

## YUMA COUNTY COMMISSIONERS

April 16, 2018

Minutes<sup>1</sup>

On April 16, 2018 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 Andrea Calhoon were present throughout the day.

The Commissioners reviewed and signed accounts payable and payroll and discussed various meetings attended throughout the prior month.

### Department of Human Services

The Board of County Commissioners convened as the Board of Social Services at 8:30 a.m. Human Service Director Phyllis Williams, Child Welfare Supervisor Hollie Hillman, and receptionist Robin Barnhardt were present. Detailed minutes from this meeting are maintained by the Department of Human Services.

**At 9:02 a.m. Commissioner Wingfield moved to go into Executive Session for matters confidential by law under CRS 24-6-402(4)(c). The motion was seconded by Commissioner Wiley and passed by unanimous vote.** The Commissioners ended executive session at 9:11 a.m. and resumed business as the Board of Social Services.

The Board of County Commissioners reconvened at 9:11 a.m.

### Road and Bridge

Road & Bridge Supervisor JR Colden joined the meeting at 9:16 a.m. to provide the following updates:

#### *Current Projects*

- *Blizzard Review* – Colden and the Commissioners discussed the blizzard from Friday, April 13 and Saturday, April 14 and Colden's progress on snow removal and road grading. The group discussed community feedback received over the weekend and priorities for cleanup. Colden discussed his weekend priorities of opening roads for safe passage first and then focusing on bus routes and main thoroughfares as a secondary priority. Colden reported continued efforts to clear roads.
- *EIAF 8302 Change of Scope Project Progress* – Colden reported on the progress for the change of scope portion of EIAF project 8302 including CR 39, CR H, and CR J. At current time, about ¾ of a mile remains to have base put on. Colden estimated chip seal work will be completed from August 27-31, 2018 and should be the final leg of the project.
- *Kamala Chip Seal Recommendation* – Colden discussed his recommendation of the chip seal of the Kamala Road as an additional component of the work being completed on County Road 39 at H and J. Colden estimated that it would take approximately \$15,000 in oil and 120 Yards/1.8 tons of rock to cover each mile at \$30.50 per ton over approximately 2.5 miles for a total estimated project cost of approximately \$54,000. Colden reported that we have enough rock to complete the project and the Commissioners approved the additional work on the project.
- *Kirk House Tenancy* – Colden discussed his intention to move current Road & Bridge employee, Kasey Hill, into the Kirk House as of June 1.



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<sup>1</sup> Minutes prepared by Andrea Calhoon are a summary of discussions, not a verbatim account.



- *Kirk House Repairs* – Colden presented a plan for the repair of damage to the Kirk house including minor drywall repair, paint, and new flooring. Colden also discussed with the Commissioners the potential for replacing the carpeting and stove. Carpet laying was estimated at a cost of \$4 per square yard. **Commissioner Wiley moved to replace the flooring and the stove in the Kirk house at Road & Bridge Supervisor JR Colden's discretion. Commissioner Wingfield seconded the motion which passed by unanimous vote.**
- *City of Yuma Gravel/Water Trade* – Colden reported a proposed trade of gravel for water with the City of Yuma. The City of Yuma is in need of gravel to bed pipe with and offered to trade water at a cost of \$10 per 1000 gallons for gravel Yuma County values at \$8 per yard. The Commissioners agreed that the proposed trade is of value to both the City and the County.
- *Inventory Assistant* – Colden discussed his inventory management process and requested the addition of a full-time position to assist in office management and support of the new inventory management system. Colden presented a list of suggested duties for the position and a conceptual change to payroll timekeeping that would streamline duties. The Commissioners requested additional research on costs of establishing the new processes before issuing a final decision.
- *John Deere Grade Pro Demo* – Colden discussed a demonstration of a Grade Pro presented by John Deere last week and reported that it was left with Road & Bridge for a week to use and test. The Grade Pro includes additional features and electronic controls that allow additional functionality in road grading. The Grade Pro features are an approximately \$20,000 additional cost per grader.
- *Diesel Exhaust Fluid (Def) Contamination Problems* – Colden presented a new process for receipt and storage of DEF due to issues of contamination related to prior storage practices.
- *Lock Out/Tag Out Kits* – Colden presented estimates for the purchase of lock out/tag out kits as part of his newly implemented safety program. Colden would like to purchase a kit for all foreman's pickups and the outlying shops and estimates he needs 13 total kits at a cost of \$142.10 each for a total expense of \$1,847.30 as well as 6 steering wheel covers at a cost of \$58.20 each for a total of \$349.20. Colden estimates that safety equipment may have been under estimated at budget in light of the new safety program. The Commissioners agreed that the safety program is necessary and the costs of safety compliance are necessary expenses.
- *Road Crossing Fees & Permits* – Colden made a recommendation for the review of road crossing fees and permitting process for Yuma County and reported boring fees in surrounding counties as: Washington County - \$100, Phillips County - \$150, Logan County - \$100. Yuma County Road Boring fees are currently set at \$50. Colden will present a full recommendation at a future meeting.
- *Personal Leave Accrual* – Colden requested clarification on personnel policy related to the incremental accrual of personal leave as compared to longevity. A recent instance of administrative leave during the first year of employment has influenced the anniversary date for purposes of calculating the increase in personal leave accrued per month. Yuma County personnel policy does not specifically address the issue. The Commissioners considered the intent of leave policy and leave accrual policy and determined that time on administrative leave does not count toward employed time for purposes of incremental increases in paid time off.
- *Salary Authorization* – Colden presented a salary authorization for Equipment Operator Zachary Morris. **Commissioner Wiley moved to sign the salary authorization for Equipment Operator Zachary Morris at Grade 5, Category 1, Level 11 as of May 1, 2018. Commissioner Wingfield seconded the motion which passed unanimously.**

