



YUMA COUNTY COMMISSIONERS
December 15, 2015
Minutes¹

On December 15, 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.

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

Building Maintenance

Travis Dinsmore, Maintenance Director, visited with the Commissioners about the Courthouse Building Maintenance Issues.

- *Courthouse Pipe Leaks* – Dinsmore reported that the heating system has had pipe leaks at the Courthouse. Dinsmore relayed that there have been several major leaks requiring extensive repair since starting up the heating system this fall. The system currently has a leak waiting to be repaired and he is continuously adding water to the system to keep the pressure at the appropriate level to run the system. He would like the Commissioners to consider re-piping the heating and the cooling system in 2016 to avoid the costly emergency repairs.
- *Courthouse Roof* – Travis reported that the flat roof on the south end of the Courthouse has been failing for some time. He explained that along with the pipes, the roof repair, needs top priority for repairs in 2016.
- *Boilers and Controls* – Dinsmore also noted that the boilers, and the automated Control System needs to be updated; as well, and he would like the Commissioners to be thinking for such upgrades in the next few years.

Department of Human Services

The Board of County Commissioners convened as the Board of Social Services at 8:45 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.

Income Maintenance Tech – Phyllis reported that Department of Human Services has completed interviews and hired Karen Merritt as an Income Maintenance Tech I. A salary authorization was presented for approval. **Commissioner Wiley moved to approve the Salary Authorization for Karen Merritt, IMT 1, G4/S8, effective January 4, 2016. Commissioner Wingfield seconded the motion; which passed unanimously.**

Bookkeeper I – Phyllis relayed that she and her staff have concluded interviews for the bookkeeper position. They decided to promote Liz Tuttle to this position. A new salary authorization for Tuttle was presented for approval. **Commissioner Wingfield moved to approve the salary authorization for the promotion of Liz Tuttle to Bookkeeper I, G4/S9, effective January 1, 2016. Commissioner Wiley seconded. The motion passed unanimously.**

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



Executive Session -- At 9:12 a.m., Commissioner Wiley moved to enter into Executive Session for discussion of a matter required to be kept confidential under C.R.S. Section 24-6-402(4)(c). The motion was seconded by Commissioner Wingfield; which passed unanimously. Present were: Commissioners Bushner, Wiley, and Wingfield, Administrator Kara Hoover, Human Service Director Phyllis Williams, Child Welfare Supervisor Hollie Hillman and Receptionist Robin Barnhart. By a duly noted motion, Executive Session ended at 9:27 a.m.

The Board of County Commissioners reconvened at 9:28 a.m.

Road and Bridge

Supervisor J.R. Colden met via teleconference and Mining Coordinator Don Marr was present to provide the following updates.

- **Gravel Pit Updates**-- Mining Coordinator Don Marr reported that he has reviewed all of the gravel pit files and produced a worksheet for future reference. Don reported that he has worked through the gravel pit lease application process and successfully submitted the Meek Pit paperwork. He built a template that can be used for future applications. Marr presented a map showing each pit and has developed a plan for overburden areas in each gravel pit. Commissioner Wingfield congratulated Marr on his success of completing the gravel pit work in-house without the use of consultants.
- **Moser Pit**-Marr presented the renewal of the gravel pit lease for a pit located at the W ½, SE ¼ of Section 9, T1S R48W, also known as the "Moser Pit," with James Prescott and Steve Prescott. The current lease expires 12-31-2015. Marr shared that he and J.R. conceded to give the Prescott's 300 yards of gravel at no charge because notice for extension of the lease was not presented in a timely manner. Colden also reported that they may be considering expansion of the pit because there is such good product. **Commissioner Wiley moved to sign the 10-year Moser Gravel Pit Lease, located at the W½, SE¼ of Section 9, T1S, R48W, with James Prescott, Steve Prescott and LaRhonda Green-Conservator for Eldon Moser; effective 1-1-2016 to 12-31-2026. Commissioner Wingfield seconded the motion; which passed unanimously.**
- **Meeks Pit** – Don presented a lease for George Homm and Helen Meek, owners of the Meeks Pit. **Commissioner Wingfield moved to approve and sign the 10-year Meeks Gravel Pit Lease, located in Section 28, T5S, R44W, with George Homm and Helen Meek; effective 1-1-2016 to 12-31-2026. Commissioner Wiley seconded. The motion passed unanimously.**
- **Virginia Lee Pit** – Marr reported that they are exploring a gravel pit possibility at County Roads 9 and J that they will call the Virginia Lee Pit.
- **County Line Road** – Colden reported that they have been working on the County Line Road, from County Road 23 to County Road 16.
- **Eckley Property** – Colden shared that one trailer has been destroyed from the Eckley property and Road and Bridge personnel are working on disposing of the other trailer soon. Proper paper work will be filed when the disposal of both trailers is complete.



