



YUMA COUNTY COMMISSIONERS
May 31, 2017
Minutes¹

On May 31, 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 payroll and discussed various meetings attended throughout the month.

Department of Human Services

The Board of Social Services did not meet on this date. Human Service Director Phyllis Williams vacated the date at the May 15, 2017 meeting.

Liquor License

Nancy Wright presented a Liquor License Renewal Application for Brenda Condrey, dba Papa’s Bait Shop. **Commissioner Wiley moved to approve the Liquor License Application for Brenda Condrey, dba Papa’s Bait Shop, located at 1844 Highway 385, Idalia, Colorado. Commissioner Bushner seconded. The motion was unanimously passed.**

Hospice of the Plains

Hospice of the Plains Director Donna Roberts was present to receive the donation gathered in April’s Random-Acts-of-Kindness, “Change for a Cause,” hosted by the Commissioner’s Office. Donna relayed her gratitude for the donation and shared that Hospice continues to serve patients and their families throughout Yuma County.

Road Concerns

Marv Carlock, Delbert Adamson, and Eunice Weed of Laird, Colorado joined the meeting to express their concerns about the county road at the intersection of Randolph and Benton and also on the corner of Arcola. Weed shared that this road was recently graded, but the road is cut very low and if additional moisture is on the road it becomes very slick and difficult to travel on. Carlock mentioned that there was rock laid on part of the road and would like better resolution to the remainder of these crossroads. JR mentioned that the road is being drug and the crown of the road is being removed by community members, making it difficult to maintain. Carlock, Adamson, and Weed adamantly reported that to their knowledge the road is not being dragged and believe that they have a legitimate complaint. The Commissioners asked JR to find different product, dissipate the clay, and then reshape the road. The group thanked the Commissioners for hearing their concerns.

Road and Bridge

Supervisor JR Colden was present to provide the following updates.

Current Projects

- *County Roads* – The Commissioners asked Colden to look at County Road G, north of Highway 34 as it is being heavily traveled and needs some work.

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



- *County Roads S and R*— JR reported that he has crews working on 4 miles on County Road S and then they plan to begin work on County Road R to Cargill.
- *Bridge Inspection Report*—Colden presented the latest CDOT Off-System Bridge Inspection Report conducted by Stantec Consulting on May 17, 2017. He noted damage to the bridge rail at the YUM1-NN.65 on County Road 1 crossing Beaver Creek in the South part of the County. Colden stated that his crews will repair the guard rail and replace the posts to improve safety.
- *Beecher Island Road, EIAF # 8302* —Colden reviewed the following for the Beecher Island Road Project.
 - *Compactors* – Colden provided information on the contracts for compactors for use on the Beecher Island Road Project later this summer from Power Equipment Company. **Commissioner Wiley moved and Commissioner Bushner seconded to approve and sign a contract with Power Equipment Company, beginning August 25, 2017, to rent a Bomag BW11H-5 pneumatic tire compactor equipped with cocoa mats for the Beecher Island Road Project, in the amount of \$2,805. The motion passed by unanimous vote.**
 - *Chip Rock Contract* –Colden presented for signature a contract with The Scoular Company, following their approved bid, for providing, hauling, and delivering 3,500 tons of ½ " Chip Rock to the Beecher Island Project by August 23, 2017. **Commissioner Wiley moved to approve for signature the contract with The Scoular Company to provide, haul, and deliver 3,500 tons of 1/2 " chip rock to the Beecher Island Project by August 23, 2017. Commissioner Bushner seconded the motion; which passed unanimously.**
- *CDOT Highway 385 / County Road 33.6 Turning Lane Project* – Colden shared that costs to the county including staffing, equipment usage, and contractor material to be approximately \$242,000. CDOT continues to work on the project.
- *Staffing* -- Colden shared his frustration about handling employee issues and the disciplinary process. He said that he has had several Disciplinary Actions as of late that are very difficult to handle. The Commissioners relayed that they understood Colden's frustration and noted that he has the authority to follow through with employee issues as needed.
- *Salary* – JR discussed the current rate of pay for Full-time Office Assistant Lauren Hill. He is requesting an increase for added duties. After discussion **Commissioner Bushner moved to increase Lauren Hill to G5/S3, effective June 1, 2017. Commissioner Wiley seconded the motion; which passed by unanimous vote.** The group also discussed the increase to minimum wage of the passage of Amendment 70 to \$9.30 and the continuing increase to \$12.00 by the year 2020.
- *Cure Feed Lot Road Ditches*— Colden shared pictures of the ditches north on County Road 7 to County Road KK. The ditches have been sprayed clean and the dirt is deteriorating to the point that some of the power poles are erupting from the ground and posing grave dangers. The Commissioners are very concerned about this issue. A letter will be mailed to the land owner explaining the emergency repairs completed with the costs and requesting they cease chemically burning off the shoulders and ditches of all Yuma County Roads. As a side note, County Road 7 had to be closed on June 3, 2017, due to dangerous washed out conditions following another torrential rain fall.



