

**Logan County Commissioners Work Session
April 16, 2024**

Present: Mike Brownell, Joe McBride, Jerry Sonnenberg, Kristan Lange, Debbie Unrein, Marilee Johnson, Rick Cullip, Josh Klein, Dave Long, Brian Sager, Kirk Young, Jeff Reeves, Wayne Howard, Sara Waite and Jennifer Crow.

Chairman Brownell called the meeting to order at 9:03 a.m.

APPROVAL OF MINUTES FROM PREVIOUS SESSION – Commissioner Sonnenberg moved to approve the minutes of April 9, 2024 as written. Commissioner McBride seconded, and the motion carried, 3-0.

REVISIONS TO WORK SESSION AGENDA – No revisions were stated.

REVIEW AND APPROVE SCHEDULE OF COUNTY BILLS – The Board met with Kristan Lange to review the Logan County schedule of bills dated April 16, 2024. All bills were approved as presented.

REVIEW COUNTY BUSINESS MEETING AGENDA – Chairman Brownell noted that the Board will need to add Montezuma County under the purchase and transfer of TANF funds.

BANNER HEALTH RE: AMBULANCES – Brian Sager of Banner Health met with the Board. Chairman Brownell began by saying that in the past, the county had given two ambulances to Banner Health for transport of patients, and how are transports being done? Mr. Sager responded by saying that coming out of COVID there was a supply and demand issue getting new ambulances. The Banner facility in Casper went down below bare minimum to serve their area. They asked if they could borrow one of the ambulances for a period of time until they could get their new ambulances to restock their fleet. So, one of the ambulances was sent up to Wyoming for them to use. One of their brand-new ambulances has just come in, so as soon as that one is up and running, fully functional, the other ambulance should come back to Sterling.

Banner had kept the ambulance with the lowest mileage here in Sterling and it's kept out in the airplane hangar with the Medivac helicopter. That's just to keep it under cover out of the wind, rain and to protect it from the weather. How they are doing transports is a combined effort of Banner Hospital, Sterling Regional Medical Center and GMR. All their clinicians for Medivac are Banner employees. They operate under a contract with GMR as the parent company for all of the medical care, meaning the medical control physician, their protocols, their insurances in case something were to happen with a patient, such as malpractice, it all falls under the GMR umbrella. The parent company is Banner for just the contract on the medical side for GMR.

Sterling owns the ambulance. It is kept and housed at the airport hangar because there was nowhere else to keep it and protect it. When they have a ground transport, they have one of four certified drivers on staff come in and then they make up the back of the ambulance once they know the patient care side, with clinicians Medivac, also Banner employees to provide the patient care,

and transport the patient to NCMC, Denver or wherever they need to go. The only time they use the ground ambulance is when they have inclement weather where they cannot fly the helicopter.

Commissioner Brownell explained a concern of a family friend who injured his hand in a table saw incident. He was flown to Denver on the advice of the doctors thinking time is of the essence. When his friend's father arrived in Denver, he was still in the waiting room. They could have driven him up there in two hours. They did the surgery the next day. His health insurance said that they would not pay for the air ambulance bill of \$100,000. Commissioner Brownell stated that he understands both sides of the issue. If you need to be flown, that's one thing, if you don't it's an expensive proposition. Constituents are getting charged a lot of extra money because we don't have ground transport.

Mr. Sager answered that if the insurance company denies payment on the helicopter billing, it should roll over to the no surprise billing act. When an insurance company denies a billing it will go to the no surprise billing act which will then roll over to arbitration. Anything that's not paid for after that, all that goes away. This is on a State and Federal level. It only covers helicopter billings, not ground transport. This year it is supposed to incorporate the ambulance side.

Commissioner Brownell asked who he could visit with at Banner. Mr. Sager offered to get contact numbers for GMR for Commissioner Brownell. Commissioner McBride asked when the old ambulance is returned if it could be given to NJC for training. Mr. Sager said that the ambulance is still fully functional. It has high mileage but is fully functional and does not have any mechanical problems.

Last week the Board approved ground ambulance transfers using a nurse from SRMC for rare occasions when their CT goes down and they can move a patient from Sterling to Brush and back to Sterling without taking the critical care assets out of service.

