

YUMA COUNTY COMMISSIONERS

October 17, 2016

Minutes¹

On October 17, 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 throughout the day.

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

Liquor License

Nancy Wright presented Liquor License Renewal Applications for Jo's Liquor in Joes, Colorado. **Commissioner Bushner moved to approve the Liquor License Application for Dorothy J. Meade, dba Jo's Liquor, Joes Colorado. Commissioner Wingfield seconded. The motion was unanimously passed.**

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, IMT Supervisor Grant Smith, Child Welfare Supervisor Hollie Hillman and Receptionist Robin Barnhart were present. Detailed minutes from this meeting are maintained by the Department of Human Services.

The Board of County Commissioners reconvened at 9:12 a.m.

Road and Bridge

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

Current Projects

- *County Road 46* – J.R. reported that the 5 miles of base and gravel work have been completed on County Road 46.
- *County Road DD* – Colden relayed that crews have been working on County Road DD, north of Idalia. Colden shared that they are going to put two layers of product on the road.
- *County Road U* – Colden stated that they are having a lot of issues with County Road U, between County Roads 8 and 10. He said that crews will be working on the road in the next few days.
- *County Road M* – Commissioner Wiley said he had a complaint about County Road M, south of County Road 24 and asked Colden to look at.
- *Mining Permit Class* – J.R. mentioned that Don Marr has set up a 24 hour New Miner Training Class to be held November 2, 3, and 4th at the Wray Ambulance Barn.
- *Weis Pit* – Colden shared that they finally have a dozer in the Weis pit pushing material. He anticipates the ability to haul from the pit in about six weeks.
- *Beecher Island Road* – Colden shared that Don Marr placed the traffic counter back on the Beecher Road to capture an up-to-date count on usage for the Energy Impact grant hearing in November.

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



- **Crossland Pit** – Colden presented for signature an application for the Crossland Pit, located in the NW ¼ of Section 26, T5N, R46W in Yuma County, on property owned by David Crossland. **Commissioner Wingfield moved to approve and sign the State of Colorado Construction Materials Regular (112) Operation Reclamation Permit Application for the Crossland Pit, located in the NW 1/4 of Section 26, T5N, R46W. Commissioner Bushner seconded. The motion passed unanimously.**
- **Computer** – Colden presented a quote for a new OptiPlex 3040 Computer for Road and Bridge. The cost of the tower is \$747.50, Microsoft Office 2016 Software \$218.50, two monitors for \$345 and tech time to configure computer at \$220, totaling \$1,186.00. **Commissioner Bushner moved to approve the purchase of the OptiPlex 3040 Computer with 2 Dell 23 inch Monitors, Microsoft Office 2016 Software and tech time, totaling \$1,186.00. Commissioner Wingfield seconded the motion; which passed by unanimous vote.**
- **CDL Training Site** – The Commissioners asked Colden about completing the dirt work for preparation of the CDL Training Site. Colden said that he believed he could work this in to this year's schedule, but next spring may be a little difficult. The Commissioners would like to begin work on this before year-end, weather permitting. They will speak to the contractor about the concrete work.
- **Equipment**
 - **Graders** – Colden presented extended warranty information from Wagner Equipment and 4Rivers Equipment and the trade allowances from Wagner Equipment to accompany the grader bids that were presented at the last meeting. Colden said that he still needed to research the 2012 John Deere Graders contract to determine the amount offered as a buyback. The Commissioners elected to wait on a decision pending the amount of the buyback on the 2012 graders.

Later in the day, Colden returned with buyback information. After discussion:

Commissioner Bushner moved to purchase in 2017 a:

- **2017 CAT 140 M3 Motor Grader for \$278,875.43 with an extended protection plan on the Power Train and Hydraulics of \$16,277.70 less the buyback on the 2012 CAT 140 M2, Unit #90, of \$195,000, netting a cost of \$100,153.13 from Wagner Equipment, and a;**
- **2017 JD 772G Motor Grader for \$261,062 with an extended Power Train and Hydraulics Protection Plan of \$7,627, trading the Unit # 93-11, the 2012 John Deere 770G, for \$151,000 netting a cost of \$117,689 from 4Rivers Equipment; using Fund 20.**

Commissioner Wingfield seconded the motion; which passed unanimously.

