

YUMA COUNTY COMMISSIONERS

November 13, 2015

Minutes<sup>1</sup>

On November 13, 2015 at 8:00 a.m., the Yuma County Board of Commissioners met in regular session. Chairman Trent Bushner, Commissioner Robin Wiley, Commissioner Dean Wingfield, and Administrator Kara Hoover were present throughout the day.

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

Liquor License

Nancy Wright presented a Liquor License Renewal Applications for Jo's Liquor in Joes, Colorado and Roadhouse Liquors in Idalia, Colorado. **Commissioner Wingfield moved to approve the Liquor License Applications for Jo's Liquor, in Joes Colorado and for the Roadhouse Liquors, in Idalia, Colorado. Commissioner Wiley seconded. The motion was unanimously passed.**

Department of Human Services

The Board of County Commissioners convened as the Board of Social Services at 8:34 a.m. Human Services Director Phyllis Williams and Receptionist Robin Barnhart were present. Detailed minutes from this meeting are maintained by the Department of Human Services.

The Board of County Commissioners reconvened at 8:58 a.m.

Road and Bridge

Supervisor J.R. Colden was in attendance to give Road and Bridge department updates.

- **Mowing** – Colden reported that they are mowing throughout the county, working especially on County Road Y from County Road 10 to County Road 13. The Commissioners asked Colden to place a notice in the newspaper, once mowing is complete, asking residents to notify Road and Bridge of any areas that are still in need of mowing.
- **County Roads M and 42** – Colden reported that the major repairs to County Roads M and 42 are complete.
- **Bridge Repairs/2016 Budget Additions**- Colden presented the State's cost projections as reported in the Maintenance Inspection Report for the following bridges:
  - YumX-03.15 Bridge**, repairs to the approach rails and object markers; projected cost of \$32,210.
  - Yum53-N.20**, repairs to the approach rails and object markers; projected cost of \$30,480.
  - Yum22-MM**, repairs to the approach rails and object markers; projected cost of \$34,750.
  - Yum25.45-RR**, repairs to the approach rails and object markers; projected cost of \$32,750.
  - Yum 00.10-Y**, repairs to the approach rails and object markers, seal cracks in the asphalt and concrete around the base of piers, and replace the deck timers; projected cost of \$197,475.Colden reported that he anticipates the material costs of rails and object markers for each bridge to be more in the \$4,000 to \$5,000 range per bridge, plus labor, at approximately \$10,000 per bridge. He requested, and the Commissioners agreed, that \$50,000 be added to the 2016 budget for these repairs.
- **Striping** – Colden shared that he is working with CDOT to get engineering for a striping map, for the paved county roads.



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<sup>1</sup> Minutes prepared by Kara Hoover are a summary of discussions, not a verbatim account.



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- *Eckley Shop* – Colden has been working on getting bids for a new Eckley Shop. This will be a 30 X 50 foot building with a 6 inch concrete floor, insulated, with a walk-in door, shop door, and roughed-in plumbing.
- *Blach* – Colden reported that Harold Blach phoned to request gravel. Blach is aware of the new price of \$8 per cubic yard, and he will load it when Road and Bridge Department employees are available at the pit.
- *Gravel Pits*– Colden conveyed that they have permission to explore for product in the Meek Pit. He relayed that the Moser Pit expires this year. Don Marr noted that an extension was supposed to be filed by July; he is working on remedying this situation. Marr also learned that the land has been sold to Gary McCall. Colden plans to speak with Gary about continuing this lease.
- *Underground and Utility Permits* - Colden presented the following for approval:  
*Source Gas, LLC* – Underground and Utility Permits: to install a gas line under County Road P at 1,000 feet North of County Road 53, and to install a gas line under County Road J on the south side of County Road 37.

**Commissioner Wiley moved and Commissioner Wingfield seconded to approve:**

**Underground and Utility and Permits for Source Gas, LLC:**

- to install a gas line under County Road P at 1,000 feet North of County Road 53; and
- to install a gas line under County Road J on the south side of County Road 37.

