YUMA COUNTY COMMISSIONERS  
May 16, 2016 
Minutes

On May 16, 2016 at 8:00 a.m., the Yuma County Board of Commissioners met in regular session. Chairman Robin Wiley, Commissioner Dean Wingfield, Commissioner Trent Bushner, and Administrator Kara Hoover were present.

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

Department of Human Services
The Board of County Commissioners convened as the Board of Social Services at 8:27 a.m. Human Services Director Phyllis Williams, Child Welfare Supervisor Hollie Hillman, and Receptionist Robin Barnhart were present. Detailed minutes from this meeting are maintained by the Department of Human Services.

Williams presented a Core Service Contract with PATHS Center, LLC in Wheat Ridge, Colorado for services from June 1, 2016 to May 31, 2017. Commissioner Wingfield moved to approve and sign the Core Services/PA3 Program Contract with PATHS Center, LLC in Wheat Ridge Colorado from June 1, 2016 to May 31,2017. Commissioner Bushner seconded. The motion passed by unanimous vote.

The Board of County Commissioners reconvened at 9.03 a.m.

Road and Bridge
Supervisor J.R. Colden was present to provide the following updates.

• Current Projects
  
  o Bridge Decks – Colden shared that the crack seal on the bridge decks throughout the county is underway.
  
  o Eckley Building – Colden said the building for the Eckley property is completed. They are now waiting on the concrete work and the overhead door to be installed.
  
  o Crusher/Conveyor – J.R. presented bids on the 2006 CEC 133 x 115 Impact Rock Crusher – Unit #0136-05, the Peerless Radial Stacker – Unit #0135-07, and the 2007 Porta-Cab Operator Station. Commissioner Bushner moved to accept the bid of $208,000 from Hastings Excavating Service for the 2006 CEC 133 X 115 Impact Rock Crusher – Unit #0136-05, the Peerless Radial Stacker – Unit #0135-07, and the 2007 Porta-Cab Operator Station. Commissioner Wingfield seconded. The motion passed unanimously.
  
  o Seeding – Colden reported that they have received three bids for seeding at the Gelvin, Godsey, and Benton Pit of approximately 60 acres. The Commissioners discussed the bids and the costs of reseeding. Colden would like to research purchasing a grass drill to complete the reseeding work with Road and Bridge Staff; to which the Commissioners agreed that this may be a more cost effective solution.

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1 Minutes prepared by Kara Hoover are a summary of discussions, not a verbatim account.
o County Road M – Colden reported that work on County Road M, South of Highway 34 is nearly complete.

o 2002 John Deere Scraper – Unit #0145-04 – J.R. reported that the 2002 John Deere Scraper, Unit #0145-04, is ready to go to Ritchey’s auction as approved at the April 29, 2016 BOCC meeting. The contract with Ritchey Brothers Auctioneers was reviewed for an August 6, 2016 date.

• May Projects
  o County Road 35 – Colden relayed that crews are reworking County Road 35, west of the oil road, also known as the Alpha Hour Road.

• Other
  o Staffing – Colden relayed that Brandon Schoenthal took another position and will not be employed at Road and Bridge, as reported in the April 29, 2016 BOCC meeting.

He also reported that long-time Road and Bridge employee Bill Thompson will be retiring this month. Thompson’s last work day will be May 26th, 2016. Colden discussed his current rent agreement at the Idalia House. Commissioner Wingfield moved to allow Bill Thompson to pay the same rent amount, $37 per month, at the 26982 County Road 9.1, Idalia, Colorado house, for the month of June, 2016, to allow him extra time to move. If additional time is required, then the rent will be $350 per month, if approved, on a month-to-month basis. Commissioner Bushner seconded the motion; which passed by unanimous vote.

Colden presented a Salary Authorization for Truck Driver Gabriel Schwartzkopf who started to work today. Commissioner Bushner moved to approve the Salary Authorization for Gabriel Schwartzkopf, Truck Driver, G5/C1/L10, with a May 16, 2016 start date. Commissioner Wingfield seconded the motion; which passed unanimously.

