

UNOFFICIAL MINUTES FOR JANUARY 10, 2012

The Regular Meeting of the Kiowa County Commissioners was called to order at 9:00 a.m. by Chairman Richard Scott on January 10, 2012. Commissioner Scott opened the meeting with prayer and the Pledge of Allegiance. Those attending were:

Richard Scott, Commissioner
William E. Koehler, Commissioner
Donald Oswald, Commissioner
Debra C. Lening, County Clerk
Peggy Dunlap, Administrator

Jeanne Sorensen entered the meeting as a visitor.

Minutes from the December 29, 2011 Regular Meeting was presented. Oswald made the motion, seconded by Koehler, to approve the minutes as presented. All Commissioners voted affirmative.

The vouchers were reviewed. Five vouchers were questioned. Vouchers were approved and signed.

Oswald made the motion, seconded by Scott, to recess the Regular Meeting at 9:35 a.m. to enter into the Re-Organizational Meeting. All Commissioners voted affirmative.

The Re-Organizational Meeting was called to order by Chairman Richard Scott at 9:36 a.m. with all of the above in attendance.

REORGANIZATIONAL MEETING

JANUARY 10, 2012

CHAIRMAN OF COUNTY COMMISSIONERS

Richard Scott

Motion was made by Donald Oswald, seconded by William Koehler to (re)appoint Richard Scott as Chairman of the Board of County Commissioners for the year of 2012. All commissioners voted affirmative.

CHAIRMAN OF ROAD AND BRIDGE DEPARTMENT AND DRUG TESTING CONTACT

Donald Oswald

Motion was made by William Koehler, seconded by Richard Scott to (re)appoint Donald Oswald as Chairman of the Road and Bridge Department for the year 2012. All commissioners voted affirmative.

CHAIRMAN OF FINANCE

Richard Scott

Motion was made by Donald Oswald, seconded by William Koehler to (re)appoint Richard Scott as Chairman of Finance for the year 2012. All commissioners voted affirmative.

CHAIRMAN OF SOCIAL SERVICES

Richard Scott

Motion was made by William Koehler, seconded by Donald Oswald to (re)appoint Richard Scott as Chairman of the Social Services Department for the year 2012. All commissioners voted affirmative.

CHAIRMAN OF HOUSING

William Koehler

Motion was made by Donald Oswald, seconded by Richard Scott to (re)appoint William Koehler as Chairman of Housing for the year 2012. All commissioners voted affirmative.

COUNTY ADMINISTRATOR

Peggy Dunlap

Motion was made by Donald Oswald, seconded by Richard Scott to (re)appoint Peggy Dunlap as County Administrator for the year 2012. All Commissioners voted affirmative.

COUNTY PUBLICATIONS AND LEGAL PRINTING

Kiowa County Press

Motion was made by William Koehler, seconded by Donald Oswald to use the Kiowa County Press for all county publications and legal printing for the year 2012. All commissioners voted affirmative.

**OFFICIAL PUBLIC POSTING OF MEETINGS TO BE HELD
WITH THE KIOWA COUNTY COMMISSIONERS**

Motion was made by Donald Oswald, seconded by William Koehler to post public notices of all meetings with the Kiowa County Commissioners on the commissioner's office door, in the Kiowa County Press, and on the websites when timely. All meetings will be posted on the front door of courthouse 48 hours in advance. Exception will be made for all special meetings. All commissioners voted affirmative.

TEMPORARY OFFICE FSA

Motion was made by Donald Oswald, seconded by William Koehler to give the Kiowa County FSA office permission to set up a temporary office in the courthouse in the event of a disaster. All commissioners voted affirmative.

DEPOSITORY FOR KIOWA COUNTY

Motion was made by William Koehler, seconded by Donald Oswald to use the following banks for the depository for Kiowa County for the year 2012. All commissioners voted affirmative.

KIOWA COUNTY NATIONAL BANK
KIT CARSON STATE BANK
WILEY STATE BANK
COMMUNITY STATE BANK - LAMAR
EASTERN COLORADO BANK - CHEYENNE WELLS
COLORADO EAST BANK & TRUST - LAMAR
ALL LOCAL BANKS AT THE DISCRETION OF THE TREASURER

**ROAD AND BRIDGE
2012 RATES**

Motion was made by Donald Oswald, seconded by William Koehler to adopt the following rates for 2012 for Road and Bridge Services rendered. All commissioners voted affirmative.

- | | |
|--|---|
| 1. 624 LOADER | 100.00 per hour (includes operator) |
| 624 LOADER (new) | 100.00 per hour (includes operator) |
| 2. MAINTAINER | 95.00 per hour (includes operator) |
| 3. BACKHOE | 80.00 per hour (includes operator) |
| 4. D-4H DOZER | 100.00 per hour (includes operator) |
| 850C JD DOZER | 160.00 per hour (includes operator) |
| 5. SEMI & TANDEM | 3.50 per loaded mile |
| 6. GRAVEL | 25.00 a Tandem load
35.00 a Semi load
\$.15 a yard without a contract
\$.30 a yard with a contract
One free load (tandem or semi) for each household per
Calendar year
Additional loads must be purchased through a private
contractor or in case of emergency, contact the county
commissioner's office. |
| 7. CHIP SPREADER | Includes 5 men on Chip spreader, 5 men with truck, 1
man on loader, 3500.00 per 10 hour day. Prior
approval required by BOCC for less than a 10 hour day |
| 8. LOWBOY | 4.00 a mile (includes operator) |
| 9. CATTLEGUARDS (24'X 7') | 1550.00 per new regulation 24' Cattle Guard
(includes concrete stringers)
\$775.00 to replace a regulation 24' existing Cattle Guard
(includes concrete stringers)
200.00 per 24' concrete stringer |
| 10. DIGGING GRAVES | 175.00 per grave |
| 11. TRACTOR MOWER | 75.00 per hour (includes operator) |
| 12. CEMENT BLANKET | 4.00 per day |
| 13. TANDEM TRUCK (Construction site use) | 100.00 per day +mileage & operator for drop off/dump |

run & pick up.

Motion was made by Donald Oswald, seconded by William Koehler to adopt the following Hospital Agreement to wit: All commissioners voted affirmative.

HOSPITAL SERVICE AGREEMENT

Amended - 1995 -combined Hospital Resolution and Hospital Service Agreement.

WHEREAS, the County of Kiowa, situate within the State of Colorado, owns and operates the Weisbrod Memorial County Hospital (County Hospital) which is located on:

Lots Ten (10), Eleven (11), and Twelve (12) in Block Twenty-six (26) in the Town of Eads, except for that portion of said Lots described below and owned by the District, and

WHEREAS, the Kiowa County Hospital District (the District), whose boundaries are identical with and to the boundaries of the County, was duly organized on the 6th day of June, 1963, and its officers from time to time have been duly chosen and qualified; and

WHEREAS, the District owns and operates hospital and hospital related facilities (District Hospital) located immediately north of the County Hospital on premises more particularly described as follows, to-wit:

The South twelve feet and eight inches (12' 8") of Lot Nine (9), Block Twenty-six (26), and the North twenty-six feet and eight inches (26' 8") of Lot Ten (10), Block Twenty-six (26), and the South twenty-three feet and four inches (23' 4") of the West fifty-one feet seven inches (51' 7") of Lot Ten (10); and the South twenty-three feet four inches (23' 4") of the East fifty-two feet one inch (52' 1") of said Lot Ten (10) except the South five feet (5') of the East fifty-two feet one inch (52' 1") of Lot Ten (10), Block Twenty-six (26); and the North one foot eight inches (1' 8") of the West fifty-one feet seven inches (51' 7") of Lot Eleven (11), Block Twenty-six (26) in the original Town of Eads, except that portion of said premises, if any occupied by the present Hospital building, in the Town of Eads; and

WHEREAS, both Hospitals are owned, operated, and maintained for the use and benefit of the residents and citizens of the County and District; and

WHEREAS, the Board of County Commissioners of Kiowa County by its resolution of October 25, 1963, and the Board of Directors of the Kiowa County Hospital District by its resolution of October 25, 1963, have determined and declared the hospital services rendered by the District Hospital supplement the hospital services rendered by the County Hospital; and

WHEREAS, since the medical staff of the two Hospitals are identical, and since the Hospitals are so conveniently located next to each other, both the County Hospital Board and the District Hospital Board have determined that the most efficient and economical operation of both Hospitals may be accomplished by assigning the operation, supervision, care, and management of the County Hospital, as well as the District Hospital, to the District Hospital Board; and

WHEREAS, Colorado Revised Statutes 29-1-201, [et. seq.], as amended, provides that local governmental entities may enter into contracts which would make the most efficient and effective use of their powers and responsibilities by cooperating and contracting with other governmental entities, authorizes both the County Hospital Board and the District Hospital Board to enter into this agreement for services and operating and managing the County Hospital and for hospital services; and

WHEREAS, the Board of County Commissioners of Kiowa County, acting for the Kiowa County Hospital, and the Kiowa County Hospital District did, by document dated the 1st day of June, 1965, enter into a certain Hospital Service Agreement; and

WHEREAS, said agreement has been renewed from year to year by the County and the District since 1965, and

WHEREAS, the Board of County Commissioners of Kiowa County and the Board of Directors of the Kiowa County Hospital District being desirous of entering into a new intergovernmental agreement for the year of 2012, do hereby enter into this agreement for services and for the operating and managing of the County Hospital,

NOW, THEREFORE, all parties hereto agree as follows, to-wit:

That for and in consideration of the premises, of the mutual covenants and agreements herein set forth, and of the undertaking of each party to the other, and in order to secure the payment of the operation and maintenance expenses of the District, the parties hereto, each signing itself, its respective representatives, successors, and assigns, do mutually covenant, undertake, promise, and agree as follows:

SECTION ONE

The purpose of this agreement is to provide for the health and welfare of the citizens and inhabitants of the County and District by providing said citizens and inhabitants with adequate and efficient hospital and medical services which will be accomplished by the District's operation, supervision, care and management of the County Hospital. At all times, however, District shall listen to and be receptive of the voice of the County Hospital Board.

SECTION TWO

The Weisbrod Memorial County Hospital will be represented and present at the regularly scheduled monthly meetings of the District Hospital Board by members of the County Hospital Board, and the secretary of the County Hospital Board will be notified of each meeting date and will be furnished a copy of the minutes of each meeting.

It is specifically agreed that three (3) members of the County Hospital Board shall have one (1) vote each at the Hospital Board meetings. Further, the County Hospital Board shall have the sole right and duty to decide which three members of its Board shall vote.

SECTION THREE

It shall be the duty of the District to provide the citizens and inhabitants of the County with adequate and efficient hospital and medical services by receiving, caring for, and maintaining the sick, injured, or maimed, and extended stay patients.

SECTION FOUR

The District shall use reasonable efforts and care to staff the County Hospital and District Hospital operations with competent medical and other personnel and employees. All such medical and other personnel and employees shall retain the rights, privileges and immunities of, and shall be deemed to engage in the service and employment of the District (not the County).

SECTION FIVE

The District shall impose adequate and reasonable rates, fees, rents and charges against all patients for the use of facilities provided by the County Hospital, taking in account the cost of operating and maintaining the County Hospital.

SECTION SIX

The District shall at all times operate, supervise, care for and manage the County Hospital properly and in a sound and economical manner.

SECTION SEVEN

The District shall establish and enforce reasonable rules and regulations governing the operation, use and services of the County Hospital. All compensation, salaries, fees, and wages paid by it in connection with operations of the County Hospital shall be reasonable and comparable to payments by other corporations, municipalities, or public bodies for similar services. The District shall observe and comply with all valid acts, rules, regulations, orders, and directions of any legislative, executive, administrative or judicial body applicable to the County Hospital or to the District Hospital.

SECTION EIGHT

The District shall pay all taxes and assessments or any other municipal or governmental charges, if any, lawfully levied or assessed upon it in respect of the County Hospital or upon any part thereof or upon any revenue there from, when the same shall become due, and shall duly observe and comply with all valid requirements of any governmental authority relative to any part of the County Hospital and shall not create or suffer to be created any lien or charge upon the County Hospital or any part thereof or upon revenues there from. The District shall pay or shall cause to be discharged or will make adequate provision to satisfy and to discharge, within sixty (60) days after the same shall become payable, all lawful claims and demands for labor, materials, supplies, or any other objects created or incurred by it, which if unpaid might by law become a lien upon the County Hospital or any part thereof or the revenue there from; provided, however, that nothing contained in this Section Eight (8) shall require the District to pay or cause to be discharged or to make provision from any such lien or charge so long as the validity thereof shall be contested in good faith and by the appropriate legal proceedings.

