

YUMA COUNTY COMMISSIONERS
September 30, 2016
Minutes¹

On September 30, 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 throughout the day.

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

Social Services

The Board of Social Services did not meet as the Director was attending a Human Service Conference out of town.

Road and Bridge

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

- *Grader Bids* – Steve Gilliland from 4 Rivers Equipment and J.R. Harsh from CAT Wagner Equipment were present for the opening of graders bids. The Commissioners and Colden asked several questions about the proposed machines and also the warranty provided. No formal decision was made. The Commissioners will review and discuss as they work through the 2017 budget.

Current Projects

- *Meeks Gravel Pit* – Colden shared that the testing trial was completed at the Meeks Gravel Pit. Interestingly enough, J.R. said that ancient elephant, horse, and camel bones were discovered. The local museum was notified and the bones were extracted from the area.
- *County Road 46* – J.R. reported that the 5 miles of base and gravel work have been completed on County Road 46.
- *Personnel* – Colden outlined a situation that he is having with an employee. Colden reported that there have been several attempts made to remedy the situation, but issues have escalated. Chairman Wiley and Administrator Hoover plan to meet with the employee on the next business day to discuss recent events.
- *Salary Authorizations* -- Colden presented Salary Authorizations for Zachary Barr, Truck Driver, who began employment on September 29, 2016 at a G5/C1/L4 and, Harold (Hal) Crossland, Truck Driver who will start on October 3, 2016 at a G5/C1/L4. **Commissioner Bushner moved to approve Salary Authorizations for Truck Drivers Zachary Barr at G5/C1/L4, effective September 29, 2016 and Harold (Hal) Crossland at a G5/C1/L4, starting October 3, 2016. Commissioner Wingfield seconded the motion; which passed unanimously.**
- *2015 John Deere Tractor* – Colden reviewed the costs to repair the 2015 John Deere Tractor that was damaged in a rollover accident on August 17, 2016. The projected repairs are \$33,023.69.

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

The Commissioners reviewed the estimate that was presented by the insurance adjuster. Colden shared that repairs have begun on the tractor.

- *Heat Exchanger for Shop* – Colden said that the heat exchanger at the shop in Wray is in need of repairs. The costs of the repairs are approximately \$5,715. A new unit, according to Colden, is about \$10,000. **Commissioner Wingfield moved to approve the repairs to the heat exchanger in the Wray shop of \$5,715. Commissioner Bushner seconded the motion; which passed unanimously.**
- *Grader Blades* – Colden shared various estimates for blade costs. The Commissioners agreed that Colden should purchase the most economical blade.
- *Underground and Utility Permits*- Colden presented Underground and Utility Permits for YW Electric and CenturyLink.

Commissioner Wingfield moved and Commissioner Bushner seconded to approve Underground and Utility Permits for:

- **YW Electric to install a 7.2 – 12.5 kv line under County Road 39, 45 feet west of County Road Q.**
- **CenturyLink to install a CAF2 line along County Road 37 at 26002 County Road CC.**
- **CenturyLink to install a fiber optic line along Kamala Street, aka County Road 39 and West Beatty Avenue in Yuma.**
- **CenturyLink to install a CAF2 site under County Road 39 at 38507 County Road GG in Wray.**
- **CenturyLink to install a 144 fiber line under and along County Road 35 at Highway 34 and North along County Road CC.**

The motion unanimously passed.

- *Special Transport Permits*- Colden presented Special Transport Permits for Wardcraft Homes Inc. and Pinnacle Transportation Systems.

Commissioner Bushner moved to approve Special Transport Permits for:

- **Wardcraft Homes Inc to move a home from Minden, Nebraska, to Highway 34 in Wray.**
- **Pinnacle Transportation Systems to move a building from Phillips County, Colorado to US Highway 36, County Roads L and 8.**
- **Pinnacle Transportation Systems to move another building from the same Phillips County, Colorado to US Highway 36, County Roads L and 8.**

Commissioner Wingfield seconded the motion; which passed by unanimous vote.

