

**YUMA COUNTY COMMISSIONERS**  
**October 31, 2014**  
**Minutes<sup>1</sup>**

On October 31, 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 were present. Administrator Kara Hoover was present throughout the day.

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

**Court Security Grant Application**

The Commissioners reviewed the 2015 Court Security Grant Application. The application includes measures for training, equipment, and personnel, for a total grant application of \$94,226.50 **Commissioner Bushner moved to approve the 2015 Court Security Grant Application of \$94,226.50 for submission. Commissioner Wiley seconded the motion; which passed unanimously.**

**Liquor Licenses**

Pam Zuege presented an Alcohol Beverage License for signature. Chairman Wingfield signed the license for Dorothy J. Meade, DBA Jo's Liquor, in Joes Colorado, as approved on October 16, 2014.

Zuege also presented a Liquor License Renewal Application for approval. **Commissioner Bushner moved to approve the Liquor License Renewal Application for Route 36, LLC, DBA The Grainery, in Idalla. Commissioner Wiley abstained. Commissioner Wingfield seconded. The motion passed.**

**Childhood Cancer Awareness Week**

**Commissioner Wiley moved to approve Resolution #10-31-2014 A declaring November 2<sup>nd</sup> thru November 8<sup>th</sup> as Childhood Cancer Awareness Week in Yuma County. Commissioner Bushner seconded the motion. The motion passed by unanimous vote.**

**Department of Health & Human Services**

The commissioners conducted business with Dave Henson, the Director of the Department of Health and Human Services. Also present: Caseworker Brandie Berghuis.

**Commissioner Bushner moved to enter into Executive Session citing C.R.S. Section 24-6-402(4)(c) for discussion of a matter required to be kept confidential by the following federal or state law, rule or regulation pertaining to the Yuma County Health and Human Services. Motion was seconded by Commissioner Wiley and passed unanimously. At 8:49 a.m., Commissioners Wingfield, Wiley, and Bushner with Dave Henson, Director of the Department of the Health and Human Services and Case Worker Brandie Berghuis and Administrator Kara Hoover entered into executive session. Executive session ended at 9:00 a.m.**

**Road and Bridge**

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

- **Corn Bagged on the Road** – Shaw presented pictures of corn that has been bagged for storage in the county right-of-way that are encroaching on the road at County Road 24, 4 miles west of CR Y. The Commissioner's asked Shaw to contact the owner, Matt Brown, and ask him to remedy this unsafe

---

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



issue. Later Shaw responded that he had contacted Brown; who reported he would move the bagged corn by the middle of December.

- *County Road 7* – Shaw reported that they have been working on County Road 7.
- *County Road 39* - The Commissioners reviewed a note from Bob Seward. Mr. Seward reported that County Road 39 is wonderful He appreciates the road work done. He would like to see the speed limit reduced to 45 mph as he feels the kids use this road as a race track. Shaw reported that there are still approximately 10 spots that still need minor patching. The Commissioners asked Shaw to work on these areas.
- *Kamala (County Road E) and 39* –The project is complete and Road and Bridge personnel are compiling the invoices and data for grant reporting. Shaw reported that there are a couple issues with the cold joints in the asphalt causing a ripple or low area in the road. He reported that McCormick Excavating will return to grind/heat the asphalt and correct this situation. No additional costs will be assessed for these revisions. Shaw reported that he was very happy with the road project.
- *CR R & CR 34* – Commissioner Wiley asked Shaw if it is in his plans to have McCormick grind the very bad parts of CR R & CR 34 (Landfill Road) as discussed at a previous BOCC meeting. Shaw reported that McCormicks no longer have their grinder in the area and it would cost additional mileage to have them return. He did not have McCormicks grind when they were working on the Kamala project because of timing for the Energy Impact grant. After some discussion, it was the consensus to have Road & Bridge personnel smooth out the road and get by until we can re-work the road utilizing the Energy Impact Grant that may be available in 2015.
- *Minor Bridge* – Shaw reported that the repairs are complete on the Minor Bridge South of Beecher Island. They ground and paved the bridge. Shaw reported that there is still a small spot that is low; but he believes that this should not prove to be an issue.
- *Grader/Car Accident*-Shaw reported that on 10-27-2014 there was an accident on County Road KK, south of County Road 11 involving a car trying to pass a road grader. The car clipped the road grader blade and rolled into the ditch. The driver and child were buckled in the car and were not injured. Shaw reported that the driver was cited for failure to present a valid drivers' license and careless driving. There was minor damage done to the grader.
- *Fuel Tank Inspection* – The Department of Labor and Employment Division of Oil and Public Safety came out on 10-28-14 for an inspection of the fuel tanks at Road and Bridge. McGinnis presented a Certificate of Inspection that reported "No Violations."
- *Equipment* - Shaw discussed with the Commissioners various graders and the possibility of replacing current graders. He reported that Road and Bridge has graders that will be out of warranty next year. He reported that he will investigate the costs of upgrading versus maintaining. Shaw reported that four of the six tractors are complete on the leased hours. Ag Power Equipment Co. reported to Yuma County that they are discontinuing the short-term government rental program. Shaw reported that he has been discussing leasing options with 21<sup>st</sup> Century.
- *Moser Gravel Pit* – The Commissioners reviewed the State of Colorado's Reclamation Permit Application for the Moser Pit. The pit application required an amendment for reclamation purposes.



