

Joseph A. McBride, Chairman
Commissioner District Two

Byron H. Pelton
Commissioner District One

Jane Bauder
Commissioner District Three



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**OFFICE OF THE BOARD
LOGAN COUNTY COMMISSIONERS**
315 MAIN STREET SUITE 2
STERLING, COLORADO 80751

AGENDA
Logan County Board of Commissioners
Logan County Courthouse, 315 Main Street, Sterling, Colorado
Tuesday, April 2, 2019 - 9:30 a.m.

Call to Order
Pledge of Allegiance
Revisions to Agenda
Consent Agenda

Approval of the Minutes of the March 19, 2019 meeting.

Acknowledgment of the receipt of the Veteran's Service Officer's monthly report and certification of pay form for the month of March, 2019.

Unfinished Business
New Business

The Board will open bids for the purchase of a single axle chassis snowplow package dump/hydraulics/hitch for the Logan County Road and Bridge Department.

Consideration of the approval of Resolution 2019-19 opposing the passage of Senate Bill 19-181, concerning the oil and gas industry in Colorado.

Consideration of the approval of an Exhibit B#1309-19-01 to the Annual Peopleware Agreement by and between Computer Information Concepts, Inc. (CIC) and Logan County, Colorado, dated October 2018.

Consideration of the approval of an agreement between Logan County and Romeo Entertainment Group, Inc., to secure to be announced Friday March 29, 2019 at announcement party as entertainment for the Logan County Fair Night Show to be held August 10, 2019.

Consideration of the approval of Resolution 2019-20 amending Section 7.2, I. of the Logan County Zoning Resolution as Concerns Regulations or Camping Areas.

Other Business**Miscellaneous Business/Announcements**

The next meeting will be scheduled for Tuesday, April 16, 2019, at 9:30 a.m. at the Logan County Courthouse.

Executive Session as Needed**Adjournment**

March 19, 2019

The Logan County Board of Commissioners met in regular session with the following members present constituting a quorum of the members thereof:

Joseph A. McBride	Chairman
Jane Bauder	Commissioner
Byron H. Pelton	Commissioner

Also present:

Alan Samber	Logan County Attorney
Rachelle Stebakken	Logan County Deputy Clerk
Marilee Johnson	Tourist Information Center Director/County Public Information Officer
Dave Conley	Lodging Tax Board
Rob Quint	Logan County Planning and Zoning
Jerry Casebolt	Emergency Management Coordinator
John Chapdelaine	Community Foundation of Northern Colorado
Jeff Rice	Journal Advocate

Chairman McBride called the meeting to order at 9:33 a.m. The meeting opened with the Pledge of Allegiance. Chairman McBride asked if there were any revisions for the agenda. None were indicated.

The Board continued with the Consent Agenda items:

- Approval of the Minutes of the March 5, 2019 meeting.
- Appointment of John Iven to the Logan County Planning Commission and the Logan County Board of Adjustment.
- Appointment of Samantha Mahaffey as Logan County's representative to the Northeast Colorado Board of Health.
- Acknowledgment of the receipt of the Treasurer's report for the month of February, 2019.
- Acknowledgment of the receipt of the Sheriff's fee report for the month of February, 2019.
- Acknowledgment of the receipt of the Clerk and Recorder's report for the month of February, 2019.
- Acknowledgment of the receipt of the Landfill Supervisor's report for the month of February, 2019.
- Approval of an application for renewal of a Liquor Store License on behalf of Reata Liquors, Inc.

Commissioner Pelton moved to approve the Consent Agenda. Commissioner Bauder seconded and the motion carried 3-0.

Chairman McBride continued with New Business:

The Board held a public hearing to consider the approval of an application submitted by the Community Foundation of Northern Colorado for a Special Events Liquor License for an event to be held at the Logan County Fairgrounds on June 1, 2019.

- John Chapdelaine with Community Foundation of Northern Colorado answered questions the Board had about the event.

Chairman McBride, receiving no other comments closed the public hearing.