Treasurer

Treasurer Dee Ann Stults presented the following for discussion

- *Treasurers Report* - Stults presented the Treasurer's report for August 2016. She reported there were \$293,848.40 in Taxes Collected; \$147,173.82 in Specific Ownership taxes collected, and \$13,010.04 in fees collected for the month. She reported being 99.3% collected at this point.
- *Secure File Cabinet* – Stults presented bids for a 36 drawer secure file cabinet to be placed in Treasurer's Vault. **Commissioner Bushner moved to approve the bid from Southwest Solutions**

Group, Inc. for \$2,250.00 for a 36 drawer secure file cabinet to be purchased in 2016. Commissioner Wingfield seconded the motion; which passed unanimously.

Yuma County 4-H Transportation Expenses

Yuma County 4-H Leader Jolynn Midcap presented a request for assistance with the 2017 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 4-H youth transportation expenses in 2017, paid from the Recreation Fund (Fund 5). Commissioner Wingfield seconded the motion; which passed.** A bill for reimbursement must be provided by Yuma County 4-H.

Yuma County Water Authority Public Improvement District

At 11:30 am, Commissioner Bushner moved and Commissioner Wingfield seconded to adjourn the Commissioner meeting to conduct the Yuma County Water Authority Public Improvement District business.² The Commissioner's meeting resumed at approximately 11:57 am.

Land Use

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

Land Use Hearing

Chairman Wiley opened the Land Use hearing at 1:00 pm. No one was present from the public for the hearing.

Major Land Use Development Permit

- *Text Amendments to the Yuma County Land Use Code* – Birnie read the staff report for text amendments to the Yuma County Land Use Code Section 5-103 Site Development Standards, E. Setbacks from Site Boundaries. Birnie reported that he had received no phone calls or written objections these amendments.

The Land Use hearing closed at 1:07 p.m.

Commissioner Bushner moved to approve Resolution # 09-30-2016 A and adopt text amendments to the Yuma County Land Use Code, SECTION 5-103 SITE DEVELOPMENT STANDARDS. E. Setbacks from Site Boundaries – Measurements, Residential Setback Waiver, Agricultural Structure Setbacks and Industrial/Commercial Setbacks and Waiver, effective the 30th day of October, 2016. Commissioner Wingfield seconded. The motion passed by unanimous vote.

Land Use Updates

- *W-Y 911 Authority Board PUC Application* – Birnie shared that the PUC hearing for the surcharge increase is set for October 5, 2016 at 9:00 a.m. The Commissioners requested that Birnie be present for any questions or comments, along with Don Collins and Julie Rus.
- *Solar & Wind Text Amendments* – Birnie reported that the proposed Solar and Wind Text Amendments were reviewed by the Planning Commission at the September meeting. Additional work is being completed by Attorney Barbara Green clarifying parts of the code.

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

- *Scoular Company* -- Birnie shared that the Scoular Company has submitted a Land Use Development Permit, which will be treated as an amendment to permit #DEV0714-04. The request is to approve one grain bunker and the addition of another grain bunker on the leased land adjacent to their present facility in the SE ¼ of Section 3, T4S, R43W, at County Road 11 and LL. This will be heard in October.
- *Cargill Gravel Pit* – Birnie reported that it was brought to his attention that Cargill has applied to the state for a gravel pit in the SE ¼ SW ¼ of Section 23, T3N, R47W.
- *Heritage Dairy-Wind Turbines* – Birnie shared pictures of the wind turbines that are up and running at the Heritage Dairy.

GIS

Birnie reported that he is working on the digital map for GIS, adding addresses throughout the county. Birnie shared that he has been having difficulties with the automatic updates from Sidwell. He shared the issue began when Teryx installed his new computer with new drives. He reports that this is causing issues with providing current mapping. Administrator Hoover will contact Teryx to see where they are at on fixing the issue.

Economic Development

Economic Development Director Darlene Carpio returned to discuss the CDL Testing Site possibility. She reported that First Pioneer National Bank has committed funds, but Wray State Bank did not feel they could commit at this time. She has \$35,000 committed at this point, but is \$7,812 short. She reviewed the current testing site sizes to discuss possible revisions. The Commissioners do not want to compromise the site by reducing the size.

Sheriff Chad Day joined the meeting and reported that there may be POST monies available if this site could also be used for driver training for the 13th Judicial District. The Commissioners were in favor of allowing multiple use of this site. Day relayed that POST will meet the following Monday to discuss. Carpio was instructed to get commitment letters to Hoover who will write a formal letter to El Pomar presenting the community commitment to the project. The Commissioners felt that this project can move forward either this fall, or set for next spring depending on the concrete contractor and weather.

