



YUMA COUNTY COMMISSIONERS

February 29, 2016

Minutes¹

On February 29, 2016 at 8:00 a.m., the Yuma County Board of Commissioners met in regular session. Chairman Robin Wiley, Commissioner Dean Wingfield, Commissioner Trent Bushner, and Administrator Kara Hoover were present.

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

Department of Human Services

The Board of County Commissioners convened as the Board of Social Services at 8:38 a.m. Human Services Director Phyllis Williams, Child Welfare Supervisor Hollie Hillman, and Receptionist Robin Barnhart were present. Detailed minutes from this meeting are maintained by the Department of Human Services.

Staffing – Williams discussed the open Office Aid position. She believes she may want to fill this position in the next couple months. The consensus of the Commissioners was to fill the position.

Employee Evaluation

8:50 a.m., Commissioner Wingfield moved to enter into Executive Session to conduct an employee evaluation under C.R.S. Section 24-6-402(4)(f)(I)&(II). The motion was seconded by Commissioner Bushner; which passed unanimously. Present were Chairman Robin Wiley, Commissioner Dean Wingfield, Commissioner Trent Bushner, and Yuma County Department of Human Service Director Phyllis Williams. Executive Session concluded at 9:15 a.m.

The Board of County Commissioners reconvened at 9:15 a.m.

Road and Bridge

Supervisor J.R. Colden was present to provide the following updates.

- *Laird* – JR reported that the road repairs in the Town of Laird are complete. A thank you to Road and Bridge from the Laird Community was printed in the Wray Gazette.
- *County Road 23 to County Road 16* – Colden relayed that crews are beginning work on County Line Road, aka County Road 23 to County Road 16. This area will require additional gravel; trucks will be busy.
- *County Road 7* – Colden reported that Road and Bridge staff would be working on widening County Road 7 from Highway 385 East anticipating that the work will be completed in March.
- *Trucks* – Colden mentioned his intention to send trucks to different locations and projects to ensure that all areas are covered.
- *Eckley Property-Building* – JR presented a proposed schedule for payment for the Eckley Building from Vap Construction. He also showed the Commissioners a map of a proposed building site. Vap plans to

¹ Minutes prepared by Kara Hoover are a summary of discussions, not a verbatim account.

begin the building construction on June 1, 2016. The Commissioners reviewed a color scheme for the building, relaying that they would like to stay with colors that do not fade easily; ivory building with brown trim was suggested. **Commissioner Bushner moved to sign the building contract with Vap Construction utilizing the payment schedule as presented, total cost of construction of \$42,170.00, paying from Fund 20. Commissioner Wingfield seconded. The motion passed unanimously.**

- *County Road 38* -- Colden reported that his staff located fiber on County Road 38 as they prepared to cut down a hill for safety reasons. He was able to locate the original Underground and Utility Permit with World Wide Fiber Networks, Inc. from September 1999. The permit states "In the event any changes are made to this highway in the future that would necessitate removal for relocation of this installation, Permittee will do so promptly at his own expense upon written request from the County of Yuma." World Wide Fiber Networks, Inc. sold the fiber to MCI and then it was sold to Verizon. Road and Bridge has submitted the written request by email to Verizon for relocation of these fiber lines.
- *County Road 51*– Colden said that he would like clarification if County Road 51, between County Road U and County Road CC, is a fire road. He stated that the road was not built for the heavy truck traffic that is currently running on the road and is beginning to fail. Colden plans to contact the state patrol to see if they can provide a scale to weigh trucks for compliance.
- *County Road 39* – Colden requested more discussion on the potential paving project on County Road 39. Colden presented additional ideas such as completing 4 miles at a time; purchasing asphalt equipment, or just repairing a mile each year. The Commissioners asked Colden to keep researching various designs for further discussion.
- *Staffing* – Colden mentioned that he has several employees that are nearing their 6-month probationary period. He presented a draft sign-off sheet for employees in the probationary period. Administration will review, comparing to the Yuma County Handbook and will consult with CTSI Human Resource Specialist. There will be continued discussion at the next BOCC meeting.
- *CDL* – Colden shared that he has an employee that lacks the airbrake part of the Commercial Driver's License. Colden instructed the employee that he must take and pass this part of the CDL.
- *Road Access Form* - Colden presented the approved Road Access Form for Gene Kumm at County Road 57, ½ miles west of County Road QQ.

