

YUMA COUNTY COMMISSIONERS

October 16, 2014

Minutes¹

On October 16, 2014 at 8 a.m., the Yuma County Board of Commissioners met in regular session with Chairman Dean Wingfield, Commissioners Robin Wiley and Trent Bushner present. Administrator Kara Hoover was present throughout the day.

The Commissioners reviewed and signed accounts payable checks and discussed various meetings attended throughout the first half of the month.

Department of Health & Human Services

The commissioners conducted business with Dave Henson, the Director of the Department of Health and Human Services. Also present: Phyllis Williams and Robin Barnhart.

Hotline Phone System: Dave presented the proposal from CenturyLink for the new phone system that needs to be installed to accommodate the Hotline that is mandated by the state for a January 1, 2015 start date. The proposal outlined additional costs for the county of nearly \$30,000. The Commissioners felt that this differed from what was presented by CDHS earlier in the summer. The Commissioners asked Henson to speak with Jack Hilbert, CDHS Hotline Systems Manager, about the cost breakout.

Later in the day, Dave Henson returned to the Commissioners reporting that he had spoken with Mr. Hilbert, who resolved that CDHS would cover \$30,983.82 of the total \$51,811.73 cost, leaving \$20,827.91 for Yuma County's portion to upgrade the phone system that would accommodate the mandated hotline. Commissioner Wiley moved to accept the CenturyLink proposal and commit \$20,827.91 from Yuma County Capital Acquisition Funds to upgrade the current phone system to be in compliance for the HHS hotline system. Commissioner Bushner seconded the motion; which passed unanimously.

Road and Bridge

Supervisor Mark Shaw and Fleet Foreman Kent Twiss were in attendance to give Road and Bridge department updates. The following items were discussed:

- *Kamala (County Road E) and 39* –Shaw reported that as of today, the project is stalled waiting on the Railroad (flaggers). He reported that otherwise the road project is completely on-track. The contractor understands the timeline and has trucks ready to roll, once the Railroad provides proper personnel.
- *Beecher Island Road* – Shaw reports that Road & Bridge personnel are working on the bridge south of Beecher Island.
- *CR 34/CR R (Landfill Project)* –Greg Etl phoned with questions in regards to preparing the pros/cons for this grant application. He is requesting clarification on: miles of the project; traffic counts; in-kind work; the number of wells accessed by this road; budget break-down; and current Road & Bridge fund balance. The Commissioners will work with Shaw and Administrator Hoover to gather the necessary information necessary.
- *Road and Bridge Working Hours* – Shaw reported that currently Road and Bridge employees are still working 6:30 am to 5:00 pm. He reports that his crew is coming to work in the morning in the dark, but would like to remain with these hours until Daylight Savings time changes on November 2nd, 2014. He also

¹ Minutes prepared by Administrator Kara Hoover-summary of discussions, not verbatim



reported that flaggers working on the Kamala project have been working from sun-up to sun-down to prevent damage from vehicles driving on the prepared road.

- *Equipment Issues* – Shaw questioned the availability of funds in 2015 for graders. He provided estimates for budget purposes from John Deere and reported that he plans to have CAT provide an estimate, as well.
- *Mowers* – Road and Bridge has had mowers running consistently over the past few weeks. The part-time mower operator has been running 40 hours per week. The 2014 hours on the rental tractors are nearly used. Shaw reported that he spoke to the local John Deere dealership about getting bids for rental for next year. According to Shaw, the local manager is receptive to working with the county once again. Kent reported that he has some county-owned mowers that are near end-of-life. He asked for clarification of where to obtain bids for 2015 Budget. The Commissioners asked to him to purchase locally, if possible.
- *High Nitrated Area House Wells* – Twiss reported that the county-owned Idalia house has been tested for Nitrates; which came back high at “17” ppm (maximum limit is “10”). Commissioner Wingfield reported that he had a similar issue in this area and the situation was remedied simply by lowering the pump/well in the hole. Commissioner Wiley reported that he has seasonal issues with a well in this area and suggested that the County try lowering the well first before doing any other measures. Kent reported that he will try lowering the pump in the well.
- *Underground and Utility Permit* – Commissioner Wiley moved to approve the Underground and Utility Permit for YW Electric Association, Inc. to install a 7.2 KV distribution line under County Road E, approximately 2250 feet south of County Road 40. Commissioner Bushner seconded the motion. The motion passed unanimously.
- *Staffing Questions* – Shaw asked for clarification in pay for employees that are being called out during working hours for ambulance and fire calls. The Commissioners reported that the County will only pay for employees serving in a volunteer position. If the employee is being paid for his/her time by another organization, then the County should not be responsible for those hours paid.
- *Kit Carson County Gravel Pit* – Commissioner Wiley asked if Shaw had any response for use of the gravel pit in Kit Carson County; to which he answered no. The Commissioners asked Shaw to make another attempt to get an answer.