The application and the appropriate fee have been mailed to the Colorado Division of Reclamation, Mining and Safety.

- *Phillips County Request* – Shaw reported that the Road Boss from Phillips County would like to use the Weis Pit for work near Amherst. The Commissioners feel that both counties need to work together and will be speaking with Phillips County Commissioners later this afternoon about using the pit.
- *Hours* – Shaw requested that Road & Bridge continue 10-hour days until the week of Thanksgiving. The Commissioners, by consensus, gave Shaw permission to continue the 10-hour days, but asked that the Road Graders be off the roads by dark.
- *Underground and Utility Permits*- Shaw presented Underground and Utility Permits for Augustus Energy, Rosewood Resources, Inc. and YW Electric.

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

Augustus Energy

- to install gas, water and electrical lines under County Road 51, 2,100' East of County Road L;
- to install gas and water lines under County Road 54, 3/8 of a mile West of County Road U;
- to install an electrical line under County Road 44, 250' East of County Road P and;
- to install gas, water and electrical lines under County Road Q, 400' North of County Road 39;

Rosewood Resources, Inc.

- to install a 3" water and 2" electrical poly lines under County Road 52 approximately 2,056' East of County Road N and;
- to install a 2" poly water line under County Road 51 at and 2¼ miles East then North of County Road 52 and U and for;

YW Electric Association

- to install an electric line under County Road Y 635' South of County Road 32.

Commissioner Wingfield seconded. The motion passed.

2015 Budget Work Session

The Commissioners worked on the 2015 Yuma County preliminary budget, reviewing salary lines and discussing various options. More budget work will be conducted during the November 17<sup>th</sup> BOCC meeting with preliminary budget hearing set for November 26<sup>th</sup>, 2014 BOCC meeting.

Phillips County Commissioners

Phillips County Commissioners, Don Lock, Joe Kinnie and Harlan Stern, and County Administrator Randy Schaffer joined the meeting via teleconference to discuss concerns that effect both Yuma and Phillips Counties. Gib Becker, who was a Phillips County Inmate, completed a year of work-release program in the Yuma County Jail. Mr. Becker presented his case to the Yuma County Commissioners on October 16, 2014, explaining that his sentence was appealed and shortened to six months work-release. Mr. Becker is requesting a refund for the six months of work release funds that he served and paid to be returned to him. After a short discussion, both Phillips and Yuma County Commissioners agree to split the refund amount of \$5,460, half each. A release letter, prepared by Attorney Nancy Rodgers, was presented. Phillips County Commissioners requested that Yuma County write the check in full and bill Phillips County for their half. Commissioner Bushner moved to refund Mr. Gib Becker one-half of the six-months of work release funds paid (\$2730) due to the appeal of his sentence with the execution of the general release form by Mr. Becker, Phillips County Commissioners, and Yuma County Commissioners. Commissioner Wiley seconded the motion; which passed unanimously.



Land Use

Rich Birnie, Land Use/GIS Coordinator was present and discussed the following items:

*Land Use Code Text Amendments* – Rich reported that the Planning Commission had approved all the text amendments but the CAFO setback at the hearing on October 21. The Planning Commission had an objection to the phrase “occupied structure” and tabled the amendment until November. Rich alerted Attorney Barbara Green who will provide advice for a change in definition to be heard at the December 16, 2014 BOCC meeting.

*Viaero Supporting Antenna Structure* – The application from Viaero for a supporting antenna structure is set to be reviewed at the November 18<sup>th</sup> Planning Commission Meeting and then the November 26<sup>th</sup> BOCC meeting.

*Schramm Feedlot* – Rich reported that Schramm Feedlot revisions are complete and a hearing is set for the November 26<sup>th</sup> BOCC meeting. He reports that Schramm Feedlot has complied with all regulations; letters have been sent to adjacent property and mineral owners; and he created a one-mile map and overlaid it with the map for the original permit. Attorney Barbara Green is producing the Staff Report.

*Godsey Family Farm* – Godsey application of exemption of subdivision will be reviewed at the November 18<sup>th</sup> Planning Commission meeting, and the hearing is set for the November 26<sup>th</sup> BOCC meeting.

