

YUMA COUNTY COMMISSIONERS

October 29, 2020

Minutes<sup>1</sup>

On October 29, 2020 at 8:00 a.m., the Yuma County Board of Commissioners met in regular session. Chairman Dean Wingfield, Commissioner Robin Wiley, Commissioner Bushner, and Administrator Andrea Calhoon were present throughout the day. The meeting was open to the public via teleconference due to the COVID19.

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

Liquor License

Deputy County Clerk Nancy Wright joined the meeting at 8:15 a.m. to present the retail liquor license renewal for Route 36, DBA The Grainery. **Commissioner Bushner moved to approve the renewal of the retail liquor license for Route 36 DBA The Grainery. Commissioner Wingfield seconded the motion. It passed by unanimous vote with Commissioner Wiley abstaining.**

Human Services

The Board of County Commissioners convened as the Board of Social Services at 9:00 a.m. Human Services Director Kara Hoover, Bookkeeper Melanie Fisher, and Receptionist Robin Stich were present. Detailed minutes of the Board of Social Services are maintained separately by the Department of Human Services.

The Board of County Commissioners reconvened at 9:25 a.m.

Road and Bridge

Road & Bridge Supervisor Tom Andersen joined the meeting at 10:00 a.m. to provide department updates. Also in attendance were Blade Foreman Justin Lorimer and Truck Foreman Jeremy Lund.

- *Right of Way Question* – Andersen discussed the ownership of a right-of-way on County Road EE south of the highway with a fence corner post that is near the edge of the County Road creating a potential safety hazard. Andersen will contact the landowner to discuss potential resolution options and will report back.
- *Traffic Counts* – Andersen presented for review traffic count reports that were taken this year for the Commissioners' review.
- *Tractor Prices* – Andersen presented updated bids on a mowing tractor that was reported to have significant mechanical issues at a previous meeting. The group discussed the differences between the two different models presented and the needs of use. Andersen reported on employee feedback from test use. **Commissioner Wiley moved to approve purchase of a Deutz-Fahr 6155 tractor from Taylor Implement for \$107,999 plus 1000 lb weights to be paid from Fund 2. Commissioner Bushner seconded the motion, which passed unanimously.**
- *Personnel* – Andersen presented salary authorization requests for truck drivers Andrew Hagemeyer and Cecil Dull for the expiration of their six-month probationary period. **Commissioner Wiley moved to approve the salary authorizations for truck drivers Andrew Hagemeyer and Cecil Dull as presented. Commissioner Bushner seconded the motion and it passed unanimously.**
- *Unit 167* – Andersen presented a PubWorks report indicating the total repair input cost into truck #167, which is currently on its way to Greeley for further repair. Lund reported that the repairs are almost exclusively related to diesel exhaust fluid issues. MHC has proposed a \$35,000 trade-in value toward the purchase of a new truck in its place and Lund presented pricing on trucks available on the MHC lot. The group discussed the differences between trucks ordered through the government discount programs versus purchasing trucks off of the lot and forgoing the discount.
- *Executive Session* – **Commissioner Wiley moved to enter into executive session at 11:00 a.m. under CRS 24-6-402(4)(f) for personnel matters to conduct an employee evaluation. Commissioner Bushner seconded the motion and it passed by unanimous vote.** Present for executive session were Chairman

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





Dean Wingfield, Commissioner Robin Wiley, Commissioner Trent Bushner, and Road & Bridge Supervisor Tom Andersen. Executive session ended at 11:30 a.m. No action was taken following executive session.

Dusty Johnson, Congressman Ken Buck's Office

At 11:40 a.m., Dusty Johnson of Congressman Ken Buck's Office joined the Commissioners via teleconference to present federal legislative updates. Johnson discussed Congressman Buck's work on anti-trust legislation, work on investigation of various 2020 election information and barriers that have been reported, efforts to assess history curriculum in public schools, a bill addressing the establishment of standards for film in response to a recent controversial documentary regarding children's dance, and efforts to establish legal repercussions for participants in and funders of violent riots.

