



YUMA COUNTY COMMISSIONERS
February 28, 2022
Minutes¹

On February 28, 2022 at 8:00 a.m., the Yuma County Board of Commissioners met in regular session. Chairman Robin Wiley, Commissioner Trent Bushner, Commissioner Scott Weaver, and Administrator Andrea Calhoon were present throughout the day.

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 Commissioners at 8:15 a.m. to present for signature the previously approved retail liquor license renewal for Milan Ventures and to present for approval the retail liquor license application for Kirk Supers. The Commissioners received and read numerous letters of public comment regarding the issuance of the license.

Commissioner Weaver moved to deny the retail liquor license permit for Kirk Supers based on the receipt of significant public opposition and to allow a 60-day appeal process for the applicant for the submission of additional information if available. Commissioner Bushner seconded the motion, which passed by unanimous vote.

Road and Bridge

Road & Bridge Supervisor Tom Andersen, Blade Foreman Justin Lorimer, and Truck Foreman Jeremy Lund joined the meeting at 8:30 a.m. to provide department updates.

- *Eckley Road Chip Seal* – Andersen provided updates on the planned fog coat for the Eckley chip seal project planned for May. Pricing will be subject to material costs at the time.
- *Staffing* – Andersen gave a report on interviews conducted last week for the posted Parts Clerk vacancy.
- *Road Report* – Lorimer provided updates on current road work including the rebuild project on County Road LL.5.
- *Permits* – Andersen presented for approval the following road access permits:

Pauly Construction to bore under County Road Y along County Road 35 to replace a fiber optic line. **Commissioner Bushner moved to approve the road access permit for Pauly Construction as submitted. Commissioner Weaver seconded the motion. It passed by unanimous vote.**

Viaero Wireless re-application for a previously denied permit to bore and trench fiber optic line along the road rights of way of County Road DD and County Road CC near County Road 19. **Commissioner Weaver moved to approve the road access permit for Viaero Wireless as re-routed. Commissioner Bushner seconded the motion, which passed unanimously.**

Human Services

The Board of County Commissioners convened as the Board of Social Services at 9:30 a.m. Human Services Director Kara Hoover and Bookkeeper Melanie Fisher 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 10:15 a.m.

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



Public Comment

Mr. Benny Cantrell was heard to issue public comment at 10:20 a.m. Mr. Cantrell requested the opinion of the Commissioners regarding a potential State-wide ballot initiative to allow the establishment of County oil and gas commissions that would allow Counties to take over governance of oil and gas at the local level without State governance. The Commissioners expressed support for the idea of local control of oil and gas governance but also discussed the challenges of financing and enacting a State-wide initiative. The group discussed the status of oil and gas production in the State of Colorado.

Financial Reports, Sarah Carwin

At 10:35 a.m. Finance Officer Sarah Carwin presented financial reports to the Commissioners including the Women's Pro Rodeo Association agreements for the 2022 Yuma County Fair, the Cinch Rodeo Sponsorship documents for the 2022 Yuma County Fair, various 2022 County Fair planning topics, 2021 County Fair premium issuance updates, various banking protocol updates, WY Comm payroll updates, and updates on 2021 audit preparatory work.

Commissioner Weaver moved to approve the application to Women's Professional Rodeo Association for barrel racing and breakaway roping events at the 2022 Yuma County Fair as presented. Commissioner Bushner seconded the motion. It passed by unanimous vote.

Commissioner Weaver moved to approve the salary authorization requests for WY Comm Staff Paige Packer and Jordan Henson effective March 1, 2022 as approved by the WY Communications Board. Commissioner Bushner seconded the motion, which passed unanimously.

OWN Resources, Niels Phaf and Greg Jones

At 11:00 a.m. the Commissioners met with local natural gas production company OWN Resources to discuss status and updates on the recent Colorado Oil and Gas Conservation Commission rulemaking process. Present to represent OWN Resources were Niels Phaf and Greg Jones. The group discussed recent and upcoming rulemaking as well as the upcoming Western and Rural Local Governments Oil & Gas Conference in April.