Colden shared that he will be running ads for additional help at Road and Bridge to fill positions. He would like the Commission to consider hiring additional part-time office staff for 24-28 hours a week. Commissioner Bushner moved to allow Road and Bridge to hire additional part-time office staff for less than 30 hours per week at the $10 to $10.50 per hour. Commissioner Wingfield seconded. The motion which passed unanimously.

o Vehicle Damage – Colden mentioned two separate incidents of damaged vehicles at Road and Bridge in the last few weeks.

The first was an act of vandalism that occurred at the Wauneta shop on May 2, during the day. The grader operator parked the 2003 Chevrolet Pickup, Unit #24, at the shop to begin work in the grader. When he returned to the shop at the end of the day, he realized that the pickup had been moved and noticed damage to the rear window, cab, bed, hood and frame. The incident is under investigation at this time.

Additionally, Colden reported that Vehicle #0178-12, a 2013 Kenworth Semi Tractor incurred damage in the tornado on May 7, 2016. The Semi was parked in the Slick Spot parking lot: North of Wray and sustained damage to nearly all of the windows, muffler, cab and hood. Colden reported that the truck will be taken to Kenworth in Denver for further review.

Claims for both incidents have been submitted.
• **Special Transport Permit** -- Colden presented a Special Transport Permit for NHH Services, LLC from Mt. Laurel, NJ. Commissioner Wingfield moved and Commissioner Bushner seconded to approve the Special Transport Permit for NHH Services, LLC to transport a skid from the intersection of County Road 21 and County Road Z, to County Road 26, then to US Highway 385 The motion passed.

**Maintenance**

Maintenance Sargent Travis Dinsmore was in to visit with the Commissioners about the part-time staffing position in the Maintenance Department. Dinsmore reported that he had an opportunity to meet with the applicants and believes either applicant would fit the position nicely. He has concerns of the amount of time it will take to train a new employee though; and believes that one candidate would require less training time as he has worked with him prior. The Commissioners thanked Dinsmore for his input, retying that they would visit more about the position. Later in the day, Commissioner Bushner moved to hire Byron McCall for the Part-Time Maintenance Position at G1/S17, with an average of 24 hours per week. Commissioner Wingfield seconded the motion; which passed unanimously.

**Assessor**

Assessor Cindy Taylor joined the meeting to discuss the abatement request from Caerus/WashCo. She reported that the County has until October to review and decide how to handle this request. She had the opportunity to visit with an Oil and Gas Auditor by phone regarding this abatement request. Taylor said that this company has experience auditing oil and gas abatements and has been successful in Weld and Garfield Counties. She is requesting input from the Commissioners about engaging their services to review this request before moving forward in the process. The Commissioners were in consensus to wait for an estimate from this Auditor before moving forward.

**New Road Request-Doug Renzelman**

Doug Renzelman phoned to speak to the Commissioners about tying County Roads KK.5 and County Road 36.5 together to provide him with an alternative route to move farm equipment around the City of Wray. The Commissioners reviewed the potential route which would be approximately 2 ½ miles and would include crossing Hayes and Holy Joe Creeks. The Commissioners will research options for a possible route and speak to the Road and Bridge Supervisor.

**Yuma County Water Authority Public Improvement District**

At 11:30 a.m., the Commissioners adjourned to conduct the Yuma County Water Authority Public Improvement District business.² The Commissioner’s meeting resumed at approximately 11:41 a.m.

**Land Use**

Rich Birnie was present to conduct Land Use and GIS business.

• **Planning Commission Board Appointments** – Birnie revisited the open positions on the Planning Commission Board. The Commissioners continue to seek interest to fill these positions.

• **W-Y 911 Authority Board PUC Application** – Birnie reported that he continues to work on the PUC Application to increase the surcharge for the WY 911 Authority Board.

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² Minutes of the Yuma County Water Authority PID are done separately.
• *Roy Weigel EFS0516-06* – Birnie reported on the Exemption from subdivision for Roy Weigel, EFS0516-06, to divide 2.62 acres, more or less, from 473.06 acres, more or less, in the NE ¼ of Section 29, T1N, R44W, for the purpose of transfer to a family member. This will be heard at the June 30th BOCC meeting.

• *Brophy/Wilson Temporary Gravel Pit DEV0516-07* – Birnie reviewed the Development permit application to open a temporary, 110 Limited Impact Gravel Pit at the corner of US Highway 385 and County Road 33.6 in the NW ¼ of Section 18, T1N, R43W. This will be heard by the Planning Commission and the Commissioners in June.