Commissioner Bauder moved to approve the application submitted by the Community Foundation of Northern Colorado for a Special Events Liquor License for an event to be held at the Logan County Fairgrounds on June 1,

2019. Commissioner Pelton seconded and the motion carried 3-0.

Commissioner Pelton moved to approve the Logan County Lodging Tax Board project for the Best Western In-Room Directory for \$416.00. Commissioner Bauder seconded and the motion carried 3-0.

Commissioner Bauder moved to approve the Logan County Lodging Tax Board project for the Volunteer Appreciation Banquet in the amount of \$2,500.00. Commissioner Pelton seconded and the motion carried 3-0.

Commissioner Pelton moved to approve a lease agreement between Logan County and Logan County Economic Development Corporation for the use of the Logan County Courthouse Annex for Community Co-working Space and authorize the Chairman to sign. Commissioner Bauder seconded and the motion carried 3-0.

Commissioner Bauder moved to approve a Contract between Logan County and Parr Sound and Lighting for provision of a stage/roof system, audio and lighting package to accommodate entertainment for the Logan County Night Show on August 10, 2019. Commissioner Pelton seconded and the motion carried 3-0.

Commissioner Bauder moved to approve agreements and transaction confirmation between Logan County and CenterPoint Energy Services, Inc. for delivery of natural gas requirements to Logan County Courthouse, Central Services Building and Road and Bridge shop facility and authorize the Chairman to sign. Commissioner Pelton seconded and the motion carried 3-0.

Commissioner Pelton moved to approve Resolution 2019-16 and an application for Subdivision Exemption on behalf of Charles Anthony Gerk and Lauren Elizabeth Gerk to create a 18.37-acre parcel from a 257.8-acre parcel in an Agricultural Zone in the Southeast Quarter (SE1/4) of Section 3, Township 8 North, Range 50 West of the Sixth Principal Meridian. Commissioner Bauder seconded and the motion carried 3-0.

Commissioner Bauder moved to approve Resolution 2019-17 and an application for Subdivision Exemption on behalf of Charles Anthony Gerk and Lauren Elizabeth Gerk to create a 10.57-acre parcel from a 257.8-acre parcel in an Agricultural Zone in the Southeast Quarter (SE1/4) of Section 3, Township 8 North, Range 50 West of the Sixth Principal Meridian. Commissioner Pelton seconded and the motion carried 3-0.

The Board opened bids for the lease of four shares of the Sterling Irrigation Company and the associated water delivery allocated by the Sterling Irrigation Company to those shares for the 2019 growing season.

- Martha Julia Klobberdanz - \$250/share with a total of \$1000.00 for four shares and an option of renewal for the year of 2020.
- Alan Gentz - \$300/share with a total of \$1200.00 for four shares and an option of renewal for the year of 2020 for \$1200.00.

Commissioner Pelton moved to award the bid to Alan Gentz for \$1200.00 for the lease of four shares of the Sterling Irrigation Company and the associated water delivery allocated by the Sterling Irrigation Company to those shares for the 2019 growing season. Commissioner Bauder seconded and the motion carried 3-0.

The Board will hold a public hearing at 5:15 p.m. Tuesday, March 19, 2019 at the Logan County Courthouse concerning Resolution 2019-18 declaring Logan County to be a Second Amendment Sanctuary County.

The next business meeting will be scheduled for Tuesday, April 2, 2019 at 9:30 a.m. at the Logan County Courthouse.

The Board will be in recess until 5:15 p.m.

Submitted by:

Rachelle Stepp
Logan County Deputy Clerk

Approved: April 2, 2019

LOGAN COUNTY, COLORADO

(seal)

By: _____
Joe McBride, Chairman

Attest:

Logan County Clerk & Recorder

**Logan County Commissioners Public Hearing
March 19, 2019**

Chairman McBride reconvened the meeting at 5:15 p.m. with the following members present:

Joseph A. McBride
Jane Bauder
Byron H. Pelton

Chairman
Commissioner
Commissioner

Also present:

Alan Samber
Jennifer Crow
Marilee Johnson

Logan County Attorney
Administrative Support Specialist
Tourist Information Center Director/County
Public Information Officer
Emergency Management Coordinator
Logan County Sheriff
Journal Advocate

Jerry Casebolt
Brett Powell
Jeff Rice

See attached list of 136 other attendees to the meeting.

The meeting opened with the Pledge of Allegiance.

Chairman McBride reviewed the rules for speaking at the hearing.

Commissioner Bauder welcomed citizens to the public hearing and explained what Resolution 2019-18 means regarding Logan County becoming a Second Amendment Sanctuary County. The resolution sends a message that the Logan County Commissioners are adamantly against HB 2019-1177. The public hearing is for the purpose of hearing testimony for or against Logan County becoming a sanctuary county.

Commissioner Bauder asked for a show of hand of those in attendance who were in support of Logan County becoming a sanctuary county. The majority of those attending were in support. Commissioner Bauder asked for a show of hand of those in attendance who were against Logan County becoming a sanctuary county. There were three persons who raised their hands. Commissioner Bauder then asked for a show of hand of people who wanted to testify at the public hearing. The Board gave each speaker a limit of four minutes to allow everyone who requested time to testify to do so.

Sheriff Brett Powell discussed the problems with HB 2019-1177, noting first of all that the proposed law is unconstitutional with respects to the 2nd and 4th amendments. Powell stated that the bill is not addressing the real problem which is the need for mental health treatment. People seeking treatment can't get the treatment they need. The state needs to focus on treatment of mental health issues and put more resources in to treatment options. He concluded by saying that he is totally against the Red Flag bill.

Commissioner McBride opened the public hearing for testimony.

Paul Unrein spoke in favor of the resolution.
Lori McKinzie spoke against the resolution.
Debra Clark spoke in favor of the resolution.
Alan Gentz spoke in favor of the resolution.

Donna Schuler spoke in favor of the resolution.
Paul Lambrect spoke in favor of the resolution.
Rachel Pickrel-Hawkins spoke in favor of the resolution.
Lane Phipps spoke in favor of the resolution
Ted Ehlers spoke in favor of the resolution
Rodney Daily spoke in favor of the resolution
Duane Muller spoke in favor of the resolution.
Sherrie Anderson spoke in favor of the resolution.
William Meyers spoke in favor of the resolution.
Larry Jackson spoke in favor of the resolution.
Alan Morton spoke in favor of the resolution.
Mike Hawkins spoke in favor of the resolution.
Kelly Blough spoke in favor of the resolution.
Dan Olsten spoke in favor of the resolution.

Chairman McBride closed the public hearing.

Commissioner Bauder moved to approve Resolution 2019-18 making Logan County a Sanctuary County, Commissioner Pelton seconded.

Discussion: Commissioner Bauder thanked everyone for their time and thoughts on Logan County becoming a Sanctuary County in order to send a strong message and a united front that Logan County citizens are adamantly against the bill. Our judicial system has always operated on the pretense that you are innocent until proven guilty, not guilty until proven innocent which is what is written into the proposed bill. The real problem needs to be addressed which is mental health. More funding and facilities are needed to address the mental health crises. Commissioner Bauder stressed that when she became County Commissioner, she took an oath to uphold the constitution which is her plan.

Commissioner McBride noted the numerous messages, e-mails, texts and phone calls he received concerning the issue. Opinions were voiced on both sides of the issue, however support has been overwhelmingly in favor of Logan County taking a stand against House Bill 2019-1177. Issues of concern are the problems with the Second Amendment, Fourth Amendment, Due Process and the mental health crisis. The bill has gone too far in scope and the ease of enforcement and of obtaining the order. A judge currently can issue an order based on a protection order. In addition, there is only one chance of appeal in a 365-day period.

Commissioner Pelton mentioned the oath he took upon entering the U. S. Navy in 1994 and the oath of office he took to represent everyone in the room. The House Bill infringes upon the inalienable rights of the citizens of Logan County. He also noted that there is a serious problem in Colorado with mental health. The Red Flag bills is masquerading as a remedy for the mental health crisis and it does nothing to provide treatment, respite care or an increase in resources to communities that fund and provide services to the people in need. The best way to prevent gun violence is to address the growing mental health crisis and not to limit the inalienable rights of the law abiding citizens of Logan County.

The vote on the motion on the floor carried 3-0.

There being no further business to come before the Board, the meeting adjourned at 6:17 p.m.

