

## UNOFFICIAL MINUTES FOR JANUARY 14, 2014

The Regular Meeting of the Kiowa County Commissioners was called to order at 9:00 a.m. by Chairman Richard Scott on January 14, 2014. Richard Scott opened the meeting with prayer and Pledge of Allegiance. Those attending were:

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

The vouchers were reviewed. One voucher was questioned. Oswald made the motion, seconded by Koehler to approved and sign the vouchers. All Commissioners voted affirmative.

Minutes from the December 13, 2013 Special Meeting was presented. Oswald made a motion, seconded by Scott, to approve the Minutes as presented. All Commissioners voted affirmative.

Minutes from the December 30, 2013 Regular Meeting was presented. Oswald made a motion, seconded by Scott, to approve the Minutes as presented. All Commissioners voted affirmative.

The agenda was reviewed. An addition was made, to wit: Old Business - #9 – Survey. Scott made the motion, seconded by Koehler, to approve the agenda with the addition. All Commissioners voted affirmative.

Scott made the motion, seconded by Koehler, to recess the Regular Meeting for the Reorganizational Meeting at 9:30 a.m. All Commissioners voted affirmative.

Scott made the motion, seconded by Oswald, to recess the Reorganizational Meeting at 10:05 a.m. for the Board of Health Meeting. All Commissioners voted affirmative.

The Regular Meeting resumed at 10:55 a.m.

Koehler made the motion, seconded by Oswald, to approve and sign the Task Order Contract Waiver #154 with the Department of Public Health and Environment. All Commissioners voted affirmative.

The Reorganizational meeting resumed at 11:07 a.m.; to wit:

### **REORGANIZATIONAL MEETING**

**JANUARY 14, 2014**

#### **CHAIRMAN OF COUNTY COMMISSIONERS**

*Richard Scott*

Motion was made by William Koehler, seconded by Donald Oswald to (re)appoint Richard Scott as Chairman of the Board of County Commissioners for the year of 2014. 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 2014. 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 2014. 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 2014. 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 2014. 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 2014. 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 2014. 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 Richard Scott 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 website 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 William Koehler, seconded by Richard Scott 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 Donald Oswald, seconded by Richard Scott to use the following banks for the depository for Kiowa County for the year 2014. All commissioners voted affirmative.

KIOWA COUNTY NATIONAL 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 2014 RATES**

Motion was made by Donald Oswald, seconded by William Koehler to change the current rates for 2014 for Road and Bridge Services rendered. All commissioners voted affirmative.

1. LOADER	160.00 per hour (includes operator)
2. MAINTAINER	160.00 per hour (includes operator)
3. BACKHOE	115.00 per hour (includes operator)
4. DOZER	160.00 per hour (includes operator)
5. SEMI, TANDEM, & LOWBOY	4.00 per loaded mile
6. GRAVEL	25.00 a Tandem load 35.00 a Semi load
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. CATTLEGUARDS (24'X 8')	\$2,000.00 per new regulation 24' Cattle Guard (includes concrete stringers) \$1000.00 to replace a regulation 24' existing Cattle Guard (includes concrete stringers) \$200.00 per 24' concrete stringer
9. DIGGING GRAVES	\$175.00 per grave
10. TRACTOR MOWER	\$100.00 per hour (includes operator)
11. CEMENT BLANKET	\$4.00 per day
12. TANDEM TRUCK (Construction site use)	\$250.00 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 2011, 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, 2014 until midnight, December 31, 2014.

**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 William Koehler, seconded by Donald Oswald to adopt the Resolution for Licensing of the Ambulance Service from January 14, 2014 to January 13, 2015, to wit: All commissioners voted affirmative.

**RESOLUTION FOR LICENSING AND INSPECTION FOR AMBULANCE SERVICE**

On the 14th of January, 2014 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 14<sup>th</sup> day of January, 2014

**KIOWA COUNTY BOARD OF COMMISSIONERS**

\_\_\_\_\_  
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 2014, to wit: All commissioners voted affirmative.