- **Dozer** – Colden reviewed the Dozer comparisons. He is recommending purchasing the 2008 CAT D8T. **Commissioner Wingfield moved to purchase in 2016 a 2008 CAT D8T Dozer, S/N OKPZ0300, Unit #44-16 from Wagner Equipment for \$384,042.55, including a 1 year, 1,000 hour Power Train and Hydraulics warranty, trading in the 1996 CAT D8 Dozer, Unit #0044-98, for \$61,300.00, netting a cost of \$322,742.55; using funds from 02-702-8940. Commissioner Bushner seconded. The motion passed by unanimous vote.**
- **Service Truck** – The Commissioners discussed the use of the current service truck. Colden would like to consider a different truck.

- **Salary Authorizations** – Colden presented salary authorizations for Susan Cagle and Lauren Hill, new office staff at Road and Bridge. **Commissioner Bushner moved to approve the Salary Authorization for Full-Time Office Assistant Susan Cagle at G3/S4, beginning 10-17-2016, and for Part-Time Office Assistant Lauren Hill at \$9.33 per hour for 28 hours a week, beginning 10-20-2016. Commissioner Wingfield seconded the motion; which passed unanimously.**
- **Underground and Utility Permits**- Colden presented Underground and Utility Permits for YW Electric. **Commissioner Wingfield moved and Commissioner Bushner seconded to approve Underground and Utility Permits for YW Electric:**
 - to install a 480V 3 Ph line under County Road T at 2,010 feet south of County Road 5.
 - to install 7.2 KV line under County Road F at 155 feet south of Highway 36. The motion unanimously passed.

St. John's Knights of Columbus

Yuma's St. John's Knights of Columbus members Dave Blach and Jaden Blach joined the meeting to discuss the possibility of a beer garden at the 2017 Yuma County Fair. They presented a proposal to man a closed-in beer garden. The men relayed that through the Knights of Columbus they have helped with a beer garden at the Logan County Fair and felt this worked well. Dave mentioned that they spoke to the Sheriff's Office, who they felt would be in favor of such. Commissioner Wiley asked that the group have a conversation with the Ministerial Alliance and those that have went on record opposing the beer garden. No determination or recommendation was made.

City of Wray-Broadband

Wray City Manager James DePue and Assistant Lindsey Jones presented a Draft Request for Statements of Qualifications for a Broadband Public-Private Partnership. The group discussed the amount of funding that may be required to complete the broadband update in the city and surrounding area.

DePue stated that the work will include the backbone fiber from the wind turbine to the industrial park. The total project is estimated to cost 1.4 million. James relayed that the City is going after a 50/50 grant request to DOLA, using Energy Impact Assistant Funds. He shared that the city has leveraged 50% or \$350,000 in their 2017 budget. The remaining \$350,000 are being sought. He spoke with Kitzmiller Bales Trust about contributing to this project. The Commissioners are in consensus to provide some funding for this project in the 2017 budget and to support the Request for Statement of Qualifications and partnering with the City of Wray on this project.

Land Use

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

Land Use Updates

- **Scoular Company** -- Birnie shared that the Scoular Company is requesting approval of one grain bunker and one future grain bunker on 10.65 acres, more or less, on leased land adjacent to their present facility in the SE ¼ of Section 3, T4S, R43W (at County Roads 11 and LL). This will be an amendment to permit #DEV0714-04. Commissioner Wiley said that he spoke with Scoular and the current bunkers are still full of wheat, leaving them no choice but to build additional bunkers for storage. Birnie asked about the possibility of applying a road impact fee on this project. This will be heard by the Planning Commission on October 18, 2016 and by the BOCC at the October 31, 2016 meeting.
- **W-Y 911 Authority Board PUC Application** – Birnie shared that he, along with Julie Rus and Don Collins, attended the PUC hearing for the surcharge increase on October 5, 2016. Birnie shared that the hearing



lasted only a few minutes and was approved with the stipulation that, within 90 days, a schedule for implementing texting to 9-1-1 be submitted. Don is working on the implementation schedule and Birnie will e-file that information once completed. The PUC will also require additional updates going forward. Julie plans to contact providers in the county about the surcharge increase.