Phaf reported the establishment of a purchase sales agreement under which OWN Resources will acquire all properties currently held by Foundation Energy, which will increase OWN Resource's Yuma County holdings to approximately 98% of the natural gas production sites in Yuma County.

Phaf discussed the status of the recent Financial Assurance rulemaking and reported that the rules will have detrimental impacts on OWN Resources operations, but that they are likely survivable. The group discussed the pros and cons of the rules as established and the anticipated impacts on local production. Also discussed were additional in-process and upcoming rulemakings as well as previously established rules such as disproportionately impacted communities, high priority habitat, and air quality.

Land Use

County Land Use Administrator Colten Yoast was heard at 1:00 p.m. to conduct Land Use Hearings and review Land Use and GIS Business.

- *Land Use Hearings* – Land use hearings opened at 1:00 p.m. Yoast presented the following applications for signature.



- **EFS 0222-01 for Barbara Ringlein and Robert Hamrick** to divide a parcel of 4.6 acres, more or less, from a parcel of 135.62 acres, more or less, in the NW ¼ of Sec 27, T2N, R48W for purpose of annexation.
- **EFS 0222-02 for Robert Fred Crossland Estate c/o Tara Garton** to divide a parcel of 80 acres, more or less, into two parcels of 2.3 acres, more or less, and 77.7 acres, more or less, respectively, in the NE ¼ of Sec 17, T2N, R43W for purpose of resale.
- **EFS 0222-03 for Robert Fred Crossland Estate c/o Tara Garton** to divide a parcel of 160 acres, more or less, into two parcels of 6.31 acres, more or less, and 153.69 acres, more or less, respectively, in the SE ¼ of Sec 8, T2N, R43W for purpose of resale.
- **Amendment to DEV 0521-02 for Sheldon Kye Energy** to relocate a previously conditionally approved major land use permit for the establishment of an anaerobic digester plant in the NW ¼ of Sec 26, T1N, R48W. Original conditional approval was issued under Resolution 05-28-2021 E.

Various members of the public were present to issue public comment.

Land Use Hearings closed at 1:35 p.m.

Commissioner Bushner moved to approve signature on Resolution 2-28-2022 E approving Exemption from Subdivision EFS 0222-01 for Barbara Ringlein and Robert Hamrick to divide a parcel of 4.6 acres, more or less, from a parcel of 135.62 acres, more or less, in the NW ¼ of Sec 27, T2N, R48W for purpose of annexation. Commissioner Weaver seconded the motion, which passed by unanimous vote.

Commissioner Bushner moved to approve signature on Resolution 2-28-2022 F approving Exemption from Subdivision EFS 0222-02 for Robert Fred Crossland Estate c/o Tara Garton to divide a parcel of 80 acres, more or less, into two parcels of 2.3 acres, more or less, and 77.7 acres, more or less, respectively, in the NE ¼ of Sec 17, T2N, R43W for purpose of resale. Commissioner Weaver seconded the motion, which passed by unanimous vote.

Commissioner Bushner moved to approve signature on Resolution 2-28-2022 G approving Exemption from Subdivision EFS 0222-03 for Robert Fred Crossland Estate c/o Tara Garton to divide a parcel of 160 acres, more or less, into two parcels of 6.31 acres, more or less, and 153.69 acres, more or less, respectively, in the SE ¼ of Sec 8, T2N, R43W for purpose of resale. Commissioner Bushner seconded the motion, which passed by unanimous vote.

Commissioner Weaver moved to approve signature on Resolution 2-28-2022 H approving the amendment to Development Permit DEV 0521-02 for Sheldon Kye Energy to relocate a previously conditionally approved major land use permit for the establishment of an anaerobic digester plant in the NW ¼ of Sec 26, T1N, R48W originally conditionally approved under Resolution 05-28-2021 E. Commissioner Bushner seconded the motion, which passed unanimously.

