

YUMA COUNTY COMMISSIONERS

February 14, 2017

Minutes¹

On February 14, 2017 at 8:00 a.m., the Yuma County Board of Commissioners met in regular session. Chairman Dean Wingfield, Commissioner Trent Bushner, Commissioner Robin Wiley, 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 for signature a Liquor License for Hillbilly Heaven, Inc. at 29231 County Road 35, Wray, Colorado; which was approved at the January 17, 2017 BOCC meeting. She also presented for signature a Special Events Permit Application for Yuma County Fire Departments, Inc. for an event to be held at 9101 County Road CC.8, Idalia, Colorado on February 18, 2017, which was approved at the January 24, 2017 BOCC meeting.

Department of Human Services

The Board of County Commissioners convened as the Board of Social Services at 8:37 a.m. Human Services Director Phyllis Williams, Child Welfare Supervisor Hollie Hillman, Eligibility Supervisor Grant Smith, 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 9:03 a.m.

Road and Bridge

Supervisor JR Colden and Truck Driver Gabriel Schwartzkopf were present to provide the following updates.

Current Projects

- *County Road RR* – Colden shared that crews are still working on County Road RR north of Laird. Once this road project is complete, Road and Bridge crews will move to County Road 1 and QQ.
- *County Road 43* – Colden states that crews are placing gravel on a one-mile stretch of County Road 43 east of Highway 59.
- *Gravel Pit Inspections* – Colden was glad to report that a pre-operations inspection was conducted on the Crossland Pit and a routine gravel pit inspection was held at the Brand Pit, on February 2, 2017 with no deficiencies noted.
- *Cattle Guards* – Colden said that the Maintenance Crew has been working on cleaning out cattle guards on County Roads throughout the County.
- *Iron* – Colden shared that they collected five containers of scrap metal that were sold to Scott Swan from Sterling at \$90 a ton. Additionally, they also collected three loads of tires that were taken to the Landfill. The Commissioners reported that the Landfill may need to be reimbursed for the cost of disposing the tires.
- *CDOT Highway 385 / County Road 33.6 Turning Lane Project* – Colden mentioned that there is a new engineer, Carlos Gomez, assigned to this project.

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



- *County House-Water Tests* – Colden reported that water tests were run at all of the Road and Bridge County Houses. The test results were all within range, varying from 3.18 mg/L to 19.0 mg/L of nitrate levels; which was well below the 44.3 mg/L maximum allowed. JR reported that since the test results were all very low that the county would no longer purchase water for the county houses. The Commissioners did ask Colden to recheck the Idalia house later this summer since it came in on the higher side of the testing.
- *CAT EMSolutions-Benchmarking Report* – JR presented a report from Wagner Equipment Co. of the benchmarks for run time, idle time, and fuel burned on the CAT equipment for Road and Bridge. The report included loaders and motor graders from February, 2016 through January, 2017. Monthly averages were 686 fleet run time, 2,991 gallons of fuel consumed, 84 hours of idle time, and 81 gallons of idle fuel consumed.
- *Truck and Equipment Diagnostic Equipment* – Schwartzkopf and Colden presented cost estimates from TR Systems, LLC, for diagnostic equipment that they would like to purchase for the County Shop. They imparted that they believe the shop staff can do a better job of diagnosing issues with the trucks and other equipment before just sending them out for repairs. **Commissioner Wiley moved to purchase the TR Systems, LLC, Diagnostic Texa Software and Laptop in the amount of \$7,500, paying from 02-702-8940, Construction Capital Outlay. Commissioner Bushner seconded the motion; which passed by unanimous vote.**
- *AED-Defibrillator* – Colden said that the AED/Defibrillator at the Road and Bridge Department needs updated. He presented information on the Phillips Cardiac Life AED. He felt that they would need a new AED at the Wray shop only, as the outlying areas are usually manned with only one person.

