

Independent Ethics Commission – Formal Complaint Form

Before the Independent Ethics Commission
of the State of Colorado

For Commission Use Only

Received date: 20-Nov-2019

Case. No.: 19-25

The Complainant is: _____
(name)

Mailing Address: _____

Daytime telephone number: _____

Email address: _____

The Respondent is: _____
(name)

Mailing Address: _____

Daytime telephone number: _____

Email address: _____

When did the alleged violation occur: _____

Describe the specific acts or things complained of, with facts that provide a full understanding of the alleged violation(s). If possible, cite the specific ethical standards alleged to have been violated and describe how the violation(s) occurred. Use additional pages if necessary. Attach any documentary evidence you wish to submit.

Description of acts or things complained of (continued):

Advisement regarding remedies and penalties: Pursuant to Colo. Const. art. XXIX, § 6, a covered individual found to have breached the public trust for private gain is liable for double the amount of the financial equivalent of any benefits obtained by such actions. The manner of recovery and additional penalties may be provided by law. The Commission does not assess criminal penalties, award injunctive relief, or award damages to complainants.

I hereby acknowledge that the facts presented herein are true to the best of my knowledge, and I will cooperate in the process regarding this complaint and will appear at any proceeding of the Independent Ethics Commission if the complaint is scheduled for a hearing.

Signature: JoAnn L Kalenak

Attorney (if applicable): _____

Dated at _____ (City), Colorado, this _____ day of _____, 20____.

Created by Article XXIX of the Colorado Constitution, the Independent Ethics Commission may review and hold hearings on matters falling within its jurisdiction as outlined in Article XXIX.



Cardholder Activity

Name: ROBBIE LEVALLEY

Account Number: **4311

Cycle End Date: 09/06/2019

Trans Date Posting Date	Merchant Name City, State/Prov.	Transaction Total	Source Currency	Currency Amount
		Allocation Amount	Accounting Code	
08/07/2019	HOMESTEAD MEATS DELTA, CO	\$232.19	USD	232.19
08/08/2019		\$232.19		
08/07/2019	HOMESTEAD MEATS DELTA, CO	\$573.30	USD	573.30
08/08/2019		\$573.30		

Fair Judges Meals
Fair Community Night

Activity Totals
\$805.49

Purchases
\$805.49

Payments
\$0.00

Cardholder Name: _____

Signature: _____

Supervisor Name: _____

Signature: _____

Account
opened

11/14/18

Transaction Detail - Summary

Trans Date	Posting Date	MCCG Code	MCC	Merchant Category Code Description	Merchant Name	Merchant State/Province	Taxpayer ID Number (TIN)	Trans Amount	Posting Type	Purchase ID	Trans Status	Disputed Status
Name: ROBBIE LEVALLEY Account Number: **4311 Optional 1: Optional 2: Lost/Stolen Account: Replacement Account: Billing Type: Centrally Billed Account												
11/28/2018	11/30/2018	278622	7542	CAR WASHES	HIGH COUNTRY CAR WASH	CO	274591431	\$ 9.00	Memo		Not Reviewed	No
12/27/2018	12/28/2018	278614	7399	BUSINESS SERVICES -OTHER	THE UPS STORE 5734	CO	562548203	31.35	Memo		Not Reviewed	No
02/28/2019	03/01/2019	278614	7311	ADVERTISING SERVICES	FACEBK 3V3R7LNAK2	CA		30.38	Memo	2133360493445018	Not Reviewed	No
03/31/2019	04/01/2019	278614	7311	ADVERTISING SERVICES	FACEBK NN3P5LNBK2	CA		58.89	Memo	2126150850832657	Not Reviewed	No
04/30/2019	05/01/2019	278614	7311	ADVERTISING SERVICES	FACEBK 376DZLNAK2	CA		55.00	Memo	2222934244487642	Not Reviewed	No
06/03/2019	06/05/2019	278622	7542	CAR WASHES	HIGH COUNTRY CAR WASH	CO	274591431	8.00	Memo		Not Reviewed	No
06/05/2019	06/06/2019	278622	5542	AUTOMATED FUEL DISPENSERS	CITY MARKET #0204 FUEL	CO	480196590	69.13	Memo		Not Reviewed	No
06/30/2019	07/01/2019	278614	7311	ADVERTISING SERVICES	FACEBK DC38GM2BK2	CA		90.20	Memo	2274807232633679	Not Reviewed	No
07/31/2019	08/01/2019	278614	7311	ADVERTISING SERVICES	FACEBK WX7RNMEBK2	CA	274444984	9.80	Memo	2297651340349271	Not Reviewed	No
08/07/2019	08/08/2019	278623	5422	FREEZER & LOCKER MEAT PRO	HOMESTEAD MEATS	CO	841360147	232.19	Memo	2154	Not Reviewed	No
08/07/2019	08/08/2019	278623	5422	FREEZER & LOCKER MEAT PRO	HOMESTEAD MEATS	CO	841360147	573.30	Memo	2155	Not Reviewed	No
Name: J. MARK ROEBER Account Number: **7715 Optional 1: Optional 2: Lost/Stolen Account: Replacement Account: Billing Type: Centrally Billed Account												
06/06/2016	06/08/2016	278608	5812	EATING PLACES AND RESTAURANTS	ORE HOUSE AT THE PINE	CO	840604019	151.25	Memo		Not Reviewed	No
06/08/2016	06/09/2016	278622	5542	AUTOMATED FUEL DISPENSERS	CITY MARKET #0204 FUEL	CO	480196590	56.70	Memo		Not Reviewed	No
06/09/2016	06/10/2016	278609	3503	SHERATON	SHERATON	CO	474528500	248.00	Memo	565960	Not Reviewed	No
07/24/2016	07/25/2016	278617	4121	TAXICABS AND LIMOUSINES	LONG BEACH YELLOW CAB	CA	954720061	22.94	Memo		Not Reviewed	No
07/25/2016	07/27/2016	278622	7523	PARKING LOTS AND GARAGES	RPS GRAND JUNCTION	CO	591162686	50.00	Memo		Not Reviewed	No

PURCHASE ORDER
DELTA COUNTY COURTHOUSE
501 Palmer St.
Delta Colorado 81416

THIS ORDER
NUMBER
MUST APPEAR # 22932
ON YOUR
INVOICE

10965
ISSUED TO: HOMESTEAD MEATS

741 WEST 5TH STREET
DELTA CO 81416

SHIP TO: DELTA COUNTY
501 PALMER STREET SUITE 227
DELTA CO 81416

PURCHASE ORDER DATE: 09/24/2013

DEPARTMENT:

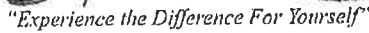
<u>DESCRIPTION</u>	<u>TOTAL</u>	<u>GL ACCOUNT</u>
COAL CONFERENCE SUPPLIES	248.52	38-400-6636

TOTAL 248.52

Comments:

AUTHORIZING OFFICER





CHECKED
BY

SALESMAN

SOLD TO DELTA COUNTY COMMISSIONERS
WESTERN COLORADO COAL CONFERENCE

DATE SOLD 7-24-13

HOW SOLD

PCS.	LBS.	DESCRIPTION	WEIGHT	PRICE	AMOUNT
		JERRY			93 00
		WESTWOOD FARMS SALSAS			87 75
		FIRE MT. JELLY			56 25
		CHIPS			11 52
					248 52
		Sarah @ deltatouring ed.org			
		MAILED 7/24/13 MGB			

Signature

All shipments are made at buyer's risk of damage in transit. If goods are not in accordance with order, report same at once when received, otherwise no allowance will be made and no claims will be considered.