*Other Pending Items* – Franson Partnership Gravel Pit is scheduled for a December BOCC meeting. Scott Weaver has submitted an application for a home occupation, gun smith and gun accessories shop. Delores “Dee” Blecha has submitted an application for home occupation with a small winery.

Emergency Management

Roger Brown presented departmental updates to include:

- *Multi Mission Aircraft* - Roger Brown presented pictures of the two new aircrafts that can fly at 22,000 feet, that the State of Colorado purchased for mapping purposes. One is to be used on the Western Slope and the other is for the Eastern Plains; these aircraft can be utilized at no cost by counties when there is a large fire in the state to provide “real-time” mapping.
- *Hazardous Mitigation Plan* – Brown reported that the Hazardous Mitigation Plan is complete and has been sent to the state. He reported that once the plan is approved he will bring it back to the Commissioners for their approval.
- *Local Emergency Operations Plan* - Roger Brown presented the revisions that are currently being considered to the Yuma County Local Emergency Operations Plan. Brown reports that there have been additions to the plan; Annex H, Resource Mobilization; Annex L, Animal Care & Companion Animals and; Annex I, Recovery & Mitigation. Brown was asked to email the new Annexes to the Commissioners for approval of the new plan when complete.

County Clerk

County Clerk Beverly Wenger joined the Commissioners via teleconference to report on the following items.

- *Elections*– Bev reported that there has been 51% return on ballots as of October 30. There has been a good



- *Staffing* – Wenger reported that the Driver's License Supervisor Sally Gillett will be retiring December 15, 2014. Wenger relayed how short-handed this will make her office. She would like to fill this position before the end-of-the-year.

#### Security Camera Review

Mike Brown, from Lighthouse Security, LLC, presented bids to complete the Security Camera installation for sixteen (16) camera locations that are not currently installed. Sheriff Chad Day also joined the meeting. The first bid that Brown presented includes placing new Cat6 cable and the second bid includes purchasing a 16 channel T-Bus Receiver, sixteen transmitters and utilizing the current coax cabling. The Commissioners asked Brown for a little time to sort out this project that has been stalled for nearly two years. They would like to speak to Laurence Freytag, the current IT personnel, before proceeding.

The Commissioners also spoke to Brown about his IT experience. Brown reported that he has an extensive IT background. He reported that he started in IT, and then worked in the Security business for some time. Networking became a part of the security business as it evolved through the years. He feels his experience in computer, server, and network trouble shooting would be beneficial, as well. The Commissioners asked Brown for a proposal for IT work.

Later in the afternoon, the Commissioners and Sheriff Day were able to contact Freytag. He reported that he had been in contact with Baucke Electric about running the cable (that was already purchased for \$540 on invoice #19387, 12-5-12). According to Freytag, Baucke Electrical isn't able to get to the project until late November and he is unsure of the costs associated. The Commissioners requested that Lawrence have Baucke Electric provide a bid on running the cable by the next meeting, November 17<sup>th</sup>, 2014; additionally the Commissioners and Day asked Lawrence about the labor that was charged in 2012. He reported that the labor fee of \$2,880 was for the installation of the cameras once the cable was in place.

#### Sheriff

Sheriff Chad Day provided updates from the Sheriff's Office.

- *Inmate Boarding Contracting:* The Commissioner's reviewed a comparison of contracting inmate housing with Washington County versus remaining in Yuma County. The Washington County Justice Center provides housing for a daily fee of \$50 with no transports and \$67 with two transfers a week. Yuma County would still be responsible for all medical costs. Day reports that C.R.S 17-26-101 states "there shall be maintained in each county in this state, at the expense of the county, a county jail for detention, safekeeping, and confinement of persons and prisoners lawfully committed." Day acknowledges that there would be some decrease in office supplies, operating expenses, inmate meals and professional services, but did not feel that personnel would decrease since he is currently staffing minimally anyway and we must comply with C.R. S. 17-26-101, as stated above. Day reports that he feels that if the jail contracted with Washington County we would spend an additional \$117,000 to save \$52,624. Day is not recommending a change at this time.
- *Personnel Update:* Day reported that two jail deputy positions are close to being filled. One candidate has been hired and another has received a conditional offer and the department is waiting on the candidate passing a physical exam. The road deputy position is still open as those that had applied have taken positions in other offices.



- *Employee Reimbursement Contract* – Day reports that his department has been working on an employee reimbursement contract with Joel Compton for an employment commitment in exchange for the county's assistance with education. Attorney Bob Lees relays that the contract for Joel Compton can include tuition and fuel reimbursement only and can require only a two-year employment commitment. Day reports that the contract should be complete soon.
- *Budget* – Chad presented an updated 2015 Budget request for the Jail.