- *County Road 39, County Road H, and County Road J* - Colden presented bids for test holes and exploration from Terracon Engineering Services and Earth Engineering Consultants, LLC, for County Roads 39, H, and J. Colden shared that he is gathering information to better prepare for grant funding. He will continue to collect information for discussion at a later BOCC Meeting.
- *County Road PP.5*– Colden mentioned that Road and Bridge crews have been working on County Road PP.5 from County Road 38 to County Road 51.
- *Lengel/Homm Cemetery Cattle Guard*– Colden explained that a cattle guard has been installed at County Road O and County Road DD to the Lengel/Homm Cemetery, on the county line west of Bonny Dam as discussed at the last BOCC meeting.
- *Staffing*—
Colden reported that Todd Shively is leaving employment, effective 12-18-2015.

Colden stated that Walter Juarez was not able to find housing in Yuma and was unable to begin employment in December, as previously reported.

Colden shared that Bobby Russell has been hired for the equipment operator position to begin employment December 14, 2015. **Commissioner Wiley moved to approve the salary authorization for Bobby Russell at G5/C1/L1, beginning December 14, 2015. Commissioner Wingfield seconded the motion; which passed unanimously.**

Colden commended Marr on the outstanding work he has completed on the Gravel pits. He would like to increase Marr's Salary to \$38,000 per year, Exempt employee; effective 1-1-2016 with new a job description to incorporate his new job duties. **Commissioner Wingfield moved to approve the increase for Don Marr to \$38,000 per year, Exempt Employee, effective 1-1-2016. Commissioner Wiley seconded. The motion passed unanimously.**

J.R. mentioned that Road and Bridge has seven open positions at this time.

- *Underground and Utility Permit* - Colden presented the following for approval:
Doug Sessions on Behalf of Darus Fix – Submitted an Underground and Utility Permit to install a gas line under County Road 32.

Commissioner Wiley moved and Commissioner Wingfield seconded to approve: Underground and Utility Permit for Doug Session/Darus Fix to install a 1 ¼ inch gas line under County Road 32 located 50 feet west of County Road GG. The motion passed unanimously.

Sheriff

Sheriff Chad Day was present to discuss the following;

- *2015 Budget Amendment* –Day reviewed the 2015 Sheriff's Office Budget. Sheriff Day requested an amendment to the budget to cover the overages in the salary line items and operating expenditures. Day relayed that big cases on 2015 and staffing shortages are the cause exceeding the budgeted lines. He explained the Jail budget is under budget in both the salary and operating expense lines. He believes that the two departments should offset each other,

but concedes that county accounting practices do not allow for combining the departments. The Commissioners encouraged Day to work within the budget and to treat his office like a business. Commissioner Wiley reminded Sheriff Day of the fact that, by Statute, elected officials are personally responsible when their office goes over budget. The Commissioners shared that they will consider his request during the year-end supplemental budget preparation.

- *Pickup* – Day reported that the pickup ordered earlier in the year from Korf Continental finally arrived and is at LAWS for outfitting.

2016 Budget Hearing –

At 11:05 a.m., Chairman Bushner opened the hearing to accept public comment on the proposed 2016 Yuma County Budget. Chairman Bushner reviewed the budget documents. Sheriff Day was present. No one from the public was present to make comments. **Commissioner Wingfield moved to approve the 2016 Yuma County Budget as presented. Commissioner Wiley seconded. The motion passed unanimously.** Formal resolutions will be approved at a subsequent meeting. The hearing was closed at approximately 11:25 a.m.