• *Prestige Land Company, Inc., ProAg / Wiltfang* – Rich shared that neither Prestige Land Company, Inc. or Everett and Jen Wiltfang have submitted applications to divide a parcel of ground that already has a recorded deed. He presented the map of the site.

• *Ryan and Susan Godsey* – Birnie reported that Ryan and Susan Godsey will be submitting an application to subdivide two tracts from one to reestablish the north line of Section 6, in T1S, R45W in the North ¼.

• *RMR Farms* – Birnie said that RMR Farms have started building a house on County Road 30 on a subdivided portion of 80 acres, but has not submitted an Exemption from Subdivision application. Birnie reported that he spoke with Roc Rutledge and a letter was sent last fall requesting compliance. Commissioner Blusher reported that he would speak to Mr. Rutledge.

• *Permitting Process* – Birnie presented suggestions to tighten up the permitting process:
   1) Place ads in the newspapers explaining the process.
   2) Place ad on the Clerk and Recorders Facebook page.
   3) Refuse to assign an address until appropriate paperwork is submitted.
   4) Request the NE Colorado Health Department to assist with compliance.
   5) Request the Division of Water Resources to require proof of Land Use compliance prior to permitting well.
   6) Institute a fine for violators.

• *Triple T Machinery/Chad Towns* – Birnie shared that Patrick Kelly of Hess Consulting has contacted him about a wind turbine project on Chad Towns’ property in the SW ¼ of Section 10, T4S R44W. Kelly plans to visit with Birnie later this week.

• *City of Yuma Planning Commission* – Birnie shared a letter from the City of Yuma Planning Commission requesting comment on a preliminary plan for a proposed subdivision in two commercial lots in the SW ¼ Section 23, T2N, R48W, Yuma city limits, submitted by Scott and Patricia Wall. The Commissioners relay they do not have any concerns over the proposal and therefore will not submit comment.

• *Text Amendment to the Land Use Code* – Birnie reviewed proposed text amendments to the Land Use Code to include:
   1) Rewriting waivers for all codes that mention waivers and add a waiver to the Industrial Setback paragraph.
   2) Adding Floodplain Regulations as per the State of Colorado request.
   3) Adding fines for failure to obtain ACT, EFS and DEV permits
   4) Numbering the Wind Energy Facility Safety Setbacks.
Birnie reported that he has not worked in GIS much in the last couple of weeks and has no update for this meeting.

**UPS**

UPS Program Coordinator Laurie Clemons presented a quarterly update. She reported that she is currently supervising 63 UPS defendants; 15 of which have completed their community service hours since January, totaling 536 volunteer hours. She reports the collection of $2,289.84 of fines in the first quarter. UPS defendants have worked in several positions throughout Yuma County including: the Landfill, Yuma County Fairgrounds, the Farmers Market with the Yuma Soil Conservation District, clean up after the recent tornado and assisting with the Inmate Garden across from the Courthouse. In addition, some defendants are completing their service in Georgia, Kansas, and other areas in Colorado.

**E-Force** – Clemons reported that the existing UPS access database is obsolete. She is reviewing additional software, called E-Force to use instead.

**Adult Basic Education** – Clemons relayed that the Adult Basic Education course began its third phase and the GED program should be on target to begin January 2017. Laurie also mentioned that she was approached to serve as the Adult Basic Education Director at the Morgan Community College-Wray Campus. She felt that this was not the best time for this opportunity. She relayed that she would like Morgan Community College to revisit this issue in a year once she has completed her certification.

**MRT Program** – The MRT program has been in operation for one month. She has selected female and male candidates that are working through this program.

**Garden Space** – Laurie relayed that she has begun work on the garden area across from the courthouse.

**Field Training Officer** – Laurie shared that she is working through the Field Training Officer program that will enable her to safely supervise inmates as they work in the garden.

**Sheriff**

Sheriff Chad Day, Undersheriff Adam Wills, Deputy CJ Fell, Deputy James Thomson, and Deputy Chantel Lowe, were present. Emergency Manager Roger Brown also joined the meeting.

