



## YUMA COUNTY COMMISSIONERS

February 14, 2023

### Minutes<sup>1</sup>

On February 14, 2023 at 8:00 a.m., the Yuma County Board of Commissioners met in regular session. Chairman Scott Weaver, Commissioner Mike Leerar, Commissioner Adam Gates, and Administrator Andrea Calhoon were present throughout the day, with Commissioner Gates joining virtually.

The Commissioners initiated the meeting with the pledge of allegiance, reviewed and signed accounts payable, and discussed various meetings attended throughout the prior month.

#### Road and Bridge

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

- *Public Comment* – The Commissioners heard public comment from Doug Bauer regarding a request to increase maintenance on a road to a new build home for Marvin and Marla Dixon. The road to the home is currently a primitive category road HH.2 south of 33.6 just south of Wray. The road currently doesn't have any other residences or structures on it and receives minimal maintenance. Bauer issued a request to have the road improved to a regularly maintained road. The Commissioners took the request under advisement and will issue a decision in the future following further research.
- *Equipment Inventory* – Andersen provided a list of current equipment inventory per previous Commissioner request.
- *Road Prioritization* – The group discussed a recent Commissioner request to establish a road prioritization system to manage traffic patterns and priority roads for blading and snow removal.
- *Work Steps Department Procedure* – Andersen proposed a new departmental procedure related to the maximum number of times an employee may attempt the pre-employment physical with Work Steps before being determined not employable. County Administrator Andrea Calhoon is in process researching the legalities and compliance-related issues of such a procedure and will return at a future meeting with a recommendation.
- *GWorks Master Service Agreement* – Andersen presented for approval the updated Master Service Agreement for GWorks, which recently purchased the departmental operating software PubWorks. The Commissioners will review the agreement and consider formal approval at the next regular meeting.
- *Staffing* – Andersen presented an update on departmental vacancies currently.

#### Human Services

The Board of County Commissioners convened as the Board of Social Services at 9:30 a.m. Eligibility Supervisor Dalene Rogers, Child Welfare & Adult Protection Supervisor Hollie Hillman, Administrative Assistant Lori Summers, and Human Services Director Kara Hoover 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 10:40 a.m.

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



#### Ag Innovation Center, Dave Blach et al

At 10:40 a.m. the Commissioners met with Dave Blach, Travis Rogers, and JoLynn Midcap, representatives of the Ag Innovation Center, to hear program updates and goals for 2023. Blach provided an overview of the organization and prior accomplishments for the new Commissioners and introduced current work and plans for accomplishment in 2023. Blach specifically discussed upcoming grant opportunities. The Commissioners inquired as to how the grant opportunities align with the overall strategic plan and what funding priorities exist for the organization. Blach discussed the group's current work on identifying project segments to better align with available funding. The group discussed the interaction between Ag Innovation and the County with respect to funding opportunities, maintenance, and County support for the project. The Commissioners shared their perspectives on the necessity of ongoing operational funds for the project in addition to grants for capital construction as well as an overarching strategic plan for the project.

#### Congressman Ken Buck's Office, Darlene Carpio

At 11:40 a.m. the Commissioners were joined by Darlene Carpio of Congressman Ken Buck's Office to hear federal legislative updates. Among topics discussed were the national debt ceiling and associated national spending controls, work to end the emergency pandemic powers for the Executive Branch and to return federal workers to on-site work. Also discussed were federal efforts toward oil and gas legislative management and legislation regarding personal data collection by China through the TikTok social media platform.

The group discussed local priorities, especially surrounding agricultural water issues and the need for public education on agricultural water, with a focus on Eastern Plains. The Commissioners expressed concern over the local financial impact of state-wide renewable energy tax credits and the community implications for local communities bearing the burden of renewable infrastructure construction with no additional revenue to support the added local burden.

#### County Clerk & Recorder, Bev Wenger

Yuma County Clerk and Recorder Bev Wenger joined the Commissioners at 1:00 p.m. to provide updates on a potential upcoming grant application. Wenger reported an opportunity to append a previously approved grant application for keyless entry to add additional security features. The Commissioners approved the additional grant funding application.