The Commissioners shared topics of concern from their perspectives including concern over censorship of information by organizations like Google and Facebook. Due to technical difficulties, Johnson will plan to join the meeting in person again at the end of November to check in on further local issues.

Land Use

Land Use Administrator Colten Yoast was heard at 1:00 p.m. to review Land Use and GIS business and conduct Land Use hearings.

- **Land Use Hearings** – Land use hearings opened at 1:00 p.m. Yoast presented the following for signature.
  - **EFS 1020-09 for Robert Twiss** to divide 20.32 acres, more or less, into five parcels ranging from 0.43 acres more or less to 8.48 acres mor or less, in the SE ¼ of Section 18, T1N, R43W for purpose of resale.
  - **EFS 1020-10 for William & Jane McEntire** to divide 5 acres, more or less, from 221.81 acres, more or less, in the S ½ of Section 3, T1N, R44W for purpose of dividing the homestead from the farm ground. Yoast presented a requested stipulation from an attorney representing the neighboring landowners that any abandonment of the easement roadway include reasonable notification to neighboring landowners.

No public comment was noted on the exemption from subdivision application for Twiss.

Neighboring land owner concerns were heard regarding the exemption for subdivision for William & Jane McEntire regarding the intended use of the property and the potential impacts on neighboring properties. The Commissioners clarified that the application under consideration today is in reference to a division of property and not with consideration to future uses or construction. The Commissioners also clarified that any abandonment of public roadways would already require notification to surrounding landowners.

Land Use Hearings closed at 1:26 p.m.

**Commissioner Wiley moved to approve signature on Resolution 10-29-2020 B approving exemption from subdivision EFS 1020-09 for Robert Twiss to divide 20.32 acres, more or less, into five parcels ranging from 0.43 acres more or less to 8.48 acres mor or less, in the SE ¼ of Section 18, T1N, R43W for purpose of resale. Commissioner Bushner seconded the motion. It passed unanimously.**

**Commissioner Bushner moved to approve signature on Resolution 10-29-2020 C approving exemption from subdivision EFS 1020-10 for William & Jane McEntire to divide 5 acres, more or less, from 221.81 acres, more or less, in the S ½ of Section 3, T1N, R44W for purpose of dividing the homestead from the farm ground. Commissioner Wiley seconded the motion. It passed unanimously.**



- **Administrative Land Use Permit** – Yoast presented administrative land use permit ADM 1020-06 for an administrative lot line adjustment re-adjointing parcels in the SE ¼ of Section 18, T1N, R43W. **Commissioner Wiley moved to approve signature on Resolution 10-29-2020 D approving administrative land use permit ADM 1020-06 re-aligning parcels in the SE ¼ of Section 18, T1N, R43W. Commissioner Bushner seconded the motion and it passed by unanimous vote.**
- **Land Use Code Changes** – Yoast provided language on proposed land use code for review including clarification of the language around the number of dwellings permissible on a single parcel by size and an evaluation of age restrictions on mobile homes in Yuma County.

#### GIS

- **Current Projects** – Yoast reported on various GIS topics including the online map and public utility mapping work.

#### Bev Wenger, Yuma County Clerk

Yuma County Clerk Bev Wenger joined the Commissioners at TIME to present Resolution 10-29-2020 A closing the Yuma County Clerk's Office on November 3 for administration of the 2020 election. **Commissioner Wiley moved to approve signature on Resolution 10-29-2020 A closing the Yuma County Clerk's Office on November 3 for conduction of the 2020 election. Commissioner Bushner seconded the motion. It passed by unanimous vote.**

Wenger also presented updated salary authorizations for Monica White and Perla Brown for completion of motor vehicle certifications. **Commissioner Wiley moved to approve the salary authorization requests for Monica White and Perla Brown for increased responsibilities and certification as presented. Commissioner Bushner seconded the motion. It passed by unanimous vote.**

#### Financial Reports

Finance Officer in Training Sarah Carwin joined the meeting at 2:20 p.m. to provide financial updates including compensatory and personal leave balance reports, capital expenditures to date, and updates regarding some policy change discussions occurring within the Finance Department intended to improve protocols.