Mr. Sager said that the primary way of transport because of time and distance, for any ALS or critical care patient is by way of helicopter. If they are out of service for the helicopter, it would be primary service by ambulance. It revolves around resources within all the areas. If an ALS patient is stable, they will try to go with another service by ground to Greeley, but it almost always defaults to the helicopter, because of the fact there's no other resources. Morgan County EMS will come up occasionally, Holyoke comes occasionally, as does Washington County. Ground transport from Sterling to Greeley is hard to come by.

NJC has started a paramedic program that will add to resources in this area. Hopefully over time, resources will become more available. And maybe SRMC will start putting a transport ambulance service together. There are significant costs involved in doing that. Mr. Sager said that there's not very much information on the no surprise billing act and that is what really comes into play for the patient and the extra cost associated. The no surprise billing act has made a significant impact on air medical. Several other companies are just shutting down and going away, which is scary. Mr. Sager noted that Banner/SRMC/GMR prepared themselves for the long term with our budget and what we had to do.

Mr. Sager asked about the current ambulance licensure dual control currently in the dual role, Medivac and the doctor. If Banner uses the ambulance today to go to Brush, do we need to do a separate licensure for the county listing out their medical control physician, their operating procedures, their policies and procedures around their medical care, listing out their insurance? Because it's all going to be different. Alan Samber was not present due to being in court today. The Board will ask him to reach out to Mr. Sager to discuss the matter. Mr. Sager said that for the short term they should be covered, but he would be concerned about the long term with it. Also, the state is taking over the ambulance licensing starting May 1. To restructure with the state is going to be significantly different than if we started that process now. If we needed to make an amendment, then the state would agree to it with a two-year timeframe to become fully compliant with their new licensure. If there is an amendment necessary to the license, he would like to do that before May 1 so that they can have it in place before the state takes over the licensing.

SEH AMENDMENT – Wayne Howard of SEH and Jeff Reeves Logan County Road and Bridge Supervisor joined the meeting to discuss the SEH contract amendment. Mr. Howard explained the contractors' billings and the stockpiling materials. There are items like guardrail that CDOT allows the contract to stockpile and be paid for. Because that is material that will eventually be incorporated into the project. The installation is not paid for until it's actually installed. On the spreadsheet it shows the additions to the stockpiles and subtractions from the stockpiles. Once it's incorporated, we subtract out what we paid them for and then go back to the regular pay item. It's a way for the contractor to not have to get so far into materials cost until they can get that material incorporated into the project. It's all in place now.

In the next pay app, all of those stockpiles of materials costs that you see will be zeroed out. That's why it looks confusing, because you're basically just paying them for what they paid for the materials. Once it is installed, then you give them – give the project credit for that stockpile payment.

Commissioner Sonnenberg explained that his other questions have to do with the contract amendment that were discussed at the last meeting. Why would it be the taxpayers' responsibility to pay more for lodging than the contract originally said? Mr. Howard explained that there was a delay in getting the project started. And then it carried over into a new year, 2024 when it was supposed to end at the end of 2023. Originally when the contract was made, the assumption was that contract completion through construction started, over winter project was to end, 2023 went into 2024. When we anticipated housing, we did not recognize that housing was so expensive here. They were originally going to go with a motel, and it was cheaper to go with a house. Even though the housing was cheaper, they required a long-term lease, even though we only needed it for four months was the anticipation. Some of this can't be estimated upfront.

As far as the mileage goes, the project manager did not include the mileage. Mr. Howard said that he would be willing to remove the mileage from the contract amendment, the amount was \$3,640. Answering the question why should the taxpayers pay for it, SEH is working with Jeff Reeves, working as a team and has been since the project started in 2019. Because of all the

different things that it went through to finally get to the completion in the last couple of months, it just evolved. Costs go up every year, inflation of everything. The longer a project takes, the higher the costs tend to be. Mr. Howard explained that their inspector on this project was a very good inspector, a former CDOT inspector. Because of her skillset, they usually have one and a half people working on a project like this. They are right now over \$100,000 below budget during construction. That is very good for the county, that we're able to monitor things as it went through, and the contractor's cost did come in below budget. The county should expect to see savings there. The grant is paying for 80% of all these costs. The county's liability is 20% of the overall budget. The Federal government will be paying 80% of this. He assumes it will be on the order of \$120,000 under the construction budget at the end.

