

YUMA COUNTY COMMISSIONERS

March 31, 2021

Minutes<sup>1</sup>

On March 31, 2021 at 8:00 a.m., the Yuma County Board of Commissioners met in regular session. Chairman Trent Bushner, Commissioner Robin Wiley, Commissioner Scott Weaver, and Administrator Andrea Calhoon were present throughout the day. The meeting was open to the public via teleconference due to the COVID19.

The Commissioners reviewed and signed accounts payable and discussed various meetings attended throughout the prior month.

Financial Reports

Finance Officer Sarah Carwin joined the meeting at 8:30 a.m. to provide financial updates and reports. Carwin presented office updates including capital expenditure reports for Road & Bridge and various fair expense topics including the rodeo expenditures and revenue.

Human Services

The Board of County Commissioners convened as the Board of Social Services at 9:00 a.m. Human Services Director Kara Hoover, Bookkeeper Melanie Fisher, and Receptionist Robin Stich were present. Detailed minutes of the Board of Social Services are maintained separately by the Department of Human Services.

The Board of County Commissioners reconvened at 9:30 a.m.

Road and Bridge

Road & Bridge Supervisor Tom Andersen joined the meeting at 10:00 a.m. to provide department updates. Also in attendance were Blade Foreman Justin Lorimer and Truck Foreman Jeremy Lund. Steve Gilliland of 4Rivers attended the meeting as a guest.

- *Capital Planning* – Andersen and the team presented a five-year capital acquisition plan and schedule including pricing and costs to maintain the Road & Bridge fleet on a long-term basis. The group discussed the capital plan, budget, staffing models, contract worker support, and long-range revenue strategies. The group will do further research and will resume the conversation at an upcoming meeting.
- *Road Access* – Andersen reported on a road access permit received at County Road 48 and County Road C for YW Electric
- *House Construction* – Andersen reported on temporary road access at County Road 34 and County Road C for the construction of a house.

THK Associates

At 11:00 am the Commissioners heard a virtual presentation by Daniel Conway of THK and Associates regarding the findings of a feasibility study assessing the construction and operation of an Agricultural Innovation Center at the Yuma County Fairgrounds. Also present for the presentation was Agricultural Innovation Center President Dave Blach.

Land Use

Land Use Administrator Colten Yoast was heard at 1:00 p.m. to review Land Use and GIS business and conduct Land Use Hearings.

- *Land Use Hearings* – Land use hearings opened at 1:00 p.m. Yoast presented the following for signature.
  - **EFS 0321-02 for Debra Lynn Schroetlin** to divide 22.19 acres, more or less, from 632.6 acres, more or less, located in the S ½ of Sec 10, T3N, R48W for purpose of resale.
  - **EFS 0321-03 for Michael and Cindy Taylor** to divide 11.12 acres, more or less, from 640 acres, more or less, in the center of Sec 26, T4N, R47W to divide the homestead off of the farm ground.

<sup>1</sup> Minutes prepared by Andrea Calhoon are a summary of discussions, not a verbatim account.



- o **EFS 0311-04 for Marla Ficken** to divide 12.83 acres of land, more or less, from 320 acres, more or less, located in the W ½ of Sec 2, T5S, R47W to divide the homestead off of the farm ground.

Land Use Hearings closed at 1:08 p.m.

Commissioner Weaver moved to approve Resolution 03-31-2021 A approving exemption from subdivision EFS 0321-02 for Debra Lynn Schroetlin to divide 22.19 acres, more or less, from 632.6 acres, more or less, located in the S ½ of Sec 10, T3N, R48W for purpose of resale. Commissioner Wiley seconded the motion. It passed unanimously.

Commissioner Weaver moved to approve Resolution 03-31-2021 B approving exemption from subdivision EFS 0321-03 for Michael and Cindy Taylor to divide 11.12 acres, more or less, from 640 acres, more or less, in the center of Sec 26, T4N, R47W to divide the homestead off of the farm ground. Commissioner Wiley seconded the motion. It passed unanimously.