**Treasures Report**

Treasurer Dee Ann Stults was in attendance and presented the following:

- *Treasures Report* - Treasurer Dee Ann Stults presented the Treasurer's report for October 2015. She reported there were \$82,901.57 in taxes collected; \$158,744.15 in Specific Ownership taxes collected, and \$6,200.28 in fees collected for the month.
- *Certificate of Title*– Stults presented a mobile home that is in the Sunny Side Mobile Home Park in Yuma, Colorado that has unpaid taxes for 2013 and 2014, totaling \$236.92. She reported that the one-year redemption period has expired and the county has the ability to obtain a certificate of title. She explained that she is unsure if the property owner is still in Yuma or is receiving the tax lien payoff statements. Stults is going to prepare a letter to send to the owner, and will also post the letter on the mobile home, alerting the resident that the mobile home has a tax lien against it.

**2016 Budget Hearing**

At 11:00 a.m. Chairman Bushner opened the hearing to accept public comment on the proposed 2016 Budgets for the Yuma County Water Authority Public Improvement District, Yuma County Landfill, and Yuma County Water Authority. Chairman Bushner reviewed the budget documents. No one from the public was present to make comments. The hearing was closed at approximately 11:31 am. **Commissioner Wiley moved to approve the 2016 Yuma County Water Authority and the 2016 Landfill Budget as presented. Commissioner Wingfield seconded. The motion passed unanimously.** Formal resolutions will be approved at a subsequent meeting. Yuma County Water Authority Public Improvement District Budget will be discussed and approved in the YCWAPID meeting.



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Yuma County Water Authority Public Improvement District

At 11:32 a.m., the Commissioners adjourned to conduct the Yuma County Water Authority Public Improvement District business.<sup>2</sup> The Commissioner's meeting resumed at approximately 11:51 a.m.

Land Use

Rich Birnie, Land Use/GIS Coordinator, was present for Department updates.

*Alexander* – Birnie reported that Niki and Chance Alexander have applied for an exemption from subdivision, EFS1015-20, to divide 4.12 acres from 440 acres in the N½ of Section 27, T2S R43W for loan purposes, as a future home site. The application will be heard at the November 30, 2015 BOCC meeting.

*YW Electric* – Birnie reported Y-W Electric has applied for an Administrative Permit to replace an existing tower with a 180' self-supporting telecommunication tower, on one acre purchased from Wilson and Brophy in the NE ¼ of Section 18, T1N R43W. Birnie noted that he is still waiting on signed waivers from Brophy and Wilson and the City of Wray.

Pending

*National Flood Insurance Program* – Rich has researched the floodplain ordinances for Yuma County. He was told by Emergency Manager Roger Brown that there are no floodplain ordinances for the county. The City of Wray has a chapter in their Code, under Title 13-PUBLIC SERVICES, that deals with flood damage prevention. Rich received a Colorado model ordinance for consideration. He will continue to research and explore area counties floodplain ordinances and report back to the Commissioners at a later date.

*Heritage Dairy*– Birnie mentioned that Roy and Marylu Smith asked for clarification on the setback requirements for the wind turbine project at Heritage Dairy. They are concerned about the consequences of the project to their land use. Smiths were relieved to know that the BOCC granted a setback reduction in the October 30, 2015 meeting, and asked for written verification.

*Chamberlain Construction* – Birnie reported that Mason Chamberlain would like to build an addition for office space in his Wray, Colorado business site. The Commissioners reviewed the location of the property lines and the setback requirements. Birnie will need to conduct additional research of the property lines before providing guidance to Chamberlain.

GIS

- *Cadastral Lines, Mapping* - Birnie shared that he is beginning to enter data for the address centerlines. He reported that he has found an issue with the MSAG database that will require an additional field to the address centerline table. He will be working on editing the table.
- *Red Book* – Birnie reported that he is working with Sidwell to finish the Red Book.

Officials and Department Manager Meeting

Present for the Officials, Department Manager Meeting were: Bev Wenger, Phyllis Williams, Vicky Southards, Joy Akey, Rich Birnie, Cindy Taylor, DeeAnn Stults, J.R. Colden, Chad Day, and Cliff Henry.