#### Todd Combs, Yuma County Sheriff

Yuma County Sheriff Todd Combs joined the Commissioners at 2:30 p.m. to discuss staff vacancies and office updates. **Commissioner Wiley moved to approve the salary authorization for new hire Patrol Deputy Trever Buchanan as presented. Commissioner Bushner seconded the motion. It passed by unanimous vote.**

Combs also provided various office updates including updates on recent case work within his office.

#### Administrator's Report

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

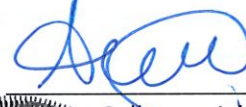
- **Minutes** – The Commissioners reviewed the minutes from the previous BOCC meetings. **Commissioner Wiley moved to approve the minutes from the October 15, 2020 regular meeting and the October 16, 18, and 23, 2020 special meetings of the Board of County Commissioners. Commissioner Bushner seconded the motion, which passed unanimously.**
- **CAPP Report & Claim Review** – The Commissioners heard information on pending CAPP and workers' compensation claims.
- **Signatures and Ratifications** –
  - Resolutions/Ordinances/Signatures:




- **Commissioner Wiley moved to approve signature on Resolution 10-29-2020 E transferring the Soehner Water Rights of \$29,412.50 from Fund 10 to Fund 1. Commissioner Bushner seconded the motion, which passed unanimously.**
  - Grant Updates:
    - The Commissioners reviewed information regarding pending and submitted grant applications including: the receipt of final payment for the two GOCO grants associated with the construction of the beef barn expansion for the Ag Innovation group, DOLA energy impact funds for chip sealing of the Eckley Road, and CDOT multimodal funds for sidewalk updates in cooperation with the City of Wray. The Commissioners also heard a report on the issuance of small business grants utilizing CARES Act Coronavirus Relief Fund dollars.
- *Department Reports* – The Commissioners heard various department updates including a report on a grant for \$20,844.40 obtained by Yuma County Emergency Management from the Northeast Colorado Healthcare Coalition for purchase of personal protective equipment for Yuma County agencies, planned work on the Highway User Tax Fund road inventory, and the October 2020 Veteran’s Service Officer report.
- *Prior Meeting Follow-Up* – Calhoon provided updates on ongoing projects.
- *Correspondence* – Calhoon presented correspondence received since the last meeting including a letter received from Colorado Parks and Wildlife regarding the Hale Ditch and notification from Colorado Counties, Inc. regarding plans for the 2020 winter conference. **Commissioner Wiley moved to approve signature of acknowledgement on the CPW notice of intention to exchange land interests with the Republican River Water Conservation District for the Hale Ditch. Commissioner Bushner seconded the motion and it passed by unanimous vote.**
- *CDL Testing Unit* – Calhoon provided updates on the status of the Yuma County CDL testing unit including the status of certification for examiners and updates on research related to the employment status of CDL examiners with Yuma County.
- *Oil & Gas Updates* – Calhoon reported on oil and gas updates since the last meeting including litigation to which Yuma County is party regarding rulemaking by the Air Quality Control Commission.
- *IT Updates* – Calhoon presented updates on various IT-related topics including updates to the website and plans for the implementation of a VOIP phone system at Road & Bridge.
- *Maintenance Updates* – Calhoon reported on various facilities maintenance topics including the intended disposal method for the old fairgrounds scale house.
- *HR Updates* – Calhoon reported updates on county Human Resource topics including policy updates and county vacancies. Also discussed were challenges seen in unemployment claim awards and updates on the planned process for open enrollment in November.

There being no further business, the meeting adjourned at 4:15 p.m. The next regular meetings of the Board of County Commissioners will be on November 13, 2020 and November 30, 2020.