- **Horse Races** – Sheriff Day reported that the horse races held at the Fairgrounds on May 14th were much improved. Day said that there were additional security officers placed throughout the fairgrounds. The fairgrounds were in good shape, but trash was left along the streets and in the yards, because the parking area at the fairgrounds was full and people found alternative parking. Day requested additional trash pickup along the perimeters of the fairgrounds. An email will be forwarded to race organizers requesting such.

- **Personnel** –
  
  **Jail Staff** -- Chad reported that they ran another hiring process. No candidate was able to pass beyond the oral board. They continue to search for qualified individuals.

- **Vehicles** –
  
  **Unit 111** – Undersheriff Wills reported that the Kansas State Patrol has a 2015 Durango that is being used as a Command Vehicle. The vehicle should mile out in July at 49,000 miles with a cost of $19,500. Day would like to replace Unit 111, Chevrolet Tahoe, currently used by the Victim’s Advocate with this Durango. Commissioner Bushner moved to purchase the 2015 Dodge Durango from the Kansas Highway State
Patrol for $19,500 for the Victims Advocate use. Commissioner Wingfield seconded. The motion passed by unanimous vote.

*Unit 132 Dodge Pickup* — Wills presented a quote from South Forty Auto Body for $269.16 to repair a spot that was damaged a year ago and is beginning to rust.

*Unit 152* — Wills returned, as requested, with a new bid from South Forty Auto Body to repair the cosmetics and the hinge on the 2016 Dodge Pickup, Unit 152, for $624.62, which was damaged in high winds and snow in March 2016.

Commissioner Wingfield moved to approve the bids from South Forty Auto Body to repair Vehicle Unit #132 for $269.16 and Unit #152 for $624.62. Commissioner Bushner seconded the motion; which passed unanimously.

*Patrol Spares* — Wills relayed that currently there are three Dodge Chargers, Unit numbers 091, 052, and 142 which are available for spares and one Dodge Charger, Unit 072 that is being used for a school car. Day suggests stripping and selling the Chargers to buy a Dodge Ram Pickup, and then if a new pickup can be purchased use Deputy Fell’s Pickup for a spare. The Commissioners asked the Sheriff’s Office to advertise to request sealed bids, with right of refusal, for Unit #091, a 2010 Dodge Charger now and will advertise the other Chargers once the other vehicles arrive.

*Patrol Vehicle* — Wills presented a quote for a 2016 Dodge Ram Pickup of $29,594 with an up fit cost from Laws of $11,617.34, totaling $41,211.34. Day reported the deadline to order this pickup is May 18, 2016. Day anticipates a three to four month out before delivery. The Commissioners asked Wills to obtain additional bids, if possible. Commissioner Bushner moved to allow the purchase of a 2016 Dodge Ram Pickup, not to exceed to $29,594 with an up fit cost to Laws of $11,617.34, totaling $41,211.34. Commissioner Wingfield seconded the motion; which passed unanimously.

- *Incident Command* — Day requested that the Commissioners be present at the Emergency Operations Center for Incident Command to approve expenses. Day mentioned an alternative might be to grant him spending authority in such situations. The Commissioners relayed that in the last emergency, they were being updated by the Emergency Manager on an on-going basis and believed that going to the Emergency Operations Center/Incident Command was not necessary. The Commissioners agreed that if additional funding was necessary a phone call could be made for approval.

- *COPS Grant* — Day reported that the COPS grant is open again for new sworn officers. He is requesting a letter explaining the financial stance of the county to accompany the application. The Commissioners relayed that a letter can be drafted.

**Treasurer**

Treasurer Dee Ann Stults presented the following for discussion:

- *Treasurers Report* - Stults presented the Treasurer’s report for April 2016. She reported there were $8,366,490.37 in Taxes Collected; $218,761.19 in Specific Ownership taxes collected, and $194,943.28 in fees collected for the month.
Mobile Home – Dee Ann relayed that a final notice of expiration of redemption period was left at the mobile home located at 619 N. Birch St., Lot 11, Yuma Colorado. The party has until May 31st to redeem this tax lien sale or shall forfeit the property to the County.

Tri-State Fair and Rodeo Association
Kris Jones, Leslie Laird and John Archer were present to request assistance with improvements at the Tri-State Fair and Rodeo Association arena. Jones relayed that the Tri-State Fair and Rodeo Association has been re-organized and is requesting assistance in rebuilding the arena. They stated that the arena dirt is worn down and they would like loads of dirt with sand brought in to recondition the arena. The Commissioners will speak to J.R. Colden at Road and Bridge Department for assistance.

