

YUMA COUNTY COMMISSIONERS
February 28, 2014
Minutes¹

At 8:00 a.m., the Yuma County Board of Commissioners met in regular session on the 28th of February, 2014, with Chairman Dean Wingfield, Commissioners Trent Bushner and Robin Wiley present.

Administrator Linda Briggs was present throughout the day.

The commissioners reviewed with each other on affiliated meetings that each 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 Robin Barnhart.

Road & Bridge -

In attendance from the Road and Bridge Department were: Supervisor Mark Shaw, and Truck/Mining Foreman Howard McGinnis who updated the commissioners on road department activities.

The following were discussed:

Gravel will be hauled to Road M north of Yuma.

- Shaw reported that a tire and front wheel were destroyed when a frozen chunk was struck by a vehicle passing a grader in a work zone.
- The commissioners confirmed that a resident could remove blow dirt from an old fence line along a county right-of-way going to an uninhabited home site. The adjoining property owner is to be contacted.
- The bucket truck that cost under \$11,000 is here. Shaw stated it has a wench on the front of the truck which will be nice for lowering branches from the trees.
- An employee has inquired about carrying firearms. Following a discussion, Shaw stated he did not feel it should be allowed in county vehicles. The commissioners concurred that a vehicle is an extension of buildings. Guns are not allowed in the buildings; therefore should not be allowed in county vehicles including graders or other equipment.
- Shaw will be sending out the request-for-proposal on the Kamala/Road 39 Project near Yuma. The ideal time for this work to take place would be between corn planting and wheat harvest.

Mark Shaw requested executive session to discuss personnel. **Commissioner Wiley moved to enter executive session as outlined in CRS 24-6-402 (4)(f) for personnel matters. Commissioner Bushner seconded the motion, which passed unanimously.** At 10:00 a.m., Commissioners Wingfield, Wiley, and Bushner with Mark Shaw, Howard McGinnis, and Linda Briggs entered into executive session. Through a duly made motion executive session ended around 10:06 a.m.

Commissioner Bushner moved to approve purchase of light bulbs from Road and Bridge employee, Terry McArthur Jr. in the amount of \$180.00. Commissioner Wiley seconded the motion which passed unanimously.

Commissioner Wiley moved to approve the Underground and Utility Permits for YW Electric to install an underground line under County Road R approximately 2350 feet south of County Road 39. Commissioner Bushner seconded the motion. The motion passed by unanimous vote.

¹ These minutes prepared by Linda Briggs are summarized discussions, not verbatim.

Sheriff Chad Day –

Sheriff Chad Day, joined by Ana Baucke, Victims Advocate Coordinator, discussed the 2015 VOCA grant application. Baucke listed those serving as part time coordinators and asked what a part time victims advocate could be paid. The commissioners said it may be as outlined in the budget; but the department needs to consider using volunteer advocates.

Sheriff Day stated he is in the process of organizing a posse to assist with some duties. Day is receiving information from two counties that operate a self-supporting posse under a 501-C3 structure. All volunteers selected would go through some training. Insurance and liability issues were also discussed.

Thirteen applications were received for the two positions that need filled. Eight showed for interviews. One has accepted a position with the other two declining due to the salary offered.

Day is considering options for accepting credit card payments. Some payments get complicated, especially when cards are accepted for bonding out of jail.

Roger Brown & Walt Hardesty –

Roger Brown, Yuma County Emergency Management Officer, presented a MAP 14MAP14YC Grant Agreement for approval. A committee meeting will be meeting in March to set up the objectives for the 5 year plan that his grant covers. Following review, **Commissioner Wiley moved to have Chairman Wingfield sign the Mitigation Assistance Program Grant Agreement MAP 14MAP14YC requesting \$37,500 to hire a contractor to assist 9 counties in the Northeast Region in the mandatory 5 year revision of the current 2009 Northeast region hazard mitigation plan through the Department of Public Safety, Division of Homeland Security and Emergency Management. Commissioner Bushner seconded the motion, which passed by unanimous vote.**

Brown will be going to businesses in Wray and Yuma asking them to post signs informing the public about what to do if a tornado warning takes place. A spotter class is scheduled for the 18th of March in Yuma.