- *CTSI Worker's Compensation and CAPP Loss Ratio Reports* – The group reviewed the CTSI Worker's Compensation and CAPP Loss Ratio Reports for the third quarter 2015 that were presented to the Commissioners on October 30, 2015. Yuma County is at a low 33% loss ratio for Worker's Compensation

<sup>2</sup> Minutes of the Yuma County Water Authority PID are done separately.



which is under the pool average of 51%. Yuma County is at 32% for CAPP loss ratio; which is also under the pool's average of 47%.

- *Service Awards* – The group discussed the different processes for giving service awards for each office. Many different methods are currently being used. The group decided on the following guidelines for Service Award Amounts as follows: 5 years-\$50, 10 years-\$50, 15 years-\$75, 20 years-\$75-\$100, 25 years-\$100-\$150, and 30 years-\$150-\$200. These are merely guidelines for the various offices and departments to use across the board.

In addition the group decided to recognize landmark service years of every 5 years for staff at the Christmas Coffee, and in the newspaper.

- *IT Contractor Information* – The Commissioners reported that Teryx, Inc. was chosen for Information Technology Service. Teryx, Inc. employees will be in-house next week to work on the Finance Office server, to get a feel for the IT infrastructure, and to meet with the Officials and Department Managers.
- *Health Insurance Open Enrollments* –Open Enrollment packets have been distributed. The payroll department encouraged officials and department managers to ensure their employees are completing the necessary paperwork and return by November 10, 2015.
- *Christmas Coffee* –The Extension Office is in charge of the annual Christmas Coffee and chose Friday, December 18<sup>th</sup> as the date. They also completed a new list showing the rotation of departments, offices, for 2016 through 2035.
- *Christmas Tree Contest* – The group discussed offices decorating Christmas trees and hosting a Christmas tree contest. The Commissioners Office will supply the prize for the best dressed tree. It would be nice to have the trees in place by Friday, December 4<sup>th</sup>.

#### Elected Officials

Clerk Wenger, Assessor Taylor, Treasurer Stults, and Sheriff Day were present to discuss:

- *Elected Officials Salary Designation* – The Commissioners relayed their decision to approve the 20% increase for elected officials beginning with the 2017 elections.
- *2016 Proposed Budget Review* – The Elected Officials reviewed the proposed budgets for their offices. The 2016 Budget Hearing will be held on December 15, 2015. The group discussed the opportunity to purchase office supplies in bulk. The group is asked to compute how much paper their specific office uses and a collective request for proposal will be sent out to local businesses.
- *Water Issues* – The group discussed the ground water issues to include the water district's assessments and the Hutton lawsuit.

#### Sheriff

Sheriff Day presented the following for discussion:

- *Town of Eckley Law Enforcement Agreement* – Sheriff Day presented the 2016 Law Enforcement Agreement between the Town of Eckley and Yuma County for signature. **Commissioner Wiley moved to approve and sign the 2016 Law Enforcement Agreement between the Town of Eckley and Yuma County. Commissioner Wingfield seconded the motion; which passed unanimously.**



- **CBM Managed Services** – Day presented the 2016 CBM Managed Services contract for inmate meals. The contract shows a 3.2% increase at \$4.40 per meal over the 2015 per meal rate of \$4.26. **Commissioner Wingfield moved to approve and sign the 2016 CBM Managed Services contract for inmate meals. Commissioner Wiley seconded. The motion passed unanimously.**

#### Gary and Nancy Earl

Gary and Nancy Earl visited with the Commissioners about their frustration with the Republican River Water Conservation District. Nancy shared their tax notices from 2010 to 2014. Earls shared that they have been assessed \$14.50 per acre for three irrigated circles that qualified as exempt, pre-compact acres. They acknowledge that this has happened for several years and they didn't notice the issue until recently. They have been charged nearly \$13,000 more than they believe they should have had to pay.

The Earls spoke with the Water District's Secretary, who made a request for a refund on their behalf, to the Board of Directors of the Republican River Water Conservation District. They were later told that the board denied their request because it was not received by June 30<sup>th</sup>.

