

**YUMA COUNTY COMMISSIONERS**  
**October 31, 2013**

**Minutes<sup>1</sup>**

At 8:00 a.m., the Yuma County Board of Commissioners met in regular session on the 31st of October, 2013, with Chairman Robin Wiley, Commissioners Dean Wingfield and Trent Bushner present.

Administrator Linda Briggs was present throughout the day.

The commissioners reviewed with each other about affiliated meetings that each had attended within the last two weeks.

Health and Human Services -

The commissioners conducted business with Dave Henson, Director of the Department of Health and Human Services. Also present: Hollie Hillman and Dalene Rogers.

Road & Bridge -

In attendance from the Road and Bridge Department were: Truck/Mining Foreman Howard McGinnis, Grader Foreman Casey Stults and Fleet Foreman Kent Twiss Road and Bridge.

Also present: Steve Gilliland from 4 Rivers Equipment selling John Deere graders and Rick May from Wagner Equipment selling Caterpillar graders.

Casey Stults presented grader quotes from both companies. Gilliland and May informed the commissioners of their respective grader options and environmental emission changes. The commissioners said they would review the information prior to making a decision. Later in the day, following review of the information, **Commissioner Wingfield made the motion, which was seconded by Commissioner Bushner, to trade 4 graders for four 2014 caterpillar graders from Wagner. The total cash out will be \$209,417.** These will be paid from Fund 20 R&B funds.

	Number	Each Grader	TOTAL
Net Sale Price	3	215,115	645,345
Trade Value	3	-160,000	<u>-480,000</u>
Total cash for three graders			\$165,345
Net Sale Price	1	214,072	214,072
Trade Value	1	-170,000	<u>-170,000</u>
Total cash for one grader			\$44,072
Total cash of all graders			\$209,417

Tracy Lungwitz showed photos of where he wanted to bore under County Road 39 to install an 8 inch line for pumping affluent through the sprinkler system north of the dairy. He would like to be able to take the line parallel to the road approximately 250 feet in the bottom of the ditch. The project was discussed. **Commissioner Bushner approved the road crossing permit for Tracy Lungwitz to cross Road 39 and parallel Road K road for approximately 250 feet with the pipe buried 4 feet below the lowest level of the ditch. Commissioner Wingfield seconded the motion. The motion passed by unanimous vote.**

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<sup>1</sup> These minutes prepared by Linda Briggs are summarized discussions, not verbatim.

Personnel updated the commissioners on the following road department activities:

- The State project on Hwy 36 and Hwy 385 is indirectly causing damage to other roads, as traffic is detouring on county roads to miss the construction area.
- Areas that were missed are being mowed along with re-mowing the areas that were mowed early. One of the new case tractors is getting fixed.
- The drainage problem in Idalia needs fixed.
- The road crew is working on Road 16; but acquiring water has become an issue for construction. A discussion followed on possible locations for purchase of water.
- McGinnis said they had been contacted about assisting with trash removal around the flirtation point area. The commissioners said to check with the City of Wray and/or property owner. There was no problem with providing a truck for a day.
- The roads are being impacted by farmers farming too close to the roads.

#### Treasurer Dee Ann Stults -

Dee Ann Stults, joined by Deputy Clerk Treasurer, Kelly Wakefield, said they have gone to Greeley to see a computer program called Computer Information Concepts. A pricing sheet was presented and reviewed. Stults said she liked the program, but it does not have an assessor package. Stults said she has reviewed the contract from Harris Systems. There were a lot of things not clarified in the contract and all of the money would need paid in January. Tyler Eagle's program was discussed. Stults said this is very expensive. A comparison sheet between Tyler and Computer Information Concepts was presented. The commissioners said they would discuss the computer program changes later in the day with Assessor Cindy Taylor.

