

YUMA COUNTY COMMISSIONERS

September 15, 2014

Minutes<sup>1</sup>

On September 15, 2014 at 8 a.m., the Yuma County Board of Commissioners met in regular session with Chairman Dean Wingfield, Commissioners Robin Wiley and Trent Bushner present.

Administrator Kara Hoover was present throughout the day.

The Commissioners reviewed and signed accounts payable checks and discussed various meetings attended throughout the first half of the month.

Maintenance/Custodial

Maintenance/Custodial Personnel Sandy Juhnke brought contractors in to look at concrete and water damage at the south entrance.

Department of Health & Human Services

The commissioners conducted business with Dave Henson, the Director of the Department of Health and Human Services. Also present: Phyllis Williams and Robin Barnhart.

Road and Bridge

Supervisor Mark Shaw and Truck/Mining Foreman Howard McGinnis were in attendance to give Road and Bridge department updates. The following items were discussed:

- *Kamala (County Road E) and 39* – Mark reported to the Commissioners that the contractor is set to begin the project on Wednesday, September 17<sup>th</sup>. Mark made note that the project submitted complete road revisions to the county line only. Yuma city limits were revised since the last time the County completed work on this road. The city would like the project to cover the same area as completed before. This area now extends into the city limits. Mark will check on the feasibility of this.

The Commissioners asked Mark to speak with representatives at the Yuma District Hospital and Bartlett Elevators since this road project will have an impact on their entrances. The contractor has designed a plan to ensure that there is access to the emergency entrance at all times. Shaw also relayed that the contractor is awaiting approval from the railroad to work in their right-of-way and for railroad flagging. They believe that this project will take at least three weeks.

Later in the afternoon, Shaw returned reporting to the Commissioners that to complete the additional portion (from the current Yuma city limit to the old city limit) would cost an additional \$112,305.44. The Commissioners did not feel that this was feasible for the county to do, unless the City of Yuma was able to cover the additional costs. Shaw will get in touch with the city with this information.

- *Mowing* - Shaw reported that one rental tractor used for mowing has expended the allotted hours, the other mowers are reaching the full capacity of leased hours, also. Shaw relayed that there are eight mowers still running in the county right now.
- *Gravel Pits* – Mark reported that he has not heard back from Kit Carson County. He spoke with their road boss about use of the gravel pit that is located near the Yuma/Kit Carson county line. Commissioner Bushner reported that Derek Bueltell contacted him about using a county gravel pit. Mark reported that Mr. Bueltell had phoned him; as well, and wanted to use the pits for an extensive project, and was informed that this was not allowable under current state mining guidelines.



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<sup>1</sup> Minutes prepared by Kara Hoover-summary of discussions, not verbatim



- *Eckley shop* - The Commissioners reviewed an area in Eckley that may be considered for a new shop location to replace the property that is being sold. Commissioner Wingfield will speak to the land owner.
- *Graders*- Mark reported that Road & Bridge personnel are training a new grader operator for the county. They are currently working south in the county.
- *Underground and Utility Permit / Special Transport Permits* - Shaw presented an Underground and Utility Permit for Benton Electric, LLC and Special Transport Permits for Whitlock, Inc. dba Whitlock Trucking. Commissioner Bushner moved to approve the Underground and Utility Permits for Benton Electric, LLC to install an electric line under County Road 11 at the 33999 County Road 11 in Idalia, CO and the Special Transport Permits for Whitlock, Inc. dba Whitlock Trucking to transport a building 13'6" high, 15' wide, by 76' long and to transport a compressor 16'6" high, 15' wide, by 101' long from Yodel Station; County Road T to Highway 385. Commissioner Wiley seconded the motion; which passed unanimously.

#### Gary Earl

Gary Earl and Thomas Hoff presented information on closing a county road in Sections 33 & 34, Township 1 South, Range 42 West. Earl reported to the Commissioners that the road is in poor condition with deep ruts. People are using the road to access the wildlife area and throwing trash from their vehicles. Earl relayed he was told that he could not deny usage because it was a county road; so he again is asking the Commissioners to consider closing the road. Thomas Hoff reported to the Commissioners that he hunts in this area and he felt there are other, more direct, accesses to the Division of Wildlife area; although none of them are county roads. The Commissioners relayed to Mr. Earl that because of the Division of Wildlife easement they would not be able to close the road at this time. Earl asked the Commissioners if they could speak to the Division of Wildlife about different accesses. Commissioner Wiley said he would follow up on this.

#### Yuma County Economic Development / PC Telcom

Darlene Carpio, Yuma County Economic Development Director, and Vince Kropp, from PC Telcom provided information on the Public-Private partnerships for broadband. Kropp mentioned some possibilities of collaboration that could be explored. Darlene provided the educational information that the Better Internet for Yuma County Committee is distributing for the SB-152 ballot questions 1B, 2B and 2C.

#### Emergency Medical Services

- *2015 Budget Proposal* - Susan Armstrong-Yuma Ambulance Service, Kendall David-City of Wray, and Bruce Mann-South Y-W Ambulance presented the Emergency Medical Services 2015 budget proposals.
- *County-owned Ambulance* - David requested that the last ambulance that is still owned by the county, 2001 Ford be transferred to the City of Wray. Commissioner Willey moved that the 2001 Ford Ambulance, Title Number 19E147502, be signed over to the City of Wray. Commissioner Bushner seconded the motion; which passed unanimously.
- *Cot* - There was discussion about the cot that was in the South Y-W Ambulance that was wrecked earlier in the year. Mann reported that since the cot was in the accident, the company will not recertify it for safe use. The cot is not currently being used. Coroner Baucke had requested use of this cot for transportation because it has a greater weight capacity. The group felt that transferring it to the Coroner's office would be a great benefit not only for the Coroner's office but for emergency personnel as well. Commissioner Wingfield asked Bruce to get it to Yuma for Coroner Baucke.



- *Back-Up Ambulance* - Mann reported to the Commissioners that the suspension in the back-up ambulance, a 2004, needs to be replaced. Consensus from the Commissioners was to get the suspension replaced.

### Land Use

Rich Birnie, Land Use/GIS Coordinator, presented Land Use updates. The following items were discussed:

- *Administrative Permit – John/James Lapp*  
Rich Birnie presented an Administrative Permit for a line adjustment between John Lapp and James A. Lapp for 0.83 acres. Commissioner Wiley moved to approve Resolution #09-15-2014 A/ADM for the Administrative Permit to change ownership containing 0.83 acres, in the Southwest ¼ of Section 16, Township 4 North, and Range 43 West, from John Lapp to James Lapp. Commissioner Bushner seconded the motion; which passed unanimously. Recorded under Reception No.00561701.
- *Invenergy Wind Development, LLC* – Birnie reviewed a request from Invenergy for an extension to the Major Land Use permit. The Commissioners were in consensus to grant them a 24-month extension with the following stipulation: Prior to construction, Invenergy will meet with the County's Land Use Attorney and Yuma County Land Use Administrator to determine whether the scope of the wind project remains as originally presented and approved by the Commissioners. Any changes from the approved resolution will have to go through the Permit Amendment process, and Invenergy will reimburse Yuma County for costs associated with this meeting.
- *Feedlot Pit* – Rich provided an update on the Schamm Feedlot, Inc. pit. He reported a letter has been sent granting Schramm Feedlot a 30-day extension to submit the permit amendment application. The 30-day extension gives them until September 30, 2014.
- *Tower Setbacks* – Birnie presented the revisions to the Telecommunication Facilities Standards, specifically for setbacks, that had been reviewed by Land Use Attorney Barbara Green. The revisions will be reviewed by the Planning Commission at the September 16<sup>th</sup>, 2014 meeting.
- *Land Use Code Revisions* - The Commissioners discussed the possibility of making additional revisions to the Land Use Code in regards to side setbacks, increasing the setbacks to 10 feet (from 5 feet). Also they discussed increasing setbacks for effluent pits to 50 feet from the highpoint of the pit to the property line. In addition, the group discussed the need to revise the length of extension period granted for permit amendments. The Land Use Code currently reads "a maximum of 60 days," the Commissioners would like to extend this to 120 days. The Commissioners asked Rich to take their revisions to the Planning Commission for their input and approval.
- *Mobile Home Issue* - Birnie reported that the owner has: Complied with the rear boundary line setback and relocated the trailer; filed the proper CRS paper work to get his name on the title of the mobile home; filed an Activity Notice; and started the sewer permit process with the Northern Colorado Health Department.
- *Townsend* – Rich presented a survey for Rebecca Townsend. Rebecca was unable to attend this meeting, but has concerns about the property lines and a new water well recently drilled by Nate Box. Townsend may be present at the next Commissioner's meeting.
- *Staffing* - The Commissioners discussed the current salary for Rich Birnie. Birnie has taken on the added duties for Land Use and has been working with this for several months now. Commissioner Wiley moved to



approve a level of Grade 10/Step 18 for Rich Birnie to encompass his added Land Use job responsibilities, retro July 1, 2014. Commissioner Bushner seconded the motion; which passed unanimously.

Emergency Management, Roger Brown

- *2015 Budget Proposal* - Roger Brown presented the Emergency Management 2015 budget proposal to the Commissioners.
- *Hazard Mitigation Plan* – Brown updated the Commissioners on the Hazard Mitigation Plan for the County. He reported that there is new technology that will allow for pictures to be taken from an aircraft for disaster areas such as those caused by fire. There is training available for such, which Brown reported he will look into.
- *Logan County* – Brown informed the Commissioners that Logan County has requested his help while their Emergency Manager is out with health issues.
- *State Requirements* – Roger alerted the Commissioners that the state may require counties to employ an Emergency Manager on a full-time basis. Currently, Brown works as a part-time employee; according to Brown, the state may also cover the cost of a full-time salary.
- *Department of Public Safety Grant Agreement* - Commissioner Bushner moved to approve the Department of Public Safety, Division of Homeland Security & Emergency Management Grant Agreement, EMPG/LEMS #14EM-15-64, grant year 10-01-2013 terminating September 30, 2016, award amount \$15,000. The motion was seconded by Commissioner Wiley; which passed unanimously.