Assessor Cindy Taylor and Treasurer Dee Ann Stults joined the meeting. Taylor shared that a spreadsheet of acreage is prepared for the ground water districts each year. She remembered that approximately three-years ago the Republican Water District lost a report that had the pre-compact acreage listed. She believes that the pre-compact acres were inadvertently lost at that time because it was shortly after that people began to come in the Assessor's office questioning their assessments. Taylor explained that she has no way of uncovering an issue when the Districts certify assessments. Treasurer Stults conveyed she is unable to make changes or edit anything that is certified by the groundwater management districts. She recently sent a letter to all ground water districts requesting spreadsheets to substantiate their assessments.

The Commissioners suggested that Earls go back to the Board of Directors of the RRWCD and request a refund. Assessor Taylor and Treasurer Stults are willing to write letters providing Earls with their knowledge of this situation to present to the RRWCD Board.

#### Idalia Ambulance Service

Deb Moellenberg shared that the Idalia Ambulance Service is part of a consolidated grant from the State of Colorado to pay 50%, or \$21,330.11, for the purchase of a Ferno INX gurney and a Lucas II CPR chest compression device; totaling \$42,660.41. She relayed that the ambulance service also received \$7,500 from Gerber Trust and will receive the remaining funds of \$13,830.21 from Kitzmiller-Bales Trust. She is requesting that the county be used as the fiscal agent for these purchases. Grant funding from Gerber Trust and Kitzmiller-Bales trust will be deposited at the county and once the invoices are paid, the state will then reimburse the county for the remaining amount. **Commissioner Wiley moved to act as a fiscal agent for the Idalia Ambulance Service housing the Gerber Trust and Kitzmiller-Bales Trust grant funds through Fund 9, to purchase a Ferno INX gurney for \$29,295.31 and the Lucas II CPR Chest Compression Device for \$13,365.10, awaiting EMS Grant reimbursement of \$21,330.11. Commissioner Wingfield seconded the motion; which passed unanimously.**

#### Administrator's Report

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

- **Minutes** – Commissioner Wingfield moved to approve the October 30, 2015 Board of County Commissioners minutes. Commissioner Wiley seconded the motion; which passed unanimously.

- Certification of Accounts Payable drawn on Yuma County Funds November 13, 2015, with check #61028 through #61187 for \$512,132.94 and Fund 16 W-Y Combined Communication accounts payable, with check #7427 through #7437 totaling the sum of \$1,900.06 were signed by Chairman Trent Bushner.
- *Air Med Care* – The Commissioners discussed renewing the Air Med Care for 2016. The Elected Officials and Department Supervisors confirmed earlier in the meeting that this coverage was valuable and appreciated. Commissioner Wiley moved to approve the Air Med Care coverage, paid from the Self Insurance Fund 4 with respective agencies reimbursing Yuma County, for 2016. Commissioner Wingfield seconded the motion; which passed unanimously.
- *Eckley Property* – County Clerk Bev Wenger reviewed the process for destruction of the trailer houses left on the property purchased in Eckley, for a new Road and Bridge shop. Commissioner Wiley moved to complete all the necessary forms for destruction of the 1973 Century 70 X 14 Mobile Home, Serial Number 19E103023, VIN CGBGXADM12124 and the 1973 Berkline 12 X 65 Mobile Home, Serial Number 19E103024, VIN 9721265S3445 currently located on the second plat of Catchpole's First East Addition, Block 26: Lots 1-7, 11-14 in Eckley, Colorado. Commissioner Wingfield seconded. The motion passed unanimously. Recorded under Reception # 00565829.
- *2016 Fair Entertainment* – The Commissioners reviewed the contract with Two Up Two Down, Inc. for the artist Old Dominion at the 2016 Fair. Commissioner Wingfield moved to approve Commissioner Wiley's signature on the contract with Two Up Two Down, Inc. for Old Dominion in the amount of \$15,000 for the 2016 Yuma County Fair Entertainment. Commissioner Wiley seconded the motion; which passed unanimously.
- *2015 Interest Transfers* –The Commissioners reviewed the 0.21% annual yield for interest on accounts for Fund 6, Conservation Trust Fund and Fund 21, Closure/Post Closure Fund.  
Commissioner Wiley moved to approve:
  - Resolution #11-13-15 A transferring \$191.59 from the Yuma County General Fund (Fund 1) to the Conservation Trust Fund (Fund 6); and
  - Resolution #11-13-15 B transferring \$197.09 from the Yuma County General Fund (Fund 1) to the Closure/Post Closure Fund (Fund 21).Commissioner Wingfield seconded the motion; which passed by unanimous vote. Resolutions attached.
- *Jr. and Sr. Round Robin Scholarship Banking Information*– The Commissioners reviewed the representatives at the Wray State Bank for the Junior and Senior Scholarship Recipient's.  
Commissioner Wingfield moved to approve:
  - Resolution #11-13-2015 C authorizing Commissioner Dean Wingfield, 2015 Round Robin Jr. Scholarship Recipient Zaiden Annen, and Fair Board Member Kim Latoski as designated representatives for this account at Wray State Bank; and
  - Resolution #11-13-2015 D authorizing Commissioner Dean Wingfield, 2015 Round Robin Sr. Scholarship Recipient Hannah Niccoli, and Fair Board Member Kim Latoski as designated representatives for this account at Wray State Bank.Commissioner Wiley seconded the motion; which passed unanimously. Resolutions attached.
- *Department of Human Services Banking Information* - The Commissioners updated the Client Services and Trust account information at the First Pioneer National Bank.  
Commissioner Wiley moved to approve:
  - Resolution 11-13-2015 E, designating Phyllis Williams, Grant Smith, Dee Ann Stults, and Chrystal Hammond as county representatives at the First Pioneer National Bank for the Department of Human Services Client Services Account #6036058; and