There will be one more payment, which will be payment number six to the contractor. There are some final cleanup items on site that they've asked them to go back in and do.

Commissioner Sonnenberg commented that he still struggles with this amendment. Contractors normally build a cushion in their bids but sometimes a cushion is not enough. He explained that he has not had an opportunity to have a conversation with the other commissioners. He thinks that it is fair to pay some of the costs. Some of the costs he does not think are reasonable. Some of the costs he feels that he would agree to pay if they were split half and half. Both parties could admit that costs were higher than anticipated. Even though the Federal government is probably going to pay 80% of the costs, it is still taxpayer dollars.

Mr. Howard explained that the geotech amount is \$8,110 that is one of their subs, based on how the contractor does his work. There is no way they could anticipate that. The \$5,793 for the increased lodging and \$3,640 plus the \$456 for the vehicle hours, for the increased mileage, roughly around the \$10,000 mark, and split that in half, is that what we're discussing?

The other was because the project went into 2024 and we had a salary increase of 5% for our staff. That is the first \$11,136. That was out of our control, it was based on how the county bid the project. It was delayed until it got started, which was a four- or five-month delay in start date, we had estimated 2023 rates and we ended up spending 2024 rates.

Jeff Reeves asked if the Board was going to approve the pay app. The Board agreed that they understood the pay app and would approve it. The Board thanked Mr. Howard for coming in again to meet with them.

The meeting recessed at 9:41 a.m. and reconvened at 10:22 a.m.

TOWN OF CROOK – Kirk Young, Trustee with the Town of Crook, explained that James Wettstein could not attend due to another commitment. The Town of Crook is requesting the county's assistance with their roads. The town recently sold their equipment and has depleted their resources and has no funds to maintain the roads. The roads are torn up because of a water main leak that began leaking in February. This was dug up last week and is still sitting like that

today. All the town's roads and alleys are full of potholes. People are complaining about their vehicles being torn up by the roads.

The previous mayor and other town council members took it upon themselves to circumvent town ordinances and have allowed building with no permits, even though building permits had been previously required. That's the revenue that the town operates on. The former mayor that just resigned, built a house in town without a permit. They decided, because they can't get an inspector to come out here, we just don't do it. The building permits require that the person obtaining the permit gets the inspector.

Mr. Young and the new mayor plan to ensure that ordinances and the building permits are reinstated in the Town of Crook. Mr. Young was concerned about a shed that was recently moved and is ready to fall into an alley. It was also not put on a foundation. Another concern mentioned was electrical work that's been done in someone's house, with no permits, and no inspections. Mr. Young feels like some of the people on the town board don't want people outside the town to know anything about what's going on.

Commissioner Sonnenberg asked when the road equipment was sold. Mr. Young said it was sold off within the last few years. He is trying to find out where all the money went from the sale of the equipment. He has talked with the former mayor, and former clerks, and there's also concern for other issues that have come to light. An alleged criminal case involves a former town clerk and the town's money. Mr. Young has talked with her. Apparently, she took the fall for that crime and admits to what she had done wrong, but she said that there's other things she wasn't responsible for. The mayor who resigned out of the blue during the investigation happened to resign after the clerk gave the District Attorney some information about other things that were going on.

Mr. Young asked for assistance in getting the town's roads in better shape as they do not have the equipment to do their own roads anymore. Commissioner McBride said that he would be OK with the County Road and Bridge Department helping with getting the town's dirt roads in better condition. He explained that the Town of Crook should be getting HUTF funds from the State. All the smaller towns in the county get the HUTF funds from the State to help with their roads. Mr. Young will need to find out what has happened with the Town of Crook's HUTF funds. Commissioner McBride also explained that they will want to contact CML. Commissioner Sonnenberg will give him contact information for CML. They will be able to get help from CML for the other issues that he has been describing. Finally, if there are any other criminal type elements, of course the Sheriff's Office, District Attorney or CBI would be options for that.