Electronic Recycling

Encore Life Staff, Vonie Weaver, Maggie Freeman, and Hannah Furnish, presented an update on their Electronic Recycling Program. Cliff Henry, Landfill Manager, and Sid Fleming, Yuma City Manager, were also present.

Freeman explained that their grant cycle began October 1, 2014, and they are currently in the planning stages of the program. Hannah reported that the monitors will be taken to a recycling plant in Ogallala with a cost of \$15. Weaver reported that the TVs are very expensive to recycle as well and they anticipate that TVs may present the biggest challenge for recycling.

The next few months are a transition time for the program. Hannah reported that Encore Life is currently taking items, but there is a lot of paperwork to complete and will more than likely take until the end-of-the-



year. The group will begin in January 2015 with the first recycle-thon. They are planning on providing educational measures within the next few months.

Sid reports that he has concerns about how Yuma is going to facilitate collections with the fees in place. The City of Yuma is working on how to provide man-hours for opening the Recycling Center in Yuma. Cliff asked how the landfill was to charge for recycling items. It was consensus that the Landfill run it through the gate fund and the County would reimburse Encore Life when they were billed. Freeman reported to Henry that the recycling items be sorted within the pods so that Elite Roll-Off Waste Management Service can conduct periodic pick-ups.

Cliff reported that Centennial Ag had several shuttles that we may be able to use for sorting and shipping. He reported that he would speak to Centennial Ag. Additionally, Furnish reported that there are other items (keyboards, mouse, coffee pots, etc.) that would be shipped as a mixed load.

Sid reported that he will have a concrete pad poured for placing of the pod in Yuma. Commissioner Wiley reported that Yuma County will get the pods ordered and put into place at both the Landfill and Yuma. There will be collection points in Wray; as well, the details are still being explored.

Treasurer

Treasurer Dee Ann Stults visited with the Commissioners about department items, to include:

- *September Treasurer's Report* - Dee Ann Stults gave the treasurer's report for the month of September, 2014. There were \$237,439.45 in taxes collected; \$150,042.03 in Specific Ownership taxes collected, and \$8,896.93 in fees collected.
- *Budget*- Stults discussed with the Commissioners how to handle the monies that are left to pay on the CCI software with the bankruptcy trustees. She was asked to include in her budget the funds to cover the CCI software rights for year-end 2013 that are still owed.
- *Delinquent Possessory Fees* – Stults reported that nearly all of the delinquent possessory fees have been paid. The only fees that remain are from 2009, 2010, 2011, 2012 of Gerard Ringlein. She reported that Ringlein no longer holds the lease on this ground and has made no attempt to pay the possessory fees. Stults asked if the Commissioners would allow the Treasurer to write off Ringlein's delinquent accounts. It was the consensus from the Commissioners to write off these older accounts.
- *Endorsement Fees* – Stults reported that, in the current software conversion, the \$5 endorsement fee that should have been charged on the redemption of property was not charged. The fee is to be paid to the investor. A total of \$50 is due to the investors. Stults questioned where the funds should be taken from. The Commissioners referred to Finance Officer Vicky Southards, who suggested to Stults that the fees could be taken from the Treasurer's bank fee charges to reimburse the investors for these fees.
- *Tax Lien Sale*—Stults reported that the next tax lien sale is set for November 15, 2014.