- **Resolution 11-13-2015 F, designating Phyllis Williams, Hollie Hillman, Trent Bushner, Robin Wiley, Dean Wingfield, Dee Ann Stults, and Chrystal Hammond as county representatives at the First Pioneer National Bank for the Department of Human Services Trust Account #2017792.**

**Commissioner Wingfield seconded the motion; which passed unanimously. Resolutions attached.**

- *Human Service Director* - The Commissioners reviewed and signed the salary agreement for newly appointed Human Service Director, Phyllis Williams, at G12/S18, as approved in the October 30, 2015 BOCC meeting.
- *CCOERA Forfeitures*—Chairman Bushner and Commissioner Wiley signed the CCOERA forfeiture check for \$1,208.57 for an employee's unvested portions of employer paid retirement, to be deposited in Fund 3.
- *Eckley Shop Rent*- The Commissioners reviewed a lease agreement for the shop in Eckley with Wayne and Deanna Pletcher. **Commissioner Wingfield moved to accept the lease for the shop in Eckley at 247 SW Kansas with Millard Wayne and Deanna Pletcher for \$200 a month, beginning November 1, 2015. Commissioner Wiley seconded the motion; which passed unanimously.**
- *County IT* - The Commissioners read through the contract for IT Services with Teryx, Inc. **Commissioner Wiley moved to approve the Consultant Services Agreement for Information Technology Services with Teryx, Inc. beginning November 10, 2015. Services provided include remote and on-site desktop computer and network support services at a rate of \$110 per hour, billed in 15 minute increments. Additionally there is a \$200 "per trip" fee and \$100 "per-diem" fee for on-site visits. Commissioner Wingfield seconded the motion; which passed unanimously.**
- *Christmas Gifts for 2015* – The Commissioners were in consensus to provide Christmas gift certificates of \$50 each for Yuma County Employees, expiring 12-31-2015. Gift certificates were signed by the Commissioners for distribution.
- *Public Assistance Program FEMA*— The Commissioners looked through the small project #8 purchase order and Project Completion form from FEMA/State of Colorado for reimbursement of damages in Area 1 in the June 5, 2015 storm. The purchase order will reimburse Yuma County 75% of the \$112,381.38 spent on repairs, totaling \$84,286.04. **Commissioner Wiley moved and Commissioner Wingfield seconded to approve the completion and signatures of the Project Completion Form for the FEMA Public Assistance Program, Project worksheet #8(0). The motion passed unanimously.**
- *VOCA Grant*— The Commissioners read through the Victims of Crime Act, VOCA, Grant contract #2015-VA-14-009041-13 in the amount of \$26,442. No revisions were noted. **Commissioner Wiley moved to approve and sign the VOCA Grant contract #2015-VA-14-0019041-13, for calendar year 1-1-2016 to 12-31-2016, in the amount of \$26,442. Commissioner Wingfield seconded the motion; which passed unanimously.**
- *County Express Van/Bus* – The Commissioners discussed the commitment to pay a 20% match for new ADA mini-van for County Express. **Commissioner Wingfield moved to pay \$7,407, a 20% match from Fund 20, for a 2015 Braun Entervan Mini Van for County Express through NECALG. Commissioner Wiley seconded. The motion passed unanimously.**