#### JoLynn Midcap -

Youth Extension Agent JoLynn Midcap said she had two requests; 1) would the commissioners continue the financial contribution for youth to join the 4-H Program and 2) continue with a contribution for gas taking youth to 4-H events. Following a brief discussion, **Commissioner Wingfield moved to pay the \$5.00 CSU Extension membership fee for the youth signing up for the 4-H programs by February 1, 2014, and provide up to \$500 for fuel to transport youth to events outside of Yuma County. This is to be paid from the Recreation Fund (Fund 5). Commissioner Bushner seconded the motion. The motion passed unanimously.**

#### Dean Koenig -

Dean Koenig lives in the unincorporated area close to the City of Yuma. Koenig informed the commissioners of a neighbor that burns trash two to four times a week. The wind often blows the smoke toward his home, which Koenig does not want. This is especially a problem when it turns cold, as the smoke stays closer to the ground. Photos of the burning barrels were presented. He is also aware of a business that is burning near the city limits. Koenig asked if there were any restrictions or regulations on burning in the unincorporated area of Yuma County. At the conclusion of a discussion, the commissioners said no burning restrictions have been implemented in the county and is not something they would consider county wide. If the City of Yuma deems it an issue, the commissioners said they would be willing to listen to what the city has to say. Koenig said he will talk to the City of Yuma

#### Land Use -

At 1:01 p.m., Chairman Robin Wiley opened the hearing for public comment on the Major Land Use Permit application from Tallgrass Interstate Gas Transmission LLC for Southern Star Interconnect. Chairman Wiley asked for everyone to introduce themselves.

Present: Janet Rowland representing Tallgrass Energy, via the phone, and Treasurer Dee Ann Stults.

Briggs read the staff report. Briggs said letters had been sent to property owners within 500 feet and have not received any calls or written correspondence. A legal notice was put in the papers about three weeks ago.

In answers to questions, Janet Rowland said the site is across from the Cargill Cattle Feeders feedlot and the installation calls for a 50 HP electric motor. The property is leased.

Commissioners Bushner asked what potential impacts might be a problem. Rowland gave a general overview that addresses lighting. Construction will take place only during daylight hours. Most of the impact will happen during construction. Once the project is up and running there really should be no impact at all. The closest neighbor is more than a mile away. Traffic on roads will be very minimal once installed. They will enter into an agreement for the roads and compensate for any damage that is a direct result of construction. Outside of the construction phase, they do not anticipate any impact.

Commissioner Wiley asked if there would be any noise issues with this compressor. Rowland replied that this is less of an impact than an oil compressor station. It is to be inside a building; it is a low horsepower, and not very loud at all. There was a compression station there before and then they shut it down. This is just to bring it back into use again.

There were no comments from the audience.

The commissioners reviewed the planning commission recommendations on the applications. Through a duly made motion at 1:08 p.m. the hearing was closed.

**Commissioner Wingfield made a motion to approve Resolution #10-31-2013 B/DEV approving the Development permit for Tall grass Interstate Gas Transmission LLC to install a 50-HP electric motor and associated compressor, building, and electrical facilities for Southern Star Interconnect into pipeline with stipulations. The legal description of the site is: SE/4SE/4 of Section 36, Township 3 North, Range 47 West. Commissioner Bushner seconded the motion. The motion passed unanimously.**

*Recorded under Reception No. 00558884.*

Attorney Michael Grinnan -

Present: Treasurer Dee Ann Stults

Via the phone, Attorney Michael Grinnan discussed a letter the commissioners received from Attorney Meg Gibson of Betty & Wozniak, P.C. which requests the Yuma County Treasurer invalidate a mineral tax deed issued November 12, 2008 for parcel no. S920924. Attorney Grinnan reviewed the request and recommended that no action be taken by Yuma County. Grinnan will call Attorney Gibson of the county's position.

Liquor License –

Pam Zuege presented a liquor license application. Commissioner Wingfield moved to approve the application for Jo's Liquor in Joes Colorado. Commissioner Bushner seconded the motion, which passed unanimously.

**Commissioner Wingfield moved to have Chairman Wiley sign the Liquor License for Route 36 LLC also known as The Grainery, as the state has approved the application. Commissioner Bushner seconded the motion. The motion passed by both Wingfield and Bushner voting Yea. Chairman Wiley abstained due to a conflict of interest. The Board approved the liquor application for The Grainery at the October 15<sup>th</sup> meeting.**

Travis Dinsmore / House at 311 Blake -

Travis Dinsmore said the water heater had been installed. Work on the furnace installation will start next week. He installed the black pipe from the furnace location to the exterior of the house for connection to the Source Gas Line when it gets installed. The company will be testing this line before turning on the gas. He is still checking with contractors for replacing the windows. A proposal for injecting foam insulation in the walls of the house was reviewed. Dinsmore said only a few companies in the state do the injectable foam insulation. **Commissioner Bushner moved to accept the proposal of \$4,300 from Four Star Insulation, LLC from Colorado Springs to insulate the house at 311 Birch. Commissioner Wingfield seconded the motion. The motion passed unanimously.**

