

YUMA COUNTY COMMISSIONERS
October 30, 2015
Minutes¹

On October 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.

Department of Human Services

The Board of County Commissioners convened as the Board of Social Services at 8:30 a.m. Human Services Interim 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.

- *Rehire Conditions* – Williams reviewed the conditions of rehire for Karina Rosas Vega. Commissioner Wiley moved to approve the conditions for rehire:” 1) date of rehire October 1, 2015, 2) starting pay G7/S3, 3) rehired as Income Maintenance Tech III, 4) health insurance effective November 1, 2015, 5) eligible for 5% retirement match the first month following one year of rehire, 6) Personal Leave accrual at 8 hours a month for October, November, and December, 2015, and beginning January, 2016 accrue Personal Leave at the year 3 leave schedule, 7) sick pool according to the current policy for new employees, and 8) Reinstating a six-month probation period. Commissioner Wingfield seconded. The motion passed unanimously.


The Board of County Commissioners reconvened at 8:48 a.m.

Road and Bridge

Supervisor J.R. Colden was in attendance to give Road and Bridge department updates.

- *Mowing* – The Commissioners requested that Colden review roads in the county that are still in need of mowing; stating that the mowing season is quickly coming to a close and mowing throughout the county needs to be complete.
- *County Roads M and 42* – Colden reported that road crews have been reworking County Roads M and 42. They have been ripping up and reworking the road for major improvements.
- *County Road V* - Colden relayed that he noted an issue on County Road V and has had crews out reworking and repairing the culvert that was damaged during the summer rains.
- *YumX-03.15 Bridge* - Colden conveyed his concern for the YumX-03.15 bridge, located at County Road X and County Road 3.15. J.R. reported that he has a crew lined up to make necessary repairs including; welding and replacing wood planks.

On a side note, the Special Highway Committee was accepting applications for bridge funds to rehabilitate or replace substandard bridges. After some research it was discovered that applications would only be accepted on bridges with a 50% or lower sufficiency rating. The YumX-03.15 bridge’s sufficiency rating was 58.3%. An attempt was made to add YumX-03.15 Bridge to the select list and thus apply for funding, but it was rejected.


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

- *Gravel Pits* – Colden shared that Don Marr has been working on gravel pits within the county. Marr contacted NRCS to obtain their soil mapping in the county. Colden presented maps for the Dreher Pit, Meck Pit, and Moser Pit. He said they are going through each pit looking for additional product.

J.R. reported that Marr is continuing to explore the county for additional gravel pits. He submitted an exploration application for a proposed gravel pit at County Roads CC and 2 on property owned by George Homm and Helen Meek. **Commissioner Wiley moved to submit and sign a Land Reclamation Permit Application for land owned by George Homm and Helen Meek at County Roads CC and 2, Section 28, T5S R44W; the proposed Meek Pit. Commissioner Wingfield seconded the motion; which passed unanimously.**

- *Laird Road*– Colden reported that Brandon and Randolph Streets in Laird sustained damage in the recent hail and rain storm. Much of the gravel was washed away and pooled at the bottom of the roads. Road and Bridge's crew will be repairing these roads in the next week.
- *Office Closure for Funeral* – J.R. mentioned his sadness about the tragic accident that took the life of Michael Pletcher, the son of Road and Bridge employee Wayne Pletcher. Colden reported that he misunderstood the funeral-leave policy and shut the office down, locking the gates at noon for the funeral on October 22, 2015. The Commissioners explained that the office closure was approved this one time, only. They allowed county funds to cover the time off for this funeral leave because the gates were locked, and employees were not able to continue to work. In the future, all such situations will be handled following the Yuma County Handbook #608 Funeral Leave, "An office or department may be closed for a funeral upon approval by the Board of County Commissioners. In this case, employees will be allowed to attend on county time...if an employee chooses not to attend the funeral; they should be expected to stay at work, or use leave time."
- *Eckley Shop Rent* - Colden reported that the agreed one-year use of the Eckley shop owned by Wayne Pletcher is now up. The Commissioners agreed that rent should be paid for storage of the grader until a new shop can be built. Currently the County is paying for the electricity at the shop. A lease agreement will be drawn up and be prepared for the next BOCC meeting.
- *Staffing* – Colden announced that he will be switching areas between grader operator Mike McCaslin and Randy Wilkens . He would like McCaslin to work on the other roads to better understand the difficulties presented with different product types.