Yuma County Water Authority Public Improvement District

At 10:34 a.m., the Board of County Commissioners adjourned to conduct Yuma County Water Authority Public Improvement District business. Minutes of the Yuma County Water Authority Public Improvement District are kept separately. The Board of County Commissioners reconvened at 10:38 a.m.



### Yuma County Treasurer's Office Updates

Yuma County Treasurer Dee Ann Stults joined the meeting at 11:30 a.m. to review department updates related to her requirement to review the Sheriff's non-tax account per a recommendation by the County auditors at the 2016 audit. Stults discussed recent efforts to streamline the process and increase efficiency in the reporting of transactions within the account. Stults also initiated a discussion related to entry-level wage for her current vacancy within her office. The Elected Officials discussed recent hires and salaries related to experience.

### Land Use

Yuma County Land Use Administrator/GIS Coordinator Rich Birnie was heard at 1:00 p.m. to conduct Land Use Hearings and to review Land Use and GIS business.

#### Land Use Updates

- *YW Electric Land Use Permits* – YW Electric submitted two Administrative Land Use permits last week that will be presented at the April 30 Board of County Commissioners meeting. One for a 180' tower at the existing Idalia substation and one for a 90' monopole at the existing Bethel substation.
- *Highlight Electric Association Subdivision Exemption* – Birnie reported expecting a Subdivision Exemption application and Land Use Development Permit application from Highline Electric Association before the end of the month.
- *Private Property Burial* – Birnie reported being contacted by Javan Jones regarding a burial on private property. Mr. Lyle Linman was buried on family property south of Wray. Birnie reported hearing of concerns regarding deadlines in reporting private burials and will contact Mr. Jones regarding his concerns for consideration in rewording the ordinance.
- *Alternative Construction House* – Birnie received a call from Iowa regarding the building of an alternative construction house in Yuma County. Birnie discussed the Yenter house but was not aware of any others to share with the caller. Birnie requested feedback on the allowability of these houses in Yuma County and will do some additional research and bring additional questions at a future meeting.
- *Elk Creek Pipeline* – A representative from Environmental Resources Management called requesting information on the ordinances related to the proposed OneOK Elk Creek pipeline crossing an established floodplain and will cause a temporary disturbance of the floodplain but will restore the original grades and reseed with a native seed mix. Current floodplain ordinances do not address temporary disturbances of floodplains. Commissioner Bushner referred to the OneOK Construction Mitigation and Restoration Plan for stream and river crossing plans.
- *Land Use Administrator/GIS Coordinator Recruitment* – The Commissioners considered candidates for the posted vacancy of Land Use Administrator/GIS coordinator as interviewed at the work session on April 10, 2018. The Commissioners opted to offer the position to Mr. James Price and directed Administrator Andrea Calhoun and Land Use Administrator/GIS Coordinator Rich Birnie to make the offer and begin initial hiring discussions on their behalf.
- *Pending Land Use Activity* – Birnie reported the following pending applications for April:
  - Pariset Farms, LLLP, to divide a homestead and 13.19 acres of land, more or less, from 400 acres, more or less, on County Road U in the NW ¼ of Section 19, T1S, R45W, for purpose of resale.
  - Pariset Farms, LLLP, to divide 4.19 acres of land, more or less, from 305 acres, more or less, on County Road 28 in the SW ¼ of Section 12, T1S, R46W, for purpose of resale.
  - Roberta M. & S. Mervin Armagost Trust B, to divide 7 acres of land, more or less, from 36.69 acres, more or less, on County Road L in the NW ¼ of Section 22, T2N, R47W, for purpose of resale.
  - Elmer R. & Ramona M. Jernberg Revocable Living Trust, to divide a homestead and 10.00 acres of land, more or less, from 320 acres, more or less, on County Road C in the SE ¼ of Section 30, T4N, R48W, for purpose of resale.