Exhibit – B#1309-19-01

Annual Peopleware Agreement by and between Computer Information Concepts, Inc. (CIC) and Logan County, Colorado, dated October 2018

PRODUCTS / SERVICES TO BE PROVIDED:

Description	Qty	Net
Hardware/Supplies		
Fujitsu Duplex, No Flatbed Scanner, 27ppm, ADF 8.5" x 14", 50 Page ADF, USB w/ Kofax VRS and Cable (11.41" W x 5.74" D x 5.11"H)	2	\$2,700.00
GOOD CUSTOMER DISCOUNT	1	(350.00)
CIC Installation/Configuration – DESKTOP Response – Two (2) Scanners (Hours)	4	600.00
TOTAL PRODUCTS / SERVICES NET PRICE		\$2,950.00

EXPENSES

Miscellaneous Expenses, i.e. travel, mileage, lodging, meals, etc., at cost, will be paid by Customer upon receipt of a separate CIC invoice.

ACCEPTANCE / PAYMENT TERMS:

To complete the ordering process, please:

Mail a signed copy of this Exhibit along with your initial payment of \$1,475.00 to 2843 31st Avenue, Greeley, Colorado 80631.

Your final payment of \$1,475.00 will then be due and payable upon our satisfactory delivery of the Products / Services.

SCHEDULED DELIVERY:

It is anticipated the Products / Services will be delivered / provided within ninety (90) days after CIC's receipt of the signed Exhibit and initial payment.

Failure to execute within twenty (20) days will render this Exhibit null and void.

By: _____
Computer Information Concepts, Inc.

By: _____
Customer

Exhibit Date

Acceptance Date

Joseph A. McBride, Chairman
Commissioner District Two

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Commissioner District One

Jane Bauder
Commissioner District Three



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**OFFICE OF THE BOARD
LOGAN COUNTY COMMISSIONERS**

315 MAIN STREET SUITE 2
STERLING, COLORADO 80751

**Logan County Road and Bridge
Single Axle Snow Plow Truck**

The Logan County Board of Commissioners is accepting sealed bids for the purchase of a single axle chassis snowplow package dump/hydraulics/hitch for the Logan County Road and Bridge Department.

1. It shall be the responsibility of the proposer to furnish all the necessary equipment materials and personnel to complete the project in an efficient, thorough and workman-like manner.
2. Bidder will provide proposed system, scope of work and engineering required. All proposals shall be submitted by mail or hand delivered to the Logan County Commissioners Office, 315 Main Street, Sterling, CO 80751 by 3:30 p.m., Tuesday, March 26, 2019. Said proposals will be opened at 9:30 a.m. Tuesday, April 2, 2019 at the Logan County Courthouse.
3. Any questions can be directed to:

Jeff Reeves, Logan County Road and Bridge Manager
Office: 970-522-3426
Cell: 970-520-6317
Email: reevesj@logancountyco.gov

The Board of County Commissioners reserves the right to reject any proposal and to accept the proposal deemed to be in the best interest of Logan County.

**BOARD OF COUNTY COMMISSIONERS
LOGAN COUNTY, COLORADO**

RESOLUTION

No. 2019-19

**A RESOLUTION OF LOGAN COUNTY BOARD OF COUNTY COMMISSIONERS
OPPOSING THE PASSAGE OF SENATE BILL 19-181,
CONCERNING THE OIL AND GAS INDUSTRY IN COLORADO**

WHEREAS, Colorado's economy is the best in the nation and job growth continues at a steady pace; and

WHEREAS, Colorado is a major energy-producing state, ranked fifth in the nation for natural gas production and seventh in the nation for oil production, according to U.S. government data; and

WHEREAS, our state's oil and natural gas industry supports more than 230,000 jobs and contributes more than \$31 billion in economy activity to the state; and

WHEREAS, Senate Bill 19-181 is the most extreme piece of legislation affecting Colorado's oil & gas industry in history; and

WHEREAS, SB19-181 is a de-facto ban on oil and gas development within Colorado; and

WHEREAS, there has been no stakeholder process, outreach, or due diligence on the impacts that will be felt by Colorado citizens, if SB19-181 is passed; and

WHEREAS, SB19-181 includes provisions that will stop permitting, remove all statewide protections, and require at least 6 rulemakings before development can proceed; and

WHEREAS, the oil & gas industry is a key economic driver for Colorado, and voters in 2018 clearly indicated they support oil & gas in Colorado; and

WHEREAS, SB19-181 will create financial hardships for Logan County families both in and outside the oil and natural gas industry.