**INTERGOVERNMENTAL AGREEMENT FOR AMBULANCE/EMT SERVICES**

THIS INTERGOVERNMENTAL AGREEMENT, entered into this 14th day of January, 2014, 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, exclusive of a haz-mat ambulance, for a period commencing on the 14<sup>th</sup> day of January, 2014 and ending on the 13<sup>th</sup> day of January, 2015 .
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 2014 the sum of Two hundred and nine thousand four hundred and eight dollars (\$209,408) 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 2013 to budget the sum of Two hundred nine thousand four hundred and eight dollars (\$209,408). 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 which amount both parties anticipate shall approximate the sum of Fifteen Thousand Dollars (\$15,000.00). 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 2014. 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 2014**

Motion was made by Donald Oswald, seconded by William Koehler to adopt the following holidays for 2014: All commissioners voted affirmative.

President's Day	2/17/14
Good Friday (R&B)	4/17/14
Good Friday	4/18/14
Memorial Day	5/26/14
Independence Day	7/4/14
Labor Day	9/1/14
*Fair (not a holiday)	11, 12, 13 of September
Columbus Day	10/13/14
Veteran's Day	11/11/14
Thanksgiving	11/27-11/28/14
Christmas	12/25/14- 12/26/14
New Year's	01/01/15

\*All county employees who do not have other fair assignments INCLUDING DSS will please help with the BBQ's.

- \*Courthouse, DSS & PH will close at noon on the 11<sup>th</sup>
- \*Courthouse, DSS & PH will close all day on the 12<sup>th</sup>

Note: Summer Hours start March 10, 2014 and ends August 29, 2014

**COUNTY SURVEYOR**

Vacancy

Motion was made by Richard Scott, seconded by William Koehler to have a vacancy as county surveyor for the year



2014. All commissioners voted affirmative.

**VETERANS ADMINISTRATOR**

Pat Roper

Motion was made by Donald Oswald, seconded by William Koehler to (re)appoint Pat Roper as Veterans Administrator for the year 2014. All commissioners voted affirmative.

**EMERGENCY PREPAREDNESS COORDINATOR**

Vacant

Motion was made by Richard Scott, seconded by Donald Oswald to leave the position vacant at this time as Emergency Preparedness Coordinator for the year 2014. All commissioners voted affirmative.

**COUNTY ATTORNEY**

Shinn, Steerman, and Shinn Lawyers

Motion was made by Donald Oswald, seconded by Richard Scott to (re)appoint Shinn Steerman and Shinn as County Attorney for the year 2014 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**

Ronny Farmer

Motion was made by William Koehler, seconded by Donald Oswald to appoint Ronny Farmer as County Auditor for the year 2014. All commissioners voted affirmative.

**LIST OF ARBITRATORS**

Motion was made by Donald Oswald, seconded by William Koehler to (re)appoint Bob Randle as arbitrator and to have one vacancy to fill for the year 2014. All commissioners voted affirmative.

BOB RANDLE	2014
VACANCY	2014

**KIOWA COUNTY COLORADO BUILDING CORP  
BOARD OF DIRECTORS**

Donald Oswald made a motion, seconded by William Koehler to discontinue the Board of Directors since Building Corporation is no longer active. All Commissioners voted affirmative.

**KIOWA COUNTY PUBLIC LIBRARY DISTRICT BOARD**

Motion was made by Donald Oswald, seconded by William Koehler to (re)appoint Audrey Johnson and to appoint Verna Ebright to the Library District Board with term to expire January 13, 2017. All Commissioners voted affirmative.

CATHRYN ANDERSON	JANUARY 13, 2015
BARBARA MCCOIN	JANUARY 13, 2016
DENISE RILEY	JANUARY 13, 2016
AUDREY JOHNSON	JANUARY 13, 2017
VERNA EBRIGHT	JANUARY 13, 2017

**KIOWA COUNTY PLANNING COMMISSION**

Motion was made by Donald Oswald, seconded by William Koehler to (re)appoint Dale Butler and Randy Carney to a 3 year term with term expiring January 13, 2017 All Commissioners voted affirmative.

JEREMIAH LIEBL	JANUARY 13, 2015
MICHELLE WYCKOFF	JANUARY 13, 2015
JIMMY BROWN	JANUARY 13, 2016
DALE BUTLER	JANUARY 13, 2017
RANDY CARNEY	JANUARY 13, 2017

**WEST KIOWA COUNTY RECREATION BOARD**

Motion was made by Donald Oswald, seconded by Richard Scott to appoint Audrey Johnson to the West Kiowa County Recreation Board, with term to expire on January 13, 2019. All commissioners voted affirmative.

