

YUMA COUNTY COMMISSIONERS

November 17, 2014

Minutes¹

On November 17, 2014 at 8:00 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.

Liquor Licenses

Nancy Wright presented a Liquor License Renewal Application for approval. Commissioner Wiley moved to approve the Liquor Renewal Application for William Carpenter, DBA Roadhouse Liquors in Idalla, Colorado. Commissioner Bushner seconded. The motion passed.

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.

Hotline Phone System: Dave reported that a new contract will be forwarded today from Jim Franks, the CenturyLink Representative. Administrator Hoover had emailed Franks with several questions that need to be clarified on the contract.

Road and Bridge

Mining Foreman Howard McGinnis, Fleet Foreman Kent Twiss, and Grader Foreman Casey Stults were in attendance to give Road and Bridge department updates. Steve Gilliland from 4Rivers Equipment was also in attendance. The following items were discussed:

- *Graders* - Stults presented various quotes on new graders from 4Rivers Equipment and WagnertEquipment. Quotes included trade in values for the 2010 and 2011 JD 770G Motor Graders. Gilliland reported that the delivery would be 90 days from order and more than likely could be delivered in mid-March, 2015. Gilliland exited the meeting and after continued discussion, Commissioner Wiley moved to approve the purchase of three John Deere 772G AWD Motor Graders staying within the \$249,000 as quoted from 4Rivers Equipment. Commissioner Bushner seconded the motion; which passed unanimously. Road & Bridge will be trading in Unit 95, Unit 52, and either Unit 51 or Unit 91.
- *Current Projects* – McGinnis reported that currently Road & Bridge is working on County Road 7. He also reported that County Road U needs a little bit of gravel, and they will begin work on this road soon. McGinnis reported that reclamation work is being completed on the North Gelvin pit; they are completing test digging repairs, seeding and replanting; additionally, he reported that the May pit reclamation work has been delayed because of inclement weather, and he has requested more time to complete the necessary repairs.
- *Mowers*– Twiss reported Road & Bridge is still working on mowing in isolated spots that may present an issue when it snows. He reported that there is one rental tractor with remaining hours that can

¹ Minutes prepared by Administrator Kara Hoover-summary of discussions, not verbatim



be used. Wingfield relayed an area of mowing concern on County Road Q, between County Roads 26 and 30. Twiss requested that if anyone knows of any additional areas that need to be mowed to let him know. The group discussed rental mowers for 2015. The Commissioners asked for updated quotes for rental tractors using dealerships throughout the county.

- *Road Damage* – Stults reported Road & Bridge had received complaints of damage to County Road W due to a track-tractor turning on the road to unload grain carts. He reported that by the time he arrived at the damage, the party had taken a box grader and repaired the road.
- *County Road 39.5 East Eckley Oil-McGinnis* reported that there is a hole in the oil on County Road 39.5. They were unable to work on it last week due to the frigid weather. They plan to fix the road this week when the weather is a bit milder.
- *Idalia House* – Twiss mentioned the high nitrates in the Idalia house once again. He asked the Commissioners if there is any way to have drinking water delivered to the Idalia house or to purchase a reverse osmosis filter for the home. Twiss reported that Deep Rock will deliver water for \$8.00 per 5-gallon container while a reverse osmosis system would be approximately \$55 a month. The Commissioners were in consensus to try the Deep Rock drinking water option first.
- *County Road 0, CR CC to DD* – Commissioner Wiley reported that Marv Walters has phoned about gates appearing across County Road 0. Commissioner Wiley reported to Road & Bridge that he believes the party that lives in the trailer house near the gates is responsible and asked Road & Bridge to speak with the gentleman to remove the gates immediately.
- *County Road 2* – The Commissioners reported that County Road 2, west of County Road T, has several dips in the road that are holding water and forcing vehicles to drive around them. The Commissioners asked that Road & Bridge remedy this situation.
- *Truck Driving School* – Commissioner Wiley reported that there is talk of a truck-driving school opening in Yuma County. The group discussed the various new rules for Commercial Driver's License.
- *CR 34, CR R (Landfill Project)* – Commissioner Wiley and Administrator Hoover met with Greg Etl in preparation for the Grant Hearing, set for Wednesday, November 19th at 9:15 am. Commissioner Wiley asked the Road & Bridge personnel to get turn-key pricing on the project for the Commissioners presentation

2015 Budget Work Session

The Commissioners worked on the 2015 Yuma County preliminary budget, reviewing salary lines, and discussing various options. The Yuma County preliminary budget hearing is set for November 26th, 2014 BOCC meeting.