Commissioner Weaver moved to approve Resolution 03-31-2021 C approving exemption from subdivision EFS 0311-04 for Marla Ficken to divide 12.83 acres of land, more or less, from 320 acres, more or less, located in the W ½ of Sec 2, T5S, R47W to divide the homestead off of the farm ground. It passed unanimously.

- *Land Use Applications* – Yoast reported on three potential land use applications to be heard in April.
- *Land Use Code* – Yoast reported his progress on researching various land use code issues including work on lithium battery farm code, the moving of mobile homes, and code related to the construction of truck washouts.

GIS

- *Current Projects* – Yoast reported on various GIS topics including ongoing work on the master map, plat book, and preliminary census data received.

Senator Hickenlooper's Office, Kari Linker

The Commissioners were joined by Kari Linker, Eastern Plains Outreach Director to Senator John Hickenlooper, at 2:00 p.m. to conduct introductions and discuss federal updates. Linker shared Senator Hickenlooper's vision and goals for his term in office including bipartisan efforts to better the state of Colorado collectively. Linker reported that Hickenlooper is serving on the Senate Small Business and Entrepreneurship Committee, the Health Education Labor and Pension (HELP) Committee including the subcommittee for workplace safety, the Energy and Department of Natural Resources Committee including the subcommittee for nature and science, and the Commerce Committee with a focus on transportation and infrastructure. Senator Hickenlooper will be in the northeast region this week and next week meeting with the Colorado Cattlemen's Association and the Environmental Defense Fund working on water issues and needs in the region.

The Commissioners reviewed with Linker the efforts undertaken so far on the South Fork Republican River Restoration Committee and the Bonny Reservoir site. The Commissioners discussed the strength of partnership with former Senator Cory Gardner on the project and encouraged continued partnership with Senator Hickenlooper. The group discussed potential advocacy and funding avenues for the project and the mutual benefit for numerous state and local agencies including the Department of Natural Resources, the Republican River Water Conservation District, and both Yuma and Kit Carson Counties.

The Commissioners requested information regarding Senator Hickenlooper's position on methane regulations for livestock producers. Linker reported that she would obtain some firm information for the Commissioners on that matter. The group discussed the importance of agriculture to the State of Colorado and concern over legislative tone increasing detrimental impact on the agriculture industry as well as ways to encourage partnership between agricultural producers in Colorado and the federal Secretary of Agriculture.

Yuma County Sheriff's Office

At 3:00 p.m. the Commissioners met with Yuma County Sheriff Todd Combs and Yuma County Patrol Sergeant Will Janisch to discuss implementation costs of SB20-217 including body camera equipment and storage. Janisch presented potential costs for implementation of the body camera and footage requirements of 217 and the group discussed legislative efforts to address the original unfunded mandate included in the bill, including a Department of Justice request for three million dollars in grant funding to support local agencies in complying with the bill requirements. Janisch also presented a request for funding for replacement of Tasers as well as bundle pricing for the purchase of body cameras and Tasers together. The conversation was tabled until the State Department of Public Safety budget request is finalized and grant opportunities are better understood.

Public Comment, Rick Perry

Public comment was heard from Mr. Rick Perry at 3:40 p.m. to discuss concerns over trees on a neighboring property. Perry expressed concern that dead trees on the neighbor's property are endangering his own property with risk of falling. Perry also expressed concern over unkempt weeds being a fire hazard next to his property given the cutting and grinding activities conducted as part of his business. The Commissioners provided some suggestions for resolution including speaking with the landowner regarding the tree.

