

**Logan County Commissioners Work Session
April 9, 2024**

Present: Mike Brownell, Joe McBride, Jerry Sonnenberg, Alan Samber, Kristan Lange, Debbie Unrein, Josh Klein, Connie Gassaway, Caitlin Baseggio, Tim Stahley, Peggy Stoltenberg, Sara Waite and Jennifer Crow.

Chairman Brownell called the meeting to order at 9:00 a.m.

APPROVAL OF MINUTES FROM PREVIOUS SESSION – Commissioner Sonnenberg moved to approve the minutes of April 2, 2024 as written. Commissioner McBride seconded, and the motion carried, 3-0.

REVISIONS TO WORK SESSION AGENDA – Commissioner Brownell added discussion with CSU Extension and Josh Klein has received correspondence from CDPHE that they are going to raise user fees at the landfill as of July 1, so we want to visit about that. Also, we want to discuss revamping the telephone system for the county.

REVIEW AND APPROVE SCHEDULE OF COUNTY BILLS – The Board met with Kristan Lange to review the Logan County schedule of bills dated April 9, 2024. All bills were approved as presented.

CSU REGIONAL ENGAGEMENT CENTER CINCO DE MAYO CELEBRATION – Peggy Stoltenberg and Tim Stahley of the CSU Regional Engagement Center met with the Board to discuss the use of the Courthouse Gazebo on Saturday, May 4, 2024. The group used the Gazebo for Cinco de Mayo last year with roughly 800 people in attendance. This year, they are looking for an even bigger and better event. Mr. Stahley invited members of the Board to come out to the event and requested that the Board waive the rental fees.

The event has been created to celebrate the Latin culture in our area. They will have a Mariachi band and some local youth that will perform as well, some local talent, some folkloric dancing, and some traditional style dancing. It will also be a kickoff event for a grant funded program that they have just received called Take Note. Take Note focuses on access to instruments and instruction for all K-12 students in Colorado. The point is to expose students to music education in ways that maybe they haven't been exposed before. It's not to replace music in K-12 and provide students with a with a cool opportunity. They will partner with Family Resource Center this summer to do that. The whole purpose of this is to have fun and celebrate our community.

The group is requesting the use of the gazebo for performances and that the Courthouse restrooms be opened for the day. The Courthouse square will be used for food trucks to serve affordable food, each one will highlight a different Spanish dish, at very affordable prices for families.

The CSU Engagement Center has been working a lot with Spanish speakers and trying to develop leaders in the community. They have had many of those leaders helping develop plans for this year's Cinco de Mayo celebration. Peggy Stoltenberg was told that there were over 20 home

business booths at the festival last year who have never had a vendor booth in Sterling or anywhere before. They felt comfortable enough because they are Spanish speakers, or they are Mexican or Latin owners and felt welcome. This is a place to bring them in to start interacting with the community and to start feeling welcome at something such as this.

There are people interested in doing an interpretation co-op that different businesses and organizations in the community can use.

There is no charge for the booth spaces for businesses at Cinco de Mayo. The Board agreed to waive the fees for use of the Gazebo for the CSU Regional Engagement Center and the Chamber of Commerce for May 4, 2024. The group would also like to use the Courthouse parking lot for bounce houses. This will be added to the reservation form agreement.

CDPHE LANDFILL FEE INCREASE - Josh Klein, acting Landfill Supervisor met with the Board. The Landfill has received correspondence that CDPHE will be raising the user fees from 35 cents per cubic yard to 39 cents per cubic yard. This will calculate out to \$1.30 per ton. The only reason given by CDPHE was because fees have not been increased since 2010.

The funds are used for CDPHE administration. Josh provided landfill records from two of the use quarters from 2023. The second quarter would have cost customers an extra \$1,039.13 and the third quarter would have cost an extra \$1,344 roughly using the new fees. The user fee is passed along to landfill users.

Commissioner Brownell said that he was reading the City of Sterling, Logan County IGA. The City of Sterling pays the CDPHE fees as well. Marick's, Waste Management, and residents will all pay the fee. Josh said that they plan to put a letter in this month's statements about the rate increase. The Board will need to adopt a resolution with a new revised fee schedule. Josh will prepare the new revised fee schedule to attach to a resolution for the next meeting.