Employee Evaluation 10:15 a.m., **Commissioner Bushner moved to enter into Executive Session to conduct an employee evaluation under C.R.S. Section 24-6-402(4)(f)(I)&(II). The motion was seconded by Commissioner Wingfield; which passed unanimously.** Present were Chairman Robin Wiley, Commissioner Dean Wingfield, Commissioner Trent Bushner, and Yuma County Road and Bridge Supervisor J.R. Colden. Executive Session concluded at 10:33 a.m.

Ambulance Services

Ambulance Service Directors Bruce Mann, Lonnie Knudsen, and Board Member Greg Wudtke, were present to discuss the following with the Commissioners:

- *Older Ambulances* – Mann reviewed the ambulances in the county that have low mileage, but are beginning to get older. He, along with the other Ambulance Service Directors, would like to work out some type of agreement that would allow the Ambulance Services to share ambulances among the services to better utilize the miles on each. The older ambulances are stationed in Idalia and South Y-W fleets; both



ambulances have less than 7,000 miles on them and are at least 10-years-old. Mann mentioned the group believed the discussion needed to start with the Commissioners. Mann shared that the Gary Baucke does not believe that the City of Yuma is interested in participating in a fleet swap.

Knudsen said that the Wray City Manager appears open for further discussion. The Commissioners agreed that they too were open to this discussion. Lonnie mentioned that there would need to be some type of a county-wide maintenance program to make this work. The City of Wray has three ambulances that vary from 60,000 to 125,000 miles. Chairman Wiley requested the ambulance services work together to formulate a rotation plan and return for further discussion.

- *Communication Center* – Mann shared that the EMS Council met and have compiled some expectations of the communication center. This will be shared with the Communication Center Board and the Commissioners.
- *Grant Support Letter* – Lonnie requested a letter of support for a grant written by the City of Wray. He will forward the information for review.

Office of Emergency Management

- *Annual Operating Plan* – Brown presented the 2016 Yuma County Annual Operating Plan. He said there were no changes to the plan; only a change to the signature page, with the addition of the Bureau of Land Management. **Commissioner Wingfield moved to approve and sign the 2016 Yuma County Annual Operating Plan. Commissioner Bushner seconded the motion; which passed unanimously.**
- *Generator Projects* – Brown reported that the Laird and Vernon generator projects are moving along. They should both be placed at their respective sites in the next year.
- *2016 NEAHR Grant* -- Brown said that the Northeast All-Hazards Region grant is widespread throughout eleven counties. Brown shared he has two projects in mind to request: 1) An installation of a repeater on tower in Vernon, and 2) the installation of the generator at the Courthouse. These would both be 2017 projects. The Commissioners noted that there is a more immediate need to place the generator at the Courthouse with completion by the end of this summer.
- *2016 EMPG Grant Funding* -- Brown then mentioned that there may be additional funding available in 2016 Emergency Management Program Grant that could be used towards the Courthouse generator project and completed in 2016. The Commissioners asked Brown to pursue this funding for the Courthouse generator.
- *EOC Training for Public Officials* – Brown said that he can condense the Emergency Operations Center training to 4-hours instead of the original 3-day training. He would like the Commissioners and fire personnel from the entire county to attend. The Commissioners suggested March 14, March 22, April 4, or April 11 for possible meeting dates. He will let the Commissioners know of a date once confirmed.
- *Multi-Mission Aircraft* – Brown said the multi-mission aircraft was out to Wray and Yuma recently. The aircraft could be deployed in the case of a fire emergency at no additional cost to the county.
- *Mobile Fire Trainer Trailer* – Brown reported that he is scheduling a mobile fire trainer trailer in Yuma County for a three-day training. He would like all Fire Departments in the county to participate.