  
Dean Wingfield, Chairman

  
Steve Calhoon, Administrator

ATTEST:   
Beverly Wenger, County Clerk





**RESOLUTION OF  
THE YUMA COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION # 10-29-2020A**

**Closing of Clerk's office for Election Day**

**WHEREAS**, the County Commissioners of Yuma County, State of Colorado, at a duly and lawfully called regular meeting of said Board of Count Commissioners, held on the 29th day of October, 2020, and:

**WHEREAS**, the Yuma County Clerk and Recorder is the Official Election Coordinator for the Coordinated Election to be held on November 3<sup>rd</sup>, 2020;

**WHEREAS**, the Yuma County Clerk and Recorder office is short staffed at present and would not be feasible to keep MV nor Recording open during Election Day.

**WHEREAS**, the Yuma County Clerk and Recorder's office is able to use all staff to assist with the election;

**THEREFORE**, be it resolved by the commissioners of the County of Yuma, Colorado, the offices (including Motor Vehicle, Recording, and Driver License) of the Yuma County Clerk and Recorder's office in Wray and the Branch Office in Yuma will be closed for regular business and will conduct only Election business on November 3<sup>rd</sup>, 2020 for the 2020 General Election.

ADOPTED, this 29<sup>th</sup> day of October, 2020

THE BOARD OF COUNTY COMMISSIONERS  
OF YUMA, COUNTY, STATE OF COLORADO

Dean Wingfield, Chairman

Robin Wiley

Trent Bushner

ATTEST:

Beverly A Wenger  
Yuma County Clerk and Recorder





**BOARD OF COUNTY COMMISSIONERS  
COUNTY OF YUMA, STATE OF COLORADO**

**RESOLUTION NO. 10-29-2020 E**

**A RESOLUTION TRANSFERRING \$29,412.50 FROM THE YUMA COUNTY WATER  
AUTHORITY FUND 10 TO THE GENERAL FUND 1**

**WHEREAS**, Surplus fund balance and revenues in the Water Authority Fund 10 are available and will be used for this interfund transfer, and;

**WHEREAS**, the Board of County Commissioners purchased Soehner water rights on December 30, 2009 in the amount of \$739,469.96, and;

**WHEREAS**, Soehner water rights were leased to the Republican River Water Conservation District in 2019 producing \$29,412.50 in revenue, and;

**WHEREAS**, the Board of County Commissioners are the only entity that held interest in the Soehner Water rights, therefore it is dedeed the lease revenue should be transferred to the Yuma County General Fund, and;

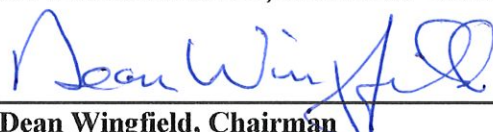
**WHEREAS**, this transfer is in the amount of revenue received for leasing the Soehner water rights in 2019;

**NOW, THEREFORE, BE IT RESOLVED**, the Commissioners of Yuma County, State of Colorado, approve the transfer of twenty-nine thousand four hundred twelve dollars and fifty cents from the Yuma County Water Authority Fund 10 to the Yuma County General Fund 1.

The above and foregoing Resolution was, on motion duly made and seconded, adopted by unanimous vote of the Yuma County Board of Commissioners on the 29<sup>th</sup> day of October, 2020.

**ADOPTED THIS 29<sup>th</sup> DAY OF OCTOBER, 2020.**

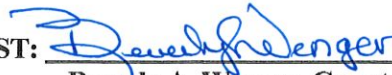
**THE BOARD OF COUNTY COMMISSIONERS  
OF YUMA COUNTY, STATE OF COLORADO**

  
\_\_\_\_\_  
Dean Wingfield, Chairman

  
\_\_\_\_\_  
Trent Bushner, Commissioner

  
\_\_\_\_\_  
Robin Wiley, Commissioner



ATTEST:   
\_\_\_\_\_  
Beverly A. Wenger, County Clerk

Transfer \$29,412.50 F10 to F1

Resolution 10-29-2020 E

Page 1 of 1

  
00009432 11/16/2020 2:56 PM  
Yuma County Recorder, BEVERLY WENGER Page 1 of 1  
COMMUN R 0.00 S 0.00 ST 0.00 D 0.00