#### 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 Leerar moved to approve the minutes from the January 30, 2023 regular meeting and the February 8, 2023 special meeting of the Board of County Commissioners. Commissioner Gates 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 Leerar moved to approve signature on Resolution 2-14-2023 A declaring Yuma County Livestock Appreciation Day for 2023. Commissioner Gates seconded the motion. It passed by unanimous vote.**

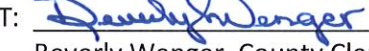


- **Commissioner Gates moved to approve signature on Resolution 2-14-2023 B updating the description location for the previously approved development permit application for Sheldon Kye Energy's biogas plant adjacent to the Yuma Dairy. Commissioner Leerar seconded the motion, which passed unanimously.**
- **Commissioner Gates moved to approve signature on the 2023 cost allocation report preparation contract with MGT Consulting as presented. Commissioner Leerar seconded the motion. It passed by unanimous vote.**
- **Commissioner Leerar moved to approve signature on the 2023 performance bond for the Yuma County CDL Testing Unit. Commissioner Gates seconded the motion. It passed by unanimous vote.**
- **Commissioner Gates moved to approve signature on five additional participation agreements for the national opioid settlement as presented. Commissioner Leerar seconded the motion, which passed unanimously.**
- **Commissioner Leerar moved to approve signature on the updated 2023 COSI Scholarship participation letter following updated amounts received from Morgan Community College. Commissioner Gates seconded the motion, which passed unanimously.**
- Grant Updates:
  - The Commissioners reviewed information regarding pending and proposed grant applications including Yuma County's declination to serve as fiscal agent for the regional Homeland Security Grant.
- *Department Reports* – The Commissioners received various department reports including an update on the administration of the Eastern Transportation Planning Region, discussion of business undertaken by the 911 Authority Board, and updates on the CDL testing unit. The Commissioners discussed a recent personal policy manual draft for the WY Communications Center, scheduling of the Yuma County Sheriff for an upcoming meeting to provide staffing and jail operations updates, a recently received credit on a Black Hills Energy bill, and discussed long-range planning topics such as revenue generation and land use code.
- *Prior Meeting Follow-Up* – The group discussed project updates on the status of properties in Eckley and the discussion of sale of county-owned properties.
- *Correspondence* – The Commissioners established a work session for purposes of training and strategic planning for the Road and Bridge Department and reviewed a request to host a wedding reception and serve alcohol at the Yuma County Fairgrounds. The Commissioners tabled review of the application until insurance and security plan submissions are received and set the alcohol deposit as \$1,500 additional to the existing facility damage deposit.
- *IT Updates* – Calhoon presented updates on various IT-related topics including the status of the VOIP phone transition and electronics recycling options.
- *Maintenance Updates* – Calhoon reported on various facilities maintenance topics. The group discussed the overall staffing model for the Facilities Maintenance team and goals for 2023.
- *HR Updates* – Calhoon reported updates on county Human Resource topics including recruitment and retention, Yuma County Ag Appreciation Week, and various personnel and operational policy updates. Chairman Weaver reported the recommendation of the interview committee following recently held interviews for the Fairgrounds Event Manager. The Commissioners instructed Calhoon on negotiation and requested an employment offer be made. **Commissioner Leerar moved to approve the training request for Compliance Clerk Brandi Ritchey to attend HR Generalist certification training in Denver April 26-28. Commissioner Gates seconded the motion. It passed by unanimous vote.**

There being no further business, the meeting adjourned at 6:50 p.m. The next regular meetings of the Board of County Commissioners will be on February 28, 2023 and March 14, 2023.