- *NCEM Ready-Northeast Website* -- Brown said that the Ready Northeast website lost funding and will cease to exist. He would like to have a place on a website in Yuma County. Sheriff Day told Brown that this information would best fit the Sheriff's website; he will get with Sheriff Day to move the NCEM information to the Sheriff's website.

Sheriffs' Office

Sheriff Chad Day and Undersheriff Adam Wills presented the follow for discussion:

- *Pickup* – Wills relayed that the up fit from LAWS should be complete on the new pickup and be ready to pick up by the end of the week.
- *Ford Interceptor* – Day mentioned that a vehicle from the Kansas Highway Patrol was finally made available once again. The vehicle is a 2015 Ford Interceptor AWD with 49,862 miles and is priced at \$21,500 with an additional \$1,000 for the light bar and siren system, totaling \$22,500. The vehicle will still require up fitting from LAWS at the cost of approximately \$7,400. **Commissioner Bushner moved to approve the invoice for the 2015 Ford Police Interceptor Utility AWD from the Kansas Highway Patrol for \$22,500; also approve the up fit for this vehicle at LAWS requesting the Sheriff work on reducing the amount spent from the \$7,400 quote, paying from Fund 20. Commissioner Wingfield seconded the motion; which passed unanimously.**
- *Dodge Durango* – Day presented a quote from the Kansas Highway Patrol for a 2013 Dodge Durango to replace the Chevrolet Tahoe that has 124,311 assigned to the Victim's Advocate. The Tahoe was purchased from Fund 12, previously. Day mentioned that the vehicle would not be available until May. He would like the Commissioners to consider. The Commissioners discussed further but no decision was made; they will review at a later date.
- *Staffing* – Day reviewed staffing issues due to injuries. The Sheriff's Office has two patrol officers that are on light-duty either awaiting surgery or recovering from surgery. Additionally, Day shared that the Sheriff's Office is in the process of conducting interviews for open patrol and jail positions.

Land Use

Rich Birnie was present to conduct Land Use and GIS business.

Land Use Hearing

Chairman Wiley opened the Land Use hearing at 1:07 pm. No one from the public was present for the hearing.

Exemption from Subdivision

- *Shephard/Smith* – Birnie presented the staff report of Gary E. Shephard for Marilyn Jean Smith, to divide 5.00 acres, more or less, from 24.80 acres, more or less, in the SE ¼ of Section 25, T3N, R48W, for the purpose of resale as a home site.

Birnie reported he received one written objection stating the proposed residential site would affect neighboring land owner's minerals rights. No other written objections or phone calls accompanied this application.

The Land Use hearing closed at 1:20 p.m.



Commissioner Bushner moved to approve Resolution #02-29-2016 A, Exemption from Definition of Subdivision, #EFS 0116-01, Marilyn Jean Smith, to divide 5.00 acres, more or less, from 24.80 acres, more or less, in the SE ¼ of Section 25, T3N, R48W, for the purpose of resale 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.**
- **The Applicant shall apply for a water well permit from the Colorado Water Board.**
- **The Applicant shall contact Yuma County Road & Bridge Department for access approval.**
- **Prior to construction, the Applicant shall submit an Activity Notice notifying the County of the type and cost of construction.**

Commissioner Wingfield seconded. The motion passed. Recorded under Reception No. 00566259

Land Use

Marvin Southards joined the meeting.

- *Planning Commission* – Birnie reported that there has not been any progress replacing Brad Rock as a Yuma County representative to the Planning Commission. Commissioner Bushner mentioned that Tom Jackson contacted him and said that he spoke to two individuals about filling the other Yuma County vacant position. New Planning Commission Officers elected at the February 16, 2016 meeting are Lynn Hagemeyer as Chairman, Ron Tribbett as Vice-Chairman, and Steve Andrews as Secretary.
- *Gene Kramer Feed Pen Issue* - Rich relayed that State of Colorado Environmental Protection Specialist Thaine Kramer and his supervisor visited the Gene Kramer Feed Pen Site on Monday, February 22, 2016. They found the feedlot to be in compliance for an Animal Feeding Operation (AFO). Going forward, Gene Kramer is to update the State every quarter with the number of cattle in the feed pens.

