

# YUMA COUNTY COMMISSIONERS

January 31, 2014

## Minutes<sup>1</sup>

At 8:00 a.m., the Yuma County Board of Commissioners met in regular session on the 31st of January, 2014, with Chairman Dean Wingfield, and Commissioners Robin Wiley present. Commissioner Trent Bushner, unable to attend due to a recent surgery, participated during portions of the meeting over the phone.

Administrator Linda Briggs was present throughout the day.

The commissioners reviewed with each other about affiliated meetings that each had 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 and Dalene Rogers.

### Road & Bridge -

In attendance from the Road and Bridge Department were: Supervisor Mark Shaw, and Truck/Mining Foreman Howard McGinnis.

The following was discussed:

- The commissioners were updated on road department activities.
- Mark said the heaviest snow fall of 18 inches was through the middle of the county. Plow trucks and graders are out working.
- The road crew will be adding two layers of base material to Road KK between 7 and 9.
- One dozer is down being repaired.
- The new signs being put up have been shot.
- Shaw will be getting costs for milling and covering with chip-seal portions of the three miles of Road RR south of Hwy 34 and County Road 34 east to the landfill.
- The commissioners said property owners and utility companies need contacted to start the intersection turning lane improvement at Hwy 34 and County Road H through the RAMP grant.
- The tractor and speedy mover are in Idalia ready for making drainage improvements to the community.
- The new graders will be delivered soon as they are in Denver.

**Commissioner Wiley moved to approve the Underground and Utility Permits for Vernon Young to install a water line under County Road L ½ Mile South of County Road 22. Commissioner Wingfield seconded the motion. The motion passed with Wiley and Wingfield voting yea.**

**Commissioner Wiley moved to sign the Colorado Department of Transportation signature sheet confirming the miles of Highway User Tax eligible roads in Yuma County. Commissioner Wingfield seconded the motion. The motion passed by both commissioners voting yea.**

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

Roger Brown –

Commissioner Bushner participated over the phone.

Sheriff Chad Day was also present.

Roger Brown, Yuma County Emergency Management Officer, informed the commissioners that the Hazard Mitigation Grant will need updated before the end of 2014. Should Yuma County have a disaster, the county will not receive funds from FEMA if this Hazard Mitigation Grant is not in place. Each of the 9 counties involved will be updating their respective elements in the plan. A consultant will be hired to draft the plan and will be paid from grant funds. Brown asked if the grant dollars could be channeled through Yuma County. No administration funds are available through the grant for this purpose. Brown said there will be only 3 to 4 checks needed and the county would receive the grant funds prior to the expenditure being made. **Following the discussion, Commissioner Wiley moved to have Yuma County be the fiscal agent for the Hazardous Mitigation Grant. Commissioner Bushner seconded the motion. The motion passed unanimously.**

Brown stated that the loan with Y-W for purchase of the consoles did get approved. The possibility of relocating the Communications Center to Washington County is being discussed. Brown stated his Office of Emergency Management is tied close to the Communications Center and he would hate to have the center relocated because his position is through Yuma County.

Because Sheriff Day and Emergency Management Officer Roger Brown were both present, the commissioners stated that a commissioner needs to give approval prior to making a request to local residents for use of equipment during an emergency, such as a fire.

Sheriff Chad Day –

Commissioner Bushner participated over the phone.

Sheriff Chad Day presented the Agreement for Cooperative Wildfire Protection in Yuma County. This is the same plan as last year with different dates. **Commissioner Bushner moved to sign the Annual Operating Plan pertaining to wild fires within Yuma County. Commissioner Wiley seconded the motion; which passed unanimously.**

A small hole in the wall has been found between two cells. This is being fixed to prevent it from happening again.

Day presented and reviewed the inmate welfare account reports for the third and fourth quarters of 2013.

A fleet management software program costing \$340 for a year is going to be purchased. This will do away with hard copies and provide for better accounting of vehicle management.

A new patrol officer will start on Monday. Approximately 10 applicants have applied for the Detention Officer position in the jail. The review process will start February 10<sup>th</sup>. Day said of one of the applicants rates within the top two, he would like to consider being able to hire a second nurse with \$400 extra a month at a Grade 2/Step 6. This would help scheduling purposes and cut down on overtime. Following a discussion, the board agreed with the request.

