

YUMA COUNTY COMMISSIONERS

March 20, 2017

Minutes¹

On March 20, 2017 at 8:00 a.m., the Yuma County Board of Commissioners met in regular session. Chairman Dean Wingfield, Commissioner Trent Bushner, Commissioner Robin Wiley, 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

The Commissioners reviewed the Special Events Permit that was signed by Chairman Wingfield on March 15, 2017, for the Akron Lions Club for the Foodbank of the Rockies/CHS Event that was held on March 18, 2017 at the Irrigation Research Farm, 40161 Highway 59, Yuma, Colorado from 5:00 p.m. to 12:00 a.m.; which was approved at the February 28, 2017 BOCC meeting.

Department of Human Services

The Board of County Commissioners convened as the Board of Social Services at 8:26 a.m. Child Welfare Supervisor Hollie Hillman, Bookkeeper Liz Tuttle, 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 8:42 a.m.

Road and Bridge

Supervisor JR Colden was present to provide the following updates.

Current Projects

- *Mission Statement* -- Colden reviewed a mission statement that he would like to have for Road and Bridge. The Commissioners made various recommendations including the addition of a "strong work-ethic." Colden will continue to work on this and present again at a later meeting.
- *CDOT Highway 385 / County Road 33.6 Turning Lane Project* – Colden shared that the Pre-Construction meeting for the Highway 385 / County Road 33.6 Turning Lane Project occurred on March 7, 2017 in Sterling. Colden reported that Road and Bridge began the work for the gravel pit and CDOT highway work will begin in the next few weeks.
- *County Road J* – Colden shared that Road and Bridge crews are finishing up with the graveling project on County Road J from County Road 40 north to County Road 46. They are spending a bit more time on County Road 42 because the feedlot is extremely hard on the road and this stretch of road requires additional work.
- *CAT Grader* – Colden shared that the new CAT Grader is down for repairs at the present time.
- *CDL Training Site* – Colden reported that Delbert Liming will begin cutting the sod this week and Elder Construction will plan to begin the concrete pour on April 3, 2017 for the CDL Training Site at the Yuma

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

County Fairgrounds. Commissioner Wiley asked Colden to speak with Hastings Trenching about running the water line to the trees. The Commissioners were in consensus to use Hastings Trenching for this project.

- *Ritchie Auction* – Colden stated that the items approved at the 1-24-2017 BOCC meeting to sell at Richie's Auction brought gross proceeds of \$25,500 as following:
 - ✓ Unit #0029-02 1999 Dodge 2500 Pickup - \$2,000
 - ✓ Unit#0032-01, Ford F250 Pickup - \$1,700
 - ✓ Unit #0045H-94 Hydraulic Hammer \$2,200
 - ✓ Unit #0021-97 Bucket Truck - \$2,000
 - ✓ Unit #161 Core Drill Rig - \$10,000
 - ✓ Unit #0184-01 Case Skid Steer with tracks - \$7,600The final check amount, including commission and document fees of \$6,072.50 netted \$19,427.50.
- *Scrap Iron* – Colden mentioned that he had various items, including Unit #119 Water Tower, and the 50' Green Conveyor, that were scrapped for iron that netted \$9,762.20.
- *Diagnostic Equipment / Truck Regen Issues* – Colden shared that the new diagnostic equipment is revealing several preventative maintenance issues, specifically in regen usage. He has conducted re-training on preventive maintenance and usage. He believes this to be a very effective educational tool.
- *County Road 39* – Colden shared that he has been in conversation with Earth Bind Management about the stress that is occurring on County Road 39 with increased truck traffic. He said that Earth Bind Management is looking at the possibility of re-grinding the current road product. This would allow the County to re-build County Road 39 at about 50% less cost. Earth Bind Management is currently working on a bid for such.
- *Fiber* – Colden stated that CenturyLink has caused a great deal of damage to roads when trenching across to place new fiber lines. Colden shared this creates a danger for the grader operators and the public. Colden shared that he believes that it would be much safer for the fiber to be placed in the ditch instead of the road.
- *Staffing* – Colden stated that the following employees have been hired for the open positions at Road and Bridge.
 - **Commissioner Wiley moved to approve salary authorizations for:**
 - Gary Monks, Equipment Operator, re-hire, at a G5/C1/L5, beginning March 13, 2017.
 - Thomas Hartman, Truck Driver, at a G5/C1/L4, beginning March 13, 2017, with a possible 6 month increase to a G5/C1/L8.
 - Shane Coleman, Equipment Operator, re-hire, at G5/C1/L11, beginning March 20, 2017.**Commissioner Bushner seconded the motion; which passed by unanimous vote.**