Colden reported that Howard McGinnis gave notice that he will be retiring, effective December 2015. Road and Bridge staff would like to host a retirement party for McGinnis. The Commissioners were in consensus to allow the use of personal leave and earned compensation time for McGinnis in the months of November and December 2015.

- *Wray Cemetery*– Colden shared that Wray Cemetery Caretaker, Travis Ritchey, requested assistance with backfilling the cemetery roads that are washing away with all of the heavy rains. Colden would like to bring the ground cement from the Idalia pile to assist with these roads.
- *New Eckley Lot* – Colden and the Commissioners discussed clean-up at the Eckley lot that was purchased last year. Colden reminded the Commissioners of the amount of work that will need to be done at the lot. Clean-up consists of: removing the trailer houses, tree removal, dirt leveling, and other general clean-up, before a new shop can be built. He said that a few county residents have been cleaning up the downed trees for firewood. They will continue to work on this lot.
- *Graders* – After studying the bids received from Wagner Equipment and 4Rivers Equipment, LLC, **Commissioner Wingfield moved to accept the 4Rivers Equipment bid for three 2016 John Deere 772G, 6-wheel drive road graders, trading three 2011 John Deere Motor Graders, Unit Numbers 53, 64, and 91, net**



bid of \$268,725. Commissioner Wiley seconded the motion; which passed unanimously. The bid includes a guarantee and buyback of the machines of \$152,000. Delivery will be late January, early February 2016.

- *Pickup* – Colden presented information from Bonanza Ford in Wray and Korf Continental in Yuma regarding the purchase of a newer pickup for Road and Bridge personnel. **Commissioner Wiley moved to approve the bid from Korf Continental for a 2015 1500 Silverado 4WD pickup, for \$33,400; funded from the Road and Bridge administrative and project capital line items. Commissioner Wingfield seconded. The motion passed unanimously.**
- *Armel House Lease* – Colden presented the residence lease for the County House located at 36017 County Road 11, Idalla, CO, Armel house, with Josh Mainord, beginning November 1, 2015.
- *Underground and Utility Permits and a Special Transport Permit* - Colden presented the following for approval:
 - Don Nau* – Underground and Utility Permit to install a water line under County Road 39, approximately 1,850 feet east of intersection of County Roads L and 39.
 - Ruben Richardson* -- Underground and Utility Permit to trench a water line across County Road 41 at ½ mile east of County Road M.
 - Combined Transport* -- Special Transport Permit to move a building 11.11 feet wide by 13.6 feet height by 78 feet long from Central Point, Oregon to 36045 County Road 1, Yuma County.

Commissioner Wiley moved and Commissioner Wingfield seconded to approve:

Underground and Utility and Permits for:

- **Don Nau**, to install a water line under County Road 39, approximately 1,850 feet east of intersection of County Roads L and 39; and
- **Ruben Richardson**, to install a water line across County Road 41 at ½ mile east of County Road M; and

Special Transport Permit for:

- **Combined Transport**, to move a building 11.11 feet wide by 13.6 feet height by 78 feet long from Central Point, Oregon to 36045 County Road 1, Yuma County.