SECTION NINE

The District shall at all times maintain with responsible insurers all such insurance reasonably required and obtainable within the limits and at such cost as are deemed reasonable by the District against loss or damage to the County Hospital, and against loss of revenues to the extent at least reasonably necessary to protect the interests of the District and the County (including but not necessarily limited to, fire and extended insurance). If any useful part of the County Hospital or District Hospital shall be damaged or destroyed, the District shall as expeditiously as may be possible commence and diligently prosecute the repair or replacement of the damaged property so as to restore the same to use. The proceeds of any insurance pertaining thereto shall be payable to the District and shall be applied as to the necessary costs involved in such repair and replacement, and, to the extent not so applied, shall be retained by the District. No provision of this paragraph shall be construed as imposing an obligation on the District to spend more on such repairs or replacements than the insurance proceeds.

The District shall at all times maintain with responsible insurers all such insurance as is reasonably required and obtainable within limits and at costs deemed reasonable by the District as is customarily maintained with respect to hospitals of like character, against public and other liability as is required to indemnify and to hold harmless the District and County against all liabilities, judgments, costs, damages, expenses, and attorneys' fees for loss, damage, or injury to persons or property resulting from the operation of the County Hospital caused by the negligence or willful acts of the District, District officers, employees, or any other agents. Any liability incurred by the District as a result of the operation of the County Hospital shall be its sole liability, and any liability incurred by the District as a result of the operation of its District Hospital shall be its sole liability, subject to any agreement to the contrary now existing or hereinafter made.

SECTION TEN

Kiowa County shall pay and transfer to the District monies annually levied and collected from the Weisbrod Memorial County Hospital fund by the County. From such monies raised by the County through levy, the County shall remit throughout the year such sums as are necessary to sustain the operation and maintenance of the Hospital, but in no event shall County be responsible for remitting sums to Hospital in excess of those monies generated by the County through levy. A complete written financial statement showing all relevant financial data including all information required by Section Twelve (12) below shall be submitted MONTHLY. Copies of said financial statement shall be submitted to the County Board as well as to the Kiowa County Commissioners.

SECTION ELEVEN

In addition to the remittance provided for in Section Ten (10), the District shall retain as its own funds, all rates, fees, charges, rents and other income received by it from or on behalf of all patients of the County Hospital during the term of this agreement.

SECTION TWELVE

The District shall conduct a yearly audit and a copy of such audit report shall be promptly submitted to each member of the County Board as well as to the Kiowa County Commissioners after it is received from the auditor. District shall keep proper books of record on a timely basis according to the generally accepted accounting procedure.

SECTION THIRTEEN

If any section, subsection, paragraph, clause, phrase, or other provision of this Agreement shall for any reason be held to be invalid or unenforceable, the validity or unenforceability of such section, subsection, paragraph, clause, phrase, or other provision shall not affect any of the remaining provisions of this agreement.

SECTION FOURTEEN

This agreement shall be in full force and effect and shall be binding upon the parties hereto from the first day of January, 2012 until midnight, December 31, 2012.

IN WITNESS WHEREOF, and pursuant to resolutions of the Board of County Commissioners of Kiowa County, Colorado and of the Kiowa County Hospital District, regularly adopted, the parties by their proper officers duly authorized, have hereunto affixed the names and seals of the parties on the date first above written.

KIOWA COUNTY BOARD OF COMMISSIONERS

Chairman

Commissioner

Commissioner

ATTEST:

Clerk to the Board

KIOWA COUNTY HOSPITAL DISTRICT

BY: _____
President

ATTEST:

WEISBROD MEMORIAL COUNTY HOSPITAL

BY: _____

ATTEST:

Motion was made by Donald Oswald, seconded by William Koehler to adopt the Resolution for Licensing of the Ambulance Service from January 10, 2012 to January 10, 2013, to wit: All commissioners voted affirmative.

RESOLUTION FOR LICENSING AND INSPECTION FOR AMBULANCE SERVICE

On the 10th of January, 2012 the following was adopted.

BE IT HEREBY RESOLVED, this 31st day of January, 1995, the Resolution for Licensing and Inspection of Ambulance Service is amended by the Board of County Commissioners of Kiowa County Colorado, the following:

That the prior Resolution entitled "AMBULANCE-PERMANENT LICENSING RESOLUTION", dated January, 1978 is hereby repealed.

That pursuant to the provisions of 1973 C.R.S. 25-3.5-301, as amended, no entity may provide ambulance service publicly or privately in this state after January 1, 1978 unless that person holds a valid license to do so issued by the

Board of County Commissioners of the County in which the ambulance service is based.

That the Board of County Commissioners of Kiowa County does now establish an ambulance service licensing authority effective March 31, 1986, with the following provision:

Any entity who is desirous of providing ambulance service either public or private in the State of Colorado and whose service will be based in the County of Kiowa and who is desirous of continuing to provide such service after the effective date of this resolution shall make immediate application to the Kiowa County Board of County Commissioners.

County Health Officer shall prepare, under the Board's supervision, a short application form, which shall be furnished, upon request, to any person seeking to be licensed under this Resolution.

The application shall provide the following information to aid the Board in its licensing determination:

- (a) Name, address and telephone number of entity desiring to be licensed.
- (b) Description of each ambulance, including make, model, year of manufacture, Colorado State license number, motor vehicle chassis number, and length of time vehicle has been in service.
- (c) Location and description of place or places from which ambulances service will operate.
- (d) A statement indicating that each ambulance contains equipment which meets or is equivalent to the minimum equipment list established by the State Advisory Council on Emergency Medical Services, and approved by the State Board of Health.
- (e) A statement indicating that each ambulance driver has a valid Colorado Driver's license along with a Defensive Driving/Emergency Vehicle Drivers Course and a County Emergency Medical Vehicle Driver's permit.
- (f) A statement indicating that each ambulance attendant, other than the ambulance driver, has an Emergency Medical Technician Certificate or a Registered Nursing Degree issued by the Department of Health, or is a member of the "Quick Response Team" or as otherwise provided by State Statute.
- (g) A statement indicating that each ambulance is covered by the provisions of the Colorado Auto Accident Preparations Act.
- (h) A statement listing the name, address, and curriculum vitae of the Physician Advisor to the ambulance service.
- (i) A certificate issued from the Weisbrod Memorial County Hospital and Nursing Home, Eads, Colorado, indicating their approval of the applicant's qualifications. Approval shall be granted or denied based on a set criteria established by said hospital.