NORTH STERLING INLET/NORTH STERLING IRRIGATION DITCH HEMP BALES CLEANUP – The Board has received complaints about the plastic deteriorating and coming off of the old bales of hemp and blowing in the irrigation ditches. Then there was discussion about the rumor that they had buried some of the plastic. Is there something they need to do to get that cleaned up, or is that more responsibility?

Commissioner McBride commented that the biggest complaint that was mentioned when they were dealing with it at that time, was it an illegal dump site? Josh Klein answered, yes, it is an illegal dump site. If it is, then it is a CDPHE problem.

Alan Samber wrote a letter to the Lebsocks four years ago instructing them to remove the plastic and dispose of it properly by the deadline which has now expired.

The property owner is unknown now because the LLC is in bankruptcy, and it is still ongoing. There is no avenue for the county to be able to recoup costs if the county went in and removed the plastic.

The complaint was that the plastic was blowing around and ending up in everyone's yards and in the irrigation ditch. However, the complaint was not from the irrigation ditch company or North Sterling. It is deteriorating, it is going to get worse, the plastic that is wrapped around the bales in the weather, and in the sun. Commissioner Brownell suggested that the plastic that is blowing around might be the weed barrier that they put in the fields. Matt Chrisp had photos.

There are two different situations, the one near Highway 14 the white, small round bales, neatly wrapped, neatly stacked. Alan Samber stated that he hasn't noticed plastic blowing at the Highway 14 location. He thought that this complaint pertained not to the bales, but to the location northeast of the old landfill, next to the intake to the reservoir.

Commissioner McBride noted that the wrapped bales were the main complaint, the safety issue for those that the Board agreed that they did not want to get involved with. The safety issue what is growing on those is growing on every agricultural product and underneath dead leaves in your yard. This is the first complaint that has come back up since the first issue.

Under the zoning rules, you can store junk on your land if it's agricultural property. When you enforce zoning rules for outdoor storage of junk you can get a court order and require clean up if it's not agricultural property. If they are burying the plastic underground, the county can get CDPHE involved due to solid waste disposal laws. They were supposed to get an engineering approval from CDPHE approving their burying of junk on their property. But if there's things blowing around, he said their attempt was to not permanently dispose of it there. If you read the statements in the Commissioners Work session minutes, they just tried to store it there and keep it there until they figured out a financially viable way to get rid of it.

Commissioner Sonnenberg noted that he is reluctant to do anything at this time. Commissioner McBride commented that when this first came up a couple years ago, the complaints were that plastic was blowing across the road and causing issues, but he has not heard of any issues recently. The Board agreed to monitor the situation for the time being.

SEH AMENDMENT – The Board discussed the SHE contract amendment. SEH still has grant paperwork to tie up with CDOT. The Board questioned how they did not plan for the mileage from Sterling to the job site? On personal jobs, if there is an overage and they screw up, you just don't do business with them again. you are stuck with it. SEH was hired through a bid process. The next time a bid comes in, you don't do business with them. Debbie Unrein joined the meeting. There will be three or four more weeks' worth of work until the project is done. The grant is an 80/20 split. Engineering costs are a part of the grant. The grant will not cover the overages of this contract. The grant didn't cover the full amount of the project because of the delays.

The Board asked how difficult it would be to put a cost allocation report together for the project. Debbie Unrein stated that she tracks all expenditures and the grant income for the project for CDOT. The grant will not cover the overages of this contract. The grant didn't cover the full amount of the project. The first construction bids came in very high, so they re-wrote the grant application to ramp up the grant amount. Then the project took so long to get started. It went from 2019 up until last year just paying engineer fees. That is a very long time. The total cost of this project is over \$4 million dollars due to the project being over such a long period of time and several grant application revisions.

Commissioner Sonnenberg asked if the budget overruns were part of their calculations and were partly SEH's fault as well. Did they underestimate what the project would cost or underestimate the cost of inflation. They should feel as much of this pain as the county feels by paying more for the project. From his perspective, they should have to "eat some of this as well."

The Board believes that SEH would negotiate a discount on some of the overages. Inflation was hard to predict. The county should not have to pay for all of that because they didn't calculate some of it. They should have to bear some of the costs, because we relied on them to anticipate the costs.

Debbie did not disagree; however, she reminded the Board that this is a federal grant. CDOT must sign off on the grant and the paperwork must be submitted to CDOT by the engineer in order for the county to receive the grant funds. If they don't finish the project, we won't receive our funds.