- *Pending Land Use Activity* – Yoast reported on three potential land use applications expected to be heard next month.
- *Land Use Code* – Yoast reported on the input from the Planning Commission on land use code changes previously discussed related to wind production in Yuma County.



GIS

- *Current Projects* – Yoast reported on various GIS topics including work on the master map, emergency dispatch maps, and general maps for upload to the County website.

Centennial Mental Health, Dr. Liz Hickman

At 2:00 p.m. the Commissioners were joined by Dr. Liz Hickman of Centennial Mental Health to hear program updates. Hickman provided statistical service updates extracted from the 2021 annual report issued by Centennial Mental health. Hickman presented on current service provision as well as the challenges and accomplishments at CMH currently.

Administrator's Report

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

- *Minutes* – The Commissioners reviewed the minutes from the previous BOCC meetings. **Commissioner Weaver moved to approve the minutes from the February 15, 2022 regular meeting 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 Bushner moved to approve signature on Resolution 2-28-2022 A approving the registration of a brand to Yuma County. Commissioner Weaver seconded the motion. It passed unanimously.**
 - **Commissioner Bushner moved to approve signature on Resolution 2-28-2022 B establishing March 20, 2022 and March 20 henceforth as Yuma County Livestock Producers Day. Commissioner Weaver seconded the motion which passed by unanimous vote.**
 - Resolution 2-28-2022 C regarding wind production land use code was not considered.
 - **Commissioner Weaver moved to approve Resolution 2-28-2022 D approving the transfer of \$20,000 from Fund 1 to Fund 13 to fund the reimbursed expenses of the Region 4 Opioid Council. Commissioner Bushner seconded the motion. It passed unanimously.**
 - **Commissioner Bushner moved to approve signature on the agreement with MGT Consulting for conduction of the 2021 Cost Allocation Plan. Commissioner Weaver seconded the motion, which passed unanimously.**
 - Grant Updates:
 - The Commissioners reviewed information regarding pending and submitted grant applications including the Eckley Road chip seal, American Rescue Act funds, and the CDPHE recycling grant.
- *Department Reports* – The Commissioners heard various department updates including the January 2022 TV System Maintenance Log, the February 2022 Veteran's Service Office Report, report on the submission of the 2021 Conservation Trust Fund spending report, and the submission of the 2021 CTSI Worker's Compensation Payroll Audit.
- *Prior Meeting Follow-Up* – Finance and Compliance Clerk Brandi Ritchey provided project updates on the status of properties in Eckley. The group also discussed the status of a recent application to host a horse race at the Yuma County Fairgrounds.



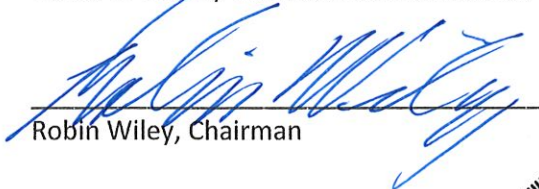
- *Correspondence* – Calhoon presented correspondence received since the last meeting including letters of interest for the advertised vacancy on the Yuma County Fair Board, consideration of the establishment of a local ag appreciation week in line with Yuma County Livestock Appreciation Day, a request for the donation of a package of fair tickets to the City of Yuma, and the establishment of additional upcoming meeting dates. Meeting dates of May 16 & 31, June 14 & 30, July 15& 29, and August 15 & 31 were established. The Commissioners approved the donation of two County-branded tumblers and 4 fair events tickets each to the City of Yuma and the city of Wray for fundraisers as requested. **Commissioner Weaver moved to appoint Jaden Campbell to the Yuma County Fair Board. Commissioner Bushner seconded the motion. It passed by unanimous vote.**
- *CDL Testing Unit* – Calhoon provided updates on the status of the Yuma County CDL testing unit.
- *IT Updates* – Calhoon presented updates on various IT-related topics including updates on the transition to VOIP phones for County operations.
- *Maintenance Updates* – Calhoon reported on various facilities maintenance topics. The group continued their strategic planning conversation related to fairgrounds maintenance and capital planning and reviewed the annual bids for lawn care in Wray and Yuma. **Commissioner Weaver moved to approve the annual lawn care bids as presented. Commissioner Bushner seconded the motion. It passed by unanimous vote.**

Commissioner Bushner moved to approve updated RV rental rates during fair of \$20 per day. Commissioner Weaver seconded the motion, which passed unanimously.