County Clerk
County Clerk Bev Wenger presented the following for discussion:

- Imaging – Bev presented a quote from US Imaging to scan microfiche and aperture cards for the years 1988 to 1997. Commissioner Wingfield moved to approve the bid for Microfiche scanning and enhancing from US Imaging, Inc. for $16,903.12, paying from the Web Search Fees in Fund 09. Commissioner Bushner seconded the motion; which passed unanimously.

- Elections – Wenger gave a brief update on the current elections. She reported that all names for the Senate race are on the ballot, even though there is a question whether John Keyser has the proper signatures. Currently, Keyser has submitted an appeal.

- Security Camera – Bev has been working with Tobias on the security cameras for the elections and learned that she needs to, once again, find another vendor to complete this project. She requested guidance. The Sheriff’s Department recently contacted a camera vendor. Administrator Hoover will provide this contact information to Bev for research.

NAPA
Soren Olsen came in to visit with the Commissioners about the discounts that NAPA provides to the County. He reported that his grandfather set up quite a few discounts and he has just gone through a changeover to corporate and has realized additional discounts for the county. He understands the County has to spread out their business; but wanted the Commissioners to be aware of the discounts available.

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

- Minutes – The Commissioner reviewed the minutes from the previous BOCC meeting. Commissioner Wingfield moved to approve the April 29, 2016 Board of County Commissioners minutes. Commissioner Bushner seconded the motion; which passed unanimously.

- Certification of Accounts Payable drawn on Yuma County Funds on May 2, 2016 with Check #62418 to #62423 for $7,894.90 and May 16, 2016 with check #62424 through #62557 for $197,858.45, totaling $205,753.35 and Fund 16 W-Y Combined Communication accounts payable, with check #7592 through #7599 totaling the sum of $4,507.75 were signed by Chairman Robin Wiley.

- West Yuma County Chamber of Commerce - An invoice from the West Yuma County Chamber of Commerce was presented for approval. Commissioner Bushner moved to approve the invoice for membership to
the West Yuma County Chamber of Commerce for $810.00 for May 2016 to May 2017. Commissioner Wingfield seconded the motion; which passed by unanimous vote.

- **FFA Kiddie Barnyard**—The Commissioners reviewed a request from Lee Vetter and the Yuma High School FFA program to hold a Kiddie Barnyard event at the Fairgrounds at no charge. Commissioner Bushner moved to waive the deposit, use fee and insurance requirement for use of the Beef Barn for the Yuma High School FFA program Kiddie Barnyard to be held on May 17, 2016; to assess the regular use fee of $50 for the use of restrooms at the Concessions Building. Commissioner Wingfield seconded the motion; which passed unanimously. Lee phoned later in the day to cancel the program for 2016 due to inclement weather conditions.

- **Colorado Jr. Rodeo Association**—Commissioner Wingfield mentioned that there is some confusion about the fees paid by the Colorado Jr. Rodeo Association for use of the Yuma County Fairgrounds. The Commissioners discussed last year’s fee schedule for the Rodeo and reported no change to the fees, allowing the Colorado Jr. Rodeo Association to pay after the event so that they may include the stall rent and RV rent as well.

- **Fairground Use Policy**—The Commissioners reviewed the Fairgrounds Use Policy that was adopted on January 29, 2016; paying close attention to the deposit and fee requirements. No changes were made. The Commissioners asked staff to follow the policy in place.

- **Vistabeam at the Fair**—Vistabeam Customer Connection Specialist Rebecca Shields sent an email outlining the intent of Vistabeam to provide Wi-Fi during the Yuma County Fair. She said they would like to set up a booth and would like to have concert and/or rodeo tickets to use as giveaways. Commissioner Wingfield moved to provide ten (10) concert tickets, ten (10) Tuesday rodeo, and ten (10) Wednesday rodeo tickets to Vistabeam to be used as giveaways during the Yuma County Fair in exchange for providing Wi-Fi throughout the Yuma County Fair. Commissioner Bushner seconded. The motion passed unanimously.