2014 Budget Hearing –

At 11:33 a.m., Chairman Wingfield opened the hearing to accept public comment on the proposed 2015 Budgets for the Yuma County Water Authority Public Improvement District, Yuma County Landfill, and Yuma County Water Authority. Chairman Wingfield reviewed the budget documents. No one from the



public was present to make comments. **Commissioner Willey moved to approve the 2015 Yuma County Water Authority and the 2015 Landfill Budget as presented. Commissioner Bushner seconded. The motion passed unanimously.** Formal resolutions will be approved at a subsequent meeting. The hearing was closed at approximately 11:36 am.

Yuma County Water Authority Public Improvement District -

At 11:47 a.m., the Commissioners adjourned to conduct the Yuma County Water Authority Public Improvement District business.² The Commissioner's meeting resumed at approximately 11:52 a.m.

Land Use

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

- *Viaero* – Rich reported that the application from Viaero to install a supporting antenna structure is set to be heard by the Planning Commission on November 18, 2014 and then will be heard by the Commissioners on November 26, 2014.
- *Godsey EFS* – Rich reported that Godsey Farms subdivision line adjustment is set to be heard by the Planning Commission on November 18, 2014 and then will be heard by the Commissioners on November 26, 2014.
- *Schramm Feedlot Pit* – Rich relayed that Schramm Feedlot's Permit Amendment is set to be heard by the Planning Commission on November 18, 2014 and then will be heard by the Commissioners on November 26, 2014. Attorney Barbara Green will have the draft staff report to Rich by the Planning Commission meeting.
- *Land Use Code (Text) Revisions* – Birnie reported that the Planning Commission had an objection in the CAFO land use code to the phrase "Occupied Structure" in the existing paragraph. The Commissioners suggested that for further clarification the additional verbiage of, "Human occupied structure" may be used. Birnie will take it to the Planning Commission on November 18, 2014.
- *Franson Partnership Gravel Pit* – Birnie reported that the major land use development permit from Franson Family Partnership, LLP is pending and may be completed soon for a possible January 2015 hearing.
- *Jeremy Fix* – Rich reported that Jeremy Fix is applying for an EFS and Administrative Lot Line Adjustment. If the application is received this week, it will be heard in December, 2014.
- *Bally Neal* – Birnie reported that he received an activity notice for a kitchen expansion at Bally Neal Golf Course.
- *Dillon and Kiley Rose* – Rich reported that Dillon and Kiley Rose will be applying for an EFS. If the application is received this week, it will also be heard in December.

² Minutes of the Yuma County Water Authority PID are done separately.

Yuma County 4-H

- *Transportation Expenses* - JoLynn Midcap presented a request for assistance with the 2015 4-H Youth travel. JoLynn reported that previously, the Commissioners have committed \$300 for transportation expenses to assist with youth events. Following a short discussion, **Commissioner Wiley moved to approve \$300 for transportation expenses when taking the 4-H youth to events. Commissioner Bushner seconded the motion; which passed unanimously.** A bill will be provided by Yuma County 4-H for payment and will be paid out of the Recreation Fund.
- *4-H leaders* – JoLynn reported that all the area 4-H leaders will be meeting in December for an evening meeting at the Grainery in Idalla.

Treasurer

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

- *October Treasurer's Report* - Dee Ann Stults gave the treasurer's report for the month of October 2014. There were \$53,021.25 in taxes collected; \$155,486.64 in Specific Ownership taxes collected, and \$5,470.05 in fees collected.
- *Tax Lien Sale*—Stults reported that the next tax lien sale is set for Tuesday, November 18, 2014. The sale will be held in the Commissioners office.

CTSI, Insurance Loss Analysis Presentation

George Tinker, County Technical Service Inc. Senior Loss Prevention Specialist, presented the 2013 loss analysis to the Commissioners. Tinker reported that Yuma County dropped from being 46th in 2012 to 26th in 2013 CAPP Loss Ratio. Tinker then reported that Yuma County went up on the Loss Ratio for County Workers' Compensation in 2013. Tinker recommended to the Commissioners that based on both loss ratio reports that a vehicle training course be offered county-wide in 2015. Tinker reported to the Commissioners that CTSI Loss Prevention Specialists will be changing areas in 2015 and Ted Lindtveit has been assigned to this area.

