



YUMA COUNTY COMMISSIONERS

July 15, 2016

Minutes¹

On July 15, 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. Public attendee, Jessie Vance, Eckley Town Council member was present from 8:45 am to 1:30 pm.

The Commissioners reviewed and signed accounts payable checks and discussed various meetings attended through the first half of the month.

Dominion Voting Systems

Jim Bensburg, from Dominion Voting Systems, dropped in to visit with the Commissioners about the new Dominion Voting System, which is the state mandated system. He relayed to the Commissioners that there is cost savings to purchase the new system by the end of 2017.

Department of Human Services

The Board of County Commissioners convened as the Board of Social Services at 8:31 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.

Annual Contracts – Williams presented the following contracts for approval:

- ***The Family Center Core Contract*** – Commissioner Bushner moved to sign the Family Center Contract, for July 14, 2016 to May 31, 2017 to provide services, not to exceed \$3,000 utilizing PA3/CORE funding. Commissioner Wingfield seconded the motion; which passed by unanimous vote.
- ***Cub's Den Community Childcare Center TANF Contract*** – Commissioner Wingfield moved and Commissioner Bushner seconded to approve the TANF Contract with Cub's Den Community Childcare Center of \$5,000 for July 1, 2016 to June 30, 2017. The motion passed unanimously.

July 29, 2016 Meeting – Director Williams relayed that she is not available to attend the next meeting. She will send another staff member if needed.

The Board of County Commissioners reconvened at 8:52 a.m.

Road and Bridge

Supervisor J.R. Colden, Office Manager Deborah Logue, and Administrative Assistant Kaitlyn Wadlington were present to provide the following updates.

- ***Software*** – J.R., Deb, and Kaitlyn shared that the department has been less than enamored with the BMSI/Web DPW software that was purchased in 2015 to replace the PubWorks system that was being utilized prior. The Web DPW system is not adequate and the transition from PubWorks has not been completed. The Road and Bridge Department has continued to use the PubWorks software awaiting a smooth transition. Office staff reports that it is not possible to transition from PubWorks and is requesting to upgrade PubWorks and continue utilizing this software. Road and Bridge will pay half

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

when ordered and the other half once the system is up and running. **Commissioner Bushner moved to allow the Road and Bridge Department to upgrade to the PubWorks SQL Server in the amount of \$1,682 with the annual support of \$1,732, totaling \$3,414. Commissioner Wingfield seconded the motion; which passed unanimously.**

- *County Road 38* – Colden reported that Century Link moved the fiber lines and the repair work is now complete on County Road 38.
- *County Road 39* – Colden shared of the need to repair the eight miles of County Road 39. He submitted bids and is recommending the 5% concrete mix because of the high use of this road. A grant bid was discussed through Energy Impact grant. The Commissioners shared that Energy Impact funds were limited this year due to lower oil and gas production and a lawsuit in Mesa County. They discussed the challenge of applying for Energy Impact grant funds because of the nearly \$4 million cost of this project. J.R. mentioned the possibility of buying or renting concrete equipment and working on a couple of miles of road each year for the next three years to repair the road. The Commissioners asked him to return with estimates for such; sharing that may be a more viable solution.
- *EIAF Grant --Beecher Island Road, County Road JJ, 27, KK & LL*– The Commissioners asked Colden to gather information to chip/seal the Beecher Road. They felt a chip/seal project may be more affordable project and something that they could submit for Energy Impact Grant. He and Administrator Hoover are to get everything put together for a grant proposal to the Energy Impact Assistance Fund by the end of July. **Commissioner Bushner moved to approve the grant submission to the Energy Impact Assistance Fund for chip/seal repair on County Roads JJ, 27, KK & LL, aka as the Beecher Island Road. Commissioner Wingfield seconded. The motion passed by unanimous vote.**
- *CDOT Highway 385/CR 33.6 Turning Lane* – Colden reported that everything has been submitted to the state for the mining operations at the Highway 385 / County Road 33.6 turning lane project. Currently, the project is waiting for Century Link to locate fiber cables.
- *Abarr House* – Colden relayed that the Abarr house has been vacated by Shane Coleman and there are plans for Sean Malay to move in. Prior to Malay moving in, J.R. would like to do some repairs including replacing some windows on the main level, installing an egress window in the basement, and replacing carpet. It was the consensus of the Commissioners to purchase new windows for the Abarr House and install carpet from the Armel House.
- *Eckley Building*
 - *Rent* -- J.R. told the Commissioners that everything is complete with the Eckley Building and they should be able to begin using it by August 1, 2016. He reminded the group that the shop rent, currently being paid to Wayne Pletcher, would end July 31, 2016.
 - *Shop Heaters* -- Colden presented bids for shop heaters for the Eckley Building. **Commissioner Wingfield move to approved the bid to install the heater in the building, not to exceed \$3400, utilizing the contractor that can get the project done the quickest; either Air Concepts, LLC or Yuma Sheet Metal LLC. Commissioner Bushner seconded the motion; which passed unanimously.**
- *Wracer Canyon Run Request* – J.R. mentioned that Wracer Canyon Run organizer Raymond Texter is requesting permanent markers on the edge of County Roads JJ and 33 to mark the 2 mile, 5K, 3 mile,