Road Concerns

Ruben Richardson, Bryce Day, and Marty Brophy joined the meeting to discuss concerns they have about County Road 42, from County Road M to P. Joel Lemons from Cargill was also present for the discussion. The group relayed that the road is in rough condition and they have great safety concerns. Richardson said that he is extremely concerned about the wash boards on this road. He went on to say that he understands that this road gets heavy use with trucks coming in and out of the Cargill yard. Brophy suggested additional training, different kind of blades on the maintainers, or extra maintainers be placed on the major roads.



Lemons shared that Cargill has publicly announced that they are selling this lot. He said that this lot pays \$.05 more per hundred weight on freight, totaling nearly \$500,000 each year. He reports that he believes Cargill would consider cost-sharing the maintenance on these roads. The Commissioners reported that there are a lot of road projects going on in 2017 and the funds are unavailable to put towards another project this year.

Colden shared he understands the group's frustrations and gave each of them his business card relaying that they can call him at any time. He mentioned that there are new blade operators and training is on-going. Colden agreed that the carbide blades were an issue in the past; stating that he recently changed to steel. Colden pointed out that the County has conducted extensive work on this stretch of road, spending nearly \$70,000 in the last year. Commissioner Wiley noted that there is an increase in truck traffic in the last few years on the county roads which has made an impact on the condition of the roads. The Commissioners assured the group that their concerns were heard and that Road and Bridge will make every effort to remedy the issues if possible.

Eastern Colorado Community Fund

John Chapdelaine from the Eastern Colorado Community Fund, joined the meeting. He shared a presentation about the layout, advantages, and use of the Fund.

Treasurer

Treasurer Dee Ann Stults presented the following:

Treasurer's Report -- Treasurer's report for February 2017. She reported there were; \$3,188,217.16 in taxes, \$210,133.54 in Specific Ownership, and \$66,051.02 in Treasurer Fees collected for the month.

Public Trustee Quarterly Payment – **Commissioner Wiley moved to approve the 2017 first quarter Public Trustee Quarterly Payment of \$3,125.00. Commissioner Bushner seconded the motion; which passed unanimously.**

Dell Computer Service Contract – Stults presented a quote from Dell for one-year service contract for \$672.85 on the Treasurer's server and three computers in her office. She stated that she plans to go with this contract after speaking with Teryx. She is currently obtaining bids for replacement of the server and the computers for the 2018 year.

Clerk

2017 Elections/Ballot Issue -- Clerk, Bev Wenger visited with the Commissioners about the 2017 Coordinated Election process. She reminded the Commissioners that local government is responsible for placement ballot questions, individuals cannot petition to do this. She said that she had a request for a ballot issue for maintenance on new improvements at the Fairgrounds. She said that in the past the Commissioners have asked for at least 15% to use in the formula to figure the amount of signatures to gather to show support for this type of ballot issue. The Commissioners agreed that the 15% would stand. She will respond to the individual by letter stating such.

Clerk's Office Remodel -- She stated that she has been in contact with Cody Bohall of Studio 8.18 Engineering about her office expansion process and should have more information available by the next meeting.

Land Use

Rich Birnie was present to conduct Land Use and GIS business. Curt Gardner was present for the City of Robb vacation and the division of parcels.