Public Comment, Paula Buetell & Lonny McArthur

Ms. Paula Buetell and Mr. Lonny McArthur were heard for public comment at 4:00 p.m. to request a variance to allow the construction of a county road inlet off of Highway 34 east of Wray at Railroad Avenue. The request was submitted to the Colorado Department of Transportation who denied the request without the passage of a variance by the County due to spacing and distance requirements that do not currently meet the State requirements. The group discussed that a variance would result in the road being open to public access and how the project would be funded as well as the requirement that the road would have to be constructed to meet established structural criteria. Concern was expressed over the lack of sightline distance at the curve and potential for increased accidents due to the limited visibility. The conversation was tabled to allow the Commissioners to do some additional research regarding the variance process.

Administrator's Report

Administrator Andrea Calhoun reviewed calls, correspondence, and presented the following for discussion and action:

- **Minutes** – The Commissioners reviewed the minutes from the previous BOCC meetings. **Commissioner Wiley moved to approve the minutes from the March 15, 2021 regular meeting and the March 25, 2021 special meeting of the Board of County Commissioners. Commissioner Weaver seconded the motion, which passed unanimously.**
- **CAPP Report & Claim Review** – The Commissioners heard information on pending CAPP and workers' compensation claims.
- **Signatures and Ratifications** –
  - Resolutions/Ordinances/Signatures:
    - **Commissioner Wiley moved to approve signature on Resolution 03-30-2021 D opposing ballot initiative 16 regarding detrimental animal cruelty regulations that would detrimentally impact the agriculture industry. Commissioner Weaver seconded the motion and it passed by unanimous vote.**
  - Grant Updates:






- The Commissioners reviewed information regarding pending and submitted grant applications including: DOLA energy impact funds for chip sealing of the Eckley Road, an update on the previously approved DOLA Administrative Planning grant to conduct a feasibility study for the proposed Ag innovation Center, and CDOT multimodal funds for sidewalk updates in cooperation with the City of Wray. The Commissioners also heard a report on CARES Act Coronavirus Relief Funds.
- *Department Reports* – The Commissioners heard various department updates including updates on the transition of the WY Communications Center, a potential 911 surcharge increase application process, updates on the dissolution of the Northeast Colorado Bookmobile, an MOU recently approved to delineate responsibility for the Yuma County Fair, the March 2021 Veteran’s Service Officer Report, financial reports including revenue posting and process improvement efforts, process improvements at Road & Bridge, and upcoming business tours by Wray High School students.
- *Correspondence* – Calhoon presented correspondence received since the last meeting. The Commissioners set additional meeting dates including
- *CDL Testing Unit* – Calhoon provided updates on the status of the Yuma County CDL testing unit.
- *Oil & Gas Updates* – Calhoon reported on oil and gas updates since the last meeting including an upcoming presentation by the Colorado Oil and Gas Conservation Commission regarding the mission change rulemaking results.
- *IT Updates* – Calhoon presented updates on various IT-related topics.
- *Maintenance Updates* – Calhoon reported on various facilities maintenance topics.
- *HR Updates* – Calhoon reported updates on county Human Resource topics including thirty total fraudulent unemployment claims received on behalf of Yuma County employees and policy updates for COVID leave and holiday pay for continually staffed departments.

**Commissioner Wiley moved to approve signature on the salary authorizations for Finance Clerk Brandi Ritchey, WY Communications Director Don Nadow, and Part-Time Custodian Heidi Dinsmore as presented. Commissioner Weaver seconded the motion, which passed unanimously.**

There being no further business, the meeting adjourned at 6:45 p.m. The next regular meetings of the Board of County Commissioners will be on April 15, 2021 and April 30, 2021.

  
Trent Bushner, Chairman

  
Andrea Calhoon, Administrator

ATTEST:   
Beverly Wenger, County Clerk



**BOAD OF COUNTY COMMISSIONERS  
COUNTY OF YUMA, STATE OF COLORADO**

**RESOLUTION NO. 3-31-2021 D**

**OPPOSING BALLOT INITIATIVE 16 IN SUPPORT OF THE AGRICULTURAL INDUSTRY AND  
THE LIVESTOCK INDUSTRY**

**WHEREAS**, on March 17, 2021, a citizens initiative entitled "Protect Animals from Unnecessary Suffering and Exploitation" (PAUSE) was approved by the Title Board of the Colorado Secretary of State for petition to the November 2022 General Election as Initiative 16; and

**WHEREAS**, this Board abhors the infliction of needless suffering of animals and recognizes that our livestock producers take great effort to treat their animals humanely; and

**WHEREAS**, the initiative is an industry-killing effort that will disrupt all aspects of meat production, sales, and export; and

**WHEREAS**, the initiative criminalizes farmers, ranchers, and veterinarians who use accepted animal husbandry practices to care for animals; and

**WHEREAS**, the initiative changes state statutory language to define common animal care practices as cruelty to animals; and

**WHEREAS**, the initiative bans slaughter for animals that have lived less than 25 percent of their "natural" life span; and

**WHEREAS**, the initiative criminalizes the following common and necessary veterinary and animal husbandry practices: spaying and neutering, birthing assistance, reproductive practices including artificial insemination, pregnancy diagnosis, fertility testing, and others; and

**WHEREAS**, the initiative eliminates numerous accepted animal husbandry practices, opening the door to animal cruelty prosecution for common and necessary practices such as feeding, sheltering and transportation; and

**WHEREAS**, Yuma County is the second largest agriculture producing county in the state, with over \$900 million in production annually; and

**WHEREAS**, the economic impact to farmers, ranchers, meat cutters, veterinarians, and many other related industries would be tremendous and negative; and

**WHEREAS**, it has been reported that the Governor of Colorado agrees that the PAUSE initiative would "hurt Colorado, and destroy jobs."

**THEREFORE, BE IT RESOLVED**, by the Board of County Commissioners of Yuma County, Colorado, that the Board opposes this initiative and urges the Governor of Colorado and Commissioner of the Colorado Department of Agriculture to continue to do the same; and

  
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Yuma County Recorder, BEVERLY WENGER Page 1 of 2  
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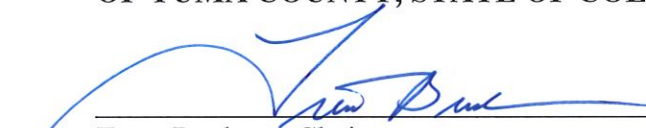


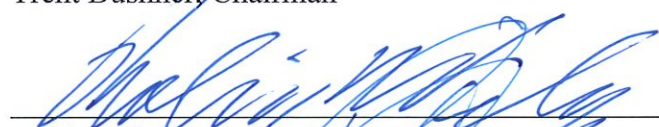
**BE IT FURTHER RESOLVED**, this Board urges all citizens of Yuma County to decline to sign any petition that supports placing Initiative 16 (PAUSE) on the November 2022 ballot and also encourages all Yuma County citizens to educate others about the importance of agriculture to the entire State of Colorado; and

**FINALLY, BE IT RESOLVED**, that all people that care about the well-being of animals – be they livestock, pets, service animals, or other – take action to defeat this measure if it does make the November 2022 ballot.

**ADOPTED this 31st day of March, 2021.**

**THE BOARD OF COUNTY COMMISSIONERS  
OF YUMA COUNTY, STATE OF COLORADO**

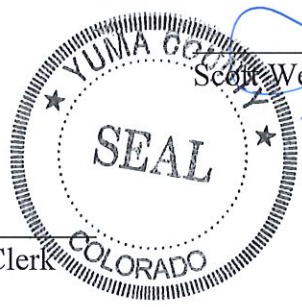
  
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Trent Bushner, Chairman

  
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Robin Wiley

  
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Scott Weaver

**ATTEST:**

  
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Beverly A. Wenger, County Clerk



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Yuma County Recorder, BEVERLY WENGER Page 2 of 2  
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