Liquor License

Yuma County Clerk Bev Wenger presented an application for a liquor license for Jo's Liquor in Joes, CO. Commissioner Wiley moved to approve the Liquor license for Jo's Liquor in Joes, CO. Commissioner Bushner seconded. The motion was unanimously passed



Land Use

Rich Birnie, Land Use/GIS Coordinator, presented Land Use updates. The following items were discussed:

- *Administrative Lot Line Permit – Smothers/Flaming*
Rich Birnie presented an Administrative Permit for a lot line adjustment between Kirk E. Smothers and Carla O. Flaming. **Commissioner Bushner moved to approve Resolution #10-16-2014 A/ADM for the Administrative Permit for a line adjustment between Kirk E. Smothers and Carla O. Flaming in the Southwest ¼ of Section 7 and the Northwest ¼ of Section 18, Township 2 North, and Range 44 West. Commissioner Wiley seconded the motion; which passed unanimously. Recorded under Reception Number: 00561764.**
- *Land Use Code (Text) Revisions* – Birnie reported that the Planning Commission will have their hearing on October 21, 2014. The next Commissioner's hearing would be in December, 2014.
- *Yuma's Bartlett Subdivision*- Birnie reported that a letter has been sent to Sid Fleming concerning the Barlett Subdivision on Kamala Street. There were no comments filed on this from the Planning Commission or Yuma County Road & Bridge.
- *Viaero* – Rich reported that he has an application from Viaero to install a supporting antenna structure on leased land west of Wesley Drive in the NW1/4 of Section 12, T1N, R44W. He will continue to work on this application and notifying parties involved.
- *Franson Partnership Gravel Pit* – Birnie reported that the Franson Family Partnership, LLP has applied with the state for a mining permit. He reports that the Partnership will submit the Major Land Use Application in early November for December's Planning Commission and the County Commissioner's meeting.
- *Schramm Feedlot Pit* – Rich relayed that Schramm Feedlot has submitted their Permit Amendment application. He has forwarded it to Attorney Barbara Green for review. He questioned whether Schramm should be held to the current setbacks, or the proposed 50' setbacks. The Commissioners relayed that Schramm Feedlot had applied under the current setbacks, and therefore should be held to those setbacks.
- *Godsey EFS* – Rich reported that Godsey Farms have applied for a subdivision line adjustment.
- *Fee Increase* – Birnie presented a proposed fee structure for 2015. He proposed the following fees to cover current costs for land-use information. **Commissioner Wiley moved to raise fees beginning in 2015 as recommended: Activity Notice-\$20, Administrative Land Use Permit-\$60, Minor Land Use Permit-\$75.00 with a \$125 deposit, and Major Land Use Permit-\$75 with a \$200 deposit. Commissioner Bushner seconded the motion; which passed unanimously.**

Coroner

Two-Body Cooler -- Coroner Jim Schmidt presented a request to purchase a two-body cooler for Wray. Currently, the Coroner's office has one cooler in Yuma. This poses an issue when there are incidents that happen on weekends, and the Coroner's Office must hold bodies for autopsies. The coolers range from \$3,000 to \$5,000. Jim reported that he felt that there were adequate funds remaining in the Coroner's 2014 budget to cover the cost. The consensus from the Commissioners was to go ahead with the cost. **Commissioner Wiley moved to allow Coroner Jim Schmidt to purchase a two-body cooler for Wray with a cost range of \$3,000 to \$5,000. Commissioner Bushner seconded. The motion passed unanimously.**



Region One

Region One Translator Meeting Report -- Stan Schafer came by to report on a Region One Translator meeting. He reported that the committee will be increasing fees for towers in the region. He reported that there were several companies in the area that are currently using GPS strategies within the region. The committee plans to monitor and measure the electricity used for the GPS programs. Schafer also reported that YW Electric is exploring the possibility of putting in digital meters throughout their area and would be placing additional microwave towers for this purpose.

2015 Budget Request -- Schafer presented the 2015 Budget. He reported that the committee projected Yuma County's 2015 contribution is the same, at \$82,376.

Assessor

Assessor Cindy Taylor visited with the Commissioners about department items, including:

- *Augustus Energy Partners Abatement* -- Cindy Taylor presented a request for abatement to Augustus Energy Partners. She reported that the issue had to do with a software glitch where there was a hidden (ghost) line in the program that could not be seen; thus the taxes were entered twice. She found the error and had to have CCI get into the server to resolve the issue. **After reviewing the information presented, Commissioner Wiley moved to approve the abatement for Augustus Energy Partners in the amount of \$7,163.45. Commissioner Bushner seconded the motion; which passed unanimously.**
- *Mobile Home near Hale* -- Assessor Taylor reported that there is a mobile home that is owned by Fred Whitlock near Hale that sits on land that is now owned by Latasha Grimes-Keely. Ms. Grimes-Keely would like to destroy the mobile home so that she can build a home on the property. Assessor Taylor is requesting permission from the Commissioners to destroy the mobile home because it may be uninhabitable, per statute 38-29-204(1)(d)(l). The Commissioners felt that they needed additional information and referred Assessor Taylor to Attorney Nancy Rodgers for guidance.