Treasurer

Treasurer Dee Ann Stults presented the following:

- *Treasurer's Report* -- Treasurer's report for January 2017. She reported there were; \$873,914.72 in taxes, \$177,648.22 in Specific Ownership, and \$29,755.28 in Treasurer Fees collected for the month.
- *Map Refund* – Dee Ann brought up a situation where a map was purchased and then refunded the next day. The Assessor allowed the map refund. She would like the Commissioners to make a determination about refunding such. The Commissioners discussed the situation and decided if a map leaves the courthouse, no refund should be issued; suggesting that staff make sure the patron is aware that a refund will not be issued.
- *Tax Lien Sales* – Stults shared an incident that occurred in Washington County where an investor purchased land at a tax lien sale and the original owner was unaware that the land had went to tax lien sale and built a building on the property. The investor was now responsible for the taxes on the land and on the new building too. She suggested that through the permit process that Land Use ensure that all taxes are paid.
- *Website Update* – Dee Ann presented information from Trish Coberly about updating the website to either a Statewide Internet Portal Authority (SIPA) or WordPress. The Commissioners would like to have Rich Birnie speak to Washington County about their experience with SIPA before making a determination. Hoover also noted that she had received information from Stormy Productions and will forward this information to Rich and Dee Ann for further consideration.

Assessor

Assessor Cindy Taylor presented an application from the Division of Wildlife for Payment-In-Lieu-of-Taxes (PILT) on land owned near Bonny Dam, and Stalker Lake in Yuma County. She mentioned that she did make some corrections on a couple of tax districts and there will be an increase to the payments for tax year 2016, made in 2017. **Commissioner Wiley moved and Commissioner Bushner seconded to approve the Payment-in-Lieu-of-Taxes Application for Tax Year 2016, for 3,321 acres in the amount of \$4,585.73. The motion passed by unanimous vote.**

Clerk

Clerk Wenger presented the following for discussion:

- *Land Use Recording Fees*-- Wenger presented Resolution #02-14-2017 A, amending Resolution 08-31-2009 B and Resolution 08-31-2012B regarding Land-Use Fees. **Commissioner Wiley moved to approve Resolution #02-14-2017 A, amending Resolution 08-31-2009 B and Resolution 08-31-2012 B, regarding the general recording fees for Land Use permits, exemptions, and resolutions as follows: \$40 for 7 pages or less, \$40 plus \$5 per page for all pages over 7 pages, additionally charging the \$1 fee mandated by CRS 30-10-421(1), and the \$2 fee mandated by CRS 30-10-421(c). Commissioner Bushner seconded the motion; which passed unanimously.**
- *Dominion's Democracy Suite Voting System Contract* -- Bev presented the contract for leasing of the state mandated Dominion's Democracy Suite Voting System for a total amount of \$19,470 per year. She reported that the state will reimburse for only half of the first year's training, implementation, and project management in the amount of \$16,104, refunding \$8,052. **Commissioner Wiley moved to accept the lease contract with Dominion's Democracy Suite Voting System for 2017 in the amount of \$19,470; with the state refunding \$8,052, to be paid from 01-108-6335. Commissioner Bushner seconded the motion; which passed by unanimous vote.**
- *Yuma Phone System* – Bev reported that she received a quote to change the phone system in the Yuma Office to KCI, since the City of Yuma recently changed to KCI. She said that the quote was in-line with what they are currently paying with CenturyLink, but the state won't allow her to change her office.
- *Torrens Recording System Bill* – The state is considering the fiscal impact of replacing the Torrens Recording System and placing items into general recording. She shared that in her research she learned that the county has fifteen Torrens certificates that date back to 1931. The Commissioners were in to remove the County Certificates from the Torrens System. She will locate the certificates and come to a future BOCC meeting for signature.

Land Use

Rich Birnie was present to conduct Land Use and GIS business. Curt Gardner joined the meeting.