- *County Road CC-Culvert* – Colden reported that the culvert on County Road CC was damaged again with the latest rains. He shared that the concrete dam has been washed away. He said that he is speaking with area land owners and will be repairing this area once again.
- *Tower Repair* – The Commissioners brought to Colden's attention an issue on the tower located at Road and Bridge as noted by Emergency Manager Roger Brown. Colden said he didn't believe they used that tower, so no repairs are needed.
- *Special Transport Permit*- Colden presented a Special Transport Permit for Steve Sharp that was signed on May 23, 2017. **Commissioner Wiley moved to approve Special Transport Permit for Steve Sharp to transport a 14' X 16'10" X 105' long building from County Road Y to Highway 34. Commissioner Bushner seconded the motion; which passed by unanimous vote.**
- *Road Access* – Colden presented a Road Access Form for Stuart Chapman to access a field west of his house ¾ mile south of Vernon on County Road CC that was approved on May 24, 2017.

West Yuma County Cemetery Concerns

Darlene Perleinflein, Irene Eastin, and Susan McCoy joined the meeting to discuss issues concerning the West Yuma County Cemetery District. The ladies shared their concerns about current Board member Dan Baucke leaving the Board. It is noted that Mr. Baucke shared with the Commissioners his frustrations and verbally resigned from the West Yuma County Cemetery District Board in April, 2017. The group is very concerned and stated they believe that finding a replacement that has the same knowledge will be very difficult. They are asking the Commissioners to speak with Dan Baucke and ask him to remain on the Board. Later in the day, the Commissioners phoned Dan Baucke, who conceded that he would continue to serve on the Board.

CEBT

Frank Urman and Terry Rook with Willis Towers Watson, Colorado Employer Benefit Trust, CEBT Health Insurance, joined the meeting. Urman shared the highlights of CEBT Insurance and requested the Commissioners consider the advantages of their insurance over the current carrier. The Commissioners agreed to review information from Urman prior to the 2018 budget preparation.

Colorado Department of Transportation

CDOT Commissioner Steve Hofmeister, Region 4 Transportation Director Johnny Olson and CDOT Staff members, Jim Eusson, Karen Schneiders, Corey Stewart, Dawn Walker, and Jeff Vickers, joined the meeting to discuss Yuma County needs, issues, and current CDOT partnered projects in the County.

Olson shared the vision of the Department. He reviewed a Region 4 Annual Report and discussed the many projects going on throughout the state. The group discussed over-weight permits. Olson highlighted widening of US 385 and SH 71 as two of the projects that are on Region 4's top projects list.

Olson reviewed Senate Bill 267, which was funded with \$1.88 billion. He shared that the money is broke out in three buckets; Transit, Rural, and Other Projects. He shared that in the next year his staff plans to produce a list of projects; focusing on rural areas. He mentioned the importance of being ready to have projects ready to go when funding is made available.



Commissioner Bushner voiced his concerns over the Regional Buses. He believes the subsidies are too great and believes that rural routes will be ineffective. Schneiders shared there is a study being refreshed about a train from Denver to Fort Collins that may impact the bus usage.

The Commissioners thanked the group for coming to the meeting and for the updates.

Land Use

Rich Birnie was present to conduct a Land Use Hearing and review additional Land Use and GIS business.

Land Use Hearing

Chairman Wingfield opened the Land Use hearing at 1:10 pm.

Exemptions from Subdivision

Rich Presented staff reports for:

- Exemption from Subdivision for Martin D. Brophy, EFS 0417-08, to divide 26.36 acres from 160 acres, for the purpose of resale of homestead. Birnie reported he had one phone inquiry about this application, no other phone calls or written objections.
- Lot Line Adjustment, ADM 0517-03, for Larry Gardner between adjacent parcels owned by Larry Gardner (R215042) and Lois M. Graves Trust (R215043).
- Lot Line Adjustment, ADM 0517-04, between Matthew and Jena Hendrix (R513099) and Circle 3 Farms (R513088).

The Land Use Hearing closed at 1:19 p.m.

Commissioner Wiley moved to approve the Exemption from Subdivision, for Martin D. Brophy, EFS0417-08, Resolution 05-31-2017 A-EFS, to divide 26.36 acres, more or less, from 160 acres, more or less, in the SW ¼ of Section 10, T3N, R47W, to separate the homestead from the grass for resale, with the following stipulations:

- **The Applicant shall be responsible for complying with all Federal, State, and Local regulations, rules, codes, conditions, and design standards.**

Recorded under Reception No. 00570006

Commissioner Bushner seconded. The motion passed by unanimous vote.

Commissioner Wiley moved and Commissioner Bushner seconded to approve Administrative Permits for:

- **Cynthia J. and Larry Gardner, ADM0517-03, Resolution 05-31-2017 B-ADM, to change the boundary line between the two adjacent property owners so that 12.53 acres, more or less, (Tract 2) will become part of the Cynthia J. and Larry Gardner property and be removed from the Lois M. Graves Trust property, and 12.53 acres, more or less (Tract 1), will become part of the Lois M. Graves Trust property and be removed from the Cynthia J. and Larry Gardner property.**

Recorded under Reception No. 00570007

- **Matthew and Jena Hendrix and Circle 3 Farms, LLC, ADM0517-04, Resolution 05-31-2017 C-ADM, to change the ownership of 1.36 acres, more or less, in the E ½ of Section 35, T5N, R43W from Circle 3 Farms, LLC to Matthew and Jena Hendrix.**

Recorded under Reception No. 00570008



The motion passed by unanimous vote.

- *Floodplain Ordinance* – Birnie reported that the Floodplain Ordinance was discussed at the May 20, 2017 Planning Commission meeting. The Commissioners reviewed the Ordinance and made additional revisions. Birnie will have this ready for approval next month.
- *Private Land Burial* – Birnie shared that the Planning Commission reviewed the Private Land Burial and had a few questions and/or suggestions. Birnie presented a draft recordable form for the private land burial. The Commissioners approved the form to include a permit with a \$50 fee. Birnie will begin the process to add to the Land Use Codes.
- *Solar and Wind Text Amendments* – Rich reported that the Solar and Wind draft text will be reviewed by the Planning Commission at next month's meeting. He will keep the BOCC up-to-date.
- *Solar Energy Facility* – Birnie said he received a call from Microgrid Energy in Denver about the process to secure a permit for a commercial solar energy facility. Rich will inform the gentleman when Solar and Wind Text Amendments are complete.
- *Planning Commission* – Birnie reminded the Commissioners that Butch Hassman will be leaving the Planning Commission at the end of year. He said that Hassman is appointed from the City of Wray. The City will be recommending someone to be appointed in his place. Birnie relayed that there was a review of all Planning Commission board appointments. It was noted that approval of the re-appointments needed to be updated. After discussion, **Commissioner Bushner moved to confirm the Planning Commission Board re-appointments as follows: January 1, 2015 through December 31, 2017 of Butch Hassman, Lynn Hagemeyer, and Steve Andrews; and January 1, 2017 through December 31, 2019 of Ross Tuell and Ron Tribbett. Commissioner Wiley seconded the motion; which passed by unanimous vote.**
- *Chamberlain EFS 0517-09* – Birnie shared that Mason and Corie Chamberlain have applied for an Exemption from Subdivision, to divide 5.97 acres, more or less, from 21.41 acres, more or less, in the SE ¼ of Section 3, T1N, R44W, to separate a future home site from the existing homestead. This application will be reviewed by the Planning Commission and heard by the BOCC in June.