Liquor Licenses

Nancy Wright presented for signature a Liquor Licenses for Route 36 LLC, DBA, The Grainery, in Idalia, Colorado; which was approved at the November 30, 2015 BOCC meeting.

Emergency Management

Roger Brown presented the following for discussion:

- *Emergency Operations Class* – Roger informed the Commissioners that an Emergency Operations Class, #G775, will be offered for Elected Officials in the 2nd quarter of 2016, through the Division of Emergency Management. Phillips County is holding a class in February, 2016. He encouraged all of the Commissioners to attend one of these meetings.
- *Generator Project* -- Brown reported that he has submitted the Environmental Impact Statements to FEMA and is now awaiting their decision whether or not, to fund emergency generator installation. Brown is obtaining bids from local contractors for the cost of installation. He has plans to place generators at the Community Centers in Vernon, Laird, and Eckley.
- *Department Updates* – Brown gave a report to the Commissioners on the various projects and issues that his office is working on at this time.
- *Job Description* -- Roger presented the 2016 Emergency Management Director Job Description for review. **Commissioner Wiley moved to approve the 2016 Emergency Management Director Job Description as presented. Commissioner Wingfield seconded the motion; which passed unanimously.**
- *2016 Program Guidance and Application Kit* – Brown presented the 2016 Program Guidance and Application report for review. He proudly reported that he has completed much of the work in preparation for next year.
- *2016 EMPG-LEMS Annual Program Paper* – Brown presented the 2016 Emergency Management Program Grant, EMPG, Local Emergency Manager Support, LEMS, Program Funding Application for approval in the amount of \$16,257.50. This amount represents federal funding for one-half of the



2016 expenses. **Commissioner Wiley moved to approve and sign the 2016 Emergency Management Program Grant, EMPG, Local Emergency Manager Support, LEMS, Program Paper in the reimbursement amount of \$16,257.50. Commissioner Wingfield seconded. The motion passed unanimously.**

Land Use

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

Y-W Electric – Birnie reported that the City of Wray refused to sign a waiver allowing Y-W Electric to place a communications tower on the Brophy/Wilson land south of Wray. The city stated the tower site does not meet the minimum setback of 110% of tower height from the City property line. Y-W Electric is researching a self-collapsing tower to meet the city's requirements.

Shephard – Birnie shared that Gary Shephard may submit an application for an Exemption from Subdivision north of Yuma for consideration in January.

Planning Commission Representatives – Rich reported that Brad Rock's term on the Planning Commission expires on 12-31-2015 and he has decided not to ask for reappointment since he has been elected to the school board and felt his time may be limited. A replacement for Rock's position will need to be secured. Birnie reminded the Commissioners that there are really two positions open for the Planning Commission; one that was not filled previously, plus Rock's expiring term. Replacement board members will be sought.

National Flood Insurance Program – Rich presented the Colorado model ordinance provided by Jamie Prochno of the Colorado Water Conservation Board for review. He had several concerns with the ordinance. Birnie would like to have Prochno attend a BOCC meeting in January to review the requirements.

Flood Insurance Rate Map Panels- Birnie shared an email from Stephanie DiBetitto, CFM, Hazard Mapping Specialist, from the Colorado Water Conservation Board about available funding to modernize the Flood Insurance Rate Map Panels. Birnie reported he would gain additional information regarding the digital map upgrade.

GIS

- *Cadastral Lines, Mapping* - Birnie shared that he has completed approximately 75% of the additional data for the address centerlines.
- *Red Book* – Birnie reported that he continues to work with Sidwell to finish the Red Book.

Treasurers

- *Treasurers Report* - Treasurer Dee Ann Stults presented the Treasurer's report for November 2015. She reported there were \$88,912.88 in taxes collected; \$166,039.29 in Specific Ownership taxes collected, and \$4,988.13 in fees collected for the month.
- *Public Trustee* – Dee Ann presented her 4th quarter Public Trustee fees totaling \$3,364.06 with taxes for approval.