CCOERA

Colorado Counties Officials and Employees Retirement Association, CCOERA's Executive Director Jacob Kuijper reviewed Yuma County's retirement plan with the Commissioners. Kuijper summarized CCOERA plan highlights to include: a fee waiver for the third quarter of 2015, fund expense ratio reductions, reduction of fee cap to \$175k, the addition of Roth 457 option, Hueier Annuity Services, Hub International Retiree Insurance Services of dental, retiree medical options, pre-retirement planning under the retiree Benefits Tab, and retirement-readiness workshops and projections.

Treasurer

Yuma County Treasurer Dee Ann Stults presented the following for discussion:

- *Remote Back-Up Disaster Recovery* - Stults presented a bid for remote back-up storage and disaster recovery from CIC for the Treasurer system only. The cost would be \$2,700 per year for 20.0 Mbps Committed Information Rate Access. The Commissioners alerted Stults that they are in the process of choosing an IT support company with backup capabilities for the courthouse and would like her to wait and see what this would look like before making a final decision.
- *Unclaimed Property Policy* – Stults presented a policy for handling unclaimed property, specifically outstanding checks that are more than one year old. The policy addresses outstanding checks issued by



the Treasurer and the Commissioners. The policy will mandate a concerted effort to contact individuals and/or entities that have not tendered checks. On an annual basis a list shall be created of all the remaining outstanding checks more than a year old. Entries shall be made cancelling the outstanding checks; transferring the monies back to the appropriate funds. Additionally, the Treasurer presented by resolution that: 1) Unclaimed warrants are not intangible personal property and are not subject to the custody of the state; 2) All unclaimed intangible property shall be held for disposition by the County and shall not be subject to custody by the State of Colorado; 3) The BOCC delegates the County Treasurer the power to promulgate and revise such policy in the future, and; 4) All Yuma County Officials and Employees having custody or control of unclaimed intangible personal property are directed to follow the Unclaimed Property Policy. **Commissioner Wiley moved to approve Resolution 10-30-15 A, Regarding Unclaimed Intangible Personal Property Held by the County Treasurer. Commissioner Wingfield seconded the motion; which passed unanimously.** See attached resolution.

- *Delinquent Publication Costs* – Stults reviewed the costs associated with publishing the delinquent tax notices. She reported quite a discrepancy between the two Yuma County papers. The variance in charges makes it very difficult for her to recoup advertising costs and is costly to the County. She would like to publish only in the “designated” paper and possibly just place a small ad in the other paper directing them to look on the Treasurers website. Delinquent Tax notices can also be found on her website. The Commissioners said that they would like taxes run in both papers because not all County residents have access to the internet. Chairman Bushner asked Stults to go back to the papers and speak to them about the additional costs.
- *Groundwater Management Requirements* – Stults shared that she is concerned because she isn't able to verify the amounts that are being certified by groundwater management districts. She asked the Commissioners for their input about requiring groundwater management districts to provide it's per-acre-foot assessment information to her office, before collection. C.R.S. 37-980-132 allows the Treasurer to request information in the same manner as other special districts. She currently requires an Excel spreadsheet confirming certifications from other special districts and municipalities. The Commissioners were in consensus that the Treasurer should ask the groundwater management districts for verification, per parcel, with their certifications.

Land Use

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

Land Use Hearing

Terri Frame CPA, Erick Farmer from Heritage Dairy, Roy Smith from Smith Dairy, Patrick Kelly with Hoss Consulting and Brian Hoyt from United Wind were present for the hearing. Chairman Bushner opened the hearing at 1:00 pm.

Permit Applications for Administrative Land Use

- *Heritage Dairy, LLC* – Birnie presented the staff report for Heritage Dairy Administrative Land Use Permit, #1015-16, to install three wind turbines, each 160' system height, on 160 acres adjacent to State Highway 59 and County Road 32 in the SW ¼ of Section 23, T1N R48W, for the purpose of generating energy to run the dairy. Birnie reported he has not received any written comments or calls relating to this request. Erick Farmer relayed that Heritage Dairy has spent a lot of time researching the use of wind electricity. He reported that YW Electric is supportive of the project and is willing to work with him.