Marvin Southards joined the meeting and voiced his concern that the state health department does not have provisions to protect neighboring landowners from run off. He again told of lost revenue because the AFO is too close to the field where potatoes were previously grown. The Commissioners told Southards that they understood his position; but regulating AFOs at the county level would have wide spread consequences. Southards agreed with the Commissioners and relayed if an issue persists there were other legal remedies that he could pursue.

- *Roy Mekelberg EFS0216-02* – Birnie relayed the Planning Commission will be reviewing the application for Exemption from Subdivision from Roy Mekelberg in March and heard by the Commissioners at the March 31, 2016 Land Use Hearing.
- *Wise EFS0216-03* – Birnie said the Planning Commission will review the application for Exemption from Subdivision from Emmett and Bonita Wise. This application will be considered at the March Planning Commissioner meeting and heard at the March 31, 2016 Land Use Hearing.
- *Foreman/Lengel EFS0216-04* – Birnie said the Planning Commission will review the application for Exemption from Subdivision from Udo Foreman for Mark Lengel in March and will be heard by the Commissioners at the March 31, 2016 Land Use Hearing.
- *Meek Gravel Pit* – Birnie mentioned that the application for a Major Land Use Permit for the Meek Gravel Pit was submitted by the Road and Bridge Department and will be reviewed by the Planning Commission and heard by the Commissioners in April.



- *Complaint Letter* – Rich shared an anonymous complaint letter that was received in regards to a Yuma County CAFO. The letter has been forwarded by the County Assessor to Thaine Kramer for State follow up on the complaint.
- *W-Y 911 Authority Board PUC Application* – The Commissioners asked Birnie to consider assisting the W-Y 911 Authority Board in applying to the PUC to increase the surcharge. Birnie had various questions about the application. He said he would research the process and consider assisting with this.

GIS

- *Red Book/2016 Plat Book* – Birnie shared that he has purchased the paper, covers, spiral bindings and the binding machine and is ready for the Red Book production. The cost of supplies is approximately \$12 for the book, plus his time to produce and will be expensed from 01-603. He shared a copy of the 2016 Plat Book.

CAPP/WC Loss Analysis Annual Review

County Technical Services, Inc. (CTSI) Loss Prevention Team Leader, Ted Lindtveit presented the Casualty and Property Worker's Compensation Pool and Workers Compensation Annual Report for 2015.

- *CAPP* - Lindtveit presented a detailed loss analysis report for Casualty and Property and Worker's Compensation Pool for 2015. Lindtveit reported that Yuma County shows a loss ratio of .50 and was listed 11 out of 52 counties in the Casualty and Property Pool, showing a reduction in loss claims in 2015. He said the five-year totals include 29 claims, totaling \$181,435 with an average of \$6,256 incurred per claim.
- *Workers Compensation* – Lindtveit shared that Yuma County had a 1.70 loss ratio and was ranked 43 out of 51 counties, in the Workers Compensation Pool, with an increase of claims in 2015. He shared the five-year totals for Yuma County Workers Compensation show 73 claims, totaling \$652,879 with an average of \$8,944 incurred per claim.

Employee Evaluation 2:37 pm., Commissioner Wingfield moved to enter into Executive Session to conduct an employee evaluation under C.R.S. Section 24-6-402(4)(f)(I)&(II). The motion was seconded by Commissioner Bushner; which passed unanimously. Present were Chairman Robin Wiley, Commissioner Dean Wingfield, Commissioner Trent Bushner, and GIS/Land Use Administrator Rich Birnie. Executive Session concluded at 2:59 pm.

Employee Evaluation 3:37 pm., Commissioner Wingfield moved to enter into Executive Session to conduct an employee evaluation under C.R.S. Section 24-6-402(4)(f)(I)&(II). The motion was seconded by Commissioner Bushner; which passed unanimously. Present were Chairman Robin Wiley, Commissioner Dean Wingfield, Commissioner Trent Bushner, and Finance Officer Vicky Southards. Executive Session concluded at 3:55 pm.