Assessor Cindy Taylor –

Assessor Cindy Taylor joined by Deputy Assessor Carrie Sharp discussed the options for a computer program. Presented to the Board:

- A written assessment of the computer program options for the Assessor's office.
- Master License and Services Agreement from Harris Systems USA, Inc., the company that is purchasing the CCI program in bankruptcy court.
- Attorney Margie Fix Seboldt's comments following her review of the Harris agreement.
- A summary of comments, from other County Assessors, that operate software from Harris Systems.
- A statement on Tyler Technologies including the cost and payment options.

Taylor said she would prefer Tyler Technologies. Following a discussion of the options, the commissioners requested a spreadsheet comparing the programs and costs.

Ernie Crownover / TCC Corporation -

TCC Corporation had submitted a final invoice for the interior rafter repairs, roof repair on the highest level, and replacement of the gutters, fascia, and downspouts on exterior of the entire courthouse. Because the work had not been completed commensurate to the invoiced amount, the board asked for clarification from the owner of TCC Corporation, Ernie Crownover. Crownover felt the job had been completed according to the scope of the project which was for the interior repairs, upper roof replacement, and upper metal replacement. Discussion centered on where the mis-communication took place and how to settle the discrepancy. Each side voiced their opinions. Following a lengthy discussion, Crownover said he would call the previous employee that wrote the proposal and get back with the board. Later, Crownover called saying that he would finish the metal around the entire courthouse building. The commissioners confirmed they would approve the payment as presented with the assurance from Crownover the job would be completed. Crownover confirmed he would contact the contractor to get the job finished.

Clerk Beverly Wenger –

Via the phone, Clerk Beverly Wenger informed the commissioners that the renovations are being completed in the Yuma office and invited everyone to visit. Wenger said rent is higher than expected. Following a discussion, the commissioners said they would talk to Sid Fleming, Manager for the City of Yuma, prior to signing the lease.

Administrator's Report -

Administrator Linda Briggs reviewed calls, correspondence, and presented the following for action:

**A motion was made by Commissioner Bushner and seconded by Commissioner Wingfield to approve the minutes of October, 15, 2013. The motion passed unanimously.**

**Commissioner Wingfield moved to approve Yuma County Permit Ordinance 1982-1 for Omimex Petroleum, Inc. well # Bledsoe 10-3-5-45. Commissioner Wingfield seconded the motion. The motion passed by unanimous vote.**

**Commissioner Wingfield moved to approve the invoice from Yuma County employee, Clinton Metzler, in**

**the amount of \$1200 for doing the DOT annual truck inspections. Commissioner Bushner seconded the motion. The motion passed unanimously.**

Chairman Wiley signed the Veterans Report for October, 2013.

**Commissioner Wingfield moved to approve Resolution #10-31-2013A which transfers \$5000 from the Landfill Fund #11 to the Closure Post Closure Fund #21. Commissioner Bushner seconded the motion. The motion passed by unanimous vote.**

Certification of Accounts Payable for October 31, 2013, drawn on Yuma County Funds, with check #55201 through #55306 totaling the sum of \$444,240.11 and Fund 16 W-Y Combined Communication EFT systems, payable for October 31, 2013, check #6735 through #6753, totaling the sum of \$31,223.58 were signed by Chairman Robin Wiley.

Certification of Payroll for October 31, 2013, drawn on Yuma County Funds, EFT system #35361 through # 35491 and checks # 29859 through # 29884 totaling the sum of \$235,820.04, and along with Fund 16 W-Y Combined Communication EFT system number #5074 through #5087 and checks # 4340 and # 4341 totaling the sum of \$35,463.66 were approved and signed by Chairman Robin Wiley.

The commissioners made their routine inspection of the jail.

There being no further business, the meeting was adjourned at 5:20 p.m. The next meeting of the board will be November 13 and November 27, 2013.

A listing of meetings attended by the Commissioners during the month of October 2013 is attached.

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Robin Wiley, Chairman

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Linda Briggs, Administrator

ATTEST: \_\_\_\_\_  
Beverly Wenger, County Clerk