### GIS

- *Addresses* – Birnie said he will continue to work on the City of Wray addresses while editing street centerlines.

### OneOK Pipeline Updates

At 1:50 p.m., the Commissioners were joined by Mr. Michael Gillespie, Mr. Matt Wright, and Mr. Adam Hoffer of OneOK to discuss the current status of the Elk Creek Pipeline as well as the permitting process for road boring. Also present was Land Use Administrator/GIS Coordinator Rich Birnie and Road & Bridge Supervisor JR Colden. Gillespie reported that most of the easement negotiation in Yuma County is completed at this time and that the estimated date for construction to resume would be roughly July depending upon permitting.

The group discussed various crossings including County road crossings and a crossing of the South Fork of the Republican River and reported that 30 crossings are estimated to be necessary in Yuma County. In a floodplain, Gillespie explained the ideal is to bore under the waterway channel. Gillespie reported that discussions are in process with the Army Corps of Engineers for permitting to cross the waterway.

Wright discussed current practices in directional boring and reviewed the differences between the existing 16" pipeline that will run roughly parallel to the new 20" heavy wall pipeline including a two-layer casing that is now utilized for crossings. For a 20" pipeline the bore is estimated to be approximately 24" and will run approximately 5 feet under the barrow ditch. Gillespie reported that a pipe is 80' long and pipes are laid so that joints between pipes would not fall under roads. Additionally, Wright reported that pipes are cased with two different coverings to help protect the pipe from damage from rocks and equipment after installation. Wright presented a series of diagrams to illustrate common road boring practices employed by OneOK.

Gillespie inquired of the group as far as what Yuma County is looking for in terms of a performance bond terms and value. Colden discussed concerns for settling over time and expressed his preference for a 5-year term on the bond to cover potential settling. The Commissioners discussed the potential for unusual weather that may unexpectedly uncover pipeline and requested an explanation as to how such a situation would be addressed. Gillespie reported that, following notification, OneOK would send a crew out to repair and re-bury the pipeline under the supervision of Yuma County. The Commissioners discussed the value of the performance bond and requested a bond term of 5 years. Gillespie will take the discussion back to OneOK and be in touch. The Commissioners also requested surveys of all of the crossings sufficient that the pipeline can be located on County GIS software.

### Emergency Management Update

Yuma County Emergency Manager Roger Brown stopped by the meeting at 3:20 p.m. to provide updates on the blizzard in Yuma County on April 13 and April 14. Brown reported current work on a valuation of agricultural damages and working with Farm Bureau to assess whether financial damages were sufficient enough for an agricultural disaster declaration. Brown also reported having been contacted by Senator Corey Gardner's office with an offer of support should a disaster declaration be needed.

### Clerk's Staffing Updates

Yuma County Clerk Beverly Wenger joined the meeting at 3:35 p.m. to discuss a recent resignation in her Motor Vehicle office that significantly handicaps Driver's License operations. Wenger reported that there is currently no depth of training available for replacement and she is working to coordinate support from surrounding counties to provide services until a new employee can be hired and trained. Wenger stated that, in the absence of this support, the Driver's License office will need to be closed. Wenger reported that, due to her recent vacancy, she already had a strong applicant pool and qualified candidates and has backfilled the position with an existing applicant.