Land Use Updates

- *Ortner EFS 0117-01* – Birnie reminded the Commissioners that the Exemption from Subdivision application for Stuart C. Ortner, on behalf of D&A Fix, LLC, EFS 0117-01 will be reviewed by the Planning Commission and the BOCC this month. The EFS application is to divide 3.12 acres, more or less, from 185.89 acres, more or less, in the NW ¼ of Section 3, T1S, R43W, for the purpose of resale for a residence.
- *Dickson Trust* – Birnie recapped that the Dickson Trust Exemption from Subdivision Application for Patricia Wood will be reviewed by the Planning Commission and heard by the BOCC in February also. This EFS



application is to divide 1.65 acres, more or less, from 150 acres, more or less, in the NW ¼ of Section 28, T1N, R44W, for the purpose of resale. He reported that there is not a survey for this property and the main reason for this is to bring this parcel into compliance.

- *Floodplain Ordinance* -- Birnie shared that he has researched several different county floodplain ordinances and has decided to follow the state plan and have an attorney review. He shared that he may have a work session with the Planning Commission next month to work on this. Birnie stated once he has these ordinances put into place he will have to revamp the application to include information about the floodplain.
- *Solar and Wind Text Amendments* – Birnie said that once he completes the Floodplain Ordinance he will resume work on the Solar and Wind Text Amendments.
- *Digester* – Rich shared information about the possibility of Digester project in Yuma County; a process in which animal waste is converted to energy. Commissioner Wingfield asked if the CDPHE regulations require the county to provide a Certificate of Designation for a project as this. Rich said he contacted CDPHE and is waiting for information from Jace Driver, Solid Waste Permitting Staff, assigned to Yuma County. Commissioner Wiley suggested that this may fall under the Major Land Use Permit. Birnie will continue to work on this.
- *City of Robb* -- Birnie and Curt Gardner inquired about the procedure to vacate the streets and alleys in the old City of Robb. Gardner stated that his wife, Shana, owns all but two of the lots in Robb and the surrounding quarter and would like to sell as whole, not as individual lots. The individual lots that are not owned by Gardner, are directly in the middle of the plot. The Commissioners asked if Gardner had the contact information of the other lot owner. They would like to have the lots cleaned up prior to resolving the Robb Lots. Gardner stated that he would try to get in contact with the property owner, Frank Welt. Gardner also stated he would locate the survey that was completed for this property. The Commissioners also instructed Birnie to contact Attorney Margie Fix to see what legal remedies would need to be completed to resolve this issue. Birnie shared that in 2009 the Community of Happyville was vacated through a Major Land Use Permit. He will continue to work on this.

Birnie also shared that Gardner has another parcel of ground that is divided by the Burlington Northern Railroad, but is in one parcel, R215087. Gardner reported that he is trying to clean up his parcels and would like to have this piece of land divided into two parcels, one 30.20 acres and the other 39.31 acres. The Commissioners agreed that this would need to go through the Exemption of Subdivision process.

- *Flea Market Business* – Birnie asked what type of Land Use process would be required for a land owner renting space to hold a flea market. The Commissioners discussed, and concluded this would fall under a Major Land Use Permit, to cover the change from agricultural to a commercial base.

GIS

Birnie stated that not much has changed in GIS, he continues to work on the digital map and is working with the mapping interface. He did state that the 2017 Plat Book was completed and released on February 1, 2017.

CTSI

County Technical Services, Inc. Senior Loss Prevention Specialist Jon Wagner presented the Casualty Auto Property Pool and Worker's Compensation Pool loss analysis and trending reports for 2016. Additionally, he provided an update on the CTSI financial reports as well. He presented a review of the wide-range of products and services provided by County



Technical Services, Inc. Wagner reported that the CAPP loss ratio in 2016 was high at 127%, and the Worker's Compensation Pool reveals a low 27% loss ratio. Based on the above loss ratios, Wagner reported that he believed countywide training should be considered, in regards to: employment practice training, defensive driving training, and physicality of work.

Medical Air Services Association (MASA)

Lyn Arenson, Medical Air Services Association Representative (MASA), presented information regarding air and ground ambulance coverage. Arenson shared that MASA was established in 1974 and is not affiliated with any network. She stated there is coverage in all 50 states, regardless of the operator of the aircraft or ambulance.. The costs, according to Arenson, are a bit higher than the air ambulance provider that the county now has. \$9 a month per employee household, or \$99 a year. The Commissioners asked Arenson to return in September for consideration in the 2018 Budget.