NOW, THEREFORE, BE IT RESOLVED, that the Logan County Board of County Commissioners declares its opposition to SB19-181 and encourages the state legislature to hold a legitimate and all-encompassing stakeholder process before they decimate Colorado's economy.

APPROVED this 2nd day of April, 2019.

BOARD OF COUNTY COMMISSIONERS
LOGAN COUNTY, COLORADO

Joseph A. McBride, Chairman

Byron H. Pelton, Commissioner

Jane E. Bauder, Commissioner

I, Pamela M. Bacon, County Clerk and Recorder in and for the County of Logan, State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of the County of Logan and State of Colorado, in regular session on this 2nd day of April, 2019.

County Clerk and Recorder

RESOLUTION

No. 2019-20

A RESOLUTION AMENDING SECTION 7.3, I. OF THE LOGAN COUNTY ZONING RESOLUTION AS CONCERNS REGULATIONS FOR CAMPING AREAS.

WHEREAS, the Board of County Commissioners of Logan County, Colorado has the authority to regulate land use in the unincorporated areas of Logan County by adopting zoning regulations, and has existing zoning regulations which may be amended as provided in C.R.S. §30-28-116; and

WHEREAS, the Board of County Commissioners has determined that improvements can be made to existing regulations for Camping Areas to make the regulations consistent with applicable state regulations and to meet the needs of the community for different types of campground uses; and

WHEREAS, amendment of Section 7.3, I., Supplementary Regulations for Camping Areas, as provided herein, will serve the best interests of Logan County; and

WHEREAS, the proposed amendment of Section 7.3, I., Supplementary Regulations for Camping Areas, was reviewed by the Logan County Planning Commission and approved with a recommendation for adoption at its public meeting on March 19, 2019; and

WHEREAS, the Board of County Commissioners conducted a public hearing on the proposed amendment on April 2, 2019, at which time an opportunity for public comment and input was provided; and

WHEREAS, the legal notice of the proposed amendment, required by Section 11.1 of the Logan County Zoning Resolution, has been provided.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Logan County, Colorado, that:

1. Section 7.3, I., Supplementary Regulations for Camping Areas, **IS HEREBY AMENDED AND REPLACED IN ITS ENTIRETY**, as set forth in the form attached hereto and as recommended for approval by the Logan County Planning Commission, and shall become incorporated into the Logan County Zoning Resolution and shall become effective immediately from and after the date hereof.
2. Except as expressly amended herein, all other provisions of the Logan County Zoning Resolution remain in full force and effect without change.

ADOPTED on Tuesday, the 2nd day of April, 2019.

BOARD OF COUNTY COMMISSIONERS
LOGAN COUNTY, COLORADO

(Aye)(Nay)
Joseph A. McBride, Chairman

(Aye)(Nay)
Byron H. Pelton, Commissioner

(Aye)(Nay)
Jane E. Bauder, Commissioner

I, Pamela M. Bacon, County Clerk and Recorder in and for the County of Logan, State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of the County of Logan and State of Colorado, in regular session on this 2nd day of April, 2019.

County Clerk and Recorder

I. Camping Areas Subject to the Following Provisions –

Camping Areas consist of organized campgrounds or other recreation areas which are used for overnight stays by persons utilizing camping vehicles or tents, and who are temporarily engaged in recreational activities or are temporarily working in a transient area labor force. Camping Areas shall comply with the following:

1. The applicant shall submit a detailed site plan of the proposed camping area which shall show all improvements to be constructed within the area. Such plan shall be of a scale of at least one (1) inch equals fifty (50) feet, and shall include, but not be limited to: drainage methods, road access drives, parking spaces, camping spaces, sanitary facilities, sewage and refuse disposal system, service buildings (when required by state regulations), fire protection facilities, water supply systems and power systems.
2. Commercial facilities, such as a service building, when included or proposed as part of the camping area, shall be principally devoted to serving the users of the camping area and shall comply with the design requirements of Colorado Department of Public Health and Environment (CDPHE) regulations in all respects.
3. The area devoted to each camper space designed for **tent camping** shall be adequate to accommodate the following facilities and meet spatial requirements: Accommodations and facilities for fire pits, cooking and eating, if provided, shall be constructed and operated in accordance with requirements of CDPHE regulations; each camping space shall be provided with a well-drained, reasonably level tent site; the minimum on-center distance between tent sites shall be thirty-five (35) feet; Each space shall provide a graveled off-street parking space; adequate traffic-barriers shall be provided to confine vehicles to driveways and parking spaces.
4. The area devoted to each camper space designed for **travel trailers and/or camper vehicles** shall be adequate to accommodate the following facilities and meet spatial requirements: each space shall be provided with a graveled off-street vehicle and trailer parking space of length and width to accommodate the type of camper or trailer for which the space is intended to be occupied; accommodations and facilities for fire pits, cooking and eating, if provided, shall be constructed and operated in accordance with requirements of CDPHE regulations; adequate traffic barriers shall be provided to confine vehicles and trailers to driveways and parking spaces; and the minimum on-center distance between campers or trailers shall be thirty-five (35) feet.
5. Where required by CDPHE regulations, a potable water supply that is in compliance with the drinking standards of the CDPHE shall be provided in the camping area. Except as otherwise provided in CDPHE regulations, the water supply shall be capable of supplying fifty (50) gallons per day for each camping space lacking individual water connections

where faucets are provided in common and privies are used, and one hundred (100) gallons per space per day for each space provided with individual water connections and where flush toilets are used in the camping vehicle or in a service building. Unless individual water connections are available, each travel trailer or camper parking area shall be provided with one (1) or more easily accessible watering stations for filling trailer water storage tanks. Each tent camping area shall be provided with one (1) individual watering station for each four (4) camping spaces.

6. Where required by CDPHE regulations, sewage collection and disposal facilities shall be provided and properly maintained for the collection and disposal of sewage as specified in the regulations. Solid and liquid wastes shall not be discharged or otherwise disposed of on the surface of the ground or into any well, ditch, stream or reservoir. Sanitary waste stations shall be screened from other activities by visual barriers such as fences, walls or natural growth and shall be separated from any trailer or camper space by a distance of at least fifty (50) feet.
7. Where required by CDPHE regulations, sanitary facilities consisting of toilets, privies, lavatories, showers, and any associated service buildings shall be provided and installed in accordance with the regulations.
8. The storage, collection and disposal of refuse shall be performed so as to minimize accidents, fire hazards, air pollution, odors, insects, rodents or other nuisance conditions. Refuse containers shall be designed and installed as required by CDPHE regulations and refuse shall be collected and removed from the premises as specified in the regulations.
9. The principal business of the camping area shall be to supply parking spaces for travel trailers, camper vehicles and/or tent camping whose occupants are engaged in recreational activities such as fishing, hunting, hiking, boating or camping, or are temporarily employed in the local labor force. Travel trailers and camper vehicles accommodated shall not exceed forty (40) feet in length and eight (8) feet in width. The terms of accommodation for any travel trailer or camper vehicle within the camping area shall be limited to three (3) months.
10. Camping Areas are regulated by the Colorado Department of Public Health and Environment and local health agencies. The CDPHE regulations that apply will vary, depending on the type of camping area proposed – Primitive, Semi-Primitive, Semi-Developed, Developed, or Modern (all as defined by the regulations). If there is any inconsistency between the above provisions and the regulations of CDPHE, the requirements of the CDPHE regulations shall control. Upon submission of an application for a special use permit, the applicant's site plan will be referred to the state or local health agency having jurisdiction for review and comment. Prior to consideration for final approval of the permit, written documentation from such agency must demonstrate

that the site plan complies in all respects with the requirements of all applicable CDPHE regulations.

11. If the proposed camping area is located within a floodzone, a Flood Plain Development permit must be obtained prior to or in conjunction with the application for a Special Use Permit.