Wenger also requested clarification on personnel policy for a staff member who did not attend work the morning of April 13, 2018, the first day of the blizzard, when County Offices were closed at 10:00 a.m. Wenger requested



clarification as to whether the employee would be paid for the six hours of adverse weather closure for the time or whether policy prohibits her from being paid for the time. The Commissioners considered the policy as written and the intent of the policy and determined they would pay the six hours of adverse weather pay as the employee was instructed to stay home by Wenger due to weather, however they would not pay the full day.

#### Sheriff's Donated Vehicles

Sheriff Day joined the Commissioners at 4:15 p.m. to discuss a press request for information on vehicles donated to the Yuma County Sheriff's Office by Channel 7 News. Sheriff Day reported that the question at hand is whether he has sold HR218 status relating to the ability for peace officers to carry concealed weapons in exchange for donations. Sheriff Day explained HR218 and his receipt of a pickup donated by the Law Enforcement Education Foundation. Sheriff Day also conveyed that it is unsafe for him to release the names of his volunteers and is against his policy to do so. Sheriff Day explained that the pickup was received via a grant from the Law Enforcement Education Foundation and was received following application for the grant.

#### Administrator's Report

Administrator Andrea Calhoon reviewed calls, correspondence, and presented the following for action:

- *Certification of Accounts Payable* drawn on Yuma County Funds on April 11, 2018 with Check #67790 for \$2,046.01, on April 16, 2018 with Check #67791 through #67956 for \$528,702.49, and WY Comm Center Funds with Check #8179 through 8187 for \$3,075.86 were signed by Chairman Trent Bushner.
- *CAPP Report & Workers Compensation Claim Review* – The Commissioners heard information on pending CAPP claims and the current status of the 2017 hail storm claim as well as updates on current Worker's Compensation claims.
- *Signatures and Ratifications* –
  - Invoices/Finance Requests:
    - Fairgrounds Speaker Purchase – The Commissioners discussed the requested purchase of a new set of speakers for the Yuma County Fairgrounds as requested by the Yuma County Fair Board. Discussion was pended until after the next Fair Board meeting.
    - Fairgrounds Arrow Pen Bid – The Commissioners revisited the bid for a 6-head Half Arrow Pen originally considered at the February 14, 2017 meeting for the Yuma County Fairgrounds. The bid was obtained from WW Livestock Systems and, per original discussions, was to be incorporated with improvements planned in 2017, but purchased in 2018. **Commissioner Wiley moved to approve the bid from WW Livestock Systems for the purchase of a six-head Arrow pen for a total of \$4,716.00 plus freight to be paid from Conservation Trust Fund Account 06-000-8920. Commissioner Wingfield seconded the motion, which passed unanimously.**
    - Seal and Logo Copyright Transfer Agreement – The Commissioners discussed an agreement with Jared Josh for the transfer of ownership rights for two images created for Yuma County including a logo and a proposed seal. The agreement transfers ownership and copyrights to Yuma County.
    - Road & Bridge FHWA Training Reimbursement – The Commissioners received a recommendation from Calhoon on the processing of travel expenses for Road & Bridge employee Don Marr for an upcoming Federal Highway Administration Training to be held



in Wisconsin. Calhoon presented an estimate of the expenses and an proposal to issue two prepaid Visa gift cards at a cost of \$3 each to be purchased from Wray State Bank to cover lodging, mileage and per diem, which Mr. Marr will repay following his reimbursement receipt from FHWA. An updated procedure was recommended due to the FHWA requirement that the participant be reimbursed directly as opposed to reimbursement of the employing agency. Following reimbursement from Mr. Marr, there will be no out-of-pocket expense for the training for Yuma County.

- Fairgrounds Use Fees – The Commissioners heard requests for fairgrounds use for the Yuma Police Department, a standing request for fee waiver from Old Threshers for business meetings, and a fee review for Turn 'N Burn for the Cure.