The Land Use hearing closed at 1:51 p.m.

Commissioner Wingfield moved to approve Resolution #10-30-2015 B, Administrative Land Use Permit #1015-06, allowing Heritage Dairy to install three wind turbines, each 160' system height, on 160 acres



adjacent to State Highway 59 and County Road 32 in the SW ¼ of Section 23, T1N R48W, for the purpose of generating energy to run the dairy. 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 provide the BOCC with FAA findings showing compliance with surrounding airport protected space and notify both Wray and Yuma Airports of the existence and location of these three 160' system height turbines, towers, and blades;
- BOCC will grant a reduction of setback to 491' for the north tower from the north property boundary;
- Any Land Use Permit shall expire after one year from the date of issuance if construction has not commenced, and within three years from the date of issuance if construction has not been completed.
- The applicant, prior to construction, shall submit an Activity Notice notifying the County of the type and cost of construction.

Commissioner Wiley seconded. The motion passed unanimously. Recorded under Reception No. 00565317

Pending

YW Electric – Birnie reported that he is still waiting for information from Y-W Electric to replace an existing tower with a 180' self-supporting telecommunication tower, on one acre purchased from Wilson & Brophy on US Highway 385, south of Wray.

Alexander – Birnie reported that Niki and Chance Alexander have applied for an exemption from subdivision to divide 4.21 acres from 440 acres on County Road 20, in the N½ of Section 27, T2S R43W for a future home site.

Knox – Birnie contacted Alvin Knox after the last BOCC meeting and explained that the legal description that is included in the 99-year lease would suffice and a survey was not necessary in this case. Knox reported to Birnie he would be applying for an exemption from subdivision permit to give a two-acre parcel to the Buffalograss Church in Clarkville. Birnie has not heard back from him, yet.

Ballyneal – Birnie shared that Ballyneal wants to create a 10-station shooting course as an off-season service. It will consist of mowed paths and 10 stands. There will be no gun sales and participants will be required to use Ballyneal's ammunition. The Commissioners shared that they do not know of anything in the Land Use Regulations that Ballyneal would need to complete to add this service.

Non-Compliance Letters – Rich reported that letters were sent to six land owners requesting Activity Notices be submitted for projects already under construction, or built. Those in violation include: Larry and Laurie Baucke – addition to home, Blake Roth – grain bins, Ruben Richardson – grain bins, Roc Rutledge - residence, John and Roberta Schaffner – addition to auction barn, and Nicolas and Dawn Webster – open front shed.

Eckley Lot Survey – Birnie shared the survey prepared by John Thompson of Forty North, LLC, on the Eckley property purchased for a Road and Bridge shop. The survey will provide guidance for the Commissioners as to where they can build a new shop.

National Flood Insurance Program – Rich presented information from the Colorado Water Conservation Board in regards to updating the floodplain regulations in compliance with the minimum National Flood Insurance Program criteria. Rich will conduct additional research.

GIS

- *Cadastral Lines, Mapping* - Birnie shared that he is completely finished with justifying the roads to aerial photography.





County Clerk

County Clerk Bev Wenger presented the following for discussion:

- *Secretary of State Visits* – Bev reported that staff from the Secretary of State from Kansas and Colorado visited her office over the last couple of days.

The Kansas Secretary of State Staff was gathering information about a constituent that has registered to vote in both Kansas and Colorado. The gentlemen in question, resides in Colorado but has voted in both states since 2010. Wenger relayed that this is a punishable offense.

Wenger relayed that the staff from the Colorado Secretary of State visited her office. They completed an ADA survey for the Courthouse and Election Center. They also reviewed elections, scoring the voter system and Yuma County's ability to keep elections secure. A written report will follow in the next few weeks.

- *Elections* - Wenger reported that there has been nearly 2,000 ballots returned already; which is a good response compared to previous years.