Ambulances will be inspected as set forth in the EMS Resolution, and any other time deemed necessary by the ambulance coordinator or by the Kiowa County Road and Bridge Mechanic. Any necessary repairs will be made at that time.

Whereby the ambulances are owned by Kiowa County, and operated by Weisbrod Hospital, insurance coverage on ambulances is covered by Kiowa County.

Each entity desiring to be licensed under this Resolution shall have a Physician Advisor who established protocols for medical acts performed by E.M.T. or paramedics of a pre hospital emergency medical servicing agency and who is responsible to assure competency of the performance of those acts by E.M.T. and paramedics in accordance with the "Acts Allowed" by the Colorado State Board of Medical Examiners.

The Board, upon finding that the information and statements requested in the application form have been completely supplied and upon determining that such information and statements are sufficient indication of the applicant's compliance with the ambulance service license, together with the appropriate number of ambulance permits to such applicant a license shall be issued and valid for twelve months following the date of issuance.

Any license, unless revoked by the Board of County Commissioners may be renewed by filing an application identical to the original application for such license. Applications for renewal shall be filed annually, but not less than thirty days before the date the license expires.

No license or permit issued pursuant to this section shall be sold, assigned, or otherwise transferred.

Upon a determination by the Board of County Commissioners that any licensed entity has violated or failed to comply with any provisions of this Resolution, the Board may temporarily suspend for a period not to exceed thirty days, any license or permit issued. The licensed entity shall receive written notice of such temporary suspension, and a hearing shall be held no later than ten days after such temporary suspension. After such hearing, the Board may suspend any license for a portion of or for the remainder of its life. At the end of such period, the licensed entity whose license or permit was suspended, may apply for a new license or permit as in the case of the original application.

Upon second violation or failure to comply with any provision of this Resolution by any licensed entity, the Board of County Commissioners may permanently revoke such license.

Dated this 10th day of January, 2012

Chairman

Commissioner

Commissioner

ATTEST:

Clerk to the Board

Motion was made by Donald Oswald, seconded by William Koehler to adopt the following Intergovernmental Agreement for Ambulance/EMT Services for the year 2012, to wit: All commissioners voted affirmative.

INTERGOVERNMENTAL AGREEMENT FOR AMBULANCE/EMT SERVICES

THIS INTERGOVERNMENTAL AGREEMENT, entered into this 11th day of January, 2011, by the BOARD OF COUNTY COMMISSIONERS OF KIOWA COUNTY whose address is P.O. Box 100, Eads, Colorado 81036, hereinafter called and referred to as "County", and the BOARD OF TRUSTEES OF THE WEISBROD MEMORIAL COUNTY HOSPITAL whose address is 1208 Luther, Eads, Colorado 81036, hereinafter called and referred to as "Hospital",

W I T N E S S E T H:

WHEREAS, County owns and maintains various ambulances and related medical equipment contained therein, and

WHEREAS, Hospital is desirous of operating an ambulance/EMT service as part of its function as a County Hospital, and

WHEREAS, both parties are willing to enter into an Intergovernmental Agreement to define their respective rights, duties and obligations of both parties, one to the other, as the same concerns the operation of an ambulance/EMT service, and

WHEREAS, pursuant to C.R.S. 29-1-201, *et. seq.*, it specifically allows any government including but not limited to counties and county hospitals to enter into intergovernmental agreements to cooperate or contract with one another to provide any function, service or facility lawfully authorized to each of the cooperating or contracting units,

NOW, THEREFORE, that for and in consideration of the following acts, covenants, conditions, doings and things both parties agree to as follows, to-wit:

1. County hereby grants to Hospital the exclusive right to the usage, operation, and possession of four (4) of County's ambulances for a period commencing on the 10th day of January, 2012 and ending on the 10th day of January, 2013.
2. As part of the consideration extended by County to Hospital, County agrees to allow Hospital to fuel these ambulances from the County shop pumps with the understanding that the Hospital shall reimburse County on a monthly basis at County's costs for said fuel. Further, County, at no expense to Hospital shall service the ambulances for normal and routine maintenance with the understanding that the Hospital shall reimburse County for any out-of-pocket expenses incurred for parts and supplies including oil, filters, tires and the like to be billed to Hospital on a monthly basis at the County cost. Except for emergency repairs that would render the ambulance unsafe, the request by Hospital for the performance of minor maintenance will not take priority over other county projects but County shall perform said minor maintenance in a reasonable period of time.
3. Further, the Hospital shall hire a qualified director to bring the ambulance/EMT service up to standards as required by the State of Colorado. The County shall further assist Hospital in obtaining grant monies to operate such services or to procure ambulances.
4. County shall provide motor vehicle insurance on said ambulances.
5. In consideration of Hospital agreeing to operate the ambulance/EMT service within Kiowa County, County agrees to remit to Hospital for the year 2012 the sum of Two hundred fourteen thousand and five hundred dollars (\$214,500) which sum is derived as follows:
 - a. The first part of funding shall consist of the monies received from the County Hospital Fund created for both Hospital and ambulance/EMT services, which both parties agree for the year 2012 to budget the sum of Two hundred fourteen thousand and five hundred dollars (\$214,500). As long as this agreement is in effect, this provision shall replace the funding requirement within the existing Hospital Service Agreement between the County and the Hospital and supersede any other pre-existing agreements involving ambulance and/or EMT services. If this agreement is terminated then the funding provisions of the original Hospital Service Agreement will remain in effect.
 - b. The second part of the ambulance/EMT service funding shall consist of all EMS subsidy fund monies received. (estimated \$15,000) These monies shall be spent in accordance to the provisions and terms of the fund.
 - c. Both parties further agree to re-evaluate aforementioned manner of funding in the event there is a material change in assessed valuation or the EMS subsidy grant or profit and/or loss of operating the Ambulance/EMT Service.

d. County shall remit the above funds as they become available and requested by the Hospital throughout the year to sustain the operation and maintenance of the ambulance/EMT service but in no event shall County be responsible for remitting additional sums to Hospital in excess of those monies actually generated by the County through levy, grant, fund balance or otherwise.

6. At such time that the Hospital assumes full operation of the Ambulance/EMS service the Hospital shall furnish all drivers, EMTs and physicians necessary to properly and adequately operate said ambulance/EMT service within the County of Kiowa, State of Colorado and shall bear all expenses involved in training and maintaining said personnel. Further, County Hospital shall provide workers' compensation and liability insurance covering the EMTs and drivers as well as the operation of the ambulance/EMT services.

7. Hospital further agrees to comply with all federal, state and local laws, statutes, rules, and resolutions involved in operations of an ambulance/EMT service.

8. Hospital shall furnish to County annual financial reports prepared according to generally accepted accounting procedures.

9. Hospital agrees to furnish to County any costs associated with the use of EMS Ambulance and EMS Ambulance Personnel during the Kiowa County Fair.

10. This agreement automatically renews each year on the anniversary date.

11. Either party may terminate this agreement with or without cause upon 180 days written notice to the other party.

IN WITNESS WHEREOF, the parties hereto have executed this Intergovernmental Agreement on the day and year first above written.

KIOWA COUNTY BOARD OF COMMISSIONERS

Chairman

Commissioner

Commissioner

ATTEST:

Clerk to the Board

WEISBROD MEMORIAL COUNTY HOSPITAL BOARD

Chairman

ATTEST:

Secretary

DRUG FREE WORKPLACE

Motion was made by Donald Oswald, seconded by William Koehler to adopt the Drug Free Workplace policy for the year 2012. All commissioners voted affirmative.

Pursuant to House Bill 5210 of the General Assembly of Colorado:

1. It is illegal to manufacture, distribute, dispense, possess or use any controlled substance in your work place.
2. Kiowa County has installed a drug free awareness program which provides information on the availability of drug counseling and rehabilitation - for further information, please contact: Peggy Dunlap, 438-5810, PO Box 100, Eads, CO 81036
3. Kiowa County is required to notify our granting agency within ten days after we receive notice of any conviction under any criminal anti-drug statute.

First Adopted December 29, 1988

HOLIDAYS FOR 2012

Motion was made by William Koehler, seconded by Donald Oswald to adopt the following holidays for 2012: All commissioners voted affirmative.

President's Day	2/20/2012
Good Friday (R&B)	4/05/2012
Good Friday	4/06/2012
Memorial Day	5/28/2012
Independence Day	7/04/2012
Labor Day	9/03/2012
*Fair (not a holiday)	6,7,8 th of September
Columbus Day	10/08/2012
Veteran's Day	11/12/2012
Thanksgiving	11/22-11/23/2012

Christmas
New Year's

12/24-12/25/2012
01/01/2013

*All county employees who do not have other fair assignments INCLUDING Daycare & DSS will please help with the BBQ's. Prairie Pines is excluded.

Courthouse & Daycare will close at noon on the 6th
Courthouse & Daycare will close all day on the 7th

Note: Summer Hours for Road & Bridge ONLY start March 19, 2012 and ends Sept. 3, 2012

COUNTY SURVEYOR

Brundage Land Surveying

Motion was made by Donald Oswald, seconded by William Koehler to appoint Brundage Land Surveying as county surveyor for the year 2012. All commissioners voted affirmative.

VETERANS ADMINISTRATOR

Pat Roper

Motion was made by William Koehler, seconded by Donald Oswald to (re)appoint Pat Roper as Veterans Administrator for the year 2012. All commissioners voted affirmative.

EMERGENCY MANAGER

Chris Sorensen

Motion was made by William Koehler, seconded by Donald Oswald to (re)appoint Chris Sorensen as Emergency Manager for the year 2012. All commissioners voted affirmative.

COUNTY ATTORNEY

Shinn, Steerman, and Shinn Lawyers

Motion was made by Donald Oswald, seconded by William Koehler to (re)appoint Shinn Steerman and Shinn as County Attorney for the year 2012 at an hourly fee of \$90.00 per hour including attendance of one conference and expenses every other year. All commissioners voted affirmative.

COUNTY AUDITOR

Amanda Brown

Motion was made by Donald Oswald, seconded by William Koehler to (re)appoint Amanda Brown as County Auditor for the year 2012. All commissioners voted affirmative.

LIST OF ARBITRATORS

Motion was made by Donald Oswald, seconded by William Koehler to (re)appoint Roscoe Hargrove and Bob Randle as arbitrators for the year 2012. All commissioners voted affirmative.

ROSCOE HARGROVE	2012
BOB RANDLE	2012

KIOWA COUNTY COLORADO BUILDING CORP BOARD OF DIRECTORS

No new appointments were made to the Kiowa County Colorado Building Corp Board of Directors. Motion was made by William Koehler, seconded by Richard Scott. All Commissioners voted affirmative.

DONALD OSWALD
VERN HARRIS

KIOWA COUNTY PUBLIC LIBRARY DISTRICT BOARD

Motion was made by William Koehler, seconded by Richard Scott to (re)appoint Cathryn Anderson to the Library District Board with term to expire January 13, 2015. All Commissioners voted affirmative.

LANA BROWN	JANUARY 13, 2013
BARBARA MCCOIN	JANUARY 13, 2013
LINDA OFFILL	JANUARY 13, 2014
AUDREY JOHNSON	JANUARY 13, 2014
CATHRYN ANDERSON	JANUARY 13, 2015

KIOWA COUNTY PLANNING COMMISSION

Motion was made by Donald Oswald, seconded by William Koehler to (re)appoint Michelle Wyckoff & Jeremiah Liebl to a 3 year term with term expiring January 13, 2015 All Commissioners voted affirmative.