Brown will attend the BlackWolf and Red Cross Emergency Preparedness Workshop on March 8th.

Bud Wood –

Fair Grounds Manager Bud Wood reviewed the fees charged for events at the fairgrounds. Horse stalls are being rented with several using the adjacent stall for tack and hay storage. The commissioners said that was fine until the point the stalls are needed to rent for stalling horses.

Toilet paper dispensers in the new north restrooms will be changed so they hold a greater supply of paper. The stools in the new restrooms do not work as needed. A written statement of what needs done for cleaning up the kitchens will be prepared. The fee schedule for using the fair grounds and buildings was reviewed.

Land Use –

At 1:08 p.m., Chairman Dean Wingfield opened the hearing for public comment on the following activities as advertised - three Applications for Exemption from Subdivision Regulations and two Major Land Use Permits.

Present: Marie (Degering) Johnson

Tristate representatives: Curtis Miller, Pat Dizle, and Kent Utley

Y-W Electric Association: Andy Molt and James Zibarh

Degering Family/ Exemption from Subdivision:

Briggs presented her staff report on their request to divide 32 acres from 160 acres for change of ownership. Briggs said no written comments or calls were received at the administrative office relating to this request. On February 18th, the planning commission reviewed the application and endorsed approval with recommendations of the staff report. Chairman Wingfield asked for public comments on the application. No comments from the public were made.

Donald and Deborah Godsey and Ryan and Susan Godsey / Exemption from Subdivision:

Briggs presented her staff report on their request to divide 2.51 acres from 313.5 acres for change of ownership. Briggs said the application had been sent to the Town of Eckley for consideration. Through a phone call, the Town Clerk of Eckley stated the town council had no objection to the application. No additional calls or written comments were received at the administrative office relating to this request. On February 18th, the planning commission reviewed the application and endorsed approval with recommendations of the staff report. Chairman Wingfield asked for public comments on the application. There were no public comments.

Chad Godsey / Development:

Briggs presented her staff report on Chad Godsey's request to establish a business to provide agronomic consulting services and seed sales on the 2.51 acre tract, for which the Exemption from Subdivision is also being requested. The planning commission reviewed the application on February 18. A planning commission member brought up that this request was an ag related business and would possibly not need to go through the Land Use process. The planning commission recommended approval of the application with the staff report recommendations and also that the Board of County Commissioners could determine if this application needed to proceed through the process. This application had been sent to the Town of Eckley for consideration. Through a phone call, the Town Clerk of Eckley stated the town council had no objection to the application. No additional calls or written comments were received at the administrative office relating to this request. Chairman Wingfield asked for public comment on the application. No comments were made.

Tri-State Generation /LeAnn Spellman on behalf of Evelyn Peters / Exemption from Subdivision:

Briggs presented her staff report on their request to divide 32 acres from 160 acres for change of ownership. Briggs said one call was received inquiring about the application, but the caller had no objection. On February 18th the planning commission reviewed the application and endorsed approval with recommendations of the staff report. The application was sent to the City of Yuma for review. The city returned a statement stating that they had no objections and recommended approval. Chairman Wingfield asked for public comment on the application. No comments were made.

Tri-State Generation / Development:

Briggs presented the staff report which stated Tri-State and Y-W Electric are proposing to construct the Deering Lake 115kV substation on 5.6 acres and Y-W Electric's 69kV-12.47kV Surveyor Creek substation on 5.3 acres. This project will replace Y-W's need to rebuild and replace its facilities at Western's existing Yuma Substation. Tri-State Generation Transmission Association and Y-W Electric will each construct their respective substations. This will allow both companies to increase electrical capacity and reliability in the Yuma area. Briggs recommended that the setback variance be accepted as historically substations were closer to the road than the code requirement of 1.5 times the height of the structure of 100 feet, whichever is larger. Briggs said one call was received inquiring about the application, but the caller had no objection. The application was sent to the City of Yuma for review. The City returned a statement stating that they had no objections and recommended approval. Chairman Wingfield asked for public comment on the application. No comments were made.

