

## Delta County Address

If you think our big government is corrupt, you might want to take a second look at our local government in Delta County. There are some specific issues that I would like to address here.

Back in May, Delta County performed a project estimated at \$100,000.00 to \$200,000.00 on private property. They had no right-of-way or easement. Delta County's reasoning was that some time ago, a school bus route was directed through that road back in the 1950's, however it has not been used for such a purpose in over fifteen years. So, under this reasoning, they went on to perform this work that took time and taxpayer money to accomplish it. Keep in mind, you must go through a locked gate that is posted with 'Private Property No Trespassing'. Curiously enough, when I brought the matter before the commissioners, they simply claimed it was a mistake on their part. That they didn't realize it was private property. Delta County has a whole department at their disposal to verify, check addresses and property lines, and so forth. No one would have known if they weren't observed in the process by a concerned citizen who brought the matter to my attention. So, this leads to my problem, who is accountable? Right is right, wrong is wrong, unless your government?

This project was on private property, and the work performed was only beneficial to the property owner. Who is liable for the \$200,000.00 of the taxpayer's money that was spent? County Commissioners must approve work performed like this, so are they the liable parties? Road bosses are supposed to check and have property boundaries before any projects can even begin. In a private enterprise, I can guarantee you would not have a job if you made a mistake like they are claiming to have made.

You see if Delta County puts a job out for bid, local businesses must compete to get the job. We also must follow engineered specs, for the requirements of the Colorado State standards, which every engineer is required to use when looking into projects from housing to construction. If my company won a bid, we would have to put up what is a bond, at the very beginning, a large dollar amount in case something was to occur, and to prove that our material is engineered to the required specifications before we could even start the project. As we start the job, the material will continue to be tested while the project is running. If material fails to meet the required standards at any point, my company is held accountable for having it corrected. If we cannot, our company is fired from the project, and we are not paid. The bond is pulled, and another company is hired to finish the project. Bid projects are also given a specified time frame from start to finish. If it is not done within the allotted time, a fine for my company will begin to accrue every day until the job is completed and I am required to pay it out of pocket. My company is always the liable party and held accountable in all facets. Once again who is the accountable party in Delta County?

Delta County is also doing work not to the state specified standards, because no one is checking on them. There is no one checking on Delta County's material, compaction requirements, and so forth, and so on. I'm sure you are familiar with the project that has been taking place on North Road that stretches from Eckert, Colorado through to Hotchkiss, Colorado. It has been 3 years since that work began and it still is not completed. The safety of the public needs to be considered for a road that is used daily, and still marred by work that should have been completed within two years at the very most. Let's also look at the cost of this project. Over the time frame, the movement of equipment back and forth, and back and forth, uncertain materials. What's the real cost of this project when it's finally finished? We could

have paid a private enterprise to get the job done to the state standards, done correctly, in a timely manner, and the cost would have been cheaper!

I can also tell you that the asphalt the county is making does not pass the state specifications. I'm sure many of you have noticed the chip and seal being laid down on several of our roads along with some of the gravel the county specifically crushes. They have laid these materials down all over our county, but are they meeting the standards needed for roads? They aren't pulling compaction tests when performing these road projects. What would happen if the road gave way causing accidents and injuries? Do they get to just make the rules that we have to follow, and ignore the rules themselves? The purpose of Specs and rules are for public safety and that is the job. Getting it done correctly. So, the county has been doing work and been unfaithful to the public, and not following their own rules. What's the old saying 'do what I say not what I do'? So, the question comes again, who is not doing their job and who is liable? They keep getting more equipment, taking on bigger projects outside of our county. The commissioners told me at a public coffee meeting, that the reason that the North Road project is not finished, is because they are shorthanded. They are shorthanded but have time and workers to go and work for the other counties and the forest service? North road just gets pushed to the back burner to be finished at their 'convenience'? Maybe when they're done working on private property, they will have time to maintain our county roads which benefits not an individual, but the public.

These are a few of the things I know will not pass should big government officials get involved. So, who is allowing this to happen? Someone must be responsible.

What worries me the most is that they continue to spend our money on projects far beyond their own capabilities. They get away with doing them, because no one has specifically investigated the county to hold them responsible and accountable. Look at the landfill expansion project and what the cost is. Earlier this year, they spent \$1 million dollars on a Cat D9T bulldozer. They claim they are saving the taxpayer's money. No other county in all of Colorado has a bulldozer that size. Are you aware that the county has a couple of scrapers and a road milling machine? This equipment is very large and specialized. 95% of the other counties in our state do not have any of this equipment. Did you know that the county has a district 4? That is their crusher and asphalt plant, because they have so much money tied up into it. Did you know that the county does work for the National Forest Service, and other towns and cities like Grand Junction and Montrose. These places pay Delta County for this work. Last I knew, if you are getting paid for work, you are a contractor. They keep getting more equipment, taking on bigger projects in and outside of our county.

I ask you to look at other counties. They don't do road construction, they maintain roads. They don't want the liability and they don't have the capabilities to perform such required work as big construction projects. Did I mention that the equipment that the county owns, they rent to other counties. It's hard to believe or understand how a non-profit government county can get paid to do work for the forest service and get paid to do work for larger counties and cities than our own. Also, what are they doing with the money earned from these projects? Not only are they making money, but they are also not following their own rules. So many questions on liability, accountability, legal, ethical, and how are they above the law? Oh, don't worry, they're NOT competing against private enterprise, local business owners who follow the rules for the good of everyone.

Benson Brothers LLC has been in business for over 40 years in Delta County. During this time, I have found that Delta County has stepped outside the lines of 'legal boundaries' numerous times. What has come out of it? Some years ago, we had a court order issued in our favor so that they do not do it again. It took a lot of time and work to achieve, but it was filed to keep the county honest and to ensure that private enterprise in the county could not be threatened by the county attempting to work over them.

However, did it ever stop? The answer is no, and you cannot hold anyone accountable apparently. They break the court order every year. Well, if that was me or you as individuals, or even private business owners, you know what would happen. They believe that we would not have the time and money to fight them. If we do decide to fight them, we pay both sides. Every attorney you talk to says you cannot win fighting with the government, and you get resentment back in return on yourself and your business from the county. You see the government can come up with numerous excuses to cover up their mistakes. They also have endless funds and attorneys on staff to solve their problems. Money that we as taxpayers are funding whether we like it or not. We pay those taxes to help our county remain the great place we all know and love, without partiality or issues, so that we can be successful in cooperating with each other as business owners and townsfolk.

This is where I am reaching out for help. I cannot be the only one to step up and fight to keep our local government honest. How do we, as the people, keep them honest? They act as if they are playing a game where they are untouchable by the common people. As I mentioned before, if that were a private entity contracted to perform the work, it would have been done one way or the other long before this.

So, here again, who is liable? Commissioners? Road Bosses? Planning Department? Someone should be responsible and face the consequences as we all must. Delta County, what are you going to put in place so that this does not happen again, and if it does, what is the outcome? If I wasn't in the business that I am in, I would not even know about any of these projects and how they work.

This is what I have personally seen and investigated. How much more has yet to be discovered?

My intention for this article is to make everyone aware of the situation and to encourage everyone that it is our duty to hold Delta County responsible for their actions. I have the time to show the evidence I have collected to prove they have not done their job and are not following their own rules. Delta County Commissioners want to 'in house' everything and compete with private enterprises. They want to compete but have no liability. Wouldn't that be nice for us as business owners? Do whatever you want right or wrong, with no consequences or liability? If you have any questions or would like to know more information, I would be glad to set up a time to speak to you.

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