JIMMY BROWN	JANUARY 13, 2013
LINLY STUM	JANUARY 13, 2014
FLOYD BARNES	JANUARY 13, 2014
MICHELLE WYCKOFF	JANUARY 13, 2015
JEREMIAH LIEBL	JANUARY 13, 2015

WEST KIOWA COUNTY RECREATION BOARD

Motion was made by Donald Oswald, seconded by Richard Scott to (re)appoint Debbie Davis to the West Kiowa County Recreation Board, with term to expire on January 13, 2017 . All commissioners voted affirmative.

PJ LESSENDEN	JANUARY 13, 2013
GLENDA STOKER	JANUARY 13, 2014
CAROLE SPADY	JANUARY 13, 2015
POLLY GYURMAN	JANUARY 13, 2016
DEBORAH DAVIS	JANUARY 13, 2017

CENTRAL KIOWA COUNTY RECREATION BOARD

Motion was made by Donald Oswald, seconded by Richard Scott to appoint Monica Uhland & William A. Koehler to the Central Kiowa County Recreation Board, with terms expiring on January 13, 2016. All commissioners voted affirmative.

PAM COLE	JANUARY 13, 2013
DAWNA WEIRICH	JANUARY 13, 2014
LANA BROWN	JANUARY 13, 2015
MONICA UHLAND	JANUARY 13, 2016
WILLIAM A. KOEHLER	JANUARY 13, 2016

SHERIDAN LAKE AND BRANDON RECREATION BOARD

Motion was made by Richard Scott, seconded by William Koehler to appoint Tia McVickers to the Sheridan Lake and Brandon Recreation Board, with term to expire January 13, 2017. All commissioners voted affirmative.

THERESA WEBER	JANUARY 13, 2014
ZELPHA WOELK	JANUARY 13, 2015
CRAIG WILLIAMS	JANUARY 13, 2015
MARVIN KOELLER	JANUARY 13, 2016
TIA MCVICKERS	JANUARY 13, 2016

TOWNER RECREATION BOARD

Motion was made by Richard Scott, seconded by William Koehler to (re)appoint Randy Carney to the Towner Recreation Board, with terms expiring on January 13, 2016. All commissioners voted affirmative.

SUSAN GREENFIELD	JANUARY 13, 2014
SHARON SCOTT	JANUARY 13, 2015
LARRY TUTTLE	JANUARY 13, 2015
RANDY CARNEY	JANUARY 13, 2016

WEST KIOWA COUNTY CEMETERY BOARD

Motion was made by Donald Oswald, seconded by Richard Scott to (re)appoint Cathryn Anderson to the West Kiowa County Cemetery Board, with term to expire January 13, 2015. All commissioners voted affirmative.

GUY SHAFER	JANUARY 13, 2013
BILLIE CORDOVA	JANUARY 13, 2014
CATHRYN ANDERSON	JANUARY 13, 2015

PIONEER CEMETERY BOARD

Motion was made by William Koehler, seconded by Richard Scott to (re)appoint Penny Weirich to the Pioneer Cemetery Board, with term to expire January 13, 2015. All commissioners voted affirmative.

LARRY WYATT	JANUARY 13, 2013
KIM RICHARDS	JANUARY 13, 2014

PENNY WEIRICH JANUARY 13, 2015

SHERIDAN LAKE AND BRANDON CEMETERY BOARD

Motion was made by Richard Scott, seconded by Donald Oswald to (re)appoint Merle Shalberg to the Sheridan Lake and Brandon Cemetery Board, with term to expire January 13, 2015. All commissioners voted affirmative.

JIM RICHARDSON	JANUARY 13, 2013
C. H. WILLIAMS	JANUARY 13, 2014
MERLE SHALBERG	JANUARY 13, 2015

TOWNER CEMETERY BOARD

Motion was made by Richard Scott, seconded by Donald Oswald to (re)appoint Floyd Barnes to the Towner Cemetery Board, with term to expire January 13, 2015. All commissioners voted affirmative.

SHARON SCOTT	JANUARY 13, 2013
CHERI HOPKINS	JANUARY 13, 2014
FLOYD BARNES	JANUARY 13, 2015

WEISBROD COUNTY HOSPITAL BOARD

Motion was made by Donald Oswald, seconded by Richard Scott to table appointments until open position posting has been done. All commissioners voted affirmative.

DENNIS PEARSON	JANUARY 13, 2013
TOM DAVIS	JANUARY 13, 2013
LORI SHALBERG	JANUARY 13, 2014
ROLAND SORENSON	JANUARY 13, 2014

KIOWA COUNTY FAIR BOARD

Motion was made by Donald Oswald, seconded by William Koehler to (re)appoint Kevin Davis & Terri Leonard with a term to expire January 13, 2016. All commissioners voted affirmative.

DALE BUTLER	JANUARY 13, 2013
TEARLE LESSENDEN	JANUARY 13, 2013
SHANE LESSENDEN	JANUARY 13, 2014
BOBBY SINKA	JANUARY 13, 2014
BRENDA FICKENSCHER	JANUARY 13, 2015
ARETA BLOODING-LAIRD	JANUARY 13, 2015
KEVIN DAVIS	JANUARY 13, 2016
TERRI LEONARD	JANUARY 13, 2016

KIOWA COUNTY WEED BOARD

Motion was made by Donald Oswald, seconded by William Koehler to (re)appoint Jeff Umland with a term to expire January 13, 2014. All commissioners voted affirmative.

RICK SPADY	JANUARY 13, 2013
JEFF UHLAND	JANUARY 13, 2014

KIOWA COUNTY BOARD OF HEALTH

Motion was made by Donald Oswald, seconded by William Koehler to (re)appoint Richard Scott, Donald Oswald, William Koehler, Peggy Dunlap, & the Chairman of Zoning & Planning to the Health Board with terms to expire January 13, 2013. All Commissioners voted affirmative.