**Commissioner Wingfield moved to approve fairgrounds use fees of \$50 restroom fee per day for the Yuma Police Department trainings to be held on August 26-28, 2018, and October 2-5, 2018 for use of the Concessions building, restrooms, and the CDL testing site. Commissioner Wiley seconded the motion which passed unanimously.**

**Commissioner Wiley moved to waive fairgrounds use fees for 2018 for use of the back conference room by the Old Threshers for business meetings only. Commissioner Wingfield seconded the motion and it passed by unanimous vote.**

**Commissioner Wiley moved to approve a fairgrounds use deposit of \$250 for the annual Turn 'N Burn for the Cure barrel race to be held August 9-13, 2018. Commissioner Wingfield seconded. The motion passed unanimously.**

- Grant Contracts and Updates – The Commissioners reviewed the following grant updates:
  - Grey & Black-Market Marijuana Grant Disbursement – The Commissioners reviewed a disbursement receipt for the 2017 Grey & Black-Market Marijuana Grant program awarded to Yuma County totaling \$25,994.33.
- *Department Reports* – The Commissioners reviewed March 2018 Treasurer's Report, March 2018 Clerk & Recorder's Report, March 2018 TV System Maintenance Log, Q4 2017 Murphy Brown Monitoring Report, and the 2017 Murphy Brown Annual Air Report.
- *Prior Meeting Follow-Up* – Calhoon provided updates on prior meeting discussion and action items. The Commissioners heard updates on Yuma County Fair planning, the Yuma 1 and Idalia Tower site updates, and the implementation of Financial Edge, Yuma County's new accounting software package.
- *Correspondence* – Calhoon reported on the donation of 2018 Yuma County Fair ticket vouchers provided to all four County high schools as door prizes for their after-prom parties. Each school received 8 vouchers to give out. Calhoon also reported that Yuma County will host the Northeast Region County Administrators group for a business meeting and training session on April 20, 2018.
- *Oil & Gas Updates* – Calhoon reported no updates since the last meeting on the Elk Creek pipeline installation that OneOK has proposed to run through Yuma County.
- *Maintenance Updates* – Calhoon provided updates on facilities maintenance projects and provided feedback from Rockwell Construction on the necessity of repairs to the grandstand roof at the Yuma County Fairgrounds. The group acknowledged receipt of bids from Bill Heberlein for \$26,000, JPage Construction



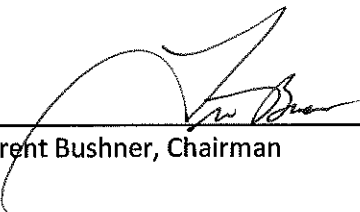
for \$32,246.67, and Keven Means Construction for \$52,126.67 for repair of the roofing. The Commissioners pended the discussion for the finalization of the bid from Rockwell Construction as well as a review of available Conservation Trust Fund funds.

- *HR Updates* – Calhoon reported updates on County Human Resource topics including policy and salary structure reviews, safety-sensitive position identification, recruitment efforts for County employment vacancies, timelines for updates from the assigned Apparel Committee, and pending HR issues. The Commissioners approved an outside employment request for Administrator Andrea Calhoon to teach evening management courses at Morgan Community College beginning fall semester, 2018. The Commissioners also reviewed applications for the position of Seasonal Fairgrounds Maintenance.


**Commissioner Wiley moved to hire Jaden Campbell for the position of Seasonal Fairgrounds Maintenance to begin May 1, 2018 and run no longer than September 30, 2018 with salary authorization to follow at a subsequent meeting. Commissioner Wingfield seconded the motion, which passed unanimously.**

- *Administrator Six-Month Performance Evaluation* – The Commissioners convened in Executive Session at 5:15 p.m. under CRS 24-6-402(4)(f) for purposes of completing a performance evaluation with County Administrator Andrea Calhoon. Present were Chairman Trent Bushner, Commissioner Robin Wiley, Commissioner Dean Wingfield, and Administrator Andrea Calhoon. The Commissioners adjourned Executive Session and resumed the regular business meeting at 6:00 p.m.

There being no further business, the meeting adjourned at 6:03 p.m. The next regular meetings of the Board of County Commissioners will be on April 30, 2018 and May 15, 2018.

  
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Trent Bushner, Chairman

  
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Andrea Calhoon, Administrator

ATTEST:   
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Beverly Wenger, County Clerk