Commissioner Sonnenberg asked if he had access to minutes from previous meetings and the financial reports that had been approved. Mr. Young explained that one of the first things that they were asked to do was to sign off on an exemption from the audit for last year. Commissioner McBride stated that this has been done for Prairie Express as well. Debbie Unrein was asked what triggers the exemptions from audit. Debbie answered that it is the dollar amount of the budget that is the trigger.

Mr. Young stated that the Town of Crook had a couple of grants that were to help pay for a loan on their systems. For some reason, the mayor or the Town Board lost our grants with the USDA and another grant that they had, so they're now stuck with a \$700,000 bill that they lost grant funding on because of negligence on the behalf of the leadership in the town. Mr. Young was looking for assistance where they can get some grants and look to go forward in the community and possibly do some things.

Young also brought up that someone has purchased the VFW in town and has opened it as a private club. Once or twice a month around fifty to sixty cars show up, liquor is being sold without a liquor license and gambling is taking place. Commissioner McBride suggested that he report this illegal activity to State Liquor Enforcement.

The former mayor and town council sold off some of the town's land, and equipment. The pumps that the town ran to keep the water table from coming up were shut down and sold. Now people are having problems with water coming up in their crawlspaces.

The things that have been done don't make sense, other than it doesn't seem like they have been done for the good of the community. Mr. Young said he is going to propose at the next meeting that the Council put a freeze on the selling of any more assets unless it is an emergency situation, just because of what has taken place. Mr. Young was asked who the Town of Crook uses for an attorney. Mr. Young is looking into that. He and Mr. Wettstein were not given that information at the last meeting. The new mayor, Mr. Wettstein, was not given keys. The Town Clerk has not been back to work since the last meeting last Tuesday.

Commissioner McBride stated that the Town of Crook should have been receiving HUTF funds for their roads so they will have to figure out what has been happening with those funds. Commissioner Brownell asked Debbie Unrein if the county has been sending HUTF funds to the Town of Crook. Debbie stated that she has not been notified that the town has not been receiving the HUTF funds. Commissioner Sonnenberg said it is not shown in their audit, it's showing \$21,000 in property taxes, \$2,000 in special ownership taxes, \$105 in cigarette taxes and \$143 in delinquent taxes. Commissioner Sonnenberg later found an amount of \$9,217. in the audit. They did sell capital assets of almost \$25,000.

Mr. Young stated that the equipment was sold by bid. The people that purchased those things were all either employees or related to employees of the Town of Crook. They sold it to people that either they worked for on the side, or that they knew or were related to. All that stuff went for half price. One piece of equipment, for example, the resale value was \$16,000, and they let it go for \$8,000.

The town also sold some land. Mr. Glen Martinez proposed at the last meeting to sell another section of property in town. It is a section next to his house. Mr. Young wants to put a freeze on selling the town assets. The former mayor, and several other people agreed that they probably should not be selling everything off in the town with the concerns that are going on with this board.

Commissioner Sonnenberg said that the Board is happy to send a road grader up there when it can be worked in to grade the roads and get them leveled off for the town. The Board discussed solutions to fix the roads using a town fire truck to water down the roads after they are graded and used a smaller drag that can be pulled behind a pickup truck to maintain the roads in between times it is graded.

Commissioner Sonnenberg will email contact information for the Executive Director of the Colorado Municipal League to Mr. Young. CML will be able to help with information on grants on the sewer or water facilities. The Towns of Iliff, Merino, Fleming and Peetz have all had some interaction with new sewer facilities because CDPHE has required them to upgrade their facilities.

HB21-1110 (DIGITAL ACCESS LAW) COMPLIANCE PLANNING – This topic will be tabled until next week.

TELEPHONE SYSTEM PURCHASE REQUISITION – Debbie Unrein told the Board that she emailed Jerry Casebolt because she had questions on the telephone system purchase requisition. Some of the charges are monthly service charges. Silicone's bid would cost over \$43,000 in annual service charges. She wanted to confirm all this with Jerry first, but he's not responded. The Finance Department cannot get Kentec's bid to balance out. The Board will table this until next Tuesday, April 23, 2024 until Jerry Casebolt can be present. Commissioner Sonnenberg said he has been investigating some other systems and has had some emails that have come in.

There being no further business, the meeting was adjourned at 10:55 a.m.