- *Solar & Wind Text Amendments* – Birnie shared the Planning Commission’s revisions to the proposed Solar and Wind Text Amendments.
- *Crossland Gravel Pit #DEV1016-15*– Birnie reported that Yuma County Road and Bridge is in the process of applying to the State for a permit to open a Regular (112) Construction Materials Operation on land leased from David A. Crossland, in the NW ¼ of Section 26, T5N, R46W, at County Road U and County Road 55.
- *Cargill, Inc. #DEV1016-16*—Rich shared that Cargill, Inc. has applied to the state seeking a Limited Impact (110) Operation permit for an existing open pit in the in the SW ¼ SE ¼ of Section 23, T3N, R47W on County Road N. The materials extracted will be used for road base for their cattle pens.
- *Inspections* – Birnie mentioned he handled a complaint about a stairway height issue in a Modular Home just set near Yuma. He talked with John Magee, from DOLA, who said that a DOLA inspector is responsible for anything that is built into the modular. Magee went on to explain that DORA was responsible for site installed electrical and plumbing. The owner may have to resolve the issue with the manufacturer and installer. Yuma County does not have any such regulations or codes.

GIS

- *Flirtation Point* -- Birnie reported that he has edited the map around Flirtation Point in Wray to better conform to the aerial photography. He plans to continue working on this as time allows.
- *Digital Map* – Birnie shared that he is still working on adding addressed to the digital map.
- *Mapping Interface* – Birnie reported that Teryx is working with Sidwell and Harris to retrieve the updated tax information for the interactive maps. He is hopeful this gets resolved soon as he has been receiving complaints.

Sheriff

Sheriff Chad Day, Detention Sergeant Joe Wells, Deputy Laurie Clemons, Victims Advocate Ana Baucke were present to discuss the following:

- *Command Van* – Sheriff Day shared that he mistakenly included the 1993 Ford Command Van, Unit # 01, in his Request for Proposal for live auction services. He had thought that this vehicle was acquired using non-tax funds, but it was not. This van was the Idalia Ambulance paid for with Yuma County funds, which was transferred to the Sheriff’s Office for a Command Vehicle. He is inquiring if the Commissioners will allow him to sell the vehicle in this manner, or if there is another method that should be used. The Commissioners asked that Sheriff bring the results from the RFP for the auction services and they would further discuss.
- *POST Training Site* – Sheriff Day reported that POST has committed the remaining \$7,812 for the CDL Training Site at the Yuma County Fairgrounds with the condition that the site would be made available for law enforcement driver training as well. **Commissioner Bushner moved to provide a multiple-use training center at the Fairgrounds using the pad that will be used for CDL Training/Testing Site to also**

be used by POST for a Law Enforcement Driver Training Site. Commissioner Wingfield seconded. The motion passed by unanimous vote.

Sheriff Day also discussed the orientation of the cement pad to facilitate an addition for 75 X 150 pad at a later date. The Commissioners said they would keep this into consideration.

- *DOC Overflow Inmates* – Sheriff Day and Sergeant Wells have been working with the El Paso County Sheriff's Office about committing 10 to 15 beds to house Department of Corrections (DOC) sentenced inmate overflow. The cost of holding a DOC inmate is \$55 a day. El Paso County will be responsible for transporting inmates to Yuma County Jail and the Sheriff's Office will be responsible for transporting back to the Denver Reception & Diagnostic Center (DRDC) for booking.

The Sheriff stated that the Department of Corrections would be responsible for the medical expenses for these inmates, but the meals, etc. would be included in the \$55 per day. He then mentioned that the increased inmate load may exceed the 2016 jail budget, but the revenues should off-set the expenses. If this works well with El Paso County, they may consider contacting other larger agencies to offer the same services. Wells mentioned that inmates will be arriving next week for a trial run.