Commissioner Wingfield mentioned that the Federal Transport Authority will not allow the County Express buses to transport children and therefore the routes in the county that carry children to and from various schools must end. The Commissioners reviewed the CTSI/CAPP insurance requirements. Commissioner Bushner will contact area counties to see how they handle similar situations.

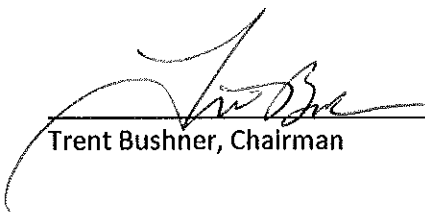
- *Destructive Rodent Pests Draft Bill* – The Commissioners read a letter requesting support for draft House Bill

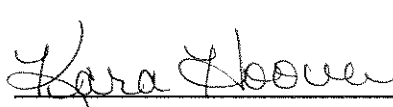


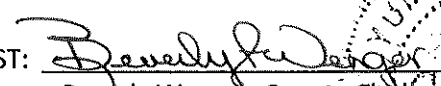
LLS No. 16-0300.01 regarding the release of destructive rodent pests into a county. Commissioner Wingfield moved and Commissioner Wiley seconded to send a letter supporting House Bill LLS No. 16-0300-01 which requires a person who plans to release destructive rodent pests into a county to notify any conservation district that is included in a planned release location; follow the existing requirement that the parks and wildlife commission and the board of county commissioners approve the release of destructive rodent pests into a county; and repeals the existing exception for a release that occurs in the same county in which the pests were originally captured. The motion passed unanimously.

- *Kirk House* – Hoover conveyed that the repairs are nearly completed at the Kirk House. According to Larry Murphy, the siding is in place and the windows have been replaced. C.J. Fell, who resides in the house, said the only thing left is to replace the door; which should be done very soon.
- *CDL Testing Site, El Pomar Regional Council* – Yuma County Economic Development Director Darlene Carpio has pursued funding from the El Pomar Regional Council for the CDL Testing site. A letter of support was approved and sent from the Commissioners to the El Pomar Regional Council
- *WY 911 Joint meeting* – Commissioner Bushner relayed that the attorneys that have been working on the E911 Authority are at a stand-still. He spoke with Washington County Administrator about having a joint meeting with the Washington County Commissioners, the county attorneys, and the attorney from WY Electric to get this resolved. The meeting will be held from 12:00 noon to 2:00 pm on Tuesday, November 24<sup>th</sup> at the Communications Center in Yuma.
- *4-H Shooting Sports* – The Commissioners received a letter from Cindy and Duane Hull outlining their concerns about a current 4-H Shooting Sports Leader. This is the second letter that the Commissioners have received from parents concerning this leader. 4-H Youth Development Coordinator JoLynn Midcap was away from the office and not available for discussion. The Commissioners asked Administrator Hoover to speak with Midcap about the steps she has taken to resolve these concerns.

There being no further business; the meeting was adjourned at 5:06 p.m. The next regular meetings of the Board of County Commissioners will be November 30, 2015 and December 15, 2015.

  
Trent Bushner, Chairman

  
Kara Hoover, Administrator

ATTEST:   
Beverly Wenger, County Clerk

