

**Logan County Commissioners Work Session  
August 20, 2019**

Present: Joe McBride, Jane Bauder, Byron Pelton, Alan Samber, Valerie Richards, Kristan Lange, Don Saling, Jeff Rice, Rob Quint, Marilee Johnson, Brittny Lewton, Dave Long and Jennifer Crow.

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

**APPROVAL OF MINUTES FROM PREVIOUS SESSION** - Commissioner Bauder moved to approve the minutes of the August 13, 2019 work session as written. Chairman McBride seconded, Commissioner Pelton abstained as he was not present and the motion carried.

**REVISIONS TO WORK SESSION AGENDA** - Commissioner Pelton added an item about CCI Legislative Paperwork.

**REVIEW LOGAN COUNTY DEPARTMENT OF HUMAN SERVICES SCHEDULE OF BILLS** - Valerie Richards met with the Board to review the Logan County Department of Human Services schedule of bills dated August 20, 2019. The Board approved all bills as presented. Valerie Richards asked the Board to sign corrected forms for July 30 and August 13, as they were misprinted. The corrections were signed.

**REVIEW LOGAN COUNTY SCHEDULE OF BILLS** - Kristan Lange met with the Board to review the Logan County schedule of bills dated August 20, 2019. The Board approved all bills as presented.

**REVIEW OF BUSINESS MEETING AGENDA** - Alan Samber presented an amendment to Ordinance 2019-1 due to recently adopted legislation. The definition of OHV will be amended in Section 1 of the ordinance.

**ECONOMIC DEVELOPMENT PLAN** - The Board has not heard anything from Peggy Michaels on the proposed tax rebate.

**COUNTY OWNED PROPERTY COUNTRY CLUB HILLS SUBDIVISION** - Commissioner Pelton noted the Board's agreement with the Country Club Hills HOA. The land can't be sold. Alan Samber is still waiting on a map of all the properties in Country Club Hills. Commissioner McBride will get with Rob Quint to get the map done.

**HOUSING FOR WORKERS** - There is nothing new to report on the housing. Apparently there are programs available to assist artists. Karen Torres of the CSU Engagement Center was to share information. It was discussed that in further phases down the road, it might be a nice addition to the co-working space. There would certainly be issues with parking if it was to be made into dormitory rooms, etc.

**SILENT RAILROAD CROSSING** - A meeting has been scheduled for September 9, 2019.

**CCI LEGISLATIVE COMMITTEE** - The Board approved Byron Pelton to be Logan County's representative to the CCI Legislative Committee.

The meeting recessed at 9:12 a.m. and reconvened at 9:50 a.m.

**DISTRICT ATTORNEY 2020 BUDGET BRITTONY LEWTON** - 13<sup>th</sup> Judicial District Attorney Brittony Lewton met with the Board to update the Board on the District Attorney's Office and discuss the 2020 budget request.

The Board briefly discussed the lease purchase of another vehicle for the department. The Board agreed to a new lease purchase as the former lease was paid off in March. Ms. Lewton will send the make, model, and year to Alan Samber so that he can prepare a new lease.

Ms. Lewton reported that Logan County's case numbers are higher than has ever been seen by far. Logan County has 405 felony cases pending for this year so far. This is double the number of cases last year at this time. This is compared to Morgan County with 227 cases so far this year. Most of these cases are not DOC related cases.

In discussing trends in the district, Lewton noted from 2005 until 2010, Logan County case numbers never went above 275 felonies. Since 2010, in all but one year Logan County has ended the year with more felonies than Morgan County.

Currently there are two homicides in Logan County. Kit Carson County has had two homicides and Morgan has had one homicide. Both Morgan and Logan Counties have a first degree murder case which are more intensive. There are many cases, including lots of sex assaults on children

Reasons for the jump in the number of cases can be attributed to the bond schedules that the judicial system and the legislature has put into place. Many of the offenders are released on PR (personal recognizance) bonds. A number of those released go on to become repeat offenders as there is no incentive to stay out of trouble. This is happening district wide.

There are not so many opioid cases as meth cases. Meth is still huge in the district. Lewton told the Board that in March 2020 every possession of any drug and of any weight except over four grams will be a DM or Drug Misdemeanor which will not get any sentence other than probation. This is due to the county courts case loads and overcrowding of jails. District Court has a Drug Court which is post conviction and is working well. County Court does not have the benefit of a Drug Court. Logan County Court is not prepared for the increase in drug misdemeanors and there is nothing that can be done about that.

There are a number of DOC cases and they do not only file the most serious cases where assault on officers occur. There is a trial starting on Monday for an inmate who was in the facility and had planned an escape with a couple other inmates. DOC pays for their own cases at \$65 per hour for lawyers and \$35 per hour for staff.

An across the board two percent increase is being requested with the 2020 budget amount for Logan County going from \$501,640 in 2019 to \$511,673 for 2020. The budget includes funds for another staff member in Logan and one in Morgan County. Ms. Lewton reported that she recently gave pay increases for both staff and attorneys as there have not been raises in a number of year.

There are twelve staff members in the Sterling Office and they still could use one more district court attorney. Washington County is in the same boat however there are not as many violent

crimes, but they are double the number of cases compared to where they were at this time last year.