RICHARD SCOTT	JANUARY 13, 2013
DONALD OSWALD	JANUARY 13, 2013
WILLIAM KOEHLER	JANUARY 13, 2013
PEGGY DUNLAP	JANUARY 13, 2013
(Z&P CHAIRMAN) to be decided	JANUARY 13, 2013

PUBLIC HEALTH AGENCY DIRECTOR-Advisor to the Board
DENNIS PEARSON – Public Health Advisor to the Board

(Kiowa County Board of Health includes Kiowa County Commissioners, Kiowa County Administrator and the Chairman of the Kiowa County Zoning & Planning Board)

ENTERPRISE ZONE COMMITTEE

Motion was made by Donald Oswald, seconded by William Koehler to (re)appoint Richard Scott, William Koehler, and Cardon Berry as the Enterprise Zone Board of Directors representatives from this area, and to (re)appoint Donald Oswald and Cardon Berry as directors to the Southeast Council of Governments. All appointments with terms to expire January 13, 2013. All commissioners voted affirmative.

RICHARD SCOTT	JANUARY 13, 2013 - SECED-Executive Board
WILLIAM KOEHLER	JANUARY 13, 2013 - SECED-Director
CARDON BERRY	JANUARY 13, 2013 - SECED Director

CARDON BERRY	JANUARY 13, 2013 - SECOG Director
DONALD OSWALD	JANUARY 13, 2013 - SECOG Director

SCEDD

Motion was made by Donald Oswald, seconded by William Koehler to appoint Donald Oswald and Richard Scott to the Southern Colorado Economic Development District Board with terms to expire January 13, 2013. All commissioners voted affirmative.

DONALD OSWALD	JANUARY 13, 2013
RICHARD SCOTT	JANUARY 13, 2013

KCEDF BOARD

Motion was made by Donald Oswald, seconded by William Koehler to (re)appoint William Koehler, Richard Scott, Donald Oswald and Dennis Pearson(alternate) to the Kiowa County Economic Development Foundation Board with terms to expire January 13, 2013. All commissioners voted affirmative.

RICHARD SCOTT (Director)	JANUARY 13, 2013
DONALD OSWALD (Director)	JANUARY 13, 2013
DENNIS PEARSON (Alternate)	JANUARY 13, 2013
WILLIAM KOEHLER (Director)	JANUARY 13, 2013

SOUTHEAST REGION WORKFORCE BOARD

Motion was made by Donald Oswald, seconded by Richard Scott to appoint William Koehler to the Southeast Region Workforce Board with terms to expire January 13, 2013. All commissioners voted affirmative.

WILLIAM KOEHLER	JANUARY 13, 2013
-----------------	------------------

SECRETAC BOARD

Motion was made by William Koehler, seconded by Richard Scott to (re)appoint Eunice Weber, Donald Oswald, and Hospital Administrator to the Southeastern Colorado Regional Emergency & Trauma Advisory Council Board with terms to expire January 13, 2013. All commissioners voted affirmative.

EUNICE WEBER (EMS Director)	JANUARY 13, 2013
DONALD OSWALD (Commissioner)	JANUARY 13, 2013
HOSPITAL ADMINISTRATOR	JANUARY 13, 2013

SOUTHEAST COLORADO MENTAL HEALTH BOARD

Motion was made by Donald Oswald, seconded by William Koehler to appoint Dennis Pearson to the Southeast Colorado Mental Health with term to expire January 13, 2013. All commissioners voted affirmative.

DENNIS PEARSON	JANUARY 13, 2013
----------------	------------------

HISTORICAL PRESERVATION ADVISORY COMMISSION

Motion was made by Richard Scott, seconded by William Koehler to (re)appoint Alexa Roberts, Dan Richards, & Kim Barlow to the Historical Preservation Advisory Commission with terms to expire January 13, 2015. All commissioners voted affirmative.

JEFF CAMPBELL	JANUARY 13, 2013
KELLY COURKAMP	JANUARY 13, 2013
SHARON JOHNSON	JANUARY 13, 2014
BETSY BARNETT	JANUARY 13, 2014
ALEXA ROBERTS	JANUARY 13, 2015
DAN RICHARDS	JANUARY 13, 2015

TV TRANSLATOR/TOWER MAINTENANCE INDEPENDENT CONTRACTOR

Motion was made by Donald Oswald, seconded by William Koehler to appoint Southeast Networks & Support, LLC (Kevin Rink or Ryan Sneller) as the TV Translator/Tower Maintenance Independent Contractor with term to expire January 13, 2013. All commissioners voted affirmative.

Southeast Networks & Support, LLC JANUARY 13, 2013

NURSING SERVICE MEDICAL ADVISOR

Motion was made by William Koehler, seconded by Richard Scott to appoint Eads Medical Clinic as the Medical Advisor to the Kiowa County Nursing Service with term to expire January 13, 2013. All commissioners voted affirmative.

EADS MEDICAL CLINIC JANUARY 13, 2013

CSBG TRANSIT ADVISORY BOARD

Motion was made by Donald Oswald, seconded by William Koehler to (re)appoint Krissy Ray, Sharon Frazee, and Donald Oswald as the CSBG Transit Advisory Board Officers with terms to expire January 13, 2013. All commissioners voted affirmative.

KRISSY RAY JANUARY 13, 2013
 SHARON FRAZEE JANUARY 13, 2013
 DONALD OSWALD JANUARY 13, 2013

MUSEUM BOARD

Motion was made by Donald Oswald, seconded by William Koehler to (re)appoint Betsy Barnett as the Kiowa County Museum Board with terms to expire in two year increments. The Commissioners will be posting in newspaper for a few more members. All commissioners voted affirmative.

BETSY BARNETT JANUARY 13, 2014

RESADA BOARD

Motion was made by Richard Scott, seconded by William Koehler to (re)appoint Dennis Pearson & Donald Oswald to the Resada Board, with terms to expire in one year increments. All commissioners voted affirmative.

DENNIS PEARSON JANUARY 13, 2013
 DONALD OSWALD JANUARY 13, 2013

LAVAA BOARD

Motion was made by William Koehler, seconded by Donald Oswald to appoint Delores Rector & Denise Riley as Members of the LAVAA board and Alice Glover, Loretta Seibel, and LaVerle Kelly as alternates to the LAVAA board, with terms to expire January 13, 2014. One more position will need to be filled by commissioners to the Member side. All Commissioners voted affirmative.

Member		Alternate	
Delores Rector	January 13, 2014	Alice Glover	January 13, 2014
Denise Riley	January 13, 2014	Loretta Seibel	January 13, 2014
(open)		La Verle Kelly	January 13, 2014

The Regular Meeting resumed at 10:45 a.m.