Sheriff's Office

Undersheriff Adam Wills presented items to discuss:

- *Civil Law Suit* – Undersheriff Wills reported on a civil law suit that had been filed against a Sheriff's Deputy and Detention Officer. Wills reports that the suit has been dropped with deposition, so no counter suits will be filed.
- *Staffing* – Wills reported to the Commissioners that the Sheriff's Office has been unable to fill the patrol position. Wills reported that he has completed extensive research in Colorado, Nebraska and Wyoming for candidates. Since they have been unable to fill from the outside, they would like to promote from the Detention Officers and fill post-academy. There is a spot open in Adams County Academy beginning January, 2015 for \$2500 (this includes a room as well). The Commissioners were favorable with direction the Sheriff's Office is taking. Wills reported that they have recently made two hires in Detention, Austin Molcyk and Kellie Curtis. The jail is now fully staffed.
- *Vehicle Failed to Stop* – Commissioner Wiley asked Undersheriff Wills to check into a complaint he received from a gentleman that had a vehicle break-down in the recent frigid weather. The gentleman reported to Commissioner Wiley that he was walking on the side of the road when a



Sheriff's vehicle passed by without stopping to offer assistance. He was very frustrated that he was not offered help in this instance. Undersheriff Wills reported he will investigate the complaint.

Eckley Road Issue

Attorney Margaret Fix-Seboldt, Connie Newbanks, and Brenda Williams came in to discuss an access issue on a road just north of Eckley. Ms. Newbanks relayed that Miguel Favela is parking his semi-truck and trailers on both sides of the road denying access to her property and the property of Ms. Williams. She reported that they have talked to Mr. Favela, with no results; and have retained Margaret Fix-Seboldt for assistance. The group would like the Commissioners to consider making this a county road or provide some assistance to this issue. Seboldt reported that there is an assigned road number of T.3. After a little investigation, the Commissioners were able to see that this road was the main road heading north out of Eckley and has over 100 years history of being a public road; therefore, public access cannot be denied. The consensus of the Commissioners is to send a letter to Mr. Favela explaining that this is a public access road and must be left open.

Manna Pantry

Robbie Krause, Nikki Obourn, and Eunice Weed came in to discuss the Food Bank of the Rockies drop off location in Wray. The group relayed to the Commissioners that, currently, the truck comes to the back entrance of Health and Human Services. The group feels that this poses a safety concern; especially in the winter when it is icy, because of the grade of the roadway. They would like the Commissioners to consider allowing the use of the Election Center parking lot, instead. The ladies reported that the truck just comes once a month, usually on a Friday. Eunice reported that she contacted the Food Bank of the Rockies to ask if they could make a drop off at the Manna Pantry, and they reported that they will only make one stop, per community. They also spoke about moving to other sites within the community, such as church parking lots if the election center parking lot would not be available. The Commissioners reported that they will speak to Dave Henson.

Administrator's Report

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

- **Minutes – Commissioner Bushner moved to approve the October 16, 2014 Board of County Commissioners minutes with minor revisions. Commissioner Wiley seconded the motion; which passed unanimously.**
- **Certification of Accounts Payable for November 17, 2014, drawn on Yuma County Funds, with check #58092 through #58230 totaling the sum of \$261,025.07 and Fund 16 W-Y Combined Communication accounts payable checks #7076 through #7090, totaling the sum of \$3868.73 were signed by Chairman Dean Wingfield.**
- **CCOERA Forfeiture to Fund 3 –Chairman Wingfield and Commissioner Wiley signed the CCOERA forfeiture check for \$1,124.89 for an employee's unvested portion of employer paid retirement.**
- **2014 Interest Transfers**
Commissioner Bushner moved to approve:
 - **Resolution #11-17-14 A transferring \$71.60 from the Yuma County General Fund (Fund 1) to the Conservation Trust Fund (Fund 6).**



- **Resolution #11-17-14 B transferring \$131.83 from the Yuma County General Fund (Fund) to the TASK Force Fund (Fund 13).**
- **Resolution #11-17-14 C transferring \$106.50 from the Yuma County General Fund (Fund 1) to the Closure/Post Closure Fund (Fund 21).**

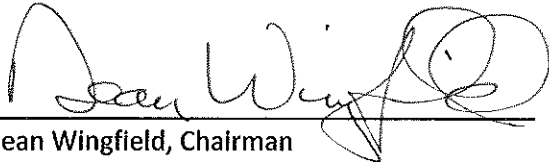
Commissioner Wiley seconded the motion; which passed by unanimous vote. (Resolutions attached.)