The commissioners reviewed the planning commission recommendations on the applications. Through a duly made motion at 1:27 p.m. the hearing was closed.

Commissioner Wiley moved to approve the three Application for Exemption from Subdivision Regulations:

- 1. Marie L. Degering (Einfield) Johnson, Donald A. Degering, Debra A. Degering, Dustin A. Degering, and Scott E. Degering to divide 32, plus or minus, acres from 160, plus or minus acres, in the W1/2W1/2 of Section 15, T1N, R48W, with the stipulation the Applicant shall be responsible for complying with all Federal, State, and Local regulations.**
- 2. Donald and Deborah Godsey and Ryan and Susan Godsey to divide 2.51 +/- acres from 313.5 +/- acres in the N1/2 of Section 35, Township 2 North, Range 46 West, with the stipulation the Applicant shall be responsible for complying with all Federal, State, and Local regulations. EFS # 0114-02**
- 3. LeAnn Spellman on behalf of Evelyn Peters to divide 157.97 acres +/- into three parcels all located in the NW/4 of Section 15, T2N, R48W for change of ownership. Parcel #1 will have 149.1 acres, Parcel #2 will have 5.3 acres, and parcel #3 will have 3.3 acres. The 3.3 acre parcel will be combined with the 2.3 acres forming a 5.6 acre +/- parcel to be owned by Tri-State Generation and lying south of the 5.3 acres parcel to be owned by Y-W Electric, with the stipulation the Applicant shall be responsible for complying with all Federal, State, and Local regulations.**

Commissioner Bushner seconded the motion, which passed by unanimous vote.

Commissioner Bushner made the motion to approve the Major Land Use Permit DEV# 0114-02 request from Chad Godsey to establish an agricultural based business called Godsey Precision Ag. LLC. This business will provide agronomic consulting services and seed sales. Location of the business will be on a 2.51 +/- acre tract in the North 1/2 of Section 35, Township 2 North, Range 46 West, with the stipulation that the Applicant shall be responsible for complying with all Federal, State, and Local regulations.

Commissioner Wiley moved to approve the Major Land Use Permit Dev #0114-01 requested by Tri-State Generation Transmission Association allowing Tri-State Generation Transmission Association and Y-W Electric to construct their respective substations in the NW/4 of Section 15, Township 2 North, Range 48 West with the following stipulations.

- Access to the County Roads will be approved by the Road and Bridge Department. The Road and Bridge Department will be informed a minimum of one week prior to start of the project and notified when the project is completed.**
- No construction is to take place within the county's road right-of-ways.**
- The Applicant shall be responsible for complying with all Federal, State, and Local regulations, rules, codes, conditions, and design standards.**
- The Board of County Commissioners shall retain continuing jurisdiction over this Permit to monitor regulatory compliance by the Applicant.**

Commissioner Bushner seconded the motion. The motion passed unanimously.

Schramm Feedlot Expansion –

Present: Thomas Holtorf, Tom C. Holtorf, Bob Seward, George Seward, Ruben Richardson, Robert Furrow, Karen Furrow, and Kelly Seward,

Tomas Holtorf, Assistant General Manager, informed the commissioners that Schramm Feedlot wants to increase the capacity of the feedlot by 3,000 head with accompanying fences and bunks. In 2007, an expansion of 7,000 head was approved; and it went through the Land Use Code hearing process. With the 2007 expansion, the lot capacity went from 21,000 head to 28,000 head. This request is less than the 5000 head, which requires going through the hearing process. Schramm feedlot is located east of Road M, but the 3,000 head expansion will be located west of Road M, where the old beet dump was located. Holtorf said the state requires only that the

Standard Operating Procedure document be updated. This expansion would cause an impact to County Road M. Holtorf stated feed trucks will be crossing Road M ten times a day to feed, with as many return trips. A loading facility would be constructed on the West side; therefore no cattle would be moved across the road. The commissioners said they did not want the blacktop on Road M to start falling apart because of being crossed over so frequently. Following the discussion, the commissioners said they had no objections as long as the road can be protected. An Activity Notice would need to be filled out. Holtorf is to contact Mark Shaw, the Road and Bridge Supervisor, to determine how best to construct an approach on both sides of Road M where the trucks would be crossing.