- *Omitted Property Report* – Dee Ann reported that the Assessor had been alerted to an error with the Mill Levy Certifications. The Assessor relayed the issue was because the omitted property report was not produced in the same manner by the Treasurer's office this year as was previously done. Stults reported that she contacted CIC for a report from the system and received a bid of \$1,980 to build the report. Stults said under CIC's contract they are required to cover state statute mandated reports, but she is unable to find a statute that requires this report. Stults went on to explain that she may be able to recoup some of the cost to build this report if other counties request the same information from CIC. This report would provide the needed information for the Assessor's office. **Commissioner Wiley moved to accept CIC's bid of \$1,980 to build a report to show the Omitted Property, paid from the Treasurer's 2015 budget. Commissioner Wingfield seconded the motion; which passed unanimously.**

Assessor

Assessor Cindy Taylor and Deputy Assessor Carrie Sharp were in attendance to present the following:

- *Omitted Property Report* – Carrie shared the spreadsheet that she created to cover the Omitted Property Report. She explained that she and Assessor Taylor had to put in extra hours to correct the report for certification once an error had been noted. The Commissioners told the Assessor and staff that the Treasurer had committed to producing the report for next year. Sharp said she will continue to keep her spreadsheet up-to-date for use as a cross-reference to the Treasurer's report.
- *Tax Abatement* – Assessor Taylor reported that Sunflower Bank has filed for abatement of taxes on the ALCO building. The building was recently reappraised and shows a value of \$800,000 a decrease from the previous appraisal. The bank would like the 2014 taxes of \$25,000 and the 2015 taxes in the amount of \$26,000 abated. Taylor reminded the Commissioners that this request is outside of the data collection period. John Zimmerman, Commercial Appraiser and Assessor Taylor will continue to explore options and will return at a later date with possible revisions.
- *Groundwater Management Requirements*– Taylor shared that Nate Midcap from the Sandhills Ground Water District told her that he has no way of changing the ground water certification information that is presented to the Treasurer's Office for collection. He will continue to certify the ground water districts as they have in the past.

Teryx, Inc.

Tobias Tonelli and Jessica Kays were present from Teryx, Inc. to clarify their proposals to complete the conversion to the new network and to set-up the Domain Controller Server, Exchange Server, and the Data Server. Part of the proposal was approved at the November 30, 2015 BOCC meeting. The hardware and software portion of the proposal was reviewed. **Commissioner Wiley moved to amend the motion made at the November 30, 2015 BOCC meeting to include the \$3,772.00 for the software to the \$7,969.50 of tech time for a total of \$11,741.50. 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 November 30, 2015 Board of County**



Commissioners minutes. Commissioner Wingfield seconded the motion; which passed unanimously.