- *Inmate Garden* – Programs Coordinator, Deputy Clemons reported that she has been working with Linda Langelo, CSU Horticulturist, about implementing a greenhouse project with water and gas. The proposed building site would be at the south end of the Sheriff's Blue Building. Langelo offered to help write a grant to the Laura Jane Musser Fund for assistance with this program for approximately \$25,000. Clemons explained that this greenhouse would dramatically extend the growing season of the garden and provide additional education for inmates. She is seeking a letter of support from the BOCC for this project. The Commissioners were in favor of the project and are happy to write a letter of support.
- *Dog Training Project* – Clemons also reported that she is seeking funding from the Laura Jane Musser Fund for a dog training project as well. She said that she is going for dog-handling training through the Longmont Humane Society. She reports getting supplies donated for the dog training project from the Humane Society. She envisions that the jail will have one dog at a time that will live with a selected inmate and will be trained in-house. Once the dog is trained, eight to twelve weeks, then it will be up for adoption locally or given back to the Longmont Humane Society. The Commissioners requested a bit more information about this program as it develops.
- *Human Trafficking Training* – Sheriff Day and Ana Baucke relayed that Victim's Advocate is hosting a training with Truckers Against Trafficking (TAT) to raise awareness about human trafficking and sex exploitation. Day extended an invitation to the Commissioners. The training will be November 3, 2016 from 10 am to 2 pm at the City of Yuma Ambulance Barn. Freedom Truck will be on site for tours. Later, it was noted that due to increased registrations the location was changed to the Yuma County Fairgrounds Concession Building.
- *Shooting* – Sheriff Day reviewed an incident of a shooting in the county that resulted in an arrest for drugs in both a vehicle and a home. Day mentioned that this is the largest amount of drugs confiscated in the county while he has served as Sheriff; uncovering 7 pounds of methamphetamine, 51 pounds of marijuana, 3 ounces of Cocaine, and other recreational drugs. Also found were stolen equipment, firearms and other related illegal components. One defendant is in custody. Sheriff Day is very proud of his staff for continuing to pursue the initial call of an accidental shooting, ceasing all of the drugs, paraphernalia, guns, and bringing one defendant into custody.

Yuma County Water Authority Public Improvement District

At 1:53 p.m., Commissioner Bushner moved and Commissioner Wingfield seconded to adjourn the Commissioner meeting to conduct the Yuma County Water Authority Public Improvement District business.² The Commissioner's meeting resumed at approximately 2:02 p.m.

EIAF Grant-Beecher Island Road

Greg Etl, DOLA Regional Representative, was present to discuss the Energy Impact Assistance Funding Grant proposal in preparation for the upcoming grant hearings. Etl relayed that the EIAF funding has been cut drastically this year and the competition for these grants is significant. He reviewed budget and discussed the current traffic counts for the project.