CAROLE SPADY	JANUARY 13, 2015
POLLY GYURMAN	JANUARY 13, 2016
DEBORAH DAVIS	JANUARY 13, 2017
PJ LESSENDEN	JANUARY 13, 2018
AUDREY JOHNSON	JANUARY 13, 2019

**CENTRAL KIOWA COUNTY RECREATION BOARD**

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Motion was made by William Koehler, seconded by Donald Oswald to (re)appoint Dawna Weirich to the Central Kiowa County Recreation Board, with terms expiring on January 13, 2018. All Commissioners voted affirmative.

LANA BROWN	JANUARY 13, 2015
MONICA UHLAND	JANUARY 13, 2016
WILLIAM A. KOEHLER	JANUARY 13, 2016
ROBERT RITTGERS	JANUARY 13, 2017
DAWNA WEIRICH	JANUARY 13, 2018

**SHERIDAN LAKE AND BRANDON RECREATION BOARD**

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Motion was made by William Koehler, seconded by Donald Oswald to (re)appoint Theresa Weber to the Sheridan Lake and Brandon Recreation Board. All commissioners voted affirmative.

ZELPHA DEINES	JANUARY 13, 2015
CRAIG WILLIAMS	JANUARY 13, 2015
MARVIN KOELLER	JANUARY 13, 2016
TIA MCVICKERS	JANUARY 13, 2016
THERESA WEBER	JANUARY 13, 2017

**TOWNER RECREATION BOARD**

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Motion was made by Richard Scott, seconded by William Koehler to (re)appoint Susan Greenfield to the Towner Recreation Board with term expiring on January 13, 2017. All commissioners voted affirmative.

SHARON SCOTT	JANUARY 13, 2015
LARRY TUTTLE	JANUARY 13, 2015
RANDY CARNEY	JANUARY 13, 2016
SUSAN GREENFIELD	JANUARY 13, 2017

**WEST KIOWA COUNTY CEMETERY BOARD**

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Motion was made by Richard Scott, seconded by Donald Oswald to remain as it is on the West Kiowa County Cemetery Board. All commissioners voted affirmative.

CATHRYN ANDERSON	JANUARY 13, 2015
CAROLE SPADY	JANUARY 13, 2016
DIANA DAVIS	JANUARY 13, 2017

**PIONEER CEMETERY BOARD**

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Motion was made by William Koehler, seconded by Donald Oswald to (re)appoint Kim Richards to the Pioneer Cemetery Board, with term to expire January 13, 2017. All commissioners voted affirmative.

PENNY WEIRICH	JANUARY 13, 2015
LARRY WYATT	JANUARY 13, 2016
KIM RICHARDS	JANUARY 13, 2017

**SHERIDAN LAKE AND BRANDON CEMETERY BOARD**

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Motion was made by Richard Scott, seconded by William Koehler to (re)appoint C.H. Williams to the Sheridan Lake and Brandon Cemetery Board, with term to expire January 13, 2017. All commissioners voted affirmative.

MERLE SHALBERG	JANUARY 13, 2015
JIM RICHARDSON	JANUARY 13, 2016
ZELPHA DEINES	JANUARY 13, 2016
C. H. WILLIAMS	JANUARY 13, 2017

**TOWNER CEMETERY BOARD**

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Motion was made by Richard Scott, seconded by Donald Oswald to (re)appoint Cheri Hopkins to the Towner Cemetery Board, with term to expire on January 13, 2017 All commissioners voted affirmative.

SHARON SCOTT	JANUARY 13, 2016
DORCAS BERGGREN	JANUARY 13, 2016
CHERI HOPKINS	JANUARY 13, 2017

**WEISBROD COUNTY HOSPITAL BOARD**

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Motion was made by Donald Oswald, seconded by William Koehler to (re)appoint Lori Shalberg and Craig Kerfoot to the Weisbrod County Hospital Board with term to expire January 13, 2016. All commissioners voted affirmative. All commissioners voted affirmative.