- Certification of Accounts Payable drawn on Yuma County Funds on December 15, 2015 with check #61267 through #61384 for \$276,699.32 and Fund 16 W-Y Combined Communication accounts payable, with check #7455 through #7462 totaling the sum of \$1,996.86 were signed by Chairman Trent Bushner.
- *Ratifying E911 Authority Board Loan* – The Commissioners reviewed Resolution # 12-15-2015 A to ratify a loan taken out by the Washington-Yuma Counties' Emergency Telephone Service Authority with Y-W Electric for consoles at the WY Communications Center. **Commissioner Wingfield moved to accept and sign Resolution #12-15-2015 A ratifying a loan to the Washington-Yuma Counties' Emergency Telephone Service Authority and approving amendments to loan documents for a Revolving Loan Fund loan administrated through Y-W Electric Association, Inc. Commissioner Wiley seconded. The motion passed unanimously.** Washington County Board of County Commissioners signed a "Like" resolution on December 8, 2015. A certified copy of both Resolutions shall be forwarded to Y-W Electric Association, Inc. *Reception # 00565685*
- *Greg Wise Memorial 4-H Scholarship Fund* – The family of Greg Wise has requested that Yuma County serve as the fiscal agent and set-up a bank account for memorial funds to be used as a scholarship. The scholarship is for \$500 and will be awarded to a Yuma County Senior 4-H member who will be attending a 2 or 4 year institution to further their education. A scholarship selection committee is being organized and will review leadership attributes, involvement in community service activities, and 4-H experiences outside of Yuma County. **Commissioner Wingfield moved to approve Resolution #12-15-2015 B authorizing Commissioner Dean Wingfield, Commissioner Robin Wiley, Commissioner Trent Bushner, Treasurer Dee Ann Stults, and Deputy Treasurer Chrystal Hammond as designated representatives for this account at the Wray State Bank. Commissioner Wiley seconded the motion; which passed unanimously.** Resolution is attached.
- *SCAAP Federal Grant Funds* – The Commissioners reviewed the SCAAP funds received in 2015 that by statute must be deposited to the General Fund prior to being transferred to the Sheriff's Trust Fund. **Commissioner Wiley moved to approve Resolution #12-15-2015 C to transfer 2015 SCAAP Funds of \$2,142.00 from the Yuma County General Fund #01 to the Sheriff's Trust Fund #12. Commissioner Wingfield seconded the motion; which passed unanimously.**
- *Separation of Employment Fund* – The Commissioners discussed Fund 22, Separation of Employment. **Commissioner Wingfield moved to approve Resolution #12-15-2015 D to transfer \$60,000 from the General Fund #01 to the Separation of Employment Fund #22. Commissioner Wiley seconded. The motion passed unanimously.**
- *VALE Grant* – The Commissioners reviewed the 2016 Victim and Witness Assistance and Law Enforcement, VALE, Grant Award Contract #2016-13 in the amount of \$21,000. **Commissioner Wiley moved and Commissioner Wingfield seconded to accept and sign the 2016 Victim and Witness Assistance and Law Enforcement, VALE, Grant Award Contract #2016-13 in the amount of \$21,000. Commissioner Bushner abstained since he serves on this board; motion passed.**
- *Mill Levy Certifications* – Finance Officer Vicky Southards reviewed the Mill Levy Certifications for Yuma County and taxing districts within the county. **Commissioner Wiley moved to approve and**



sign the Mill Levy Certifications. Commissioner Wingfield seconded. The motion passed unanimously. Formal resolutions will be approved at a subsequent meeting.

- **Court Security Grant** – The Commissioners reviewed the 2016 Court Security Grant for \$87,379.72. **Commissioner Wiley moved to approve and sign the 2016 Court Security Grant of \$87,379.72. Commissioner Wingfield seconded the motion; which passed unanimously.**
- **Public Assistance Small Project #DR-4229-CO** – Hoover informed the Commissioners that \$84,286.04 has been received from FEMA/State of Colorado for the Small Project #DR-4229-CO, reimbursing the county 75% of the small project cost for storm damage repairs to Area 1 from the June 2015 storm.
- **Holiday/Mileage Review** – The Commissioners discussed the holiday schedule and mileage consideration for 2016. A formal decision will be made in the mid-month meeting in January 2016.
- **Rural Philanthropy Day Listening Tour** -- The Commissioners reviewed the draft itinerary for the RPD Listening Tour in February 2015. They also discussed Yuma County's stop. Hoover is to provide the committee with the Commissioner's suggestions later in the week.
- **Board Position Openings** – The Commissioners reviewed Board Positions that will be open beginning 1-1-2016 including: Yuma County Planning Commission – 2 positions (Brad Rock and previously open position), Weed & Pest – 2 positions (Roc Rutledge, Don Brophy), Revolving Loan Fund – 1 position (Darlene Carpio), and East Yuma County Cemetery District – 1 position (Wilhelm Lippert)
- **Christmas Tree Contest** – The Commissioners were reminded to judge the Christmas Trees during this week. The best-dressed tree will be awarded at the Christmas Coffee, scheduled for December 18, 2015.
- **KRDZ Radio** – KRDZ Radio has requested that one of the Commissioners be available to participate in their morning show. Commissioner Wingfield volunteered to contact the radio station and set up an interview.

There being no further business; the meeting was adjourned at 4:25 p.m. The next regular meetings of the Board of County Commissioners will be December 31, 2015 and January 15, 2016.


Trent Bushner, Chairman


Kara Hoover, Administrator

ATTEST: 
Beverly Wenger, County Clerk