and 10K turn around points of the annual Wracer Canyon Run. Colden said that such markers would make mowing very difficult and suggested marking along the fence line instead.

- *Staffing* – Colden presented a salary authorization for new hire Derrick Bassnett and Equipment Operator Mark Sievers because of added Safety duties.

Commissioner Wingfield moved and Commissioner Bushner seconded to approve the Salary Authorizations for:

- **Derrick Bassnett, Equipment Operator, G5/C1/L5, beginning July 11, 2016; and**
- **To increase Mark Sievers to a G5/C1/L11 for the addition of Safety duties, effective August 1, 2016.**

The motion passed by unanimous vote.

- *Underground and Utility Permit* - Colden presented the following Underground and Utility Permit for approval from the Yuma Ethanol LLC to install a 6" PVC water line under County Road H at the south side of the railroad tracks of Section 19. The Commissioners mentioned that Yuma Ethanol LLC will have to contact the Railroad, as well, since it is the Railroad right-of-way.

Commissioner Bushner moved and Commissioner Wingfield seconded to approve:

Underground and Utility Permit for Yuma Ethanol to install a 6" PVC water line under County Road H at the south side of the railroad tracks of Section 19. The motion passed unanimously.

Treasurer

Treasurer Dee Ann Stults presented the following for discussion:

- *Treasurers Report* - Stults presented the Treasurer's report for June 2016. She reported there were \$3,082,678.90 in Taxes Collected; \$170,859.45 in Specific Ownership taxes collected, and \$58,638.62 in fees collected for the month. She reported that approximately 96% of taxes are collected. Her office sent about 1,800 delinquent notices.
- *Training* – Dee Ann mentioned that her staff is undergoing additional training on their current software system.
- *Semi-Annual Statement* -- Chairman Wiley signed the Semi-Annual Statement to be publicized by July 31, 2016.

Yuma County Extension

Joy Akey stopped in to discuss a program for consideration. She reported that Encore Life, Inc. has a senior social companion program called "Neighborhood House" that they would like the Extension, through the County, to continue once their non-profit ceases to function. This program currently has 12 volunteers. The liability insurance would be covered under the CTSI's volunteer insurance. Akey relayed that there are funds left with Encore Life, Inc. that will help cover the background checks and associated fees for this program and will be placed in YUMEX accounts and tracked appropriately. The Commissioners were in favor of Yuma County Extension continuing with this program and the volunteers to be covered under the county's liability insurance.

Assessor

Assessor Cindy Taylor brought up for discussion the following:



- *Abstracts* – Taylor presented the Abstract for Land, Improvements, and Personal Categories for 2016. She revealed that the projected valuation is down around \$48 million. Oil and gas valuation is down 52% compared to last year, while the overall county valuation is down 17%.
- *Abatements* – Taylor reported that there has been a several abatements from companies within the oil and gas industry. She is very frustrated about the amount of monies that are being withdrawn from the county. Taylor asked for guidance in moving forward with an abatement from Caerus. The Commissioners asked Taylor to contact an attorney that specializes in these types of abatement and learn if there is anything that can be done.
- *Protests* – Taylor mentioned that she had a conversation with a constituent about a possible appeal. Today is the deadline for the real property appeals and July 20 is the deadline for personal property appeals to the County Board of Equalization. Formal hearings will be heard by the County Board of Equalization on July 29, 2016.
- *State Assessments* – She presented the First Notice of Valuation from the State of Colorado.

