

YUMA COUNTY COMMISSIONERS

February 28, 2013

Minutes¹

At 8:00 a.m. the Yuma County Board of Commissioners met in regular session on the 28th of February, 2013, with Chairman Robin Wiley, Commissioners Dean Wingfield, and Trent Bushner present.

Administrator Linda Briggs was present throughout the day.

The commissioners reviewed each other on affiliated meetings that each attended within the last two weeks.

Health and Human Services -

The commissioners conducted business with Dave Henson, Director of the Department of Health and Human Services. Also present: Hollie Hillman, Phyllis Williams, and Dalene Rogers.

Road & Bridge -

In attendance from the Road and Bridge Department were: Supervisor Mark Shaw and Truck/Mining Foreman Howard McGinnis. Road and Bridge personnel updated the commissioners on road department activities.

The following were discussed:

- Road material is being hauled out of the Deterding Pit onto Road U from Road 35 South.
- Gravel is being stockpiled at the Brand Pit.
- There has been some vandalism at the Benton pit. Someone started the loader, ran it around the pit and pushed the bucket down on a port-a-potty. Locks have been installed on the loader to keep this from happening again. This was reported to the sheriff's department.
- The department should not go to the four 10-hour work days until after the first of April. Shaw reviewed what he found on record relating to the request of the county making improvements to the frontage road along Sunset Lane. The county has a right-of-way of 30 feet on each side of the center lane along County Road 34. On the north side, where the frontage road is located, there is an additional deeded 20 foot right-of-way adjacent to the 30 foot right-of-way line. This makes a 50 foot right-of-way on the north side of County Road 34. Shaw said he has made the measurement and the paved frontage road is on north of the county 50 foot right-of-way. The frontage road is on property owned by the residents. A letter received from past commissioner Stanley Shafer stated that the county did the road work on the frontage road in 1975. A discussion ensued. The issues considered were: the county helped construct and maintain the road in the past. The expense of maintaining paved roads has increased. The county cannot keep up with road work as needed on county roads that are listed for highway user taxes. This section of road is not on the list for receipt of highway user taxes. The county no longer constructs roads to new residents as was done in past years. The commissioners recommended that Mr. Blazer be informed that the residents need to decide what type of road improvements are wanted and possibly the owners would consider a special assessment fee to assist with the road maintenance. Shaw will find out the per mile cost for chip sealing a road.

Commissioner Bushner moved to approve the Underground and Utility Permits for the following:

- **YW Electric to install an electric service line under County Road 5 at approximately 1350 feet east of County Road V.**
- **City of Wray/Brimark Builders to install a 4' electric line under County Road HH.5 at approximately 1408 feet southeast of Highway 385.**
- **City of Wray/Brimark Builders to install a 6" sewer line under County Road HH.5 at approximately 1305 feet southeast of Highway 385.**

¹ These minutes prepared by Linda Briggs are summarized discussions, not verbatim.

- **Interstate Irrigation Inc. to install an irrigation line across County Road 39 at ¼ mile west of County Road R.**

Commissioner Wingfield seconded the motion, which passed unanimously.

Ballyneal –

Present: John Curlander, Rupert O'Neal, Ross Brinkema, Grant Bledsoe, Mark Shaw and Howard McGinnis. John Curlander, owner of Ballyneal, asked on behalf of the golf club that Yuma County consider a new road from Hwy 385 to County Road FF. Three property owners are affected: the Bledsoe family, the Brinkema family, and Ballyneal. This road would allow for the following:

Traffic safety as there is an increasing amount of traffic along Roads 43 and FF, some have been sliding off the road with a few rollovers.

This would also be a fire break. There is a pond at Ballyneal which can be used for fighting fires.

School bus safety and efficiency.

Club members prefer traveling the paved roads; this would shorten the number of gravel roads traveled by his members.

Brinkema stated support for the road.

Bledsoe stated he did not object to the road but the siting and liability is important, how it would be considered for erosion mediation, and if it were open-range or fenced. A road was allowed across their property which has been a problem.

The location of the estimated 2-mile road was discussed. The commissioners stated they were open to all road requests; but the county's concerns are the cost of construction and the time it takes from other projects. Because construction costs are high, the county has not built a road for quite some time. The road crew cannot keep up with maintenance on the 2,200 miles of road for which the county is already responsible. Cost of this road would be more expensive due to the sandy soil. The topography of the land is not conducive for a road. Following the discussion, the commissioners said Shaw will work with the property owners in selecting the best location so a cost estimate could be made.

Western Sugar –

Allen Welp and Tyler Deganhart informed the commissioners that the county's stipulations for locating the beet receiving station in the NE/4 of Section 19, T2N, R47 did not set well with Western Sugar. There were two issues: 1) the road impact fee and 2) turning the truck weights over to the county.

