



YUMA COUNTY COMMISSIONERS

April 15, 2021

Minutes¹

On April 15, 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 financial reports for the WY Communications Center including payroll and accounts payable processing updates and policy transition updates. The Commissioners also reviewed and approved the first quarter Public Trustee Report.

Human Services

The Board of County Commissioners convened as the Board of Social Services at 9:00 a.m. Human Services Director Kara Hoover, Child Welfare and Adult Protection Supervisor Hollie Hillman, and Eligibility Supervisor Dalene Rogers, and Receptionist Robin Stich were present. Detailed minutes of the Board of Social Services are maintained separately by the Department of Human Services.

Commissioner Wiley moved to enter into executive session at 9:28 a.m. under CRS 24-6-402(4)(c) for matters to be kept confidential by law. Commissioner Weaver seconded the motion, which passed unanimously. Present for executive session were Chairman Bushner, Commissioner Wiley, Commissioner Weaver, Director Hoover, Supervisor Hillman, and Administrator Calhoon. Executive Session ended at 10:14 a.m. No action was taken following executive session.

The Board of County Commissioners reconvened at 10:15 a.m.

Road and Bridge

Road & Bridge Supervisor Tom Andersen joined the meeting at 10:15 a.m. to provide department updates. Also in attendance was Blade Foreman Justin Lorimer.

- *Concrete Crushing* – Andersen presented a bid for the crushing of concrete material from the Yuma County Landfill. The group discussed potential options for material and crushing services as well as the purchase of crushed material.
- *Capital Acquisition Plan* – Andersen and Lorimer presented updated information on the department's capital acquisition plan following last meeting's discussion and the interim work session.
- *Weis Pit Agreement Renewal* – **Commissioner Weaver moved to approve signature on the unchanged Weis Pit lease agreement as presented. Commissioner Wiley seconded the motion. It passed by unanimous vote.**
- *Permits* – Andersen presented for approval one road access and one overweight permit. **Commissioner Wiley moved to approve the overweight permit for Wardcraft Homes to move an oversized load from Minden, NE to Yuma, CO on April 19, 2021. Commissioner Weaver seconded the motion, which passed unanimously.**

Commissioner Weaver move to approve the access permit for Tri-State Generation and Transmission Association to trench a utility line across County Road E into the North Yuma Substation. Commissioner Wiley seconded the motion. It passed by unanimous vote.

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

- **Personnel** – Commissioner Wiley moved to approve the salary authorizations for new hires Ron Parker and William Russell as presented. Commissioner Weaver seconded the motion, which passed unanimously.
- **Private Leasing** – The group discussed a requested private lease of the Wauneta house by Lenz Family Farms.
- **Holiday Pay** – The group discussed holiday pay policies following the removal of snow on President's Day in February. Andersen requested the payment of time and a half for work conducted on President's Day. The Commissioners determined that personnel policy allows payment of time and a half for worked holidays of Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas and all other worked holidays should be flexed to allow a replacement day off if work is required.

Congressman Ken Buck's Office, Darlene Carpio

At 11:00 am the Commissioners were joined by Darlene Carpio of Congressman Ken Buck's Office to hear federal legislative updates and discuss legislative priorities. Carpio provided updates regarding federal happenings including the plan to designate 30 additional US grounds by 2030 to create additional public land and public ownership of water rights. Questions remain regarding the implementation of the plan including the impact on personal property rights and agriculture. Carpio reported that the State of Colorado is currently 39.5% federally-owned land already and questions remain about potential exemptions based on current federal land ownership. Carpio presented updates on additional legislative efforts regarding land use. The group discussed the potential impacts of the changes and the impacts of historical similar efforts.

Additional discussion included efforts to eliminate the filibuster, Second Amendment legislation including criminalizing some weapons transfers and imposing background check restrictions and the withdrawal of American Troops from Afghanistan by September of 2021. The Commissioners provided update on local COVID response including the anticipation of federal funds as well as the implications of State of Colorado COVID restriction guidance. The Commissioners also advocated for federal partnership on the South Fork Republican River Restoration project and Bonny Dam project.