Assessor

Abatement Hearing

Abatement hearing opened at 2:01 pm.

- Assessor Cindy Taylor presented an abatement petition from Caerus Washco, LLC. Mario Magana from KE Andrews was present as well. Caerus Oil & Gas LLC Chief Financial Officer Jeter Thomas, Controller Natasha Nightengale, and Assistant Controller Robert Norris joined the meeting by teleconference. Taylor presented the petition and is requesting a denial because she was not given enough information to make a proper decision and she is waiting on the Oxy vs. Mesa County court decision. **Commissioner Wingfield moved to uphold the decision of the Assessor and deny the abatement petition for Caerus Washco, LLC because of lack of sufficient documentation and waiting on the outcome of the Oxy vs. Mesa County court decision. Commissioner Bushner seconded the motion; which passed unanimously.**

The Abatement hearing closed the hearing 2:11 pm.

Computers -- Assessor Taylor asked the Commissioners what she could do with the computers that came with the CCI system that went bankrupt. She was questioning the ability to sell the computers since the



bankruptcy final settlement has been completed. The Commissioners will check with counsel and let Taylor know at a later date.

2015 Audit Review

Paul Backes and Billi Lewis, with McMahan & Associates, LLC, presented by way of a teleconference, the completed 2015 Yuma County Audit Report. **Commissioner Bushner moved to accept the 2015 Yuma County Audit Report. Commissioner Wingfield seconded. The motion passed by unanimous vote.**

Sheriff

Sheriff Chad Day was present to discuss the following:

- *Jail Staff* – Chad reported that they have three applicants for the Detention Officer position currently open.
- *Vehicles* – Chad is requesting a price on Unit 092 and Unit 102 Dodge Chargers. He would like to sell to Saguache County. After discussion, **Commissioner Wingfield moved to sell Unit 092 and Unit 102, both Dodge Chargers for \$14,000 or one of the chargers for \$8,000 to Saguache County. Commissioner Bushner seconded the motion; which passed unanimously.**
- *Arrest Stats* – Day presented a report of custody arrests from 2012 to present. The report shows a slight decrease in inmate population since 2012, with a current year-to-date total of 229. He also discussed the number of other agencies that book arrests in the County Jail.

Elected Officials/Department Head Meeting

Along with the Commissioners and Administrator Hoover, the following were present for the Elected Officials/Department Head Meeting: Treasurer Dee Ann Stults, Human Services Grant Smith, Clerk Bev Wenger, Sheriff Chad Day, Suzan Weed, Assessor Cindy Taylor, Land Use Rich Birnie, Extension Joy Akey, Finance Officer Vicky Southards, and Landfill Cliff Henry. The following items were discussed

- *Rate/Fee Policy* – Discussion held on the rates and fees charged within the County. The group reiterated the amount of \$0.10 per copy shall be charged for all county employees.
- *Website Committee Report* – Rich reports that he spoke with Trish Coberly and she suggested updates to make the Yuma County website mobile friendly. Additionally, there has been some discussion about updating the pictures, maybe even making it a county contest. The group asked Rich to check with Coberly about the costs of updating the site to be mobile friendly.
- *Christmas RAK ideas* –
 - *Christmas Coffee* – The Clerk's office will be hosting the Christmas Coffee this year on Friday, December 23, 2016.
 - *Christmas Week* – Dee Ann suggested that we do different things for the week before Christmas, ending with the Christmas Coffee. She suggested maybe an "Ugly Sweater Day," or "Christmas Socks," etc. She asked people to be thinking of ideas.
 - *Christmas Tree Contests* – The group was in consensus to complete a Christmas Tree Contest again this year. It was suggested to have the public be involved in the judging.

- *Employee Breakroom* - Cindy mentioned the need for a breakroom within the courthouse; stating the number of times that employees have to eat their lunch at their desk. The old probation area was suggested. The group discussed the use of the area.
- *Computer* – Cindy relayed that she has been having trouble with her scanner and her Outlook. She is feeling frustrated that Teryx has not been able to resolve the issues. Administrator Hoover will contact Teryx to help with resolution.