During the discussion that ensued, the commissioners restated their previous position, which was to have Western Sugar implement an internal policy with teeth that would monitor the truck weights and not allow repeat offenders of overweight trucks to unload. The county said an up-front fee to assist with the cost to install turning lanes was previously discussed, but Western Sugar did not feel they could do a large fee. The commissioners said they were expecting the fee to generate approximately \$15, 000 a year for 10 years. If Western Sugar would want to present an acceptable solution to these two items they would be considered by the board. [*Commissioner Bushner did not participate in the discussion for he had abstained when the first application was considered in July of 2012.*]

Janelle Devlin / Yuma Housing Authority -

Janelle Devlin dropped in and presented CDBG grant papers for signature. **Commissioner Wingfield moved to sign the Environmental Certification for the Yuma Housing Authority Project of replacing windows and siding on the V.H. Villa Townhomes. Commissioner Bushner seconded the motion. The motion passed by unanimous vote.**

Golden Plains Extension -

Joy Akey & JoLynn Midcap requested a sink be installed in the extension area. Currently, they are using the restroom sink for washing food products. The commissioners approved of having a plumber check into the practicability and cost of installing a sink.

Clerk Beverly Wenger -

Clerk Beverly Wenger said she had discussed with her employees the option of receiving a mileage reimbursement for using their personal vehicles for county business or if they prefer using a county vehicle. The employees were against using their own vehicles. Wenger reviewed the problems with the car the office has been using. The commissioners asked Wenger to talk to Assessor Cindy Taylor to see if the two offices could share a vehicle.

Sheriff Chad Day -

Chad Day said the two pickups had been ordered and presented the final cost. **Commissioner Wingfield moved to purchase two Ram 1 500 pickups at a cost of \$37,434. This cost includes the full wireless package with graphics. The motion passed unanimously, following a second by Commissioner Bushner.**

Inmate medical care cost is over budget. The nurse cannot always respond timely, which has caused transporting inmates to the clinic. Day discussed the possibility of hiring a nurse as a detention officer. This might be possible if a portion of the budget amount for the nurse could be added to the base salary for this position. Day felt better health care could be provided. The commissioners had no objection of making the offer to the current health provider.

The court has sentenced a quadriplegic to 30 days in jail. Other jail facilities have been asked to hold this inmate on behalf of Yuma County, but they have refused. The only option is to have a detention officer on guard 24 hours a day while the inmate is kept at a local nursing home or hospital.

Other topics included staffing adjustments made due to the number of transports and the increased number of court days scheduled. The computer servers are still down. The department is still not getting service from Centennial Mental Health as needed.

Administrator's Report -

Administrator Linda Briggs reviewed calls, correspondence, and presented the following for action:

A motion was made by Commissioner Wingfield and seconded by Commissioner Bushner to approve the minutes of February 15, 2013 with the change to clarify Dee Ann Stults' discussion that the elected official change in salary if approved by the legislature, will be in 2015. The motion passed unanimously.

Commissioner Bushner moved to sign the residence lease with Travis Dinsmore for renting the house at 311 Birch in Wray. Commissioner Wingfield seconded the motion. The motion passed unanimously.

Commissioner Bushner moved to reimburse Jim Schmidt \$500.00, Tim Furnish \$500.00 and Cindy Taylor \$360.62 as documentation has been provided that all or a portion of the 2012 deductible has been paid to the County Health Pool/Anthem Blue Cross. Commissioner Wingfield seconded the motion. The motion passed by unanimous vote.

Commissioner Wingfield moved to sign the Equitable Sharing Agreement and Certification for the Eastern Colorado Plains Drug Task Force which states these grant dollars are in a non-interest bearing account. Commissioner Bushner seconded the motion, which passed unanimously.

Commissioner Bushner moved to sign the Statement of Grant Award to participate in the Colorado Internet Crimes Against Children Task Force (ICAC) under Grant No. 2012-MC-FX-K009, CFDA#16.543 The motion passed by a unanimous vote following a second by Commissioner Wingfield.

Certification of Accounts Payable for February 28, 2013, drawn on Yuma County Funds, with check #53381-53464 totaling the sum of \$325,199.75 and December 31, 2012 dated checks # 53465-53466; and Fund 16 W-Y Combined Communications check #6517 through #6534, totaling the sum of \$37,357.90 were approved and signed by Chairman Trent Bushner.

Certification of Payroll for February 28, 2013, drawn on Yuma County Funds, EFT system #34329 through #34449 and checks #29656 through #29676 totaling the sum of \$211,026.75 along with Fund 16 W-Y Combined Communication EFT system number #4962 through #4975, totaling the sum of \$31,707.91 were approved and signed by Chairman Trent Bushner.

There being no further business, the business meeting was adjourned at 3:00 p.m.

At 3:00 p.m., the commissioners adjourned to hold a personnel evaluation with Mark Shaw. At approximately 3:30 p.m., an open door work session with Mark Shaw was held to discuss operations of the Road and Bridge Department. The work session ended at 5:00.

The commissioners made their routine inspection of the jail.

The next meeting of the board will be March 18 and March 29, 2013.

A listing of meetings attended by the Commissioners during the month of February 2013 is attached.

Robin Wiley, Chairman

Linda Briggs, Administrator

ATTEST: _____
Beverly Wenger, County Clerk