Lewton stated that she tries to be as conservative as possible with the budget. They look for scholarships for trainings when available and they also host trainings for law enforcement personnel. The DA's budget is 95% "people". Lewton is working on an updated organizational chart will be more detailed about what each person does. Each attorney is doing multiple functions at any one time. There is no one dedicated to one area.

E-discovery is going great. The cost is \$2,700/month and price has not increased. The tech company they are using is Biotech out of Lafayette. They monitor everything 24/7 and can tell when one of the servers go down. They have backup servers and off-site third party backup servers. They take care of day to day IT services for the whole department.

The drug issue is a perfect storm with everyone getting out on a PR bond. If three days later they violate a protection order, they are released on PR bond again. The judges are being told they have no choice. They have a mandate.

Meth is a mental addiction, it is not a physical addiction. Meth use gives a euphoric moment or "happiest moment in your life" feeling that people will chase after again and again. Science has discovered that nothing will make you happy again after meth use. There are a lot of child abuse cases, not necessarily that they are physically abusing the children, but they are being kept in deplorable conditions, filth, etc.

The DOC work release program was discussed. Lewton was not consulted or informed of the program ahead of time. The program has now been suspended for various reasons. Inmates were from other prisons and did not want to do the work. The inmates were the "best of the worst" inmates who were set to be released. Lewton stated that most people don't know that offenders don't reach their mandatory release date unless they have already been paroled once and messed up again.

Brittney Lewton mentioned that the Logan County Department of Human Services is far and above the best department of human services in the 13<sup>th</sup> Judicial District.

## **OPIOID AND OTHER SUBSTANCE USE DISORDERS INTERIM STUDY**

**COMMITTEE TESTIMONY REVIEW** - Dave Long joined the meeting to review the testimony that he and Commissioner Pelton gave before the Opioid and Other Substance Use Disorders Interim Study Committee last week in Denver. Mr. Long noted that the committee has been meeting for about three years. This is the first time that the committee has heard from local people. Mr. Long noted that Commissioner Pelton is to be congratulated for raising the concerns about drug problems in the eastern district counties with the Governor's staff, to legislators Senator Jerry Sonnenberg and Representative Pelton, and others to illuminate the true facts. Mr. Long has listened to prior committee meetings and heard what good things were happening at the state level and people were given the perception that things were doing well with the delivery of services. The committee was told that things are not as good at the ground levels.

Commissioner Pelton testified to the committee specifically about methamphetamine which is the biggest issue. Four out of six regions in Colorado reported that methamphetamine was the biggest issue they face. Opioids have made the news but methamphetamine has been the

problem in many regions in Colorado especially Logan County. Mr. Long stated that with opioids it's an easy fix, you cut off the supply via doctors and manufacturers and it's done. With meth, there's no way to stop the supply, and no treatment that works.

They explained that the perception is that meth use has gone down because the meth labs have dried up. However, Mexico has flooded the market with meth manufactured cheaply in meth factories. The Mexican cartels have gotten so good at producing meth that they have put domestic meth labs out of business. Changes in the laws that made it so that large quantities of Sudafed certain medicines could not be bought made a big difference.

Last year the D.A.'s office in concert with the DEA and the FBI took down 25 people in a large meth organization between Yuma and Kit Carson Counties who were directly linked to the Mexican drug cartels.

Dave Long noted that several counties have joined together to make recommendations to the committee. There are a number of issues that can be addressed through legislation that can't be addressed any other way than through legislation. The testimony was eye opening for the committee and it is interested in looking into further on what is going on on the ground.

It was suggested to the committee that Managed Service Organizations that manage the Federal and State Substance Abuse funding by regions, be eliminated and redirect the funding to mental health centers. Counties can put the federal money to better use towards mental health issues.

Commissioner Pelton discussed expediting approval of the Federal 1115 waiver with Cory Gardner's staff member Darlene Carpio. The waiver allows rural hospitals to offer detox, rehab and mental health therapies located in the same facility and to be reimbursed by Medicaid for services. This would greatly expand access. Security is also an issue. Health care facilities cannot afford an officer to stay and watch a person in detox all hours.

The Committee was surprised about their testimony about how things aren't working. They were excited to hear what was going on "on the ground" but dismayed to hear about the problems. The understanding at the Denver level was that because there were so many fewer meth lab busts their thought was that was evidence that the problem was going away. This is the perception of the general population, but also the perception of the people on that legislative committee. Lewton noted that there aren't the meth labs anymore, however what we do have is lots of people transporting a "lot of weight" in the Mexican meth. The Committee was surprised to hear that meth is a huge problem here and number of removals of children by law enforcement and placement by DHS into foster care and courts. There were 43 children removed from homes last year totally related to meth use as a direct cause.

Commissioner Pelton is a member of the state CWAC (Child Welfare Allocation Committee). He and Mr. Long have been able to influence a change in the allocation of child welfare funds and the formula for dealing with the state's unexpended child welfare dollars. The state has looked at how they deal with their unexpended child welfare dollars differently which is helping the smaller counties.

**ADJOURNMENT** - There being no further business to come before the Board, the meeting adjourned at 11:00 a.m.