

Phillips County Commissioners' Meeting

December 31, 2018

The meeting was called to order at 9:00 a.m. by Chairman Joe Kinnie and opened with the Pledge of Allegiance. Also present were Commissioners Don Lock and Harlan Stern, County Administrator Randy Schafer, and Commissioner Elect Terry Hofmeister.

Lock made a motion, seconded by Stern, to approve the minutes from the December 18, 2018 meeting as presented. Motion carried.

The board approved a batch of accounts payable for the month of December.

The board approved payroll for the month of December.

The board held their monthly press briefing with local newspapers.

The board met with Penny Verhoeff, Human Services Director, for regular business. The minutes for this portion of the meeting are maintained by the Department of Human Services.

The board met with Road Manager Mike Salyards and Assistant Road Manager Kevin Scott to discuss general road and bridge issues.

Lock made a motion, seconded by Stern, to sell the county held tax lien on a parcel in Haxtun between Casey Wolff property and Dollar General property (#2018-00068) to Casey & Megan Wolff for \$280.24. Motion carried.

Stern made a motion, seconded by Lock, to approve the annual contract between Bob Heldenbrand and Phillips County for contract emergency management services. Motion carried. A copy of the contract is on file in the administration office.

Lock made a motion, seconded by Stern, to authorize Bob Heldenbrand to serve as FEMA grant administrator and to sign financial reports. Motion carried.

Lock made a motion, seconded by Stern, to adopt the 2019 Model Traffic Code as an Ordinance on first reading, and to order publication of a notice for public hearing on the proposed adoption on January 30, 2019. Motion carried. The proposed Ordinance reads as follows:

**ORDINANCE
FOR ADOPTING MODEL TRAFFIC CODE
BY REFERENCE**

ORDINANCE NO. 1-30-19-001

TITLE: AN ORDINANCE FOR THE REGULATION OF TRAFFIC BY THE COUNTY OF PHILLIPS COLORADO; ADOPTING BY REFERENCE THE 2018 EDITION OF THE "MODEL TRAFFIC CODE" REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF PHILLIPS COLORADO:

Section 1. Adoption

Pursuant to parts 1 and 2 of article 16 of title 31 and part 4 of article 15 of title 30, C.R.S., there is hereby adopted by reference Articles I and II, inclusive, of the 2018 edition of the "Model Traffic Code" promulgated and published as such by the Colorado Department of Transportation, Traffic Engineering and Safety Branch, 2829 W Howard Place, Denver, CO 80204. The subject matter of the Model Traffic Code relates primarily to comprehensive traffic control regulations for the Phillips County. The purpose of this Ordinance and the Code adopted herein is to provide a system of traffic regulations consistent with state law and generally conforming to similar regulations throughout the state and the nation. Three (3) copies of the Model Traffic Code adopted herein are now filed in the office of the Clerk of the County of Phillips Colorado and may be inspected during regular business hours.

Section 2. Deletions

The 2018 edition of the Model Traffic Code is adopted as if set out at length save and except the following articles and/or sections which are declared to be inapplicable to this municipality and are therefore expressly deleted: Items 711 (Mountain Highways), 1102 (HOV and HOT Lanes), and 1203 (Ski areas) are deleted

Section 3. Additions or Modifications

The said adopted Code is subject to the following additions or modifications: Any court appearance will be subject to a twenty-dollar (\$20) court cost fee.

Section 4. Penalties.

The following penalties, herewith set forth in full, shall apply to this ordinance:

(a) It is unlawful for any person to violate any of the provisions adopted in this ordinance. (b) Every person convicted of a violation of any provision adopted in this ordinance shall be punished by a fine not exceeding one thousand dollars (\$1,000), or by imprisonment not exceeding ninety (90) days, or by both such fine and imprisonment.

Section 5. Application

This ordinance shall apply to every street, alley, sidewalk area, driveway, park, and to every other public way or public place or public parking area, either within or outside the corporate limits of this

municipality or county, the use of which this municipality or county has jurisdiction and authority to regulate. The provisions of sections 1401, 1402, 1413, and part 16 of the adopted Model Traffic Code, respectively concerning reckless driving, careless driving, eluding a police officer, and accidents and accident reports shall apply not only to public places and ways but also throughout this county.

Section 6. Validity

If any part or parts of this ordinance are for any reason held to be invalid such decision shall not affect the validity of the remaining portions of this ordinance. The Phillips County Board of County Commissioners hereby declares that it would have passed this ordinance and each part or parts thereof, irrespective of the fact that any one part or parts be declared invalid.

Section 7. Repeal

Existing or parts of ordinances covering the same matters as embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this ordinance.

Section 8. Interpretation

This ordinance shall be so interpreted and construed as to effectuate its general purpose to conform with the State's uniform system for the regulation of vehicles and traffic. Article and section headings of the ordinance and adopted Model Traffic Code shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or extent of the provisions of any article or section thereof.

Section 9. Certification

The County Clerk shall certify to the passage of this ordinance and make not less than three copies of the adopted Code available for inspection by the public during regular business hours.

PASSED BY THE BOARD OF COUNTY COMMISSIONERS AFTER A PUBLIC HEARING AND SIGNED THIS _____ DAY OF _____, 2019.

Lock made a motion, seconded by Stern, to accept the fourth quarter public trustee report showing fee collection of \$1,095. Motion carried.

Stern made a motion, seconded by Lock, to approve the assignment of Road Occupancy Agreement 04-04-2016 from NE Colorado Cellular, Inc. to Viaero Fiber Networks, LLC. Motion carried.

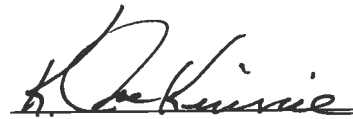
The board reviewed reports from Progressive 15 and Event Center rentals.

The meeting adjourned at 11:55 am.

Respectfully submitted

Randy Schafer
County Administrator


County Commissioners



K Joe Kinnie



Donald J Lock



Harlan Stern

Attest: 

Beth Zilla, County Clerk