Employee Evaluation 3:59 pm., Commissioner Wingfield moved to enter into Executive Session to conduct an employee evaluation under C.R.S. Section 24-6-402(4)(f)(I)&(II). The motion was seconded by Commissioner Bushner; which passed unanimously. Present were Chairman Robin Wiley, Commissioner Dean Wingfield, Commissioner Trent Bushner, and County Administrator Kara Hoover. Executive Session concluded at 4:03 pm.

Vistabeam

Vistabeam CEO Matt Larsen and Yuma Operations Manager Matthew Bochsler were present to discuss his company's recent acquisition of the former internet provider Premier Systems (Plains.net). Tobias Tonelli, IT, was also present by teleconference.

Larsen reported that his company found a lot of outdated, substandard, equipment within the region upon inspection of their newly acquired business. Their first priority is to upgrade the equipment, focusing on the commercial accounts and then moving to the residential accounts. Vistabeam anticipates the internet service to improve speeds up to 10 megabytes uploading and downloading. Commissioner Bushner requested Larsen speak about their reliability and how they will cover any outages. Larsen said Vistabeam has the ability to link into a microwave path to area fiber cables for redundancy purposes; therefore minimizing the effects of unforeseen outages. Larsen also mentioned that Vistabeam has a Pole Attachment Agreement with the City of Yuma and is currently working with the City of Wray on a similar agreement.

The Commissioners explained to Larsen that a single internet drop is needed to complete the Courthouse server room and cabling project that began last summer. Tonelli added that this project could be completed once that single drop is made available. Matthew Bochsler responded by saying that Vistabeam will strive to provide a dedicated line for the Courthouse in the next month or so.

Broadband Master Plan Steering Committee

The Broadband Master Plan Steering Committee including: Yuma County Economic Development Director Darlene Carpio, Yuma City Manager Sid Fleming, Wray City Manager James Depue, Wray City staff member Lindsey Jones, were present and Magellan, Inc. Broadband Consultant John Honker joined the meeting by way of teleconference to discuss countywide broadband with Vistabeam staff Matt Larsen and Matthew Bochsler.

Matt Larsen shared that Vistabeam has a hybrid fiber and wireless network that will improve connectivity. Their focus, as mentioned before, will be for commercial accounts. Currently, Vistabeam offers residential packages in 4, 8, and 12 megabytes per month. A 4-megabyte package currently costs \$50 per month. Commercial packages are available from 10 megabytes to 100 megabytes. Larsen mentioned that Vistabeam has been able to obtain Revolving Loan Funds in other cities and counties to build infrastructure. Carpio said she would provide the Northeast Revolving Loan Fund information for Larsen so that he may pursue funding. Larsen said that once they meet the immediate equipment update needs, they will be working on proposals for dedicated fiber. He believes they will have these proposals available sometime in June, 2016.

Treasurer

County Treasurer Dee Ann Stults presented the following for discussion:

- *Arikaree Groundwater Management District* – Stults presented a letter received from White & Jankowski attorney Tacy Hass, Attorney for the Arikaree Groundwater Management District. The letter is requesting that Yuma County collect a special assessment for the groundwater district. Stults also shared a resolution from the Arikaree Ground Water Management District explaining the need for the special assessment is to help cover the added expenses incurred to defend the well owners in the Hutton Education Foundation lawsuit. Commissioner Bushner made note that he understood the position that this lawsuit has caused. The Commissioners would like to see Dee Ann help the district if possible.

Stults made note that the deadline for Special Assessment Certifications was October 1, 2015. According to Dee Ann, the Treasurer's current computer system does not allow late entries; therefore, she will be forced to produce notices manually. This will be a big expense to her office. She, too, understands the position of the water district and suggests that the groundwater district bill this year on their own and certify the special assessment by the due date for next year.



Attorney Ken Fellman was contacted in this matter. Fellman will follow up with the attorney for the District. This matter is to be discussed more at the next meeting.