Assessor Cindy Taylor-

Assessor Cindy Taylor commented on the hearing relating to the gas industry before the Air Quality Commission. Taylor and Commissioner Bushner testified on Yuma County's behalf on February 21, 2014.

Taylor presented pricing from Tyler Technologies for purchase options of the Eagle assessment software. There may be three months of double payments if conversion is complete and able to "go live" by next March or April. A Dell representative has visited the offices for determining a hardware cost for the equipment. This quote has not been received. The commissioners stated they are not sure what the situation is with the purchase of CCI by Harris in relation to CCI's bankruptcy conversion from Chapter 11 to Chapter 7.

Clerk Beverly Wenger – Office update.

Wenger reviewed the list of building improvements for the election building recommended by County Technical Services. Most of the items are minor and would be done. The overhead projector in the election center will be checked out to make sure it is operating.

Wenger requested the use of the small meeting room in the fairgrounds concession building on March 18th and 19th. Representatives from surrounding counties will be receiving a refresher course for drive testing through the Driver's License Office. She will make sure the room is clean when the meetings are over. The commissioners approved of the use.

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 Wiley to approve the minutes of February 18, 2014. The motion passed unanimously.

Commissioner Wiley moved to sign the Recycling Grant Program through the Colorado Department of Health requesting \$5,640 for two storage pods with cement foundations and aprons. Commissioner Bushner seconded the motion, which passed unanimously.

Commissioner Bushner moved to approve the Ambulance Service License for the City of Yuma Ambulance Service starting the first day of January 2014 to the first day of January 2015. Commissioner Wiley seconded the motion, which passed unanimously.

Commissioner Dean Wingfield requested use of the Concession Building for the Colorado Cattlemen's Association dinner and meeting on June 14th at which alcohol will be served. **Commissioner Bushner moved to allow the Cattlemen's Association to use the building, with a \$1500 deposit to allow alcohol in addition to the \$500 deposit for one day's use. Commissioner Wiley seconded the motion. The motion passed unanimously.**

Commissioner Wiley moved to donate to the four area high school proms: Each school -8 tickets to the night show at the fair in August. Each night-show ticket may be exchanged for 2 rodeo tickets. Commissioner Bushner seconded the motion. The motion passed unanimously. Note-Liberty School is not having a prom.

Certification of Accounts Payable for February 28, 2014, drawn on Yuma County Funds, with check #56177 through #56237 totaling the sum of \$289,483.84 and Fund 16 W-Y Combined Communication accounts payable for February 28, 2014, check #6854 through #6872, totaling the sum of \$29,312.03 were signed by Chairman Dean Wingfield.

Certification of Payroll for February 28, 2014, drawn on Yuma County Funds, EFT system #35893 through #36020 and checks #29978 through # 30008 totaling the sum of \$220,546.10, along with Fund 16 W-Y Combined Communication EFT system numbers # 5128 through #5141 and check # 4343 totaling the sum of \$32,269.18 were approved and signed by Chairman Dean Wingfield.

The commissioners made their routine inspection of the jail.

There being no further business, the meeting was adjourned at 5:00 p.m. The next meeting of the board will be March 12 and March 28, 2014.

A listing of meetings attended by the Commissioners during the month of February 2014 is attached.

Dean Wingfield, Chairman

Linda Briggs, Administrator

ATTEST: _____
Beverly Wenger, County Clerk