Land Use

- *City of Robb* – Birnie reported he has been working on the procedure to vacate the roadways and alleys for the City of Robb. The Commissioners are responsible for this request. **Commissioner Wiley moved to initiate the process of vacating the roadways and alleys in City of Robb. Commissioner Bushner seconded the motion; which passed unanimously.** Birnie will continue to work on this through the Land Use process.
- *Gardner EFS / division of parcels* –Curtis Gardner said he would like to divide one parcel into three parcels, coordinating the parcels with the current BNSF tracks. Birnie will continue to work on this division which would leave the north parcel of approximately 30.20 acres, the center parcel of 8.85 acres, and the south parcel at about 39.27 acres.
- *Allen EFS* – Birnie reported that he has two Exemptions from Subdivision applications for Harvey and Mary Allen that will be reviewed in April by the Planning Commission and the BOCC.
- *Chapman and Jeurink Lot Line Adjustment* – A lot line adjustment for Glenn and Carol Chapman and Betty Jeurink will be reviewed at the March 31, 2017 BOCC meeting.
- *Floodplain Ordinance* -- Birnie said that the Planning Commission will begin work on the draft Floodplain code this month.
- *Solar and Wind Text Amendments* – Additionally, Birnie mentioned that the Planning Commission will also review a draft Solar and Wind code at their March work session.
- *Eckley Wastewater Treatment Plan Improvement Project* – Birnie reported on a conversation with Michael Hager, RG and Associates, LLC, Project Manager about the Town of Eckley's Wastewater Treatment Plan Improvement Project. Birnie said the project is over a year out, but would like to discuss with the Commissioners the County's participation in the project. The Commissioners advised that Hager would need to contact Road and Bridge about the road access to the proposed wastewater treatment facility. An Intergovernmental review consultation form was received from RG and Associates and will be reviewed at the next meeting.
- *1917 Deed* – Rich said the Assessor's Office asked him to look into a 1917 Deed between Lena Lamb and County. There is a 60' x 390' driveway right-of-way deeded to the County. The deed states, "Upon failure of County of Yuma to use this tract for road as per grant, County of Yuma is to deed back this parcel of land to the original tract." The Commissioners were in consensus to deed this land back to the current owner. Birnie will contact Attorney Margie Fix to develop the Quit Claim Deed.

GIS

Birnie stated that he is nearly complete with addresses to the digital map.

Senator Cory Gardner Representative

Darlene Carpio, Regional Director for Senator Cory Gardner, stopped in to visit with the Commissioners. She shared information about a Colorado Capital Conference that will be held in Washington, D.C. from June 21-23, 2017. Darlene reviewed her responsibilities as the liaison between constituents' and Senator Gardner's office. She has been quite amazed at the number of cases that streamline through her office. She has been to various County Commissioners to be the ears for Senator Gardner.



The following are topics that the Commissioners would like Senator Gardner to review or be aware of:

- Republican River--The Republican River compliance and restoration of the Bonny Dam area. Commissioner Wiley asked for requirements of a NEPA permit vs. a 404R permit for this area.
- NAFTA Changes--Commissioner Bushner had concerns about the components of the North American Free Trade Agreement, NAFTA, and the changes that President Trump is proposing. He asked that Carpio research the changes and inform the Commissioners if anything is an issue.
- Farm Bill--Carpio reminded the Commissioners of the Farm bill education sessions being offered by Michael Bennet's office in Northeast Colorado. Healthcare issues, no new statements at this time.

Elected Official/Department Supervisors

Elected Officials and Supervisors present included: Commissioners Wingfield, Wiley, and Bushner, Kara Hoover, Dee Ann Stults, Cliff Henry, Joy Akey, Adam Wills, JR Colden, Cindy Taylor, Vicky Southards, and Richard Birnie.

