

**YUMA COUNTY COMMISSIONERS**  
**November 27, 2013**

**Minutes<sup>1</sup>**

At 8:00 a.m., the Yuma County Board of Commissioners met in regular session on the 27th of November, 2013, with Chairman Robin Wiley, Commissioners Dean Wingfield and Trent Bushner present.

Administrator Linda Briggs was present throughout the day.

The commissioners reviewed with 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.

**Commissioner Wingfield moved to approve Resolution 11-27-2013 F establishing an account at the First Pioneer Bank for the purpose of a DHS Trust Account to hold funds for others. Commissioner Bushner seconded the motion. The motion passed by unanimous vote.**

Assessor Cindy Taylor and Dee Ann Stults –

Assessor Cindy Taylor and Dee Ann Stults discussed what the county's position should be regarding Colorado Customware, Inc filing for bankruptcy. Based on contacts to other agencies on the CCI program, Taylor and Stults discussed options which included filing a statement to the bankruptcy court stating our position. This will be discussed later in the day when a call is made to Attorney Michael Grinnan.

Road & Bridge -

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

The following were discussed:

- Shaw said they would be finishing Road 54 west of 385. They will be moving south to work on Road 16 west of Hwy 59 and Road V north of Road 2.
- The possibility of permitting the gravel pit which Simon Contractors is using was brought up by the board. The road material stockpiled outside of the pit can be used to improve Roads KK and 9.
- Lessee of the ground just south of the Wray Cemetery has requested the access easement be improved enough to move equipment and trucks across the right-of-way. Following the discussion, it was decided Yuma County would supply 4 loads of material. The lessee would need to haul the material.
- Shaw reviewed the condition of the pavement on Roads 39, J, and H. The board asked to get an estimate for grinding with a chip seal on top.
- Shaw received an email about the rail road crossing arms at County Road H. It sounds as though the railroad is gathering information for that crossing, but there was no commitment at this time.
- Shaw listed employees that he felt should be compensated with an additional level increase. The board asked for the information to be written down and given to staff to be added to the budget request.
- Shaw felt a bonus at the end of the year could be considered for those employees that have earned additional compensation. A bonus would reward an employee, but not permanently increase the level of pay. The board asked that he bring back a proposal in January.
- The road and bridge department started the 8 hour 5 day work week this Monday, November 25<sup>th</sup>.

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<sup>1</sup> These minutes prepared by Linda Briggs are summarized discussions, not verbatim.

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

- Augustus Energy Partners, LLC to install an electric line under County Road 28 approximately 3/8 of a mile east of County Road V.
- Foundation Energy Management LLC to install a produced water line under County Road GG approximately 100 feet south of County Road 7.

And:

- Yuma County Transport Permit for transporting over width loads on county highways to Hess Services to travel, from where Hwy385, Hwy 36, and County Road 12 intersect, west 2 miles on Road 12 then 3 miles south on DD to Hwy 34.

Commissioner Wingfield seconded the motion, which passed unanimously.

Encore Life –

Vonie Weave, Maggie Freeman, and Leonard Hadachek, representing Encore Life, informed the commissioners of their visit to the Boulder Electronic Recycling Center. They were impressed with the facility and how the recycling is done. It was a worthwhile trip. An outline of projections, needs, goals, and time line was presented and reviewed. Encore is considering this as a revenue stream for Encore Life. Collection locations are needed and a storage container at the landfill. Encore wants to make sure they are doing what the county needs. There is a USDA grant that could assist with marketing and education materials, processing and delivery fees. The commissioners voiced support for the project and will work with the City on a collection site. Weaver is to keep the board informed.

Sheriff Chad Day -

Sheriff Chad Day met with the commissioners to discuss the following:

- Day presented an order form requesting parts for repairing plumbing and doors in the jail in the amount of \$2,807. The commissioners confirmed the order could be placed and will come out of the custodian's building budget. (109-6367).
- Due to a computer system crash causing software problems, doors within the jail cannot be opened electronically; therefore, there is not a recording of when the doors are closed. It will cost \$20,800 to replace the hardware and software. They can get by with a \$2,100 dollar software package.
- By year end the jail will have spent close to \$80,000 on two inmates due to the special needs of each. Day explained the extraordinary cost of care for these inmates.
- The Task Force has voted to give the county \$1000 for the expert work done by the Yuma County Finance Officer Vicky Southards. The commissioners requested minutes to reflect the action.
- Two employees are leaving the department within the next three weeks. Adam Wills, a current deputy from Weld County, has accepted the undersheriff position. There was a discussion on which positions need filled.
- Day said he had picked up the mine-resistant ambush-protected (MRAP) vehicle acquired through a military surplus program. It was taller than expected so it is parked in the vehicle building with the clerk's and assessor's cars. Day asked if he could continue to keep it there. The commissioners will look at the building later in the day and let him know. Day stated that other counties have indicated interest in using the MRAP. The commissioners stated concerns as to how it is going to be used. Protocols and training need to be in place along with an MOU if being used by others. The board reiterated it could be a liability to Yuma County. The commissioners stated they are responsible for finances and liability concerns of Yuma County.
- Day informed the commissioner of how he intended for the cell phone lock boxes to be used. He knew the Court Clerk has a concern of someone placing an explosive device in the box. Day said the boxes would not be placed in front of her office. Other options for controlling the cell phone problem were discussed. At the conclusion of the discussion, Day stated the phone lock boxes had not been funded by the grant, just the request for reimbursement of personnel cost was approved.

- The commissioners stated the pickup that received a scrape on the outside of the cab could be driven as is. The claim will not be sent to the insurance company. Every claim sent to the insurance is part of the calculation that establishes the next premium amount.

Roger Brown & Walt Hardesty –

Roger Brown, Yuma County Emergency Management Officer, and Walt Hardesty, Director of the 911 Communications Center met with the board.

Roger Brown requested approval for the 2014 EMPG-LEMS Grant. This is the grant that reimburses one-half of his department's expenditures. It includes the projects planned for next year. The Hazard Mitigation plan will be updated. This will include representatives from the fire departments, City of Wray, City of Yuma, Town of Eckley, CSU Extension, and asked one of the commissioners to participate. Trent Bushner volunteered with all information to be sent to Dean Wingfield as the alternate. **Commissioner Wingfield moved to sign the 2014 EMPG-LEMS Grant in the amount of \$15,568 for the Yuma County Office of Emergency Management. Commissioner Bushner seconded the motion. The motion passed by unanimous vote.**

Walt Hardesty said the consoles at the communications center would need to be upgraded in 2015. This is a nation-wide push to convert signals to the 700 band width. The state has started the upgrade process which means the communication center must also or the communications between agencies will not work. The cost of the consoles and cad system will be close to one million dollars. Roger Brown has volunteered to write the EIAF grant for the April cycle. The commissioners confirmed they would be the hosting county for the grant application.

Hardesty said it has been brought to his attention that the Library portion of the old Otis school building might be an option for the Communications Center. Hardesty said room at the current location is a problem. The commissioners recommended talking to the City of Yuma to see if they would have an alternative location.

Land Use –

At 1:10 p.m., Chairman Robin Wiley opened the hearing for public comment on the Application for Exemption from Subdivision Regulations for Timmie L. Nelson and Patricia A. Nelson to divide 160 acres into three parcels.

Briggs presented the staff report on Nelson's request to separate two parcels less than 35 acres from 160 acres. The 5.70 parcel contains a house. The 26.64 acre parcel in grass lies to the south of the house. The remainder of 127.66 acres more or less is the portion that will be sold. Briggs said no written comments or calls were received at the administrative office relating to this request.

The planning commissioner reviewed the application on November 19<sup>th</sup>. The commissioners reviewed the planning commission recommendation of approval with stipulations.

Through a duly made motion at approximately 1:10 p.m. the hearing was closed.

**Commissioner Bushner moved to approve the Exemption from Subdivision, Resolution #11-27-2013/EFS, for Timmie L. Nelson and Patricia A. Nelson to divide their property located in the SW/4 of Section 13, T1S, R47W into two parcels: An improved tract, containing 5.7 acres, containing a house with the water well and operating septic system and a 26.64 acre pasture tract with no improvements. Commissioner Wingfield seconded the motion. The motion passed by unanimous vote. Recorded under Reception No. 00559156.**

Administrator Briggs presented a lot line adjustment request was presented. **Commissioner Wingfield moved to approve Resolution 11-27-2013-E /ADM approving of lot line adjustment for Mitch and Carmen Witte in the NE/4 of Section 1, T2S, R45W. Commissioner Bushner seconded the motion which passed unanimously. Recorded under Reception No. 00559155.**

2013 Budget Hearing –

At 1:30 p.m., Chairman Wiley opened the hearing to take public comment on the proposed 2014 Budget for Yuma County, as had been published in the papers. No one was present from the public to make comments. Administrator Briggs reviewed the budget summary for all funds. Chairman Wiley closed at approximately 2:00 pm.