Day Care issues were discussed. The new policies go into affect January 16th. There are still concerns with timely payments not being made by some parents for child care.

An independent entity met with the Commissioners to discuss digitizing recorded documents for the County. Upon approval of the Agreement by County Clerk Debra Lening, Oswald made the motion, seconded by Koehler, to have Chairman Richard Scott sign the Agreement. All Commissioners voted affirmative.

Christina Thiebaut with Senator Mark Udall's office out of Pueblo met with the Commissioners to ask about county concerns. They identified the Towner Line abandonment as the major issue facing the county at this time. V&S Railroad, current owner of the Line, has notified the Commissioners through CDOT (Colorado Department of Transportation) of their intention to abandon and salvage that portion of the Towner Line between rail mile markers 867.0 to 787.7. This is essentially the area between North Avondale, Colorado and Eads (near Saffer Spray Services). The line from Eads to Towner would continue to be 'operated' by V&S. CDOT maintains that only the portion of the line scheduled for salvage is subject to the repurchase option by the State. The Commissioners maintain that the current V&S plan renders the entire line useless and that the entire line should be subject to the repurchase option. The Commissioners are searching for a way to get the State to repurchase the line and then have a buyer in place to immediately purchase the line from the State.

The State is the only entity with the right to repurchase the line from V&S. It is not likely that any buyer would be interested in a rail only from Eads to Towner.

The Commissioners intend to contact the State Attorney General and ask for a decision as to the extent of the Line subject to the repurchase provisions.

The CDOT-Transit and Rail Division, some members of the Colorado Legislature and members of the Joint Budget Committee all say there is no evidence to justify preserving the Line and they refer to the lack of traffic on the line in the last several years to support that claim. In order to present evidence to justify preservation we will probably need a Comprehensive Business Plan. Efforts are underway to achieve the development of such a plan. There are some possible avenues for new operators to manage the line through lease or purchase. The Commissioners and many others feel that the Towner Line under proper management could once again be a viable east-west freight line serving agriculture as well as other industries. It could once again be a significant contributor to the economy of Kiowa and Crowley Counties as well as all of Colorado. V&S Railroad never made an attempt to operate the Towner Line as a viable freight route. Their intent from the beginning was to salvage the line. The last resort for saving the Line would be through the Surface Transportation Board in Washington D.C. and this where US Senators and Representatives could be of help.

Maintenance Supervisor Mike Crain met with the Commissioners regarding cell phones for his department. Crain stated that he and Johnson both are using their personal cell phones for County business. He stated that if they could get County cell phones, they could get rid of the office land phone and use the cell phones for all maintenance business. The Commissioners will see which cell phone company can add two more lines for the best price. They will get back with Crain. Koehler made the motion, seconded by Oswald, to see which plan is the most economical and add two phones to that plan and authorize Administrator Dunlap to process. All Commissioners voted affirmative.

Murdock Building issues were briefly discussed.

The contract for Kris Stokke was reviewed. Stokke will no longer be located in the Public Health Agency's office, but will now work out of her home.

Dennis Pearson, Director of the Department of Social Services (DSS) met with the Commissioners. Pearson discussed the community Christmas donations, stating that 130-140 Christmas baskets and gifts were delivered to people in need. He stated that McDonald Land Services LLC employees donated \$550 toward the baskets. He said it was a very successful holiday season. Other DSS matters were discussed.

There was further discussion regarding Day Care matters. The payment date was discussed more at length. The Commissioners stated that this problem must to be brought under control, that a child care business can not be operated with people not paying for the service provided them. Koehler made the motion, seconded by Oswald, to set the 10th of the month as the date payments are due each month or the first working day thereafter for Little Sprouts Day Care. Children will not be allowed to come back until the bill is paid. All Commissioners voted affirmative.

Oswald made the motion, seconded by Koehler, to sign a letter to the State Vital Statistics requesting to move the vital statistics back to the office of the Eads Town Clerk. All Commissioners voted affirmative.

The Commissioners discussed the Brandon clean-up issues.

The February Regular Meetings will be February 14th and 28th, 2012. The next Regular Meeting will be January 26th.

The Treasurer's report was reviewed.

The Clerk's report was reviewed and filed.

The Commissioners report was reviewed.

Eads Town Clerk Dawna Peck met with the Commissioners regarding vital statistics. She said she would like to have the death certificates moved to her office immediately so she could start doing them right away. No training would be required for the death certificates since it is all paper and not on the computer and she did them for several years. She stated that the birth records could be moved at a later date when the State is able to schedule training. The State will have to come down to move the death records. Peck also asked about the law enforcement contract between the Town and the County. She needs the budget figure for her records.

The Regular Meeting was recessed at 2:00 p.m. for a "Town Hall" meeting with Senator Bennet's office to discuss the new farm program, the Towner Line railroad and other matters.

The Regular Meeting resumed at 4:10 p.m.

Eunice Weber met with the Commissioners to present the Southeast Colorado Regional Emergency Medical & Trauma Advisory Council (SECRETAC) 2012 County Plan for the Regional Funding Program Kiowa County EMST Plan. Oswald made the motion, seconded by Koehler, to sign off on the 2012 County Plan for RETAC. All Commissioners voted affirmative.

Oswald made the motion, seconded by Koehler, to approve and sign the Kiowa County Ambulance Service Licenses for five ambulances. All Commissioners voted affirmative.

Koehler made the motion, seconded by Oswald, to appoint Commissioners Scott as the designated County Health Pool representative and Commissioners Oswald as the alternate representative. All Commissioners voted affirmative.

Oswald made the motion, seconded by Koehler, to sign and approve the USDA APHIS (Animal & Plant Health Inspection Service, Wildlife Services) contract for 2012 in the amount of \$4,910. All Commissioners voted affirmative.

A letter is required to be sent to the Colorado Department of Revenue to request an additional disability placard for the new County transit van. Oswald made the motion, seconded by Koehler, to send the letter for approval. All Commissioners voted affirmative.

The County will start replacing Road & Bridge radios with Motorola narrow band radios. All radios will need to be replaced by 2013.

With no further business, Oswald made the motion, seconded by Koehler, to adjourn at 4:45 p.m. All Commissioners voted affirmative.