- **Viaero Site Tower**—Wray City Manager James Depue provided information in an email about the potential placement of a site tower in the city’s right-of-way near the blue vehicle building across the street from the Courthouse. James reported that the 60’ Utility Pole was requested by Viaero and has undergone an initial review with the Wray Planning Commission. He is requesting comment from the Commissioners. This easement will be considered at the June 14, 2016 Wray City Council meeting. The Commissioners reported that they were not in favor of placing the pole that close to the street and provided alternative locations near the old COOP storage building or near the alley.

- **Smoke Club of Eckley**—The Commissioners reviewed a memo from County Attorney Ken Fellman in regards to the Marijuana Prohibition and Smoking Clubs/Lounges being placed in non-incorporated Yuma County. Fellman’s position is that the County has prohibited all marijuana activities in Ordinance No. 02-15-2013-01 and a marijuana smoke club would be included in this prohibition. The Commissioners will ask Mr. Fellman to further define the prohibition in an ordinance to be reviewed at a later date.

- **Milburn PRCA Music Director Contract**—The Commissioners discussed the revised contract from Brandon Milburn to perform and provide microphones, wireless microphones, speakers & amplifiers for the PRCA Rodeo at the Yuma County Fair. The Contract is for $2,000 plus the cost of a hotel room; stating if funds cannot be raised then the contract will default to $1,200 for the performance and microphones only, without speakers. Commissioner Wingfield moved to approve the contract with PRCA Music Director Brandon
Milburn for performance and microphones of $1,200, and if donations are collected for the additional $800 for speakers. Commissioner Bushner seconded. The motion passed unanimously.

- **City / County Meeting** – Commissioner Wiley made mention that Yuma County Commissioners will be hosting the annual city/county meeting. He relayed that this will be held at 4th and Main in Wray on June 2, 2016 with a 6:30 social time and dinner at 7:00 p.m.

- **Window Painting** – The Commissioners reviewed and chose the window paintings for the 2016 Yuma County Fair and Wray Daze. They chose two paintings with an $80 fee.

- **Courthouse Piping Project** – Hoover relayed that she spoke to Marty Galvin from the state who told her that there are $2 million in funds for the courthouse projects. He did relay that he is unsure if the current piping situation would warrant an imminent closure. An email was sent to Galvin with the draft grant application for his review. Galvin also provided other funding mechanisms for assistance as well.

- **Additional Cabling Needs** – Hoover happily reported that all county courthouse offices are now using the new Cat6 cabling. She reported that there was only one issue noted when converting to the new cables; and that was the need for data cables for the new Avaya phone system. When Lynx did the re-cable they did not run a new cable to the phone room. Commissioner Wiley reminded Hoover of cables that were run upstairs and are not currently being used. She mentioned that she would see if the existing Cat6 cables are long enough to reach the phone room and will utilize the new cables. Travis Dinsmore also mentioned the need to run cable to the old Probation offices in the basement for use later.

- **Maintenance** – Hoover presented a Maintenance cost analysis for 2014 to 2015 and then 2015 to 2016. She relayed that costs have remained nearly the same, shifting from contractor costs to in-house salaries.

- **WY Emergency Telephone Service Authority** – The Commissioners received a letter from the WY E9-1-1 Telephone Service Authority in regards to a meeting to adopt the amended Washington Yuma Counties IGA for the E9-1-1 Telephone Service to be held on Thursday, May 26, 2016 at 7:00 pm at the WY Communications Center at 216 East 3rd Avenue in Yuma. **Commissioner Bushner moved to approve and sign the amended Washington Yuma Counties IGA for the Emergency 9-1-1 Telephone Service. Commissioner Wingfield seconded the motion; which passed unanimously.**

- **Summer Conference Basket** – The Commissioners reviewed the basket ideas that are being put together by Administrative staff member Sarah Carwin to go to summer conference.

- **Workers Compensation / CAPP** – The Commissioners reviewed the monthly Worker’s Compensation and CAPP Insurance Reports.

There being no further business; the meeting adjourned at 5:17 p.m. The next regular meetings of the Bcoard of County Commissioners will be May 31, 2016 and June 14, 2016.

Robin Wiley, Chairman

Kara Hoover, Administrator

ATTEST: Beverly Wenger, County Clerk