Fairground Use Form and Policy Review

The Commissioners reviewed the draft Fairground Use Request Form and consolidated Fairground Policy and Use Agreement. The Commissioners will review further at the July 29, 2016 with Attorney Fellman present.

Land Use

Richard Birnie, Land Use Administrator/GIS reported on the following:

- Applications that will be reviewed with the Planning Commission mid-July and heard by the Board of County Commissioners at the end of July are:
 - *Wiltfang* – Rich reported that Everett and Jean Wiltfang have submitted an Exemption from Subdivision Application, EFS0516-09 to divide 22.12 acres, more or less, from 80.16 acres, more or less, for the purpose of resale to Prestige Land Company, Inc.
 - *RMR Ranch, Inc.* – Birnie mentioned that RMR Ranch submitted an Exemption from Subdivision application, EFS0616-10. to divide 5.03 acres, more or less, from 80 acres, more or less, in SW ¼ of Section 33, T1N, R47W, for the purpose of building a residence.
 - *Ryan and Susan Godsey* – Birnie shared that Ryan and Susan Godsey turned in an Exemption from Subdivision Application, EFS0616-11, to divide 1.91 acres, more or less, from 5.93 acres, more or less, in the NE ¼ of Section 6, T1S, R45W for the purpose of separating pasture land from the homestead.
 - *Bonnie Frihauf* – Rich reported that Bonnie Frihauf submitted an application for Exemption from Subdivision, EFS0616-12, to divide 10.61 acres, more or less, from 316.3 acres, more or less, in the SE ¼ of Section 20 and the SW ¼ of Section 21, T3N, R48W.
- *W-Y 911 Authority Board PUC Application* – Birnie reported he is waiting for the financials to be reviewed in-house and will send a draft to Daryl Branson at the PUC for review.
- *Text Amendment to the Land Use Code* – Birnie shared he continues to work on proposed text amendments to the Land Use Code:



- 1) Rewriting waivers for all codes that mention waivers and add a waiver to the Industrial Setback paragraph.
 - 2) Adding Floodplain Regulations as per the State of Colorado request. Birnie reviewed floodplain regulations sent from Silver Plume and Gunnison County with the Commissioners.
 - 3) Numbering the Wind Energy Facility Safety Setbacks.
 - 4) Separating codes for small wind projects.
 - 5) Drafting Land Use Codes for solar electric projects.
- *Setbacks* – Maggie Freeman was present to continue to discuss the issue of complying with the 100' setback requirement to construct a new building on their property west of Wray. She reported that the adjacent landowner is reluctant to sign a waiver. Changes to the Land Use Code regarding commercial setbacks for small properties were further discussed. Birnie explored commercial setbacks from Morgan and Phillips County.

After some discussion, **Commissioner Wingfield moved to recommend to the Planning Commission the following:**

- **Commercial/Industrial setback revisions: Front setbacks of 30', Side and Rear setbacks of 25' if adjacent to Residential/Agricultural property, and 10' side and rear setbacks if adjacent to Commercial/Industrial property.**
- **Agricultural structure setbacks of 10' from County right-of-way and 10' from adjoining property.**

When a property fronts on more than one road, the front setback is required on all roads. Commissioner Bushner seconded the motion; which passed unanimously.

- *Viaero DEV0716-013* – Birnie reported that NE Colorado Cellular, Inc., dba Viaero Wireless, has submitted a development permit to install a 52' tower/utility pole, 30' x 30' x 6' chain link fence and utility cabinet on leased property adjacent to the north boundary line of Laird, CO. The land is located on Arcola Street in the NE ¼ of Section 6, T1N, R42W. This application will be heard in August.

GIS

Birnie reported that minimal work is being done on GIS due to other duties and he has nothing new to report.

Sheriff

Sheriff Chad Day joined the meeting to discuss the following:

- *Staffing*
 - *Jail Positions* -- Day reported that there is still two open jail deputy positions. He reported there has been only one applicant that has made it through the pre-testing; an offer was made to that applicant.
 - *McDaniel* – Day informed the Commissioners Paul McDaniel started Academy training in Adams County on Monday, July 11, 2016.
- *Donation of Patrol Car*
 - Sheriff Day reported that there has been a call out for area agencies to donate supplies and vehicles to an agency that has been hit by flooding in the south. The agency located in West Virginia is a very small agency and is in need of some assistance. Day mentioned the possibility of donating one of the cars that is coming up for replacement. The Commissioners relayed that

they would like to make this donation, but feel as if the cost to replace may be too high at this point.