PURCHASE ORDER

DELTA COUNTY COURTHOUSE

501 Palmer St., Suite 227
Delta, Colorado 81416

THIS ORDER
NUMBER # 57669
MUST APPEAR
ON YOUR
INVOICE

VENDOR USBank

ADDRESS _____

DATED _____, 20____

FUND _____

DEPARTMENT _____

GENTLEMEN: BEING GOVERNED BY THE INSTRUCTIONS HEREON, PLEASE ENTER OUR ORDER FOR THE FOLLOWING:

DELIVER TO _____

VIA _____

DATE NEEDED _____

TERMS _____

CONFIRMING _____

QUANTITY

DESCRIPTION

CATEGORY OF ITEM

TOTAL

INVOICE
NUMBER

CCF g.li basket

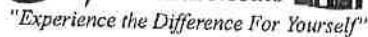
10-401-5372

110 00

NO BACK ORDER. ITEMS NOT INCLUDED IN FIRST SHIPMENT ARE CANCELLED



PURCHASER



CHECKED
BY

SALESMAN

INVOICE NO. **22797**

SOLD TO

DATE SHIPPED _____

DATE SOLD

SHIP TO

SHIP BY

HOW SOLD

I hereby certify that the following described product, which is offered for shipment in commerce has been U.S. inspected and passed by the U.S. Department of Agriculture, is so marked, and at this date is not adulterated or misbranded.

Signature

All shipments are made at buyer's risk of damage in transit. If goods are not in accordance with order, report same at once when received, otherwise no allowance will be made and no claims will be considered.

Sale

1944年11月24日
 1944年11月24日
 1944年11月24日

Preparation Label: MASTICARD
MASTICARD

9876543210

AD: ADDENDUM

Entry Method: Chip

Approved: Online

דברי דוד

Batch#: 01050029

65:27:18

1 MAY; 1995

ADPR Code: 015025

Total: \$

116-00

14K: Wismut
15I: Eisen

Customer Copy

FHAH-K YIU

PURCHASE ORDER
DELTA COUNTY COURTHOUSE
501 Palmer St.
Delta Colorado 81416

THIS ORDER
NUMBER
MUST APPEAR # 51540
ON YOUR
INVOICE

ISSUED TO: 11937
US BANK
CORPORATE PAYMENT SYSTEMS
PO BOX 790428
ST LOUIS MO 63179-0428

SHIP TO: DELTA COUNTY
501 PALMER STREET SUITE 227
DELTA CO 81416

PURCHASE ORDER DATE: 08/09/2019

DEPARTMENT:

<u>DESCRIPTION</u>	<u>TOTAL</u>	<u>GL ACCOUNT</u>
MEETING SUPPLIES	232.19	10-401-5782
COMMUNITY NIGHT/DELTA COUNTY FAIR	573.30	23-724-6893

TOTAL 805.49

Comments:

AUTHORIZING OFFICER



741 W. 5th Street
Delta, Co 81416
(970)874-1145

Credit	\$573.30
--------	----------

SALE

AMOUNT	USD\$ 573.30
	=====
TOTAL	USD\$ 573.30

APPROVED - THANK YOU

I AGREE TO PAY THE ABOVE TOTAL AMOUNT
ACCORDING TO CARD ISSUER AGREEMENT
(MERCHANT AGREEMENT IF CREDIT VOUCHER)

X _____ ROBBIE _____ LEVALLEY

APPLICATION LABEL: MASTERCARD
AID: A0000000041010
TVR: 0000008000
IAD: 01106010012200000000000000000000F
TST: 6B00
ARC: Q0
CVM: SIGN

Bus: (970) 874-1145
Fax: (970) 874-1147
741 West 5th Street
Delta, Colorado 81416
www.homesteadmeats.com

CHECKED
BY

SALESMAN

INVOICE NO. 23981

SOLD TO

DATE SHIPPED

DATE SOLD

SHIP TO

SHIP BY

HOW SOLD

TEAMS

[illegible]

I hereby certify that the following described product, which is offered for shipment in commerce has been U.S. inspected and passed by the U.S. Department of Agriculture, is so marked, and at this date is not adulterated or misbranded.