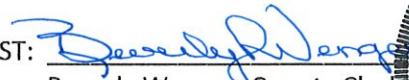
- *HR Updates* – Calhoon reported updates on county Human Resource topics including recruitment and retention, employee training offerings, follow-up on the recently held Emergency Manager interviews, various staffing structure updates, and discussion surrounding a recent conversation with the Yuma County Sheriff's Office regarding recruiting. **Commissioner Weaver moved to approve the 2022 Yuma County Personnel Policy updates as presented. Commissioner Bushner seconded the motion. It passed unanimously.**

Commissioner Weaver moved to approve the Yuma County Commissioners social medial management procedure as presented as a living document. Commissioner Bushner seconded the motion, which passed by unanimous vote.

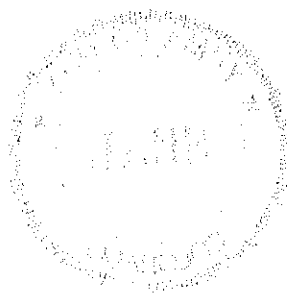
There being no further business, the meeting adjourned at 4:45 p.m. The next regular meetings of the Board of County Commissioners will be on March 15, 2022 and March 30, 2022.


Robin Wiley, Chairman


Andrea Calhoon, Administrator

ATTEST: 
Beverly Wenger, County Clerk







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

RESOLUTION NO. 2-28-2022 A

**A RESOLUTION APPROVING THE REGISTRATION OF A BRAND FOR USE BY YUMA
COUNTY GOVERNMENT**

WHEREAS, the Board of County Commissioners of Yuma County, State of Colorado has convened a duly and lawfully called regular meeting on the 28th day of February, 2022, and;

WHEREAS, Yuma County has requested the registration of a brand for use in the conduction of County business, and;

WHEREAS, the Colorado Department of Agriculture, Brand Inspection Division has researched and confirmed the availability of a brand formally requested for registration to Yuma County, and;

WHEREAS, Yuma County desires to have such brand registered to the entity;

NOW, THEREFORE, BE IT RESOLVED, the Commissioners of Yuma County, State of Colorado hereby approve the registration of a brand as requested to the Colorado Department of Agriculture to Yuma County Government for regular use in the conduction of County business.

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 28th day of February, 2022.

ADOPTED THIS 28th DAY OF FEBRUARY, 2022.


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




Robin Wiley, Chairman



Scott Weaver, Commissioner

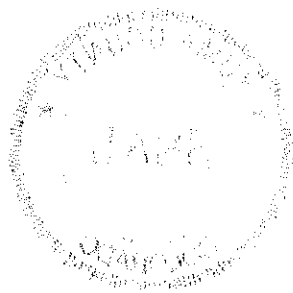


shner, Commissioner

ATTEST: 

Beverly A. Wenger, County Clerk







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

RESOLUTION NO. 2-28-2022 B

**RECOGNIZING THE MANY PAST AND CURRENT CONTRIBUTIONS OF YUMA
COUNTY LIVESTOCK PRODUCERS AND SUPPORTING THE LOCAL RANCHING
INDUSTRY**

WHEREAS, the Governor of Colorado in 2021 proclaimed a boycott of meat products, referred to as a “MeatOut” in order to promote meatless diets as promoted by the Farm Animal Rights Movement (FARM); and

WHEREAS, Yuma County is the second largest agricultural producing county in the State of Colorado, including considerable livestock production; and

WHEREAS, livestock production has historically been, and continues to be, one of the key economic drivers in Yuma County; and

WHEREAS, Yuma County ranching families are part of a \$3.4B state industry with a \$40B economic impact and accounts for 10% of the state’s total export sales; and

WHEREAS, the U.S. Department of Agriculture reports (2017) the annual sale value of Yuma County cattle, calves, poultry, and hogs exceeds \$26M; and

WHEREAS, the 2020-2025 Dietary Guidelines issued by the U.S. Food and Drug Administration recognizes that a variety of animal and plant proteins is important to a healthy diet; and

WHEREAS, Yuma County is a “Right to Farm” county and holds that designation in high regard to protect our active farms and ranches; and

WHEREAS, the Colorado “MeatOut” Day in 2021 was both detrimental to and unsupported by Yuma County, its residents, and the agricultural communities and support network in the State of Colorado; and

WHEREAS, the establishment of a State-encouraged “MeatOut” Day in light of considerable expression of concern in 2021 is both discouraging and disheartening with respect to its impact on the agriculture industry in Yuma County and Colorado.

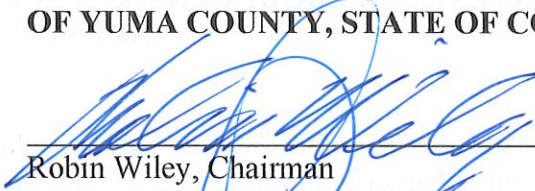
THEREFORE, BE IT RESOLVED, THAT THE YUMA COUNTY BOARD OF COUNTY COMMISSIONERS OF YUMA COUNTY, COLORADO declares its support for our cattlemen and other livestock producers and proclaims March 20, 2022 and every March 20 henceforth as Yuma County Livestock Producers Day; and



BE IT FURTHER RESOLVED, that the Commission express their concern that the Governor of Colorado would again call for a boycott, even of one-day duration, of an industry that is key and essential to both our local and state economy.

ADOPTED this 28th day of February, 2022.

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



Robin Wiley, Chairman

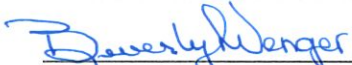


Scott Weaver



Trent Bushner

ATTEST:



Beverly A. Wenger, County Clerk





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

RESOLUTION NO. 02-28-2022 D

A RESOLUTION TRANSFERRING \$20,000 FROM FUND 1 TO FUND 13

WHEREAS, Surplus fund balance and revenues in the General Fund #1 are available and will be used for this interfund transfer, and;

WHEREAS, funding for the Region 4 Opioid Council 2 Year Study required by the Attorney General’s Office will be issued retrospectively as reimbursement, and;

WHEREAS, Yuma County has been appointed as the fiscal agent for the Region 4 Opioid Council, and;

WHEREAS, a contractor has been hired to complete the required 2 Year Study and the Yuma County Attorney to provide legal services to the Region 4 Opioid Council, and;

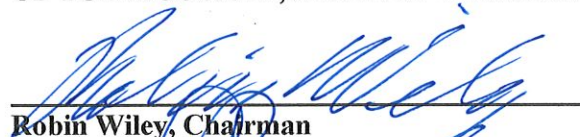
WHEREAS, grand funding is available to reimburse up to \$20,000 of expenses incurred in the establishment of the Regional Opioid Council and conduction of the 2 Year Study;

NOW, THEREFORE, BE IT RESOLVED, the Commissioners of Yuma County, State of Colorado, approve the transfer of twenty thousand dollars (\$20,000.00) from the General Fund #1 to the Fiscal Agency Fund #13.

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 28th day of February, 2022.

ADOPTED THIS 28th DAY OF February, 2022.

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




Robin Wiley, Chairman



Scott Weaver, Commissioner



Trent Bushner, Commissioner

ATTEST: 

Beverly A. Wenger, County Clerk