Administrator's Report

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

- *Minutes* – The Commissioners reviewed the minutes from the previous BOCC meeting. **Commissioner Bushner moved to approve the September 30 and October 11, 2016 Board of County Commissioners minutes. Commissioner Wingfield seconded the motion; which passed unanimously.**
- Certification of Accounts Payable drawn on Yuma County Funds on October 17, 2016 with check #63664 through #63813 for \$355,437.18 and Fund 16 W-Y Combined Communication accounts payable, with check #7719 through #7730 totaling the sum of \$2,087.94 were signed by Chairman Robin Wiley.
- *Ordinance 10-17-2016-01, Marijuana Plant/Grow Limit* -- The Commissioners reviewed Ordinance 10-17-2016-01 regarding Restrictions on Residential Marijuana Grows. **Commissioner Bushner moved to approve the first reading of Ordinance 10-17-2016-01, concerning a new Section 5-104 (J), Marijuana Cultivation within Primary Residential Structures, of the Yuma County Land Use Code, Regarding Restrictions on Residential Marijuana Grows. Commissioner Wingfield seconded the motion; which passed unanimously.** The second reading will be held on October 31, 2016 meeting.
- *Closure Post Closure* – The Commissioners reviewed the Yuma County Sanitary Landfill Board minutes from September 21, 2016, that approved the transfer of \$5,000 to the Closure/Post Closure Fund. **Commissioner Wingfield moved to approve Resolution #10-17-2016 A; which transfers \$5000 from the Landfill Fund #11 to the Closure Post Closure Fund #21. Commissioner Bushner seconded the motion. The motion passed by unanimous vote.**
- *Part-Time Maintenance Position* – Hoover presented applications for the part-time maintenance position. Administrator Hoover was asked to phone candidates for interviews.
- *Computers* – Hoover shared information from Attorney Ken Fellman in regards the computers that were included in the Colorado Customware Inc. bankruptcy. Assessor Taylor would like to sell the computers and get them out of storage. Attorney Fellman researched and feels that the equipment can be sold without consequence since the bankruptcy final settlement payment has been made by the County.

² Minutes of the Yuma County Water Authority PID are done separately.

- *CCOERA Forfeitures*—Chairman Wiley and Commissioner Wingfield signed the CCOERA forfeiture check for \$1,458.34 for an employee's unvested portion of employer paid retirement to be deposited \$1,458.34 in Fund 2.
- *Pleasant Valley Hustlers 4-H* – An invoice was presented from the Pleasant Valley Hustlers for expenses to remodel and refresh the restrooms located east of the show ring at the Yuma County Fairgrounds. The club worked together last summer refreshing the restrooms just prior to fair. The Commissioners were appreciative of their hard work and remarked at the improvement made in the restrooms. **Commissioner Bushner moved and Commissioner Wingfield seconded to reimburse the Pleasant Valley Hustlers 4-H for expenses to remodel the show ring restrooms at the Yuma County Fairgrounds in the amount of \$1,200.92, paying from the Conservation Trust Fund. The motion passed by unanimous vote.**
- *Treasurers Report* - Stults was not present for the meeting but sent the Treasurer's report for September 2016. Her report shows that there were \$117,188.78 in Taxes Collected; 152,249.90 in Specific Ownership taxes collected, and 7,980.84 in fees collected for the month.
- *CDOT/BNSF Railroad Crossings PP, L, H, J* – Hoover shared an email from Department of Regulatory Agencies Section Chief - Rail and Transit Safety Pamela Fischhaber updating the Commissioners on the Railroad Crossing Projects on County Roads PP, L, H and J.

Fischhaber shared that the contracts for crossings on County Roads PP and L are complete and have been filed with the PUC. The contract for the crossing on County Road H has been signed at the state level and is in route to Yuma County. Once the executed contract is obtained then it will be e-filed with the PUC.

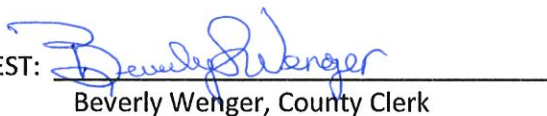
Additionally, she relayed that Colorado Department of Transportation Engineer Rob Martindale told her that he has received a crossing surface estimate from BNSF Railway engineers for the crossing on County Road J, but is still waiting for the crossing signal estimate before he can draft the contract with the County.

- *Worker's Comp/Casualty and Property Loss Reports* – The Commissioners reviewed the Worker's Compensation and Casualty and Property Loss Reports for the month of September, 2016.
- *Meeting Dates* – Commissioner Wiley reported that the DOLA hearing for Broadband was set for November 15th and he has been asked to be present when the City of Wray presents. He asked that the mid-month meeting be moved to November 14, 2016 instead. There being no objections the meeting date was changed.

There being no further business, the meeting adjourned at 4:11 p.m. The next regular meetings of the Board of County Commissioners will be October 31 and November 14, 2016.


Robin Wiley, Chairman


Kara Hoover, Administrator

ATTEST: 
Beverly Wenger, County Clerk