- *County Auction* – There are several departments/offices in the county that have items for a county auction. Colden relayed that Road and Bridge has several large items that he would like to have on auction. Dates to consider would be May 6th or May 20th at the Road and Bridge Department. Adam reported that he would speak to John Schaffner, since Schaffner Auction Service was awarded the RFP earlier in the year with the Sheriff's Auctions. The group discussed inviting other governmental agencies, such as the City of Wray, and/or schools if they would have additional items to include with this sale.
- *Gallagher and Tabor* – Stults reviewed a presentation on Gallagher Amendment and Tabor restrictions that will affect the 2018 Budget year. She relayed that the assessment on residential property has dropped from 21% in 1982 to the proposed 2017-2018 rate of 6.56%; which could result in approximately an 18% decrease in residential property tax revenue. Stults and Assessor Taylor cautioned the group about the detrimental effects caused by this reduction when considering the 2018 budget work.
- *Website Update* – Birnie presented proposals for updating the County's website. The group discussed the options and reviewed several area websites as samples. In the end, the discussion was tabled for the next meeting.
- *Breakroom* – Probation has moved from their office in the lower level of the Courthouse. The office space will be occupied by the Sheriff's office, leaving the vault to be used as a new breakroom. The room has an access door to the hall and is large enough to accommodate many break-room items. Bev and Dee Ann mentioned that they have a refrigerator, microwave, and miscellaneous furniture that they will place in the breakroom. Adam said that Laurie Clemons and UPS clients will plan to paint the offices and he would offer the same labor for the breakroom. Dee Ann will coordinate setting up the breakroom.
- *Signage* – Rich asked if there was a courthouse standard on signage for each office as he would like to purchase a sign for his office. There is no standard in place, but Rich relayed he likes the current door signs and was given instruction of where to purchase the sign.
- *IT Policies* – The group reviewed the draft IT policies and will revisit at the next BOCC Meeting.



Sheriff Office

Undersheriff Wills asked about utilizing the current Custodial staff for the Sheriff's Administrative, Patrol, and new offices. The Commissioners reported that this could be considered. Undersheriff Wills will Email Administrator Hoover with the areas that he would like to have cleaned. Hoover will discuss with the Custodial staff and get back with Sheriff Office at a later date.

Executive Session

At 3:38 p.m., Commissioner Bushner moved to enter into Executive Session for a conference with the County Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e). The motion was seconded by Commissioner Wiley; which passed unanimously. Present were Chairman Dean Wingfield, Commissioner Trent Bushner, Commissioner Robin Wiley, Assessor Cindy Taylor, Administrator Kara Hoover, and joining by conference call Attorney Ken Fellman. Executive Session concluded at 3:55 p.m.

Sheldon Kye Energy, LLC

Brian Johnson from Sheldon Kye Energy and Allan Neckeroud from Harvest Operating shared the plans for an animal waste processing facility project that is being considered in Yuma County. The plant would produce different products such as biogas, liquid fertilizer, compost material, and animal bedding. Sheldon Kye Energy is very interested in using various animal waste suppliers. He went on to explain that the biogas would be combined with compressed natural gas then utilizing existing pipelines and compressors located in Yuma County to move the product down the line for consumer use. They are currently working on securing waste suppliers, working with investors, and looking at potential sites for plant operations. This would be similar to the Heartland Facility in Weld County, located south of Greeley on Highway 85 that uses various waste products, such as potatoes, oils, etc.

Maintenance

Maintenance Sergeant Travis Dinsmore gave updates on the following:

- *Jail Sally Port Garage Doors and Openers* – Dinsmore reported that Sally Port garage doors and openers need to be replaced; he is in the process of obtaining more bids for this project.
- *Jail Intercom System* – Dinsmore reported that the Jail Intercom System is down. The Commissioners instructed him to get someone out to look at the system and report back with costs.
- *Jail Roof Top Unit-Metal Filters* –Dinsmore relayed that the water eliminator filters for the roof-top air conditioning units need replaced. He shared that these filters need to be of higher quality to work optimally. He said the cost of replacement filters is approximately \$1,200 for 14 filters. The Commissioners were in consensus to order and replace the filters prior to cooling season.
- *Jail Control Room AC Unit* –Travis shared that the Jail Control Room air-conditioning unit has been removed for cleaning and repairs. He shared that the unit uses Freon; which is quickly becoming obsolete. He also said that finding the parts for repair is proving to be difficult. He asked the Commissioners to consider the best option either repairing vs. replacing the unit. The Commissioners asked that Dinsmore firm-up prices before they could make a decision.
- *HHS Roof Top Unit #1*—Dinsmore wanted the Commissioners to know the roof-top air handling unit at Human Services that recently underwent repairs to the blower now has a bad heat exchanger. He shared that he is getting pricing together to replace this unit. He mentioned to the Commissioners that there



shared that he is getting pricing together to replace this unit. He mentioned to the Commissioners that there is backup heat for the offices in way of baseboard heat, so this shouldn't be a major issue. He plans to keep the Commissioners informed of costs so a decision can be made at a later date.

- *HHS Kitchen Floor Replacement* – Travis reported to the Commissioners that the kitchen floor at HHS has deteriorated greatly over the last few months. He wanted the Commissioners to know that replacement of this flooring will need to be completed at some point. He is gathering bids and will present at a later date.
- *Courthouse Stair Coverings*—Dinsmore shared that the step covers on the lower two stair cases need to be replaced as they have become brittle and a few are cracked. He reports that the cracked covers could be a tripping hazard. The Commissioners were in consensus for Travis to utilize the extra stair covers from the upper stair cases and only purchase additional covers to complete both stairwells. A new bid is requested before a decision will be made.
- *Jail Sink/Shower Valve Repair Parts* – Travis told the Commissioners of the issues with the sink and shower valves for the jail. He said there are a total of 24 hot and 24 cold valves that need repaired. The Commissioners were in consensus to order the parts of a total cost of approximately \$4,460 and make the necessary repairs.
- *Bats* – Dinsmore told of an issue with bats at the Human Services building. He shared that he plans to place screens over all of the vent pipes and chimneys to remedy this issue.

Financial Software

Administrative staff presented software bids for financial software to replace the antiquated Fundware software. Staff was instructed to contact a couple more companies for bids. The Commissioners will consider the bids and make a formal decision at a later BOCC Meeting.

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 February 28, 2017 Board of County Commissioners minutes. Commissioner Wiley seconded the motion; which passed unanimously.**
- Certification of Accounts Payable drawn on Yuma County Funds on March 6, 2017 with check #64832 for \$43,816.50 and check # 64833 through #64956 on March 15, 2017, for \$300,124.72 totaling \$343,941.22 and Accounts Payable drawn on WY Communications Funds with check #7853 through #7863 in the amount of \$2,892.88 were signed by Chairman Dean Wingfield.
- *Annual Operating Plan* – Hoover presented the 2017 Yuma County Annual Operating Plan that has already been reviewed and signed by Sheriff Chad Day. She reported the Yuma County Emergency Manager Roger Brown indicated that there were no changes to the plan from the last year. **Commissioner Wiley moved to approve and sign the 2017 Yuma County Annual Operating Plan. Commissioner Bushner seconded the motion; which passed unanimously.**
- *Fairground Use* – Hoover presented a request from the West Yuma Chamber of Commerce for use of the fairgrounds for parking during the 5:10 to Yuma Road Race that will be held on June 17th. **Commissioner**



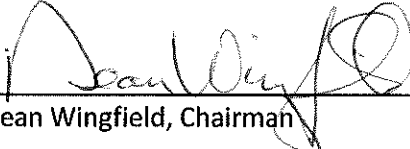
Wiley moved to approve the use of the fairgrounds at no charge. Commissioner Bushner seconded the motion; which passed unanimously.