Administrator's Report

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

- **Minutes – Commissioner Wingfield moved to approve the February 16, 2016 Board of County Commissioners minutes. Commissioner Bushner seconded the motion; which passed unanimously.**
- Certification of Accounts Payable drawn on Yuma County Funds on February 29, 2016 with check #61890 through #61697 for \$367,003.05 and Fund 16 W-Y Combined Communication accounts payable, with check #7522 through #7538 totaling the sum of \$31,973.09 were signed by Chairman Robin Wiley.
- Certification of Payroll for February 29, 2016 drawn on Yuma County Funds, EFT system #39154 through #39287 and checks #30719 through #30744 totaling the sum of \$233,339.12 and Fund 16 W-Y Combined Communications EFT system number #5465 through #5477, and check #4363 totaling the sum of \$30,318.15 were signed by Chairman Robin Wiley .
- **Meeting Dates – The Commissioners reviewed and set meeting dates as follows: May 16 and 31, June 14 and 30, July 15 and 29, and August 15 and 31, 2016.**
- **Flat Roof at the Courthouse, Request for Proposal – The Commissioners considered a draft Request for Proposal for resurfacing of the flat rooftop at the Courthouse. The RFP will be advertised in both county papers. Bids will be due by March 25, 2016 and will be reviewed at the March 31, 2016 BOCC meeting. Commissioner Wingfield moved to approve the Request for Proposal for the Flat Rooftops at the Courthouse. Commissioner Bushner seconded the motion; which passed unanimously.**
- **Carpet Extractor – Hoover presented bids for a Carpet Extractor/Cleaner. Commissioner Bushner moved to accept the bid from Bluffs Sanitary Supply for an ICE IE410 Carpet Extractor for \$2,199.99 once Travis confirmed references of other businesses that have used this machine. To be paid from 01-109-8941 and 01-109-8942. Commissioner Wingfield seconded. The motion passed unanimously.**
- **East Restrooms – Tom Mekelberg contacted the Commissioners reporting that the Pleasant Valley Hustlers 4-H group would like to fix up the East Restrooms located near the show ring. Jolynn Midcap stepped into the Commissioners meeting stating that she had donations that could be available to pay for part of the supplies for repairs. Commissioner Bushner moved to match funds made available by 4-H up to \$500 for supplies to repair the restrooms located near the show ring at the Yuma County Fairgrounds. Commissioner Wingfield seconded the motion; which passed unanimously.**
- **Veterans Officer Expenses – The Commissioners discussed the expenses presented for approval for the Veterans Officer. Hoover explained that there had been a discussion about the budget overage with VSO, K.T. Gregg. Gregg mentioned that he understood the budget and was glad to accept only the budgeted amount. It is noted that Yuma County is considered a part-time county and a total of \$1,380 is received from the Department of Military and Veterans Affairs to support this office annually. The Commissioners were in consensus to pay Gregg for all expenses submitted with supporting documentation.**



- *Sheriff's Office Request for Removal of Personal Identifying Information* – Undersheriff Adam Wills brought forth a form based on C.R.S. 18-9-313 for removal of identifying information from publicly accessible Internet databases that he would like to have the County consider. This form would be used for the Assessor's and GIS office. The Commissioner reviewed other county forms and provided recommendations. A new form will be put into place.
- *Lawn mowing bids* – Hoover mentioned that she had an inquiry about advertising the mowing at the Courthouse and the Department of Human Services for bid this year. The Commissioners were in consensus to advertise the mowing for bid. Hoover will get bid sheets prepared and place an ad.
- *Listening Tour* – Hoover reported having a good turnout for the Rural Philanthropy Days Listening Tour that the Commissioners hosted in Wray. Thirty-six individuals from the county participated in the discussion along with an additional thirteen representatives from various Foundations, Community Resource Center, and the RPD Steering Committee.
- *Veterans Report* -- Chairman Wiley signed the Veterans Report for February 2016.

The Commissioners made their routine inspection of the jail.

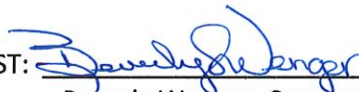
There being no further business; the meeting adjourned at 5:52 p.m. The next regular meetings of the Board of County Commissioners will be March 15, 2016 and March 31, 2016.



Robin Wiley, Chairman



Kara Hoover, Administrator

ATTEST: 

Beverly Wenger, County Clerk