#### Administrator's Report

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

- *Minutes – Commissioner Wiley* moved to approve the October 16, 2014 Board of County Commissioners minutes. Commissioner Bushner seconded the motion; which passed unanimously.
- Certification of Accounts Payable for October 31, 2014, drawn on Yuma County Funds, with check # 57990 through 58091 for \$1,406,023.49 and Fund 16 W-Y Combined Communication accounts payable for October 31, 2014, check #7058 through #7075 totaling the sum of \$34,185.01 were signed by Chairman Dean Wingfield.
- Certification of Payroll for October 31, 2014, drawn on Yuma County Funds, EFT system #36942 through #37074 and checks #30200 through #30227 totaling the sum of \$227,658.41 and along with Fund 16 W-Y Combined Communications EFT system number #5241 through #5255 totaling the sum of \$32,217.26 were approved and signed by Chairman Dean Wingfield.
- *Closure Post Closure* – Commissioner Wiley moved to approve Resolution #10-31-2014 B; which transfers \$5000 from the Landfill Fund #11 to the Closure Post Closure Fund #21. Commissioner Bushner seconded the motion. The motion passed by unanimous vote.
- *Emergency Reserve Fund* – Commissioner Wiley moved to approve Resolution #10-31-2014 C; which transfers \$76,000 from the Yuma County General Fund #1 to the Emergency Reserve Fund #25 to meet required emergency reserve, as per auditors. Commissioner Bushner seconded the motion. The motion passed by unanimous vote.
- *Christmas Gifts for 2014* – The Commissioners discussed Christmas Gifts for employees for 2014. Commissioner Bushner moved that Yuma County give \$50 gift certificates that can be used at various shops in Yuma County for 2014 Christmas gifts. Commissioner Wiley seconded the motion; which passed unanimously.
- *Yuma County 4-H* – JoLynn Midcap presented a letter requesting that the County, once again, pay \$5.00 toward members enrollment fees if they enroll in Yuma County 4-H prior to February 1, 2015 deadline. Commissioner Wiley moved to pay the \$5 towards Yuma County 4-H enrollment fees if members enroll by February 1, 2015 to be paid from Fund 5. Commissioner Bushner seconded. The motion passed unanimously.
- *Parker Metal Works* – Commissioner Wiley moved to pay the invoice dated October 28, 2014 in the amount of \$500 to Parker Metal Works for the labor and materials for a desk at Road and Bridge. Commissioner Bushner seconded. The motion passed.





- **AirMedCare** - Hoover requested clarification from the Commissioners on those within the County that will be offered the AirMedCare membership. **Commissioner Bushner moved to extend the AirMedCare membership to those entities that utilize Yuma County for payroll (along with all Yuma County Employee households. Commissioner Wiley seconded the motion; which passed unanimously.**
- **Fairgrounds Operations Policy** - Additional revisions to the Fairgrounds Operations policy were noted by Fairgrounds Manager Bud Wood. The revisions included clarification on the horse race deposit to include: \$100 deposit toward the fee per each race *day*; the addition of restroom-use fee under the Concession Building title; and clarification for RV parking for events where a sponsor, or organization collects fees. **Commissioner Wiley moved to accept the amended Fairgrounds Operations Policy. Commissioner Bushner seconded. The motion passed unanimously.**
- **Energy Impact Grant Hearing** – Hoover reported to the Commissioners that the hearing with the Department of Local Affairs for the Landfill grant (EIAF #7605) will be on November 19<sup>th</sup> at 9:15 a.m. in Sterling Colorado Court House. The Commissioners asked that GIS Director Rich Birnie produce a map of the project area demonstrating the great number of wells in that area.
- **Mobile Home (Assessor)** – Assessor Cindy Taylor contacted Attorney Nancy Rodgers in regards to the mobile home owned by Fred Whitlock that sets on the land owned by Latasha Grimes-Keely. In Ms. Rodgers opinion, the mobile home is not responsibility of the county; land owner Grimes-Keely is responsible for contacting Mr. Whitlock for destruction of the trailer.
- **United States Citizenship Application** –Fernando Millan requested a letter of recommendation for his citizen application. Mr. Millan, a legal resident of Yuma County, is well-known and respected by each Commissioner. **Commissioner Bushner moved to write a letter of recommendation for Fernando Millan for his United States Citizenship Application. Commissioner Wiley seconded the motion; which passed unanimously.**

Chairman Wingfield signed the Veterans Report for October 2014.

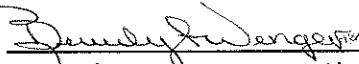
The Commissioners made their routine inspection of the jail.

There being no further business, the meeting was adjourned at 6:59 p.m. The next regular meetings of the Board of County Commissioners will be November 17, 2014, and November 26, 2014.

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

  
\_\_\_\_\_  
Dean Wingfield, Chairman

  
\_\_\_\_\_  
Kara Hoover, Administrator

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