Day has selected the Ana Baucke to fill the victim's advocate position opened by Angel Earl's resignation. Day gave reasons for starting the new employee at the same rate as the previous employee. There was

discussion of having this as a part time position as the Vale grant dollars were less. The City of Wray and Yuma will be asked to increase their yearly contributions. The commissioners confirmed the new victim's advocate coordinator could start at \$15.89 an hour, but wanted Sheriff Day to be aware that if the assessed value does not increase there will be large budget adjustments in the next budget. The part-time victim's advocate was approved at \$13.50 an hour.

Attorney Loran Brown -

At approximately 11:45 a.m., **Commissioner Wiley moved to enter into executive session under CRS 24-6-402(4)(e) with Attorney Loran Brown for discussion of matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators. Commissioner Bushner seconded the motion. The motion passed unanimously.** Participating in the executive session were: Attorney Loran Brown (via the phone), Commissioners Wingfield, Wiley, Bushner (via the phone), Clerk Beverly Wenger, Assessor Cindy Taylor, Treasurer Dee Ann Stults, and Linda Briggs. The executive session ended at approximately 12:10 p.m.

Following the executive session, **Commissioner Bushner moved to authorize Attorney Loran Brown to negotiate with Walker Energy, LLC up to \$1,500 to settle the case relating to the Tax Deed dated November 12, 2008 for Parcel No. S930924. Commissioner Wiley seconded the motion. The motion passed by unanimous vote.**

Land Use Hearings -

Present: Richard Nelson

Richard Nelson / Vacate an Exemption from Subdivision:

Briggs presented the staff report on Richard Nelson's request to vacate an Exemption from Subdivision Plat previously recorded at Reception #00538851. Nelson reviewed his request and said he wanted to sell some of the land, but not in the same configuration as first approved. Briggs said no written comments or calls were received at the administrative office relating to this request.

Richard Nelson / Exemption from Subdivision:

Briggs presented the staff report on Richard Nelson's request to divide an existing 20.46 acre parcel of land into three tracts. Briggs stated there is an easement allowing trucks to pass through an area outside of the 3.5 exempted area so the vehicles do not need to go from the scale to the County Road to get to the Quonsets. Rich Nelson explained that he was going to sell the area containing the scales and a parcel containing two Quonsets combined these two areas are 3.5 acres.

Briggs recommended approval with the conditions in the staff report along with the stipulation that should a septic system be installed, an easement may be needed for the adjacent property owner, since the two smaller areas separately do not contain a minimum of 2.5 acres, as required by the Yuma County Land Use Code.

Other than Richard Nelson, no one from the public was present to make comments on these applications.

The commissioners reviewed the planning commission recommendations on the applications. Through a duly made motion at 1:14 p.m. the hearing was closed.

**Commissioner Wiley made a motion to Vacate the Exemption From Subdivision recorded at Reception #00538851 thus combining the area into a 20.46 acre parcel located in the Southwest quarter of Section 35, Township 2 North, Range 47 West. Commissioner Bushner seconded the motion; which passed unanimously.**

**Commissioner Bushner moved to approve the Exemption From Subdivision from Richard Nelson to divide an existing 20.46 acre parcel of land into three tracts with stipulations. Tract 1 will be 6.13 plus or minus, acres; Tract 2 will be 3.5 plus or minus, acres; and Tract 3 will be 10.83 acres, more or less, located in the Southwest quarter of Section 35, T2N, R47W.**

**The stipulations are:**

**No septic system can be installed in the North portion or the South portion of the 3.5 acre parcel without an easement from neighboring property owners to provide the necessary area for flow lines as stipulated by the Northeast Colorado Health Department.**

**The applicant shall be responsible for complying with all Federal, State, and Local: regulations, rules, codes, conditions, and design standards.**

**Commissioner Wiley seconded the motion. The motion passed unanimously.**

Resolutions of approval for both requests will be drafted for approval at the next commissioner meeting.  
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Washington-Yuma County Communications Center -

Walt Hardesty, Director of the W-Y Communications Center, joined by Julie Rus of the Authority Board, and Jeannie White, Administrative Assistant, of the W-Y Communications Center met with the commissioners.

Hardesty said he wanted to make sure everyone was informed of the visit to the old school building in Otis on February 4th at 5:00 pm. The school wants to know if anyone is interested to rent space in the building. The commissioners stated they are not in favor of moving the center out of Yuma County. Yuma County pays the majority of funding for operations of the 911 center. The commissioners stated it does not hurt to look, but their first preference would be to talk to the City of Yuma about space needs, prior to considering other options.