Yuma County Clerk, Bev Wenger

The Commissioners were joined by Yuma County Clerk Bev Wenger at 11:40 a.m. to discuss a potential document archival grant. Wenger presented a grant application for the digitization of archival recorded documents including Torrens records and grantee/grantor books. Wenger provided updates on the grant program over time and the expected future of the grant. **Commissioner Wiley moved to approve the grant application for digitization of the Torrens records and grantee/grantor books as presented at no cost to Yuma County. Commissioner Weaver seconded the motion and it passed by unanimous vote.**

COGCC, Commissioner John Messner

At 1:00 p.m. the Commissioners received a presentation from Commissioner John Messner from the Colorado Oil and Gas Conservation Commission regarding the new Mission Change rules recently passed by the COGCC. Also in attendance were Hannah Hickam of COGCC, Niels Phaf and Greg Jones of OWN Resources, and Yuma County Assessor Cindy Taylor. Messner reported that the completed rulemaking processes include the Hearing Process, Flowlines, Wellbore Integrity, and Mission Change. The mission of the COGCC was updated under Senate Bill 19-181 from fostering the oil and gas industry in Colorado to regulating the oil and gas industry in Colorado.

Messner reported on the development of permitting rulemaking called the 300 Series rulemaking, which will define the local permitting process on an area-by-area basis as well as upcoming rulemakings for 2021 including Financial Assurances, Worker Safety, and Permit Fees.

The Commissioners inquired as to the long-term economic considerations related to the regulations the COGCC are developing and expressed concern for the over-regulation of a vital economic industry in the State of Colorado generally and specifically in Yuma County. The Commissioners expressed further concern over the local financial impact of oil and gas regulation over the last decade in terms of property values, property tax income for local governments, and economic opportunities for landowners and employees in Yuma County. Messner provided statistics on oil and gas production in the surrounding states as compared to Colorado. The Commissioners additionally expressed that the move to green energy does not have sufficient momentum to replace the fossil fuel industry in the current technological and economic space.

Niels Phaf and Greg Jones of OWN Resources expressed concern over the length of time in processing permit applications with the additional requirements, particularly in light of the length of permit processing prior to the rulemaking. Messner expressed his perception that the new permitting process is designed to streamline those timelines and expressed that we would need to wait and see if the new processes accomplished that goal. The Commissioners voiced concern over the competition with neighboring states when permits in neighboring states process considerably faster than those in Colorado.

Phaf also advocated for the scalability of regulation in consideration of objective differences including depth of wells, pressure, and other environmentally impactful factors. Messner expressed his belief that the rules that have been developed account for these rules.

Land Use

The Land Use meeting scheduled for 2:00 p.m. was cancelled.

COVID Task Force Meeting

At 2:30 p.m. the Commissioners attended the weekly Yuma County COVID Task Force virtual meeting. Minutes for the COVID Task Force meeting are kept separately.

WY Communications, Don Nadow

WY Communications Director Don Nadow joined the meeting at 3:00 p.m. to provide department updates. Nadow presented information on current scheduling, overtime usage and projections, training, staffing models, financial protocols and various timekeeping topics. Nadow presented a staffing request for the establishment of two lead dispatch positions and the group discussed requirements and expectations for the positions including the requirement to post the positions competitively when permanently filled. The positions were determined to be interim for six months to allow the organization to stabilize, at which time Nadow will provide a recommendation for a permanent staffing model.

The Commissioners requested that Nadow connect with scheduling experts in the Yuma County Sheriff's Office and Washington County Sheriff's Office to review various scheduling options and assess shift length with respect to overtime management. The Commissioners also established that the Yuma County Employee Handbook should be distributed to the employees of the WY Communications Center as soon as possible to ensure that the transition to the new policies is moving forward. The Commissioners established that open lines of communication should be maintained with the Yuma County Administration Office on all financial and personnel/liability issues and that Nadow should contact Administration Office staff frequently and regularly.

Commissioner Wiley moved to approve the adjusted salary authorizations for Ryan Saffer and Sabreena Bradley as adjusted for interim lead dispatch positions for six months with no guarantee of permanent promotion and a return to current wage if no promotion is offered. Commissioner Bushner seconded the motion. The motion passed with Commissioner Weaver abstaining.

Veteran's Service Officer, Ron Brown

At 4:15 p.m. the Commissioners met with Yuma County Veteran's Service Officer Ron Brown to hear office updates and the impact of current State requirements. Brown reported on the replacement of the Deputy Executive Director for the Colorado Department of Military and Veteran's Affairs and the subsequent expansion of regional VSO Field Services Offices and his assessment of the impact of that decision.