GIS

- *Digital Addresses* -- Birnie reported that he continues to work on the digital addresses for the City of Wray.
- *Electronic Information* -- Birnie shared that he continues to have issues with the interface process from CCI to Sidwell. He said that both software companies seem to point their finger at the other when he requests assistance. He shared that he is becoming very frustrated and would like to look for alternative software. The Commissioners were in agreement that he should research other software vendors.

Maintenance

Maintenance Sergeant Travis Dinsmore joined the meeting to discuss the following:

- *Sally Port Garage Doors* – Travis Dinsmore presented "like" bids to replace the Sally Port garage doors and openers, as requested in the May 15, 2017 BOCC meeting. **Commissioner Wiley moved**



- *Sally Port Garage Doors* – Travis Dinsmore presented “like” bids to replace the Sally Port garage doors and openers, as requested in the May 15, 2017 BOCC meeting. **Commissioner Wiley moved to accept the bid from Rockwell Construction for insulated garage doors and openers for the Sally Port in the amount of \$4,287. Commissioner Bushner seconded the motion; which passed unanimously.**

Assessor

The Commissioners asked Assessor Taylor to step in and speak about the re-assessment of air plane hangars in the County. Commissioner Bushner received a complaint from a resident on the assessed value of his hangar. The landowner believed he was being assessed like other commercial hangars and thought it unfair; sighting that his hangar be assessed in an agricultural category. Taylor relayed that there are just two categories; residential and non-residential. All hangars, no matter the use, were assessed as a non-residential. She is unsure of why the land owner is frustrated as the assessed value is below the purchase price.

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 meetings. **Commissioner Wiley moved to approve the May 15, 2017 and May 22, 2017 Board of County Commissioners minutes. Commissioner Bushner seconded the motion; which passed unanimously.**
- *Certification of Accounts Payable* drawn on Yuma County Funds on May 31, 2017 with check #65421 through Check #65511 for \$362,808.91 and Accounts Payable drawn on WY Communications Funds with check #7912 through #7927 in the amount of \$33,404.91 were signed by Chairman Dean Wingfield.
- *Certification of Payroll* drawn on Yuma County Funds on May 31, 2017, with check #31166 through #31196, system #41262 through #41404 for \$242,539.53 and payroll drawn on WY Communications funds with system #5661 through #5674 for \$33,712.48 were signed by Chairman Dean Wingfield.
- *Veterans Report* -- The Veterans Report for May 2017 as signed by Chairman Wingfield.
- *Commissioner-Extension Office Carpet Installers* – The Commissioners reviewed bids for the installation of the carpet in the Commissioners and Extension Offices in the courthouse. **Commissioner Wiley moved to accept the bid from Steve Meier of \$2,863.00 to install the carpet in the Commissioners, Administrative, and Extension Offices on the South end of the courthouse. Commissioner Bushner seconded the bid; which passed by unanimous vote.**
- *Fairgrounds Security Plan* – Hoover forwarded the updated Yuma County Fairgrounds Security Plan Checklist as revised by Sheriff Day. **Commissioner Bushner moved to approve the Yuma County Fairgrounds Security Plan Checklist as revised by Sheriff Day. Commissioner Wiley seconded the motion; which passed unanimously. See Attached.**
- *IRC Section 125 Amendment* – The Commissioners reviewed amendments to the IRC Section 125 Flexible Benefits Plan that includes the increase of FSA plan year reimbursements to \$2,600 annually. **Commissioner Wiley moved to approve and sign Resolution 05-31-2017 D, outlining the IRC Section 125 Flexible Benefits Plan Amendment, increasing the annual Flexible Spending Amount, FSA, to**