Administrator's Report

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

- *Minutes* – The Commissioners reviewed the minutes from the previous BOCC meeting. **Commissioner Bushner moved to approve the September 14, 2016, Board of County Commissioners minutes. Commissioner Wingfield seconded the motion; which passed unanimously.**
- Certification of Accounts Payable drawn on Yuma County Funds on September 30, 2016 with check #63563 through #63663 for \$ 334,039.03 and Fund 16 W-Y Combined Communication accounts payable, with check #7699 through #7718 totaling the sum of \$30,264.41 were signed by Chairman Robin Wiley.
- Certification of Payroll for September 30, 2016 drawn on Yuma County Funds, EFT system #40138 through #40279 and checks #30935 through #30963 totaling the sum of \$264,271.75 and Fund 16 W-Y Combined Communications EFT system number #5552 through #5565 and check #4366 through #4367 totaling the sum of \$31,249.43 were signed by Chairman Robin Wiley.
- *Veterans Report* -- Chairman Wiley signed the Veterans Report for September 2016.
- *Alton Scofield Distinguished Service Award-Akey Nomination* – Hoover presented a request from the Extension Office for a support letter to accompany the nomination of Joy Akey for the Alton Scofield Distinguished Service Award. The Commissioners happily completed a letter of recommendation.
- *Jail Control Room* – Hoover presented results from an air quality test for the Jail Control Room. The results show a high concentration of TVOC, Total Volatile Organic Compound, relating to chemicals. The test was run by a Jail staff member on August 29, 2016. Hoover reported that test results were sent to Wern Air who completed some changes to the fresh air vent in the Control Room and presented a quote for another option to improve air circulation. Maintenance Sergeant, Travis Dinsmore suggested that another air quality test be run to determine if the changes already made by Wern Air would improve the air quality in the Control Room, before proceeding with additional changes.
- *Colorado Opportunity Scholarship Initiative* – The Commissioners revisited the request from Morgan Community College Foundation to provide matching funds for the Colorado Opportunity Scholarship Initiative (COSI). **Commissioner Bushner moved to approve up to \$1,000, (for each school), paid from Commissioner Contributions 01-101-6352, for matching funds for the next year to Yuma County students utilizing the Colorado Opportunity Scholarship attending Morgan Community College or Northeastern Junior College. Commissioner Wingfield seconded the motion.**

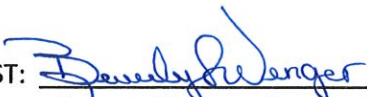


- *Marijuana Plant/Grow Limit* -- The Commissioners reviewed the draft Marijuana Plant-Grow Limit Ordinance with comments from Attorney Fellman concerning the changes in verbiage suggested by Land Use Administrator Rich Birnie. One more change in wording was requested. Hoover will forward to Attorney Fellman for review.
- *County Health Pool Insurance* – The 2017 plan year health insurance options were reviewed. The Commissioners were in consensus to make no changes in the insurance options offered. Yuma County will continue to offer a three-tier medical plan, a dual option - employee paid - dental plan, the same - employee paid - vision plan, dependent life option 2 and supplemental life as 2016. Yuma County will continue to cover 89% of the B1500 health insurance premium, offering the ability for the employee to buy up for the B1000 or B500 plan as they have done in the past.
- *CCI Winter Conference* – The Commissioners discussed who would be attending the 2016 CCI Winter Conference to be held November 28-30, 2016. All three Commissioners, Administrator Hoover, and Road and Bridge Supervisor JR Colden will plan to attend.
- *2017 Budget* – The Commissioners were in consensus that an additional workday would be required for 2017 budget preparation. Tuesday, October 11, 2016 was set.
- *Meeting Date Change-December 2016* – Commissioner Bushner asked that the mid-month meeting date be changed due to a conflict. The date was changed from December 16 to December 13, 2016.
- *Millan Citizenship* – **Commissioner Bushner moved and Commissioner Wingfield seconded to write a letter of support for Fernando Millan to accompany his application for citizenship to the United States of America.**
- *Jail Visit* – The Commissioners completed a review of the Yuma County Jail.

There being no further business, the meeting adjourned at 5:55 p.m. The next regular meetings of the Board of County Commissioners will be October 17 and October 31, 2016.


 Robin Wiley, Chairman


 Kara Hoover, Administrator

ATTEST: 
 Beverly Wenger, County Clerk