WHITNEY BARNETT	JANUARY 13, 2015
DENNIS PEARSON	JANUARY 13, 2015
GARY AUGHENBAUGH	ANUARY 13, 2015
LORI SHALBERG	JANUARY 13, 2016
CRAIG KERFOOT	JANUARY 13, 2016

**KIOWA COUNTY FAIR BOARD**

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Motion was made by William Koehler, seconded by Donald Oswald to appoint Peggy Dunlap to fill vacancy until January 13, 2015, Gary Rehm and Darrell "Pete" Koch to fill vacancies until January 13, 2016. (Re) appoints were made for Bobby Sinka and Tearle Lessenden, with terms expiring on January 13, 2018. There is still one vacant position. All commissioners voted affirmative.

PEGGY DUNLAP	JANUARY 13, 2015
ARETA BLOODING-LAIRD	JANUARY 13, 2015
GARY REHM	JANUARY 13, 2016
DARRELL "PETE" KOCH	JANUARY 13, 2016
NANCY WALKER	JANUARY 13, 2017
ANDREW MCCRACKEN	JANUARY 13, 2017
BOBBY SINKA	JANUARY 13, 2018
TEARLE LESSENDEN	JANUARY 13, 2018
VACANCY	JANUARY 13, 2018

**KIOWA COUNTY WEED BOARD**

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Motion was made by William Koehler, seconded by Donald Oswald to (re)appoint Jeff Umland with a term to expire January 13, 2016. All commissioners voted affirmative.

RICK SPADY	JANUARY 13, 2015
JEFF UHLAND	JANUARY 13, 2016

**KIOWA COUNTY BOARD OF HEALTH**

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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, 2015. All Commissioners voted affirmative.

RICHARD SCOTT	JANUARY 13, 2015
DONALD OSWALD	JANUARY 13, 2015
WILLIAM KOEHLER	JANUARY 13, 2015
PEGGY DUNLAP	JANUARY 13, 2015
(Z&P CHAIRMAN) to be decided	JANUARY 13, 2015

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**

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Motion was made by Richard Scott, seconded by Donald Oswald to (re)appoint Richard Scott, William Koehler, and Sharon Johnson as the Enterprise Zone Board of Directors representatives from this area, and to (re)appoint Donald Oswald and Sharon Johnson as directors to the Southeast Council of Governments. All appointments with terms to expire January 13, 2015. All commissioners voted affirmative.

RICHARD SCOTT	JANUARY 13, 2015 - SECED-Director
WILLIAM KOEHLER	JANUARY 13, 2015 –SECED-Executive Board
SHARON JOHNSON	JANUARY 13, 2015 - SECED Director
SHARON JOHNSON	JANUARY 13, 2015 - SECOG Director
DONALD OSWALD	JANUARY 13, 2015 - SECOG Director

**SCEDD**

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Motion was made by William Koehler, seconded by Donald Oswald to appoint Donald Oswald and Richard Scott to the Southern Colorado Economic Development District Board with terms to expire January 13, 2015. All commissioners voted affirmative.

DONALD OSWALD	JANUARY 13, 2015
RICHARD SCOTT	JANUARY 13, 2015

**KCEDF BOARD**

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Motion was made by Richard Scott, seconded by Donald Oswald to (re)appoint Richard Scott (alternate) and Donald Oswald to the Kiowa County Economic Development Foundation Board with terms to expire January 13, 2015. All commissioners voted affirmative.

RICHARD SCOTT (Alternate)	JANUARY 13, 2015
DONALD OSWALD (Director)	JANUARY 13, 2015

**SOUTHEAST REGION WORKFORCE BOARD**

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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, 2015. All commissioners voted affirmative.

WILLIAM KOEHLER	JANUARY 13, 2015
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**SECRETAC BOARD**

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Motion was made by William Koehler, seconded by Donald Oswald to (re)appoint Eunice Weber, Richard Scott, and Hospital Administrator to the Southeastern Colorado Regional Emergency & Trauma Advisory Council Board with terms to expire January 13, 2015. All commissioners voted affirmative.