Signature

All shipments are made at buyer's risk of damage in transit. If goods are not in accordance with order, report same at once when received, otherwise no allowance will be made and no claims will be considered.

741 W. 5th Street
Delta, Co 81416
(970)874-1145

INVOICE# 13007
Closed to Credit Card Purchase

Customer Info

GRAND TOTAL	\$232.19
	\$232.19

APPLICATION LABEL: MASTERCARD
AID: A0000000041010
TVR: 0000008000
IAD: 011060101220000000000000000000F
TSI: 6800
ARC: 00
CVM: SIGN

Experience the Difference For Yourself!

books

SALESMAN

INVOICE NO. 23866

INVOICE NO. 23866
Commissioner

SOLD TO

DATE SHIPPED

DATE SOLD

SHIP TO

SHIP BY

HOW SOLD

PAID AUG 07 2019

I hereby certify that the following described product, which is offered for shipment in commerce has been U.S. inspected and passed by the U.S. Department of Agriculture, is so marked, and at this date is not adulterated or misbranded.

Signature

All shipments are made at buyer's risk of damage in transit. If goods are not in accordance with order, report same at once when received, otherwise no allowance will be made and no claims will be considered.

970-874-1145



CARRIE@HOMESTEADMEATS.COM

HOME

ABOUT US

HOMESTEAD MEATS



RANCHES

CUSTOM PROCESSING

ORDER



LEVALLEY RANCH

MT. LAMBORN RANCHES

AYER & AYER RANCH

SMITH RANCH

CAMPBELL & SONS RANCH

BURNS RANCH



HOME ABOUT US HOMESTEAD MEATS RANCHES CUSTOM PROCESSING ORDER

LEVALLEY RANCH

THE LEVALLEY COW-CALF OPERATION IN WESTERN COLORADO IS RUN BY A FAMILY—AND HAS BEEN FOR FOUR GENERATIONS.

Mark & Robbie Levalley's sons will be the fifth generation to ranch the lands. The private and federal land around the ranch is home to the Gunnison Sage Grouse, a ground-dwelling bird that is protected as an endangered species. Grazing has helped the Sage Grouse thrive and meet recovery goals set by the Endangered Species Act. They have compiled the data and it tells them that the number of forb species — what Sage Grouse depend on for nutrition — has increased significantly because of the ranch's efforts. Their grass and shrub species provide habitat for Sage Grouse and other wildlife.

"I love when I go out and find new forbs and see the response of the land to how we are managing it. Documenting the rangeland

https://www.deltacountyindependent.com/news/beef-production-not-the-simple-life/article_23ed261e-fb64-11e9-a9be-47ee59789e4c.html

Beef production — Not the simple life

By Michael Cox Special to the Delta County Independent Nov 5, 2019



Robbie LeValley takes a break during some range work on the LeValley Ranch between Hotchkiss and Crawford.

Buy Now

Special to the Delta County Independent/ Michael Cox

Has Robbie LeValley tried an Impossible Burger yet?

“Not yet, I probably will, but when I look at the list of ingredients I get a little worried,” she says, with a laugh, during a conversation in her Delta County office where she spends her 8-5 work days in her 24th year as county administrator. During the rest of her life she is a force to be reckoned with in the Delta County, state, and national beef-producing industries.

She is a fourth-generation cattle drover. She and her husband Mark and two of their sons run the LeValley Ranch in the North Fork area. She is on the board of directors of the Colorado Beef Council, which administers the Beef Checkoff program in our state. She is well versed in range grass science and the retail meat business. And, she is as at home on a cutting horse among range cattle as she is in her role as the CEO of Delta County. She is the second consecutive North Fork ranch lady to hold the executive reins in Delta County. Before her tenure, Susan Hansen, another North Fork cattle lady, was county administrator.

There isn't much about the cow business that Robbie doesn't know. She was kind enough to share some of her thoughts with the Daily Press and the Independent in a free- ranging conversation.