Executive Session -- At 1:40 pm, Commissioner Bushner moved to enter into Executive Session to discuss specialized details of security arrangements or investigations under C.R.S. Section 24-6-402(4)(d). The motion was seconded by Commissioner Wingfield; which passed unanimously. Present were: Commissioners Wiley, Wingfield, Bushner, Sheriff Day and Administrator Hoover. Joining by way of teleconference was Nick Striegel, Assistant State Veterinarian from the Department of Agricultural and Mark Brown from the Division of Racing, Department of Revenue. Executive Session ended at 2:37 pm.

Elected Officials/Department Head

Elected Officials and Department Heads met for the quarterly meeting. Those present along with Commissioners Wiley, Wingfield, and Bushner were: Treasurer Dee Ann Stults, Assessor Cindy Taylor, Landfill Manager Cliff Henry, Sheriff Chad Day, Department of Human Service Director Phyllis Williams, Land Use/GIS Rich Birnie, Finance Officer Vicky Southards, Clerk Bev Wenger, Extension Office Joy Akey, and Administrator Kara Hoover.

- *Christmas in July Random Acts of Kindness (RAK)* – Treasurer Stults reviewed the “Christmas in July” gift exchange that will be held on Monday, July 25!
- *August 15-19 RAK Week* – The week begins on Monday, August 15, 2016 with the staff appreciation barbeque; staff is asked to wear red-white-blue. Dee Ann reviewed the list for the barbeque. The location will be in the grassy area between the buildings. The rest of the week’s RAK will be: Tuesday-hat day, Wednesday-sports team day, Thursday-office throw-back, and Friday-fit day. The barbeque will be funded by County Commissioners budget.
- *RAK Ideas* – Stults relayed ideas for the upcoming months; October will be the coat drive, November will be the food drive for local food pantries, and December will be the Christmas Tree Decorating contest. She asked for ideas for September and a theme for the Christmas Tree Decorating Contest. She will send out an email to follow up so that each office has an opportunity to discuss with their staff.
- *County Security Plan* -- Sheriff Day revisited his work on developing a county security plan. He relayed that the Secure Tech, WAVE Plus Virtual Network Alarm System is back up and running on the computers. The x-ray machine has been fixed. He shared that the video surveillance is become antiquated and will need updating at some point. Day would like to add the CPR and AED training to the security plan as well. He plans to continuing working on this.
- *Active Shooter Training* – Day mentioned that he is working on the active shooter training with his staff and would like to introduce the same in the security plan. He is currently working on aspects of evacuation processes for an active shooter, including ladders for outside evacuation. The group discussed county-wide training times for active shooter procedures. The group mentioned that the exercise should occur during the working day, training offered in several times, and occur early in 2017.
- *Website* -- Treasurer Stults mentioned that the website needs refreshing and updating. The website is not mobile friendly. She asked for a committee to look into the website updates. The following individuals would be asked to serve on this committee: Rich Birnie, Deborah Logue, Sarah Carwin, and Adam Wills.



- *2017 Budget Discussion* -- Stults asked for direction on the 2017 budget discussions. The state assessment was discussed. The down turn with oil and gas in the state has affected the county greatly.
- *Auditors/Credit Cards* -- Finance Officer Vicky Southards mentioned that the Auditors reviewed the credit card statements and noted a lot of sales tax being charged to the county. She asked everyone to be more aware of providing tax-exempt information.

Mason Lodge

Clint Marintzer, Masonic Lodge member, joined the meeting to discuss Fliration Point with the Commissioners. He relayed that on June 2nd they held a 102nd memorial meeting at Lodge Rock with several state dignitaries. He mentioned that just prior to the event he spoke with J.R. Colden; and a grader was sent to the point to make road repairs. He was most appreciative for their quick response. He is requesting additional product to firm up the road. The Commissioners said that they would discuss with Road and Bridge and have product delivered at some point.

County Clerk

County Clerk Bev Wenger joined the meeting to discuss the following:

- *Elections Equipment* – Wenger discussed the Dominion elections equipment. She has had the opportunity to work with the equipment and reported that she is very impressed with the equipment. She confirmed that the state is willing to offset 50% of the costs to purchase the equipment by the end of 2017.
- *Drop Box for Mail Ballots* – Clerk Wenger informed the Commissioners that she needs to install a drop box for mail ballots. She is considering installing by the Election Center. Additionally, she will need to install a security camera for security at the ballot drop box. She said there is up to \$4,000 available to help pay for the drop box, the installation, and the security camera.