Commissioner Sonnenberg will have a conversation with Jeff Reeves about the matter further.

HB21-1110 (DIGITAL ACCESS LAW) COMPLIANCE PLANNING – Commissioner Brownell had a discussion with Jerry Casebolt about the law yesterday. Jerry is attending a conference in Colorado Springs today to try and find out more about it today. Diana Korbe forwarded some emails she was receiving from other counties through her listserv to Alan Samber. A lot of counties are using or hiring a consultant to help figure out what IT changes need to be made to be compliant with that law because it is complicated.

Commissioner Brownell mentioned Premier Farm Credit hired an IT expert to look at their website to get their website into compliance. It was not as expensive as they thought it was going to be.

Jerry had mentioned that the someone at the Sheriff's Office had made their website. He can make some changes, but he thought that they will have to start over to make it compliant. Some of the things that Pam Bacon is doing with digital records, the old records, microfilm we do not know how to make that compliant. The county would benefit by having a consultant.

Jennifer applied for the grant from SIPA that will help purchase the software to help convert the pdf documents which is time consuming. According to the emails Diana was forwarding, many of the counties are deleting the pdfs from their websites. They are reducing the amount of content

that's got to be made compliant. The grant amount is \$5,000 for up to 25 licenses. The application wanted to know the number of licenses that were being requested. Jennifer requested three licenses, one for the Clerk's Office, one for the Assessor's Office and one for the Commissioners' Office.

TELEPHONE SYSTEM – Jerry Casebolt dropped off a purchase requisition for a new telephone system. The Department of Human Services already has telephones that will work with this system. To get telephones for the Sheriff's Office, Road and Bridge and everything at the Courthouse the phone purchase will be a one-time cost of \$21,910. The plan would cost approximately \$5,669.20 per month which would cover all the long distance and the E911 surcharge for all the phone lines. Commissioner McBride commented that it wasn't budgeted for, and asked if it would come from the contingency line item and if it was the lowest bid. Debbie Unrein said that he also budgets a large amount for network repairs that doesn't always get spent, she could charge it to that line.

Commissioner Sonnenberg was trying to locate the emails from December where this was discussed that it was going to cost us very little to make that change. Debbie Unrein said that the last work session minutes we have, Jerry Casebolt was supposed to provide Commissioners with more information, mostly about the Sheriff's system and he needed to get back to you so maybe he did all of that through email and got the approval through the emails.

Commissioner Brownell said that something must be done with the phone system at the Justice Center because they are band-aiding it together. There are a couple of phones out there they can't use because they are obsolete. Apparently, the system that runs it is on its last legs. Commissioner Sonnenberg said the quote was \$20,000 in December. The purchase requisition quotes are dated 3/21/24. The \$5,669.20 is telephone service for the entire county, including domestic telephone numbers and E911 service charge. Then it breaks it out by the Sheriff's Office at \$2,267.15 per month, for those same items; \$1,067.15 per month for the Courthouse and Road and Bridge \$1,101.30; for DHS assuming that includes Extension and the Attorney's Office at \$1,233.60 per month.

Debbie Unrein said that there is \$6,500 budgeted for the year in telephone support. The Board would like more information. They understood the phone purchase but did not anticipate the \$5,669.20 monthly charge. The Board asked Jennifer to put this on the Work Session agenda next Tuesday and ask Jerry Casebolt to attend. Commissioner Sonnenberg questioned the Aspen Leaf contract in the amount of \$469.50. Commissioner Brownell will meet with Jerry when he returns from the conference he is attending so that he can be prepared to discuss the purchase requisition and Aspen Leaf contract with the Board.

STATE BACKFILL MONEY - Debbie Unrein reported that the State is sending the county backfill money for property taxes. Last fall, it was not certain that the county would get the funds, so it was cut out of the budget. It should be around \$600,000 and should be coming any time. According to DOLA, it is not property tax, it's a grant from the state for backfill. She asked the

Board what they would like done with the money. Commissioner Sonnenberg recommended that it be put in reserves for next year.

WINDSTORM DAMAGES AT THE FAIRGROUNDS – The Board discussed wind damage to the livestock pavilion at the fairgrounds. Approximately 60% of the pavilion roof is laying on the ground on the side of the building. An insurance claim will be filed for the pavilion roof and any other buildings with storm damage.

There being no further business, the meeting was adjourned at 10:06 a.m.