Yuma County Jail, Sergeant Joe Wells

Yuma County Jail Sergeant Joe Wells sent for Commissioner review the 2021 jail food contract renewal with Summit Foods for provision of jail meal services. **Commissioner Weaver moved to approve signature on the 2021 jail food services contract with Summit Foods as presented. Commissioner Wiley seconded the motion, which passed unanimously.**

Administrator's Report

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

- *Minutes* – The Commissioners reviewed the minutes from the previous BOCC meetings. **Commissioner Weaver moved to approve the minutes from the March 31, 2021 regular meeting and the April 8 and April 15, 2021 special meetings of the Board of County Commissioners. Commissioner Wiley 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 Weaver moved to approve signature on Resolution 04-15-2021 A lifting local COVID restrictions to the degree permitted by State regulation. Commissioner Wiley 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 a status update on 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, and the March 2021 TV System Maintenance Log.
- *Prior Meeting Follow-Up* – Calhoon provided project updates on the status of properties in Eckley, information gathered on a request for a new approach on US Highway 34, and a proposed community corrections project through the Yuma County Sheriff's Office.
- *Correspondence* – Calhoon presented correspondence received since the last meeting.
- *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.
- *IT Updates* – Calhoon presented updates on various IT-related topics.
- *Maintenance Updates* – Calhoon reported on various facilities maintenance topics. The group reviewed bids for lawn care services for Yuma County Facilities as advertised. The bid was awarded to Mike's Lawn Care as the only bidder. Also discussed was a potential capital project within the Yuma County Courthouse.
- *HR Updates* – Calhoon reported updates on county Human Resource topics including recruitment and retention, fraudulent unemployment claims received, a request for closure of the Commissioners' Office over lunch on April 21 in honor of Administrative Professionals Day, and a discussion of new federal COBRA



requirements. The Commissioners reviewed an exit interview classified as confidential under CRS 24-6-402(4)(f) for Personnel Matters.


Commissioner Wiley moved to approve signature on the salary authorization for Detention Deputy Cody Gudgel as presented. Commissioner Weaver seconded the motion, which passed unanimously.

There being no further business, the meeting adjourned at 5:30 p.m. The next regular meetings of the Board of County Commissioners will be on April 15, 2021 and April 30, 2021.

Following the meeting, the Commissioners convened at 6:00 p.m. at the WY Communications Center to participate in the monthly meeting of the WY Communications Board.


Trent Bushner, Chairman


Andrea Calhoon, Administrator

ATTEST: 
Beverly Wenger, County Clerk





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

RESOLUTION NO. 4-15-2021 A

**LIFTING LOCAL COVID RESTRICTIONS TO THE DEGREE PERMITTED BY
STATE REGULATION**

WHEREAS, Colorado Executive Order D2021-079 was passed on April 3, 2021 establishing and updating guidance permitting local governing bodies to lift or modify face covering requirements for certain circumstances; and

WHEREAS, the Yuma County Board of County Commissioners supports the importance of local decision-making in all matters including the development and enactment of COVID regulations; and

WHEREAS, Executive Order D2021-079 permits local governing bodies to waive certain COVID restrictions for counties assigned to Level Green on the State of Colorado COVID Dial; and

WHEREAS, based on local disease metrics, Yuma County was assigned to Level Green on the COVID Dial as of April 6, 2021; and

WHEREAS, it is the desire of the Yuma County Board of County Commissioners to lift COVID restrictions to the degree allowable under current State of Colorado regulation,

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Yuma County, Colorado, that the Board hereby locally lifts all COVID restrictions except those required by the State of Colorado. Current masking requirement imposed by the State of Colorado include:

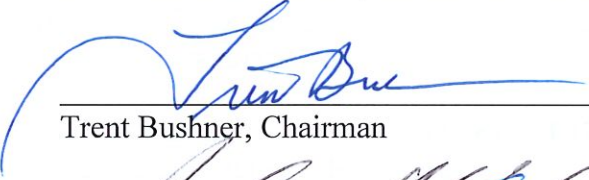
- A. In all counties, medical or non-medical cloth face coverings that cover the nose and mouth are required to be worn by individuals age eleven (11) and older when entering or within the following public and private settings:
 - 1. Preschool through grade 12 schools (including extracurricular activities), child care centers and services, and indoor children's camps;
 - 2. Public areas of state government facilities, and areas in state government facilities where members of the public come into contact with state government employees;
 - 3. Congregate care facilities, including nursing facilities, assisted living residences, intermediate care facilities, and group homes;
 - 4. Prisons;
 - 5. Jails;
 - 6. Emergency medical and other healthcare settings (including hospitals, ambulance service centers, urgent care centers, non-ambulatory surgical



- structures, clinics, doctors' offices, and non-urgent care medical structures);
7. Personal services, as defined by Public Health Order (PHO) 20-36; and
 8. Limited healthcare settings, as defined by PHO 20-36.

ADOPTED this 15th day of April, 2021.

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



Trent Bushner, Chairman

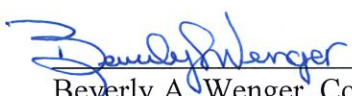


Robin Wiley



Scott Weaver

ATTEST:



Beverly A. Wenger, County Clerk