- *Memorandum of Understanding-University of Colorado Denver Technical Assistance Program* – The Commissioners reviewed the MOU between the Department of Local Affairs, University of Colorado Denver Technical Assistance Program and Yuma County for the proposed Yuma County Events Center at the Yuma County Fairgrounds. **Commissioner Bushner moved to approve and sign the MOU between Colorado Department of Local Affairs, University of Colorado Denver, Colorado Center for Community Development and Yuma County not to exceed \$3,500, for technical assistance for design work for a proposed Events Center at the Yuma County Fairgrounds. Commissioner Wiley seconded the motion; which passed by unanimous vote.** Just a side note, that Yuma County Event Center Committee Members Curt Fix and Dave Blach reported in the April 14, 2017 BOCC meeting, the committee has a portion of the matching funds to be used for this service.
- *Southards Compensation Time Buyout* – Finance Officer Vicky Southards joined the meeting to request a buy out of the 2016 Compensation Time of 7.25 hours that remained on the books at the end of April, 2017. She shared that she had intended to use the hours, as required, by the end of April, but because of the unplanned office move did not get the hours used. **Commissioner Bushner moved to approve the buyout of the 2016 Compensation Time for Finance Officer Vicky Southards of 7.25 hours. Commissioner Wiley seconded the motion; which passed unanimously.**
- *Richards Family Trust* – Commissioner Wiley received a request from Richards Family Trust to provide a letter about the intentions of extending County Road 10 from County Road U.5 to County Road W as he would like to place a fence down the section lines. The Commissioners discussed and were in consensus that the County had no intentions of extending County Road 10; which runs along a line between Sections 7 and 8 and Sections 8 and 17, T4S, R45W. A letter outlining the County's position will be sent to the Richards Family Trust, and adjacent land owners, Nature Conservancy, Kendra Mann, and Glenn and Richard Wudtke. Information regarding right-of-ways is Recorded under Reception No. 396400, "Proceedings of the Board of County Commissioners relating to Roads and Highways."
- *HVAC Piping Project* – Hoover went over the calendar for the HVAC project. She reported that the abatement process is complete in the courthouse. Hoover reported that Risk Management Services, Inc. submitted a change order to cover the additional air clearances on the abatement of the old steam pipes in the Custodial Storeroom that were not in the original bid. The piping installation on the main floor, upper level, and basement is nearly complete. HVAC contractor, Wern Air, Inc., is working on installing the insulation on the piping throughout the Courthouse. Crews are working on tying in all Air Handling Units, installing duct work, and plan to place a new chiller and the new boiler sometime in the month of June. The controls contractor, Integrated Control Systems, Inc., has begun preliminary work in the server room and will be installing new cabling throughout the courthouse tying in each Air Handling Unit.
- *CCI Summer Conference* – Commissioner Bushner plans to attend CCI Summer Conference and thanked Sarah Carwin and Kay Prentice for putting together the "County" basket. Due to heavy rainfall, Commissioner Bushner was unable to attend conference so that he could finish his planting.
- *Century Link-Fiber* -- Hoover relayed that a contractor working for Century Link had contacted her a few weeks ago about cutting a 6'X3' hole in the parking lot to place a relay station for the fiber they are placing along 4th street. Hoover voiced her concerns about the damage to the parking lot; but was told that Century Link had proper paperwork to work within the city's right-of-way. Later that week,




crews were digging the 6'X3' hole in the street, just south of the parking lot instead. The hole is situated just to the west of the south entrance. She later learned City Manager James DePue asked for additional engineer drawings to encompass any disturbance beyond the streets that had already been approved. To date the hole in the street has been covered with dirt, but the asphalt has not been repaired. She appreciated DePue's intervention.

- *Yuma County Pest Control District* – The Commissioners reviewed the resignation letter of the Yuma County Pest Control District Supervisor Jordan Davison. The letter relayed that his last day is May 31, 2017.
- *June RAK Ice Cream Social*– Treasurer Stults had reported to Hoover that no one had signed up for the June Random Acts of Kindness and therefore she and Custodian Les Hasty and other Elected Officials thought it may be fun to have an Ice Cream Social in the afternoon of June 30, 2017. Depending on the meeting schedule, they may ask the Commissioners to serve.
- *Jail Visit* -- The Commissioners made their routine inspection of the jail.


There being no further business, the meeting adjourned at 4:12 p.m. The next regular meetings of the Board of County Commissioners will be on June 14, 2017 and June 30, 2017.



Dean Wingfield, Chairman



Kara Hoover, Administrator

ATTEST: 

Beverly Wenger, County Clerk