Hardesty said in about two years their consoles will need to be upgraded in order to work with communication technology changes being made at the state level. The Y-W Electric loan at 3% interest would allow for this purchase of \$648,000; plus stretch the W-Y Authority Board funds to do other projects such as upgrading towers and programs. The commissioners said they would support a grant application to Energy Impact Funds for needs of the Communications Center. Grant funds do not need to be paid back; any amount received would reduce the cost of the improvements. Briggs will write the grant for the April 1<sup>st</sup> cycle.

Julie Rus stated additional room is needed within the center. She requested having the emergency management office relocated to a different location and allowing the communications center to use that office space. The commissioners confirmed they would like to first talk with the City of Yuma about space for the center.

Treasurer Dee Ann Stults and Assessor Cindy Taylor -

Treasurer Dee Ann Stults and Assessor Cindy Taylor informed the commissioners that the road right-of-ways along the east side of Road PP in Section 6 and 31 of T2N, R42W were never deeded to the county as a road. These separated parcels will be advertised because the taxes have not been paid.

Stults and Taylor said each of them received their respective contracts with Harris for continuing with the current computer programs purchased from Colorado Customware, Inc. Discussion focused on what the contracts contained and what other counties have decided to do. Prior to making a final decision, Margie Fix-Seboldt will review the contracts on behalf of the offices.

Stults presented a resolution to change Treasurer Representatives at the First Pioneer National Bank due to the change in office staff. **Commissioner Wiley moved to approve Resolution # 02-14-2014 A which gives county representatives authority to make banking transactions at the First Pioneer National Bank. Commissioner Bushner seconded the motion. The motion passed by unanimous vote.**

Stults requested that Samantha VanVickle be moved up one step when she becomes the Deputy Treasurer and the salary amount for a new hire should be at grade 5, step 4. The commissioners confirmed that both were acceptable.

**Cindy Taylor presented the application requesting for Payment in-lieu-of-Taxes as outlined in C.R.S.30-25-301 and 302. Following review, Commissioner Wiley moved to sign the Impact Assistance Grant Application requesting \$4,334.09 for property in Yuma County owned by The Colorado Parks and Wildlife. Commissioner Bushner seconded the motion, which passed unanimously.**

Taylor said grants for pictometry images in Yuma County are still being considered. She will keep them updated.

Administrator's Report -

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

**A motion was made by Commissioner Wiley and seconded by Commissioner Bushner to approve the minutes of January 14, 2014. The motion passed unanimously.**

**Commissioner Wiley moved to approve Yuma County Permit Ordinance 1982-1 for Augustus Energy Resources LLC to drill well number 22-19 2N46W. Commissioner Bushner seconded the motion. The motion passed by unanimous vote.**

Chairman Wingfield signed the Veterans Report for January, 2014.

A letter from Kara Hoover, Director for the WRAC, requested a donation equal to the 2013 county property taxes paid on the non-profit Wray Rehabilitation and Activities Center, Inc., was presented. **Commissioner Bushner moved to contribute \$313.09 to the WRAC. Commissioner Wiley seconded the motion. The motion passed by unanimous vote.** This will be paid from the Recreation Fund upon notice from the Treasurer that the tax payment has been received.

**Commissioner Wiley moved to pay the 2014 High Plains Highway Membership Dues of \$100.00. Commissioner Bushner seconded the motion, which passed unanimously.**

The commissioners confirmed the five-county meeting with Governor Hickenlooper will be Thursday, February 6, 2014 at 9:00 in the morning. Washington, Cheyenne, Kit Carson, and Phillips counties will be notified of the meeting to discuss topics of interest to the Eastern Counties which includes passing of SB 252 on rural renewable energy, oil and gas regulations, gun control, transportation, and that state regulations often cover the entire state but "one size does not fit all." A conference call with commissioners of the counties was scheduled for Feb 3<sup>rd</sup> at 1:00 p.m. to discuss who was going to present the topics.

Certification of Accounts Payable for January 31, 2014, drawn on Yuma County Funds, with check #55955 through #56035 totaling the sum of \$347,869.54 and Fund 16 W-Y Combined Communication accounts payable for January 31, 2014, checks #6824 through #6841, totaling the sum of \$30,370.33 were signed by Chairman Dean Wingfield.

Certification of Payroll for January 31, 2014, drawn on Yuma County Funds, EFT system #35767 through # 35892 and checks # 29951 through # 29977 totaling the sum of \$231,247.49, and along with Fund 16 W-Y Combined Communication EFT system number # 5115 through # 5127 totaling the sum of \$30,068.64 were approved and signed by Dean Wingfield.

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 February 18 and February 28, 2014.

A listing of meetings attended by the Commissioners during the month of January 2014 is attached.

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Dean Wingfield, Chairman

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Linda Briggs, Administrator

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