Travis Dinsmore / House at 311 Birch –

Travis Dinsmore, employee and renter of the house at 311 Birch, presented a quote for replacing windows through a company outside of the county. He has not been able to get a quote from a local vendor. Dinsmore said the furnace has been installed and updated the commissioners of additional work he has done on the house.

Attorney Michael Grinnan -

Present: Treasurer Dee Ann Stults and Assessor Cindy Taylor. Discussion centered on the bankruptcy of Colorado Customware, Inc. Stults and Taylor said several counties have filed their position to the bankruptcy court. Following the discussion, Grinnan said he would contact Attorney Stephen Monks and ask that he submit a statement to the bankruptcy court objecting to cancellation of the contract with Yuma County. Stults and Taylor discussed their respective option for a new computer program.

Liquor License -

Nancy Wright presented a liquor renewal application. **Commissioner Wingfield moved to approve the Colorado Liquor Retail License renewal application from William Carpenter doing business as Roadhouse Liquors in Idalia, Colorado. Commissioner Bushner seconded the motion. The motion passed by unanimous vote.**

Administrator's Report -

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

**A motion was made by Commissioner Bushner and seconded by Commissioner Wingfield to approve the minutes of November 13, 2013. The motion passed unanimously.**

**Commissioner Bushner moved to send a letter to Governor Hickenlooper requesting a meeting to discuss several issues on behalf of counties that passed the referendum on the 51<sup>st</sup> State Initiative. Commissioner Wiley seconded the motion. The motion passed by unanimous vote.**

Certification of Accounts Payable for November 29 & 30, 2013, drawn on Yuma County Funds, with check #55444 through #55536 totaling the sum of \$423,569.10 and Fund 16 W-Y Combined Communication EFT systems, payable for November 29, 2013, check #6764 through #6781, totaling the sum of \$30,041.86 were signed by Chairman Robin Wiley.

Certification of Payroll for November 29 & 30, 2013, drawn on Yuma County Funds, EFT system #35492 through # 35622 and checks # 29885 through # 29910 totaling the sum of \$224,007.80, and along with Fund 16 W-Y Combined Communication EFT system number # 5089 through # 5101 totaling the sum of \$33,205.24 were approved and signed by Chairman Robin Wiley.

Chairman Wiley signed the Veterans Report for November, 2013.

**Chairman Bushner moved to sign a statement to the First Pioneer National Bank establishing limits for**

**the ACH transmittal limits for monthly payroll direct deposits. Yuma County's limit will be \$300,000 and Washington Yuma Combined Communications limit will be \$50,000. Commissioner Wingfield seconded the motion, which passed by unanimous vote.**

The service line agreement with Source Gas for the house at 311 Birch Street was signed by Commissioner Wingfield on November 7, 2013.

The board approved giving employees a holiday gift certificate in the amount of \$50.

**Commissioner Wingfield moved to approve Resolution #11-27-13 A transferring \$100.37 from the Yuma County General Fund (Fund 1) to the Closure/Post Closure Fund (Fund 21). Commissioner Bushner seconded the motion. The motion passed unanimously.**

**Commissioner Bushner moved to approve Resolution #11-27-13 B transferring \$73.14 from the Yuma County General Fund (Fund 1) to the Conservation Trust Fund (Fund 6). Commissioner Wingfield seconded the motion. The motion passed unanimously.**

**Commissioner Wingfield moved to approve Resolution #11-16-12 C transferring \$207.09 from the Yuma County General Fund (Fund 1) to the TASK Force Fund (Fund 13). Commissioner Bushner seconded the motion, which passed by unanimous vote. (Resolutions attached.)**

**Commissioner Bushner moved to sign a letter supporting Lincoln County's application to establish a Foreign Trade Zone in Eastern Colorado. Commissioner Wingfield seconded the motion. The motion passed by unanimous vote.**

The commissioners made their routine inspection of the jail.

There being no further business, the meeting was adjourned at 3:30 p.m. The next meeting of the board will be December 16 and December 31, 2013.

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

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Robin Wiley, Chairman

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Linda Briggs, Administrator

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