Gib Becker

Mr. Becker was in to speak to the Commissioners about an issue he has with the handling of his work release funds that were paid to the Yuma County Sheriff. He reported to the Commissioners that he recently went through an appellate court on his sentence that was given in Phillips County; but served in Yuma County. He reported that according to the appellate court, he was held unjustly and served more time than what should have been enforced. Becker reported that he has received his money back from the probation office, per the appellate court order.

He paid the Yuma County Sheriff/Jail a work-release fee of \$210 a week for 26 weeks (\$5,460) that he now is claiming should be paid back to him. He reported that he presented such to the Yuma County Sheriff, but because it was not a court order was unsuccessful in recouping the cost. He would like the Commissioners to review his information and provide some assistance. The Commissioners reported that they will speak to Attorney Nancy Rodgers to see what can be done to assist Mr. Becker.

Pioneer Ditch

LaVerne Smith reported to the Commissioners of recent work completed on the Pioneer Ditch. He relayed that there were several areas that required additional work to keep the ditch clear. One area was on the property of Dick Gelvin. Smith reported there was excess dirt that was placed on Gelvin's property and he would like the dirt removed or funding to have the excess removed. Commissioner Wiley asked if this type of



work has historically been completed, or if the procedure was new. Smith reported that the process is exactly the same as it has been before.

Smith also reported that they accidentally burnt a small bridge owned by Gelvin and ditch personnel have offered to put in a culvert to repair damages, Gelvin was not receptive to the culvert. Commissioner Wiley recommended to Smith that Pioneer Ditch employees should repair the bridge to pre-fire condition.

2015 Preliminary Budget

Administrator Kara Hoover and Finance Officer Vicky Southards presented the 2015 preliminary budget worksheet. The Commissioners reviewed the summary sheets and requested a larger block of time at the October 31, 2014 BOCC meeting for budget work.

Administrator's Report

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

- **Minutes – Commissioner Wiley moved to approve the September 30, 2014 Board of County Commissioners minutes. Commissioner Bushner seconded the motion; which passed unanimously.**
- Certification of Accounts Payable for October 16, 2014, drawn on Yuma County Funds, with check #57857 through #57989 totaling the sum of \$333,539.05 and Fund 16 W-Y Combined Communication accounts payable checks #7051 through #7057, totaling the sum of \$2,241.65 were signed by Chairman Dean Wingfield.
- **247 SW Kansas, Eckley, Co – Commissioner Wiley moved to allow Yuma County Commissioner Chairman Dean Wingfield to sign the closing documents on the 247 SW Kansas, Eckley, CO property on October 22, 2014; selling the property to Wayne and Deanna Pletcher. Commissioner Bushner seconded the motion; which passed unanimously.** The original purchase price of \$40,000 was approved in the July 15, 2014 minutes and the contract approved and signed in the September 30, 2014 minutes. *See Attached.*
- **Fair Board/RETAC Appointments –**The Commissioners reviewed applications for the Yuma County Fair Board and the RETAC Board.
Commissioner Bushner moved to appoint Ed Berry, Justin Blach, and Jed Gleghorn to the Yuma County Fair Board for a three-year term, ending September 1, 2017. Commissioner Wiley seconded the motion; which passed unanimously.
Commissioner Wiley moved to approve the appointment of Krista Terrell to the RETAC Board for a scheduled two-year term, expiring July 1, 2016. The motion was seconded by Commissioner Bushner. The motion passed unanimously.
- **Fairgrounds Use Policy –**Hoover presented a draft of a new fairgrounds operations policy that Linda Briggs had prepared. The policy provides better clarification on use and fees for those using the fairgrounds and the RV park at the fairgrounds as well. The Commissioners provided a few comments for changes and clarifications. **Commissioner Bushner moved to accept the policy with revisions to bold the verbiage that states, "Additional charges may be assessed by the manager to cover damage for cost of cleaning," and implementing an additional \$50 charge for use of the restrooms if not associated with rental of the Concessions Building. Commissioner Wiley seconded the motion; which passed unanimously.**