Treasurer

Treasurer Dee Ann Stults visited with the Commissioners about department items, to include:

- *August Treasurers Report* - Dee Ann Stults gave the treasurer's report for the month of August, 2014. There were \$280,933.65 in taxes collected; \$177,044.14 in Specific Ownership taxes collected, and \$11,276.75 in fees collected.
- *Staffing* - Dee Ann reported that Chrystal Hammond was hired for the office clerk position in her office. She comes to the county with prior county experience in Dolores County. Stults requested a salary based on Hammond's previous experience. Commissioner Wiley moved to accept the level of Grade 5/Step 5 for new hire Chrystal Hammond. Commissioner Bushner seconded. The motion passed unanimously.

County Clerk

County Clerk Beverly Wenger brought the following items for discussion before the Commissioners:

- *Training* - County Clerk Beverly Wenger reported on the Driver's License training that was completed on September 10<sup>th</sup> in her office. She reported that there are changes coming in regards to auto-cycle licensure, new license plates, and that specialty plates will now require 60 days to complete.
- *Elections* – Bev reported a new uniform election system has been announced by Secretary of State. Yuma County may see changes in 2015 to elections. Wenger also addressed the ballot question 1B that has been submitted by Yuma County. She reported that this would not be a TABOR question; and therefore, would not require a Pro/Con statement. She will further research and relay her findings to the Commissioners.



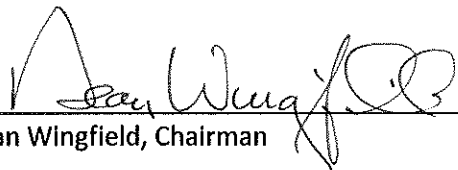
Administrator's Report

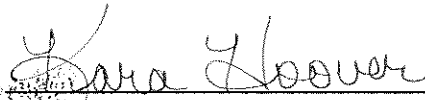
Administrator Kara Hoover reviewed calls, correspondence, and presented the following for action:


- *Minutes* – Commissioner Wiley moved to approve the August 29, 2014 Board of County Commissioners minutes. Commissioner Bushner seconded the motion; which passed unanimously.
- *Department of Health and Human Services Kitchen Repairs* - Commissioner Wiley moved to approve the Lukas Appliance, Inc. bid for repair of the DHS sink and counter repairs of \$ 6,100. Commissioner Bushner seconded the motion. The motion passed by unanimous vote.
- *Fair Ground Maintenance, Mowers* - A bill was presented from EZ Irrigation for a Hustler XL mower, 60 "rear discharge, Kawasaki 24 HP with the JD F620 Mower trade of \$9,700 and the Walker B23i, 62" side discharge, belt driven deck, Kohler 23 HP with the JD F687 trade of \$7,700. The bill totaled \$17,400 and was paid from the Fair Gate Sponsorship Account.
- *Stephen W. Monks, P.C.* – The Commissioners discussed the 8-31-2014 Invoice from Stephen W. Monks, P.C. The consensus was to pay the bill as presented.
- *Commissioner's Attorney* – Commissioner Wiley moved to release Commissioner Attorney services from Michael Grinnan and henceforth utilize fee-for-service attorney services beginning January 1, 2015. The motion was seconded by Commissioner Bushner. The motion passed unanimously.
- *Representation Letter* – Commissioner Wiley moved to sign the Management Representation Letter for McMahan & Associates LLC for the 2013 Audit. Commissioner Bushner seconded the motion; which passed unanimously.
- *247 SW Kansas Eckley, CO Property* – Margaret Fix Seboldt has been contacted to draw up a contract for Yuma County to sell the 247 SW Kansas, Eckley, CO property to M. Wayne and Deanna Pletcher for the appraised value of \$40,000 as approved at the July 15, 2014 minutes.

Certification of Accounts Payable for September 15, 2014, drawn on Yuma County Funds, with check #57644 through #57773 totaling the sum of \$186,122.27; and Fund 16 W-Y Combined Communication accounts payable checks #7026 through #7034, totaling the sum of \$5,249.16 were signed by Chairman Dean Wingfield.

There being no further business, the meeting adjourned at 5:09 p.m. The next meetings of the board will be September 30<sup>th</sup>, 2014 and October 16<sup>th</sup>, 2014.

  
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Dean Wingfield, Chairman

  
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Kara Hoover, Administrator

ATTEST:   
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Beverly Wenger, County Clerk