- *Refrigerator at HHS* – The Commissioners opened bids for an old refrigerator that was left by the hospital located at the Human Services Building in the new Probation Office area. The Kelvinator Refrigerator had been posted and advertised over the last two weeks. **Commissioner Bushner moved to accept the bid of \$10 for the old Kelvinator Refrigerator at HHS. Commissioner Wiley seconded. The motion was passed unanimously.**
- *Wray Chamber of Commerce Dues* – The Commissioners reviewed the 2017 dues for the Wray Chamber of Commerce. **Commissioner Wiley moved to pay the 2017 Wray Chamber Dues. Commissioner Wingfield seconded the motion; which passed.**
- *EIAF #8414 Emergency HVAC Grant* – The Commissioners reviewed the contract for the Yuma County Emergency HVAC, #8414. The contract has an approval date of March 15, 2017 and a completion date of August 31, 2018.
- *Courthouse HVAC Contractor Review* – The Commissioners reviewed the bids for the contractor for the Courthouse HVAC and Piping Project. **Commissioner Wiley moved to accept the HVAC project bid from Wern Air in the amount of \$1,037,907.99; to include alternative cooling or heating, replacement of supply and return pipes for both heating and cooling, replacement of air handler units, replacement of boilers and installation of a control system, to be paid from Fund 20-910-8920. Commissioner Bushner seconded the motion; which passed by unanimous vote.**
- *After Prom Party Ticket Donation* – The Commissioners discussed the donation of fair concert or rodeo tickets to the area schools for their After-Prom Parties. **Commissioner Bushner moved to approve donating concert or rodeo tickets for the Idalia, Liberty, Wray, and Yuma High School After Prom Parties. Commissioner Wiley seconded the motion; which passed by unanimous vote.**
- *Beer Garden-2017 Yuma County Fair*—The Commissioners discussed the possibility of a beer garden at the 2017 Yuma County Fair. **Commissioner Bushner moved to allow the Knights of Columbus to host a beer garden at the 2017 Yuma County Fair following the guidelines presented at the February 14, 2017 meeting. Commissioner Wiley seconded. Commissioner Bushner-Aye, Commissioners Wingfield and Wiley-Nay. Motion failed.**
- *Reduced Hour Health Insurance Exception* – The Commissioners reviewed a request for an employee to work reduced hours and still retain the health insurance through the county. The department supervisor has approved the reduction in hours and the hours are above the mandated federal requirements. The Commissioners requested more information from CTSI, County Health Pool before making a decision. They will plan to revisit this at the next meeting.
- *CAPP/Worker's Compensation Monthly Loss Reports* – The Commissioners reviewed the monthly CAPP and Worker's Compensation loss reports.
- *CBOE Training* -- Hoover reminded the Commissioners that she would be attending Board of Equalization training with Assessor Taylor and staff on Thursday March 23, 2017.

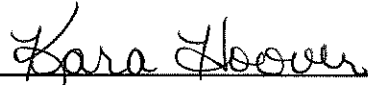


- *April RAK* – The Commissioners discussed their office's random-act-of-kindness that will occur in April. The staff reports a lot of craft work will need to be completed prior to kick-off on Monday, April 3, 2017.
- *Office Window*—The Commissioners discussed the installation of the window in the Administrator's office that was purchased last year. Chairman Wingfield reported that he would contact the contractor that was awarded the bid to learn if he has time to complete. After more discussion, **Commissioner Willey moved and Commissioner Bushner seconded the motion to speak to MVS Construction and if they are unable to install the window then accept the bid from Rockwell Construction to get the window in place. The motion passed.** Follow up, Chairman Wingfield did speak to MVS Construction on March 22, 2017 and was told that the window project would begin in a couple of weeks.

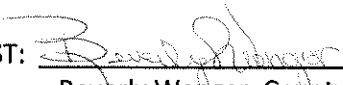
There being no further business, the meeting adjourned at 6:11 p.m. The next regular meetings of the Board of County Commissioners will be on March 31, 2017 and April 14, 2017.



Dean Wingfield, Chairman



Kara Hoover, Administrator

ATTEST: 

Beverly Wenger, County Clerk