Beer Garden at Yuma County Fair

David Blach, Justin Blach, and Jed Gleghorn joined the meeting to discuss the possibility of a beer garden at the Yuma County Fair. The group reported that the beer garden was approved at the 11-21-2016 Fair Board meeting. Justin shared that the Knights of Columbus is thinking that they would open the beer garden in conjunction with the Tuesday Rodeo and run through Wednesday. He shared that their plan would still be to set up west of the grandstands. Justin said that there was also some discussion about having it on the Arena side of the Fairgrounds too.

The group asked the Commissioners what their thoughts were on the beer garden. Commissioner Wiley shared that the fair means something different to everybody. He said that he really feels like the fair should be for the youth and he believes having a beer garden would send the wrong message for the youth. Commissioner Wingfield stated that the current policy prevents open containers on the fairgrounds. He is a bit concerned about how the beer garden would affect the county's liability.

David Blach shared that the Knights of Columbus could get liability insurance and keep track of drinks through a punch-card system. Commissioner Bushner mentioned that he believes that we should be able to treat adults like adults. He likes the idea of controlling the alcohol consumption at the fairgrounds. Commissioner Bushner shared that he would like to see the beer garden even larger with more control than what the group is proposing. Jed shared he felt that this is a way to generate revenue back to the county.

The Commissioners suggested that they discuss further and indicated they would provide a response to the group by April 1.

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 Wiley moved to approve January 24, 2017 and the February 7, 2017 Board of County Commissioners minutes. Commissioner Bushner seconded the motion; which passed unanimously.**
- Certification of Accounts Payable drawn on Yuma County Funds on January 31, 2017 with check #64575 through #64629 for \$295,245.64 and Accounts Payable drawn on WY Communications Funds with check #7811 through \$7825 in the amount of \$29,008.79 were signed by Chairman Dean Wingfield.
- Certification of Payroll drawn on Yuma County Funds on January 31, 2017, with check #31065 through #31088, system #40709 through #40842 for \$237,094.15 and drawn on WY Communications funds with check #4379, system #5610 through 5621 for \$28,737.11 were signed by Chairman Dean Wingfield.




- Certification of Accounts Payable drawn on Yuma County Funds on February 7, 2017 with check # 64630 and #64631, for \$31,200.00 and on February 14, 2017 with check #64632 through #64749 for \$144,250.76 and Accounts Payable drawn on WY Communications Funds on February 14, 2017 with check #7826 through #7837 in the amount of \$6,137.28 were signed by Chairman Dean Wingfield.
- *2017 High Plains Highway Membership Dues* – Hoover presented the 2017 High Plains Highway Membership Dues invoice in the amount of \$100.00 for approval. **Commissioner Wiley moved and Commissioner Bushner seconded to approve and pay the 2017 High Plains Highway Membership Dues for \$100.00. The motion passed.**
- *Truck Driving Hiring Event* – Hoover presented the Use Request Form for a Trucking Hiring Event on February 17, 2017, presented by Yuma County Colorado Works Coordinator, Grant Smith. The Commissioners were in consensus that this will be handled like any other county event at no-charge.
- *CDL Training Site Concrete Bids* – The Commissioners opened the bids for the CDL Training Site concrete pad at the Yuma County Fairgrounds. After review, **Commissioner Bushner moved to accept the bid from Elder Construction Company for \$92,900 to be paid from Fund 20-907-8920. Commissioner Wiley seconded the motion; which passed by unanimous vote.**
- *CDL Training Site Trees* -- The Commissioners reviewed the plan for trees that will be placed around the new concrete at the CDL Training Site at the Yuma County Fairgrounds. After discussion, **Commissioner Wiley moved to purchase 42, 1-gallon juniper trees, 500' of weed barrier, 500' ½ drip system hose, with adaptors and emitters from the Yuma Conversation District, and to contract the planting of the trees, with an estimated cost of \$1,200, paying from 20-907-8920. Commissioner Bushner seconded the motion; which passed by unanimous vote.**
- *Bucking Chutes and Refabricating Announcers stand, Catwalk, Stairs and Landings* – The Commissioners reviewed bids for bucking chutes and the fabrication and welding on the announcers stand, catwalk, stairs, and landings.
 - After consideration, **Commissioner Wiley moved to accept the bid from WW Livestock Systems, Thomas, OK, for 3L – 3R Bucking Chutes and Lead Up Alley of \$26,595.75, paid from Fund 06-000-8920. Commissioner Bushner seconded. The motion passed by unanimous vote.**
 - Then **Commissioner Bushner moved and Commissioner Wiley seconded to accept the bid from Red J Welding, LLC for the fabrication and welding on the announcers stand, catwalk, stairs, and landings for \$16,900, again paying from Fund 06-000-8920. The motion passed unanimously.**
- *Cooperative Wildfire Protection IGA* – The Commissioners revisited the IGA between the Colorado Department of Natural Resources and Yuma County for Cooperative Wildfire Protection. Attorney Fellman reviewed the IGA and provided his opinion in memorandum form. **Commissioner Wiley moved to sign the IGA between the Colorado Department of Natural Resources and Yuma County for the Cooperative Wildfire Protection. Commissioner Bushner seconded the motion; which passed unanimously.**
- *CCOERA Forfeiture*–Chairman Wingfield and Commissioner Wiley signed the CCOERA forfeiture check for \$262.69 for an employee's unvested portion of employer paid retirement to be deposited in Fund 2.
- *Quest – Air Samples* – The Commissioners visited about an issue in the Jail kitchen where an employee reacted to a possible irritant, breaking out in hives. CTSI suggested that air samples from a certified lab