EUNICE WEBER (EMS Director)	JANUARY 13, 2015
RICHARD SCOTT (Commissioner)	JANUARY 13, 2015
HOSPITAL ADMINISTRATOR	JANUARY 13, 2015

**SOUTHEAST COLORADO MENTAL HEALTH BOARD**

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Motion was made by Donald Oswald, seconded by Richard Scott to appoint Dennis Pearson to the Southeast Colorado Mental Health with term to expire January 13, 2015. All commissioners voted affirmative.

DENNIS PEARSON	JANUARY 13, 2015
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**HISTORICAL PRESERVATION ADVISORY COMMISSION**

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Motion was made by William Koehler, seconded by Donald Oswald to (re)appoint Sharon Johnson and Betsy Barnett to the Historical Preservation Advisory Commission with terms to expire January 13, 2017. All commissioners voted affirmative.

ALEXA ROBERTS	JANUARY 13, 2015
DAN RICHARDS	JANUARY 13, 2015
KIM BARLOW	JANUARY 13, 2015
JEFF CAMPBELL	JANUARY 13, 2016
KELLY COURKAMP	JANUARY 13, 2016
SHARON JOHNSON	JANUARY 13, 2017
BETSY BARNETT	JANUARY 13, 2017

**TV TRANSLATOR/TOWER MAINTENANCE INDEPENDENT CONTRACTOR**

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Motion was made by Donald Oswald, seconded by William Koehler to (re)appoint Southeast Networks & Support, LLC (Kevin Rink or Ryan Sneller) as the TV Translator/Tower Maintenance Independent Contractor with term to expire January 13, 2015. All commissioners voted affirmative.

SOUTHEAST NETWORKS & SUPPORT	JANUARY 13, 2015
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**NURSING SERVICE MEDICAL ADVISOR**

Motion was made by Donald Oswald, 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, 2015. All commissioners voted affirmative.

EADS MEDICAL CLINIC	JANUARY 13, 2015
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**CSBG TRANSIT ADVISORY BOARD**

Motion was made by Donald Oswald , seconded by William Koehler to (re)appoint Bobbi Lord as the CSBG Transit Advisory Board Officers with terms to expire January 13, 2017. All commissioners voted affirmative.

KIM RICHARDS	JANUARY 13, 2015
DONALD OSWALD	JANUARY 13, 2016
BOBBI LORD	JANUARY 13, 2017

**MUSEUM BOARD**

Motion was made by Donald Oswald, seconded by William Koehler to (re)appoint Betsy Barnett to the Museum board, with term expiring January 13, 2016. There is at least 1 vacancy to be filled on the Kiowa County Museum Board with terms to expire in one year increments. All commissioners voted affirmative.

BETSY BARNETT	JANUARY 13, 2016
VACANCY	JANUARY 13, 2017

**RESADA BOARD**

Motion was made by William Koehler, seconded by Richard Scott, to leave the board as is for 2014. All commissioners voted affirmative.

DENNIS PEARSON	JANUARY 13, 2015
DONALD OSWALD	JANUARY 13, 2015

**LAVAA BOARD**

Motion was made by William Koehler, seconded by Donald Oswald to leave as it is on the LAVAA board. All commissioners voted affirmative.

<b>Members:</b>		<b>Alternates:</b>	
Dolores Rector	JANUARY 13, 2015	Alice Glover	JANUARY 13, 2015
Wanda Lessenden	JANUARY 13, 2015	Loretta Seibel	JANUARY 13, 2015
Linda Watts	JANUARY 13, 2016	LaVerle Kelly	JANUARY 13, 2015

The Regular Meeting resumed at 11:35 a.m.

Eunice Weber met with the Commissioners to present the 2014 RETAC County Plan. Oswald made the motion, seconded by Koehler, to approve the 2014 RETAC County Plan. All Commissioners voted affirmative.

There was discussion regarding the new ambulance which was delivered January 10<sup>th</sup>. The 1991 and 1979 ambulances will be pulled from service and will be sold

Weber stated that there would be training for hospital evacuation February 14<sup>th</sup> and 15<sup>th</sup>.

Oswald made the motion, seconded by Koehler, to approve and sign the Kiowa County Ambulance Service Licenses for 3 ambulances. All Commissioners voted affirmative. The new ambulance will be approved at a later meeting after the title and registration are processed.