That chat began with a question about the Beef Council's recent controversy regarding Beef CheckOff funds being spent illegally. A group of Montana producers have an ongoing suit against the Beef Council and the USDA, saying that Beef CheckOff Funds were used to pay for lobbying activities, which is against the law under the USDA program. A headline last week suggested that there was documentation of the illegality.

"It was a bookkeeping error by the USDA," LeValley says flatly. "There supposedly were \$2 million spent on lobbying according to the lawsuits. But that wasn't the case. It was money legally and correctly spent, except that when the USDA entered it in the books and reports, they coded the line item wrong."

The Beef CheckOff program is a marketing and education system spawned as part of the 1985 Farm Bill. It is aimed at selling more beef primarily for American producers. The supporting funds are raised through a tax check off that levies \$1 per head on cattle sold by U.S. cattle producers (importers pay an equivalent dollar per head fee). You may remember the "Beef, it's what's for dinner," commercials on TV, that was a CheckOff ad campaign to sell beef.

"When the program started, it was voted on by everyone in the industry and was approved by 79 percent of the vote. Presently more than \$77 million dollars are raised every year to promote beef," LeValley explains. "The system is closely monitored and regulated."

With that much money flowing through the checkoff system it is natural that there would be some who would suspect fault.

"But operation of the program is administered by the USDA. At the producer level there are state beef councils, the Cattlemen's Beef Board of 100 people picked by the USDA, the Federation of State Beef Councils, and an operating committee made up of 20 members selected by the state groups and the Beef Board," LeValley explains.

She says there is plenty of transparency.

“There are annual audits of our Colorado Beef Council and every four years we are audited on a national basis,” says LeValley. She understands there are critics, after all, the original vote wasn’t unanimous. She also understands that there are producers who are having a hard time for many reasons and they may feel like the money is not being well spent.

Beside hardcore marketing, TV commercials, Social Media and so on, education concerning the beef industry is part of the mission of the Check Off program. Is it education for both consumers and industry people?

“Yes, both. Sometimes the producer doesn’t see what a targeted group, like the Millennials, see on social media,” LeValley says. “But the council has discussed that deficiency and tries to make sure that the producers, purveyors, and packers know and understand what’s going to the public.”

Day-to-day producers have a lot of “irons in the fire” literally and figuratively, and LeValley says sometimes it is hard for them to stop and take a look at Facebook or Twitter. In a simpler time, say, the 1990s, Sam Elliot’s iconic voice-overs telling everyone that beef was for dinner reached virtually everyone because print, TV and radio were the only media channels available. Life is more complicated now and sometimes the message can get lost in the noise.

Some of those same food chain folks who wonder about their marketing dollars, are also some of the people who feel like the president and the rest of the world are doing harm to them with the so-called trade war. There are also incidents like the Tyson packing plant fire which disrupted the beef business. Does all that concern ripple down to our local producers on the Western Slope?

“Sure it does, the overall impact locally is we have seen a 20 percent decrease from last year’s prices. But it is not all related to the Tyson fire,” says LeValley. She says that the uncertainty about trade, supply and demand, and weather conditions, specifically droughts that continue in various parts of the country, have affected the prices.

There is a bright side.

“What we really see is the total demand for exports increasing. The demand is flat to slightly increasing,” she says. “We had really good news with the Japan deal, the Taiwan agreement, and now China. Right now, we’re adding \$336 per head for fat cattle that are processed. Bring that back to what is happening locally and it is a positive.”

There has been plenty of press pleading the case that the China trade situation and the tariffs are hurting the small producers. LeValley agrees that some producers are suffering short term. But she, as a small producer herself, says we’ve been here before. The solution is to expand the market.

On the Western Slope the majority of the cattle (and other livestock) producers are family operations. Three hundred head or less would describe the average outfit.