Administrator's Report

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

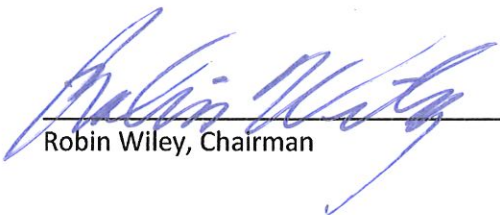
- *Minutes* – The Commissioner reviewed the minutes from the previous BOCC meeting. **Commissioner Bushner moved to approve the June 30, 2016 Board of County Commissioners minutes. Commissioner Wingfield seconded the motion; which passed unanimously.**
- Certification of Accounts Payable drawn on Yuma County Funds on July 15, 2016 with check #62869 through #63066 for \$488,114.31 and Fund 16 W-Y Combined Communication accounts payable, with check #7642 through #7649 totaling the sum of \$2,040.08 were signed by Chairman Robin Wiley.
- *Colorado Customware, Inc. Settlement Agreement* – The Commissioners reviewed the settlement agreement from the bankruptcy trustees for the licensing fees for 6 months for the Assessor's RealWare Software and the Treasurer's CollectWare Software in the amount of \$16,134.00. **Commissioner Wingfield moved to approve and sign the Chapter 7 Settlement Agreement with Colorado Customware, Inc. in the amount of \$16,134 for the six months of software licensing used in 2013. Commissioner Bushner seconded. The motion passed by unanimous vote.**
- *HES Elevator Services Maintenance Agreement* – The Commissioners reviewed a one-year Maintenance Agreement with HES Elevator Services. **Commissioner Bushner moved to accept and sign the one-year**



Maintenance Agreement with HES Elevator Services for two maintenance visits throughout the year, in the amount of \$550 per year. Commissioner Wingfield seconded the motion; which passed unanimously.

- *Department of Human Services Freezers* – Hoover reported that the unused freezers, the 23 cubic foot Kenmore Chest Freezer Model 253.8193310, S/N S908227064 and the GE 20 cubic foot chest freezer, Model #FCM20DPAWH, S/N ZF16419, located at the Department of Human Services, were donated to the Rural Community Resource Center in Yuma to be used for their food pantry. Volunteers picked up the freezers earlier in the week.
- *WiFi at Fairgrounds*—The WiFi set up from Vistabeam is nearly complete at the fairgrounds and should be up and running for the 2016 Yuma County Fair.
- *Maintenance* -- Hoover reported on the following maintenance issues:
 - *Flat Roof/Gutters* – Hoover reported the gutters were replaced on the courthouse earlier in the week. Additionally, Rockwell Construction sealed additional areas on the flat roof, completing the bid project. The final \$3,800 of the bid, for the gutters, was paid on July 15, 2016.
 - *Water Damage Repairs* -- Part-time Maintenance Staff Member Byron McCall repaired the inside water damage to the ceiling in the elevator lobby and also the outside water damage on the overhang in the South entry way.
 - *Basement Air Conditioning* -- Repairs were also made to the air handler motor in the basement of the courthouse and the air conditioning is now working very well.
 - *Painting* – Trustees, under the direction of Program Coordinator Laurie Clemons, are painting the outside doors on the storage buildings and the west outdoor storage closet at the courthouse.
 - *Courts Air Conditioning* – A new OP60 Portable air conditioning unit was installed in Courtroom A on July 3, 2016. According to court staff, the unit is too noisy to run while the room is occupied; therefore they are still not able to use the large courtroom. The permanent air handler unit, Magic Aire HBB 40 AC, is scheduled to begin installation on August 11th, 2016 and finishing up on August 16th. The elevator will not be available during installation. Court staff mentioned that they could come downstairs to meet with people if necessary during those few days.

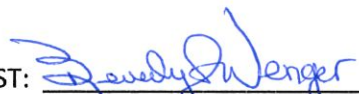
There being no further business; the meeting adjourned at 4:52 p.m. The next regular meetings of the Board of County Commissioners will be July 29 and August 15, 2016.



Robin Wiley, Chairman



Kara Hoover, Administrator

ATTEST: 

Beverly Wenger, County Clerk