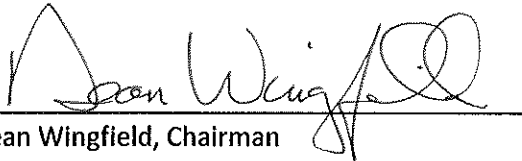


- *Childhood Cancer Awareness* -- The Commissioners reviewed an email from Steven Firestein, Volunteer Director of the Kids Cancer Connection, requesting Yuma County proclaim November 2nd through 8th, 2014 as Childhood Cancer Awareness Week in Yuma County. The Commissioners agreed to make this proclamation and instructed Hoover to prepare the proclamation for the October 31, 2014 meeting.
- *SullivanGreenSeavy, LLC Invoice* -- Commissioner Wiley moved to approve for payment the Sullivan Green Seavy, LLC October 2, 2014 invoice of \$320 for Land Use attorney fees. The motion was seconded by Commissioner Bushner; which passed unanimously.
- *Kissinger & Fellman, PC Invoice* -- Commissioner Bushner moved to approve the Kissinger & Fellman, PC September 20, 2014 invoice of \$680 for fees regarding the WY Communications Center. Commissioner Wiley seconded. The motion passed unanimously.
- *Security Cameras*- Hoover discussed with the Commissioners an issue with wiring for the security cameras throughout the court house. She relayed that according to Sheriff Day, the project has stalled waiting electrical work. She provided the Commissioners with a possible candidate who may be able to complete this project. The Commissioners asked Hoover to follow up with Sheriff Day and obtain a bid from Michael Brown.
- *AirMedCare Network* -- The Commissioners reviewed the member agreement from AirMedCare Network for a group application for Yuma County Employees. The member agreement, which will take effect January 1, 2015, will provide air transport for all Yuma County employee households at no cost if an AirMedCare air ambulance is used. Commissioner Wiley moved to accept the AirMedCare group full membership contract, effective January 1, 2015. Commissioner Bushner seconded the motion; which passed unanimously.
- *NE Colorado Bookmobile* -- Commissioner Wiley moved to provide a letter of support for the requested \$25,003 for the Northeast Colorado Bookmobile Services for year 2015. Commissioner Bushner seconded. The motion passed unanimously.
- *NECALG* -- Commissioner Bushner moved to provide Northeast Colorado Association of Local Governments a letter of full support for the requested \$16,422 for 2015. Commissioner Wiley seconded the motion; which passed unanimously.
- *Fairground Use Deposit Refunds* – The Commissioners reviewed requests from the Cattleman's Association and Turn-n-Burn for the Cure for refund of the deposits for fairground use in 2014. Commissioner Wiley moved to refund the Cattleman's Association \$1500 Alcohol deposit and the \$500 Concessions Building deposit, totaling \$2,000. Commissioner Bushner seconded the motion, Commissioner Wingfield abstained; the motion passed. Commissioner Bushner moved to refund Turn-n-Burn for the Cure the \$100 fairground deposit. Commissioner Wiley seconded the motion; which passed unanimously.
- *Accounts Payable and Payroll Clearing Account* – Commissioner Wiley moved to approve paying the interest on the Accounts Payable and Payroll Clearing Account for May through September, 2014 in the amount of \$15.39. Commissioner Bushner seconded. The motion passed unanimously.




- **Overtime Buyout** – Finance Officer Vicky Southards presented a buy out for accumulated compensation time earned as non-exempt employee accrued in January to August 29, 2014. Southards' employee classification changed to exempt in September 2014. Commissioner Wiley moved to buy out the accumulated compensation time of \$1,803.30 to be paid at the end of October. Commissioner Bushner seconded the motion; which passed unanimously.
- **Administrative Salary Budget Lines** – The Commissioners discussed the changes in the Administrative office with the transition of Planning Commission to another office. It was decided beginning September payroll, to move a portion of employee Laurie Clemon's Planning Commission wage to the Administrative Office. This was not budgeted for 2014. Commissioner Wiley moved to acknowledge that the Administrative Salaries-Permanent budget line (01-101-6111) for year 2014 will be in excess of approximately \$5,600 due to the reclassification of salary line items from Planning Commission to Administration. Commissioner Bushner seconded the motion; which passed unanimously.

There being no further business, the meeting adjourned at 6:26 p.m. The next meetings of the board will be October 31, 2014 and November 17, 2014.


Dean Wingfield, Chairman


Kara Hoover, Administrator

ATTEST: 
Beverly Wenger, County Clerk



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Yuma County Recorder, BEVERLY WENGER Page 8 of 8
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