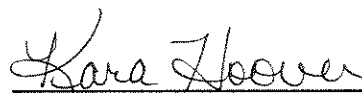
be taken and tested. **Commissioner Wiley moved to approve a post-mitigation indoor air quality and microflora assessment in the Jail kitchen and Control Room by Quest, in the amount of \$2,020, on February 15, 2017, to be paid from 01-101-6350. Commissioner Bushner seconded the motion; which passed by unanimous vote.**

- *Courthouse HVAC Project, Ceiling Tile/Grid Removal-Asbestos Abatement* – The Commissioners discussed the start dates of the HVAC project to include the ceiling tile/grid removal and the asbestos abatement. Risk Management Service plans to begin asbestos abatement on April 10th, 2017. The Commissioners requested that Rockwell Construction have the ceiling tile and grid removed prior to the work by RMS, beginning their work around the middle of March. Administrator Hoover will coordinate with both contractors and all offices within the courthouse for minimal disruption. The HVAC Contractor has not been chosen yet; waiting on an emergency grant decision from DOLA.
- *Division of Property Taxation-Assessment Appeals Training* – Assessor Taylor forwarded an invitation for an Assessment Appeals Training that will be held on March 23, 2017 in Sterling. The Commissioners were in consensus that Administrator Hoover attend with the Assessor and staff; covering the \$10 class fee.
- *1033/DRMO Planning Session* – The Commissioners and the Sheriff set March 31, 2017 at 10:00 a.m. to 12:00 p.m. as a meeting time to review the current 1033-DRMO equipment purchases and expenditures.
- *Eastern Transportation Planning Region Meeting* – The Commissioners reviewed the invitation to the Eastern Transportation Planning Region Meeting on March 6, 2017 in Akron. Commissioner Bushner plans to attend.
- *CAPP/Worker's Compensation Monthly Loss Reports* – The Commissioners reviewed the monthly CAPP and Worker's Compensation loss reports.

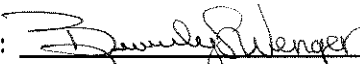
There being no further business, the meeting adjourned at 5:43 p.m. The next regular meetings of the Board of County Commissioners will be on February 28, 2017 and March 20, 2017.



Dean Wingfield, Chairman



Kara Hoover, Administrator

ATTEST: 

Beverly Wenger, County Clerk