The Brownfield grant should be ready to go by Friday, January 17<sup>th</sup>, 2014.

The Gravel Pit Policy was discussed. The only people that will be allowed in the gravel pits will be county personnel who have had MSHA training. Koehler made the motion, seconded by Oswald, to adopt the Gravel Pit Policy, to wit:

2014 GRAVEL PIT POLICY  
01-14-14

1. Pits are permitted by the County and ONLY authorized personnel are allowed within the permitted area. Authorized personnel will be Kiowa County employees and will be MSHA certified.
2. Private contractors or other individuals are not authorized to be within the Permitted area.
3. Kiowa County will not sell gravel from the Permitted Pit to Private contractors or other individuals and will load only County owned vehicles.
4. Kiowa County may provide gravel to other entities in special or emergency situations as approved by majority of Board of County Commissioners.
5. Due to Liability issues, the land owners of the Permitted area are not authorized to remove material from the Permitted area and should enter the permitted area only for informational purpose and only if accompanied by authorized personnel.

All Commissioners voted affirmative.

The Financial Policy was discussed per Auditor Ron Farmer. Koehler made the motion, seconded by Oswald, to increase the inventory value from \$50 to \$250 or greater. All Commissioners voted affirmative. Koehler made the motion, seconded by Oswald, to adopt the Financial Policy with corrections. All Commissioners voted affirmative. A copy of the policy can be viewed in the Commissioner's office.

The monthly newsletter was reviewed.

There was discussion regarding the survey that the Commissioners recently sent out to all active voters in Kiowa County. They wanted it made clear that any proposed casino gambling would be a private enterprise and would not be County owned or government owned.

The March Regular meetings will be March 13<sup>th</sup> & March 27<sup>th</sup>.

The April Regular meeting will be April 15<sup>th</sup> & April 29<sup>th</sup>.

The Treasurer's report was reviewed.

The Clerk's report was reviewed and filed.

The Commissioners report was reviewed.

The TV tower report was reviewed.

There were no time-off requests for approval.

Koehler made the motion, seconded by Oswald, to sign the Affidavit to work with the Department of Justice for 2014. All Commissioners voted affirmative.

Oswald made the motion, seconded by Koehler, to sign the Resolution of Participation for Kiowa County in the Lower Arkansas Valley Area on Aging (LAVAA) for 2014. All Commissioners voted affirmative.

Oswald made the motion, seconded by Koehler, to approve and sign the Saul's Creek Software License Upgrade Purchase Agreement. This agreement increases the number of documents recorded annual from 1,200 to 5,000. All Commissioners voted affirmative.

Scott made the motion, seconded by Koehler, to adjust the agenda to include two items under New Business - #5 Scrap Metal Bid, #6 - Hotel Inspection Letter. All Commissioners voted affirmative.

One bid was received for scrap metal hauling. Oswald made the motion, seconded by Koehler, to accept the scrap metal bid from Brandon Murdock for \$80 per ton. All Commissioners voted affirmative.

A letter will be sent to the Site Superintendent with BriMark Builders LLC for the new hotel stating that the County's inspection requirements are whatever the State requires. The County does not have inspection requirements of its own.

Karl Zimmerman and Janet Frederick with the National Parks Service (NPS) met with the Commissioners regarding an invoice received from the County. They need a complete breakdown on the charges. They stated that they had a prepaid balance of \$4,419.20 that needs to be used. The project was prepaid in 2009. There was discussion. Although the gravel policy was just changed, this project was prepaid so the balance of gravel needs to be figured and hauled to complete this agreement. Koehler made the motion, seconded by Oswald, that to clear up the NPS account of \$4,419.20, the County will haul 20 tandem loads at \$220.96 per load and the County will grade the entrance road from the County road to the office. All Commissioners voted affirmative.

Scott made the motion, seconded by Oswald, to go into Executive Session pursuant to C.R.S. 24-6-402(4) (f) for personnel issues at 2:30 p.m. All Commissioners voted affirmative.

The Commissioners came out of Executive Session and resumed the Regular Meeting at 3:40p.m.

The next Regular Meeting will be held January 30, 2014.

With no further business, Oswald made the motion, seconded by Koehler, to adjourn at 3:45 p.m. All Commissioners voted affirmative.