that he will try to attend the Council meeting.
- *Wilson Retirement Reception* – The Commissioners and staff received an invitation to a retirement reception honoring long-time Extension Staff Member, Judy Wilson, to be held on October 1, 2015 from 3:00 to 6:00 at the Election Center in Wray.
- *CDOT, Title VI Training* – Hoover reminded the Commissioners of upcoming Title VI training provided by CDOT in Golden, Colorado, on October 15, 2015.
- *County Health Pool Insurance* – The 2016 plan year health insurance options were reviewed. The Commissioners were in consensus to make no changes in the insurance options available. Yuma County will continue to offer a three-tier medical plan, a dual option, employee paid, dental plan, the same, employee paid, vision plan, and the dependent life option 2 and supplemental life as 2015. Yuma County covers 89% of the health insurance costs and this will continue at the same rate for 2016 with the employee paying the difference.
- *CCOERA Forfeitures*–Chairman Bushner and Commissioner Wiley signed the CCOERA forfeiture check for \$2,016.44 for an employee's unvested portion of the employer paid retirement, to be deposited in Fund 1, and a check for \$300.00 to be paid to the Economic Development for the employer portion, for the third quarter of 2015.

Chairman Bushner signed the Veterans Report for September 2015.

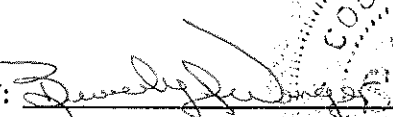
There being no further business; the meeting was adjourned at 6:27 p.m. The next regular meetings of the Board of County Commissioners will be October 14, 2015 and October 30, 2015.



 Trent Bushner, Chairman



 Kara Hoover, Administrator

ATTEST: 

 Beverly Wenger, County Clerk