- ***Fairgrounds Use by CSU Regional Representative* - Commissioner Wiley moved to allow the CSU Extension Rep, Brent Young use of the Concession Building at the Fairgrounds on December 18, 2014 for Farm Bill Training. Commissioner Bushner seconded the motion; which passed unanimously.**
- ***2015 Ambulance Rates* - Hoover presented the Yuma County Ambulance Service proposed rate structure for 2015 for approval by the Commissioners. The proposed rates include: BLS Base Rate-Non Emergency \$850; BLS Base Rate-Emergency \$950; ALS Base Rate-Non Emergency \$1,300; ALS Base Rate-Emergency \$1,300; ALS Base Rate-Level 2 \$1,450; Specialty Care Transport \$2,000; and mileage \$18. Commissioner Wiley moved to approve the Yuma County Ambulance Service 2015 rate structures as presented. Commissioner Bushner second. The motion passed unanimously.**
- ***Centennial Mental Health Service Agreement* – The proposed 2015 Service Agreement with Centennial Mental Health was forwarded to Attorney Nancy Rodgers for review. Rodgers had suggested some revisions to the service agreement. No additional changes were noted by the Commissioners. The Commissioners instructed Hoover to forward the revisions to Centennial Mental Health for their consideration.**
- ***Stephen Monks PC* – The 10/31/14 statement from Stephen Monks was discussed. The statement references Larimer County and the Commissioners questioned the billing. Mr. Monks assistant reported via email that the charges referencing Larimer County were part of the pleadings index and specifically noted on the statement. Hoover reported she had asked for additional explanation from Mr. Monks, but had not received such at this point. She will again email Mr. Monks for an update on the case.**
- ***E-Recycling Pods* – Commissioner Wiley noted that two 40' High Cube Containers have been ordered from Brekke Storage in Longmont in the amount of \$7,250 with delivery. He anticipates their arrival early next week; both pods will be delivered to the Yuma County Landfill. These pods are part of the Colorado Department of Public Health and Environment Recycling Resources Economic Opportunity Fund Grant Program, # FAAA, 3300.**
- ***NECALG* – The Commissioners reviewed invoices from the Northeastern Colorado Association of Local Governments. The November 3, 2014 Invoice was for 20% of a body on a Chassis Bus in the amount of \$11,584 from Fund 20. The November 4, 2014 invoice was for the Broadband Initiative Match of \$3,558 from Fund 5. It was the consensus of the Commissioners to pay both invoices.**
- ***Court Security Grant Agreement* – The Commissioners reviewed the agreement for the 2015 Court Security Grant \$77,700 to be used for personnel. Commissioner Wiley moved to accept the 2015 Court Security Grant Agreement for \$77,700. Commissioner Bushner seconded the motion; which passed unanimously. Chairman Wingfield signed the agreement.**

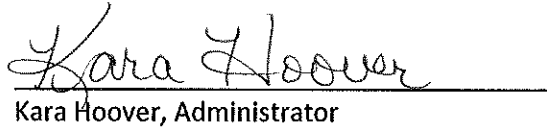


- *Service Awards* – Administrator Hoover presented 20-year service awards for signature for Sandra Juhnke and Daryl Juhnke. Both awards will be presented at a later date.
- *County Clerk Staffing* – The Commissioners discussed Clerk/Recording staffing needs brought forward at the last Commissioner meeting. **Commissioner Bushner moved to approve a new hire for Clerk & Recording. Commissioner Wiley seconded. The motion passed unanimously.**

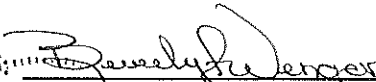
There being no further business, the meeting adjourned at 6:02 p.m. The next meetings of the board will be November 26th, 2014 and December 16th, 2014.



Dean Wingfield, Chairman



Kara Hoover, Administrator

ATTEST: 

Beverly Wenger, County Clerk



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Yuma County Recorder, BEVERLY WENGER Page 7 of 7
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