“Even when you look at the nationwide picture, most livestock farms and ranches are small businesses,” LeValley says. “Most of our beef and swine come from small farmers who work very hard to make a living.” She agrees that the Cargills and other huge producers still don’t produce as much as the family farms.

“It is true, however, that sometimes those small operations can’t bear the extended difficulty of an extended trade war, where the larger companies will fair better for a while. That creates some resentment. But, again, it has always been that way,” she says. It is probably not going to change, she adds.

Is fake meat a fad or a Trend?

“It’s a blip now, but it could become a trend,” says LeValley about all the hype of non-meat meat. She says there is a lot of money being spent trying to come up with something that can actually compete with livestock in the food chain.

For all of the bad press the cattle industry gets nowadays, a cow is a pretty amazing animal that does what the plant-based meat substitute process does only much more efficiently.

“Part of what the Check Off program is doing is making the point through education that a cow is an efficient protein producer. It takes land where no food is (or can be) produced and returns a quality protein product,” LeValley says.

That idea coupled with advances in range grass cultivation, such as managed grazing, and increases in the efficiency of cattle production and we see how grazing impact on the environment is way down. The LeValley ranch has developed a managed grazing program over the past three decades and the payback has been worth it.

“When we started really paying attention, I started counting the different flora, weeds or flowers, and I counted 36. Now, after managing our grazing program we’re up to 48 species,” she says. The increase in species didn’t come from the LeValley’s planting anything. It came about because the newly identified plants are given a chance in the soil and climate where they could thrive. The number of species is important because it helps maintain a healthy range. This happens because with more species available there are always some that will propagate when others won’t, such as under drought conditions.

The range flora species increase was made more likely by the grazing management plan that the LeValley’s adopted as they went. The plan is a lot like crop rotation in plant farming.

“We systematically rotate our cattle through our allotments with the idea of giving each piece of ground a 23 month rest between grazings,” says LeValley. This allows the range plants to develop better root systems and allows those other species to emerge. It has been proven that range grass, correctly grazed, develops a healthier root system than ranges that are not grazed at all.

The recent opening of the Pasture Plot at the Delta County Fairgrounds developed by the Colorado University Extension Service, with funding help from Delta County, is, in some respects, a reflection of the work that LeValley and other ranchers have done.

“Delta County funded that project and provided the ground for it because it is so practical,” LeValley says. “I go by there everyday on my way home. You would be amazed how many people are there studying what’s been discovered.”

Some things never change

Family farms, while they have more technology, range science, advanced breeding and marketing than was around 80 years ago, still face the same basic issues that keep some ranchers and farmers awake at night.

“You know I read a news story from 1940 recently. What they were worried about was the average age of the producer. And they worried about who (sons and daughters) were coming back to the ranch (after school) and they were worried about regulations,” LeValley says. That is exactly what troubles us today.

For state and federal grazing permit holders the regulation issue is taxing.

“One operator may have permits with two or three agencies, forest service here and BLM over there and Fish and Wildlife over all. A grazer has a hard time following the requirements because each agency may do things a little differently from allotment to allotment,” says LeValley.

A permit holder can have an established process that he has been using for years, and a new regulation will be put in place, making the process obsolete and illegal. The other problem for range users is understanding the priorities of the different agencies and the land use priorities for each of the allotments. One operator may have dozens of allotments and on one, the priority may be multiple use and, on another, it may be public recreation. So, what do you do to protect yourself?

“We’ve learned that you need to document everything you do when it comes to your permits,” says LeValley. “Don’t depend on an agency to do it for you. Document everything you do regarding the health of the range and the wildlife habitat. Also lean on the local and state livestock associations and their expertise.”

This is a busy time of the year for LeValley. Besides a growing county to look after, it is gathering (roundup) time on the summer ranges for the LeValley family. Then comes branding, snipping, and ear tagging, followed by months of supplemental feeding a couple of hundred Angus cows. But as Robbie would say, “That’s the way it is.”

Michael A. Cox is a Montrose-based content provider. He may be reached at michaelc@agwriter.us