  
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Scott Weaver, Chairman

  
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Andrea Calhoon, Administrator

ATTEST:   
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Beverly Wenger, County Clerk



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Yuma County Recorder, BEVERLY WENGER Page 4 of 4  
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**BOARD OF COUNTY COMMISSIONERS  
COUNTY OF YUMA, STATE OF COLORADO**

**RESOLUTION NO. 2-14-2023 A**

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

**WHEREAS**, the State of Colorado established “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**, 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 Yuma County Board of County Commissioners wish to recognize and support the contributions of livestock producers and the agriculture industry in its entirety;

**NOW, 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, 2023 and every third Monday in March henceforth as Yuma County Livestock Producers Day; and

**BE IT FURTHER RESOLVED**, that the Commission recognize and support the ongoing week-long celebration of agriculture in Yuma County known as Yuma County Ag Week.

**ADOPTED this 14<sup>th</sup> day of February, 2023.**



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

  
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Scott Weaver, Chairman

  
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Mike Leerar

  
\_\_\_\_\_  
Adam Gates

**ATTEST:**

  
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Beverly A. Wenger, County Clerk



**RESOLUTION OF  
THE YUMA COUNTY BOARD OF COMMISSIONERS  
Resolution 2/14/2023 B**

**A RESOLUTION CONDITIONALLY APPROVING A CHANGE IN LAND USE FOR A PARCEL OF LAND IN  
SECTION 20 T2N R47W**

**WHEREAS**, The Board of County Commissioners of Yuma County, State of Colorado, has convened a duly and lawfully called regular meeting on the 14<sup>th</sup> day of February, 2023, and;

**WHEREAS**, The Major Land Use Development Permit Application # DEV0222-01 for Sheldon Kye Energy, has been previously heard by the Yuma County Planning Commission on February 15<sup>th</sup>, 2022, which was previously heard and approved by the Board of County Commissioners with stipulations, and;

**WHEREAS**, The Board of County Commissioners notified the public through a legal notice in the local papers that a Public Hearing would take place at 1:00 p.m. on February 28<sup>th</sup>, 2022, in the Commissioner's office at the Yuma County Courthouse, 310 Ash Street, Suite A, Wray, CO 80758, and;

**WHEREAS**, The Major Land Use Development Permit for Sheldon Kye Energy to start development of an anaerobic digester located adjacent to Yuma Dairy north of US Highway 34 located in Section 20, Township 2N, Range 47W, was previously approved but listed an incorrect location description;

**NOW, THEREFORE, IT IS HEREBY RESOLVED:** The Board of Yuma County Commissioners have previously voted unanimously on February 28<sup>th</sup>, 2022 to approve the request with the following stipulations:

- The Applicant shall be responsible for complying with all Federal, State, and Local regulations, rules, codes, conditions, and design standards.
- A road impact fee is established with the Yuma County Road & Bridge department
- An adequate bond for decommissioning is paid to the Yuma County Treasurer
- The facility receives manure only for digestion
- Bonding secured to match the proposed decommissioning plan with the additional conditions of an annual road impact fee of \$5,000 per year for the first five years with review at five years
- The addition of four water monitoring wells with quarterly monitoring reports submitted to the County Commissioners office
- A Commissioner-approved storm water management plan based on 100-year flood criteria
- Full engineering drawings received prior to commencement of any construction including dirt work

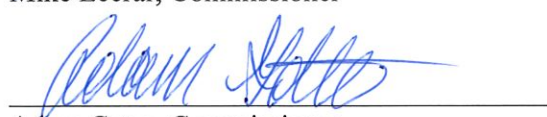
**THIS RESOLUTION AND THE DECLARATION MADE HEREIN** shall be recorded as a matter of Public Record in the Office of the Clerk and Recorder of Yuma County.

**ADOPTED THIS 14th DAY OF FEBRUARY, 2023.**

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

  
\_\_\_\_\_  
Scott Weaver, Chairman

  
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Mike Leerar, Commissioner

  
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Adam Gates, Commissioner

ATTEST:   
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Beverly A Wenger, County Clerk



Corrected resolution previously recorded under document number 00584039, 00581902



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Yuma County Recorder, BEVERLY WENGER Page 1 of 1  
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