Administrator's Report

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

- *Minutes* – Commissioner Wingfield moved to approve the October 14, 2015 Board of County Commissioners minutes. Commissioner Wiley seconded the motion; which passed.
- Certification of Accounts Payable drawn on Yuma County Funds for October 19, 2015, with check #60919 through #60939 for \$40,056.60, and for October 30, 2015, with check #60940 through #61027 for \$373,166.98 and Fund 16 W-Y Combined Communication accounts payable, with check #7411 through #7426 totaling the sum of \$30,191.21 were signed by Chairman Trent Bushner.
- Certification of Payroll for October 30, 2015 drawn on Yuma County Funds, EFT system #38591 through #38726 and checks #30595 through #30622 totaling the sum of \$248,934.16 and Fund 16 W-Y Combined Communications EFT system number #5411 through #5423, and checks #4355 through #4356 totaling the sum of \$31,694.11 were signed by Chairman Trent Bushner.
- *Courthouse IT Request for Proposal Review* – Hoover presented four RFP's for IT Support Services for the Commissioners to review. Proposals were received from: OneNeck, New Age Electronics, Summit Partners, and Teryx. After discussion and review, Commissioner Wiley moved to accept the bid from Teryx for IT Support Services as presented in the, "as-needed" option. This option includes 24/7 remote support, guaranteed four-hour, on-site emergency support, and off-site data back-up storage. Commissioner Wingfield seconded the motion; which passed unanimously.
- *Board Appointments* – Hoover presented letters of interest for board positions from Stacy Owston, for the Eckley Cemetery District, and Delbert Liming for the Kirk Cemetery District. Commissioner Wiley moved to reappoint Stacy Owston to the Eckley Cemetery District for a three-year term, expiring November 1, 2018; and Delbert Liming to the Kirk Cemetery District Board for a six-year term, expiring November 1, 2021.
- *Public Assistance Grant Agreement #DR-4229-CO* – The Commissioners reviewed the grant agreement with the State of Colorado Department of Public Safety, Division of Homeland Security and Emergency Management for reimbursement on repairs from the June 5, 2015 storm damage. Commissioner Wingfield moved to approve and sign the Public Assistance Grant, FEMA-DR-4229-CO for Area 3 damage in the amount of \$109,635.44. Commissioner Wiley seconded. The motion passed unanimously.





- **Elected Officials Salary Designation**– The Commissioners revisited the elected officials salary designation as mandated by the state. After continued discussion, **Commissioner Wiley moved to approve the 20% increase for elected officials, beginning with the 2017 elections. Commissioner Wingfield seconded the motion. Commissioner Wiley and Chairman Bushner yea; Commissioner Wingfield nay; motion passes.** Yuma County will be added to a bill presented by CIC for those counties electing to differ from the 30% mandated at the state.
- **NACo 2016 Membership** – The Commissioners reviewed the 2016 NACo membership dues. **Commissioner Wingfield moved to authorize the 2016 membership with NACo paying the dues January 2016 in the amount of \$450. Commissioner Wiley seconded the motion; which passed unanimously.**
- **Winterset Concert Events** - The Commissioners considered the agreement with Winterset Concert Events for the 2016 Yuma County Fair entertainment. **Commissioner Wiley moved to accept the booking agent Agreement #11079 with Winterset Concert Events for the Yuma County Fair Performance on August 9, 2016 in the amount of \$1,500. Commissioner Wingfield seconded. The motion passed unanimously.**
- **Northeast Rural Philanthropy Days** – Hoover revisited the request from Larry Worth, RPD Fundraising Committee Member for county donations for the 2016 Rural Philanthropy Days event that will be held in Phillips County. Hoover relayed that several counties and municipalities have already committed. **Commissioner Wingfield moved to approve a one-time \$2,000 donation from the 2016 Budget to Northeast Rural Philanthropy Days, using Recreation Funds. Commissioner Wiley seconded. The motion passed unanimously.**
- **DHS Director Job Description Review** – The Commissioners reviewed the revised job description for the Human Service Director. **Commissioner Wiley moved to accept the revised job description for the Human Services Director. Commissioner Wingfield seconded the motion; which passed unanimously.**
- **DHS Director** – The Commissioners reviewed applications and resumes received for the Director of Human Services position that was vacated in August, 2015. After review and discussion, **Commissioner Wingfield moved to name, acting Interim Director Phyllis Williams as the new Director at a G12/S18, effective November 1, 2015. Commissioner Wiley seconded the motion; which passed unanimously.**
- **Christmas Gifts for 2015** – The Commissioners discussed Christmas Gifts for employees for 2015. The Commissioners mentioned that it has been a long time since the County has had a Christmas party and maybe it is time to revisit the party instead of giving gift certificates. They instructed Hoover to email the various offices and poll their thoughts on a party or gift certificates. The Commissioners will revisit this at the next meeting.
- **CTSI Worker's Compensation and CAPP Loss Ratio Reports** – The Commissioners looked through the CTSI Worker's Compensation and CAPP Loss Ratio Reports for the third quarter 2015 that were delivered by Ted Lindtveit, Loss Prevention Team Leader earlier in the month. Yuma County is at a low 33% loss ratio for Worker's Compensation which is under the pool average of 51%. Yuma County is at 32% for CAPP loss ratio; which is also under the pool's 47%.
- **CDL** – The Commissioners discussed the issue of who is responsible to pay the additional medical visits when a health problem is found during a CDL physical. The current procedure requires the employee's insurance to pay for the initial CDL physical every 24 months, unless the employee does not take the county medical insurance, in which case, the county would then cover the costs. Additional follow-up medical visits that fall out of the normal 24-month requirement would be the responsibility of the employee.



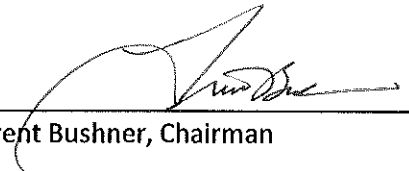


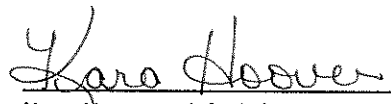
- *Service Awards* – The group spoke about coming up with a county-wide service award program. This can be discussed at the next BOCC meeting when the elected officials and department supervisors will all be present.
- *Title VI* – Commissioner Bushner, Road and Bridge Supervisor JR Colden, and Administrator Hoover attended the Title VI training in Denver on October 15, 2015. A Title VI Designee, per the training, must be appointed. **Commissioner Wiley moved to appoint Administrator Hoover as Yuma County's Title VI Designee. Commissioner Wingfield seconded the motion; which passed unanimously.**
- *GOCO Grant* – Hoover relayed that the grant application for the Grassroots Foundation in Joes was denied. She contacted board members, and they are already working on additional funding for their project.
- *Yuma County Economic Development Business Seminar* – Commissioner Wiley reported that Economic Development would be offering sessions with Jon Schallert, the speaker that he heard at the National Rural Economic Development Conference in the spring of 2016. Schallert focused on "Making your community and your business a destination." Commissioner Wiley reported the cost was \$8000 for the day. **Commissioner Bushner moved to provide \$2,000 towards the cost of this training, so that Yuma County businesses could attend without additional costs. Commissioner Wingfield seconded. The motion passed unanimously.**

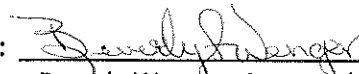
Chairman Bushner signed the Veterans Report for October 2015.

The Commissioners made their routine inspection of the jail.

There being no further business; the meeting was adjourned at 5:24 p.m. The next regular meetings of the Board of County Commissioners will be November 13, 2015 and November 30, 2015.


Trent Bushner, Chairman


Kara Hoover, Administrator

ATTEST: 
Beverly Wenger, County Clerk

