

**Logan County Commissioners Work Session
December 10, 2019**

Present: Joe McBride, Jane Bauder, Byron Pelton, Alan Samber, Valerie Richards, Kristan Lange, Jerry Casebolt, Marilee Johnson, Cyndi Vandembark et al, Lori Shot, Jeff Rice, Dave Tennant, Bruce Lawlor, Harry Katz, Thomas Birney, Doug Mahan, Rob Quint and Jennifer Crow.

Chairman McBride called the meeting to order at 9:30 a.m.

APPROVAL OF MINUTES FROM PREVIOUS SESSION - Commissioner Bauder moved to approve the minutes of December 3, 2019. Chairman McBride seconded and the motion carried.

REVISIONS TO WORK SESSION AGENDA - Commissioner Pelton asked for discussion of the Western and Rural Local Government Coalition. Cyndi Vandembark would like to discuss wind farm concerns.

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 December 10, 2019. The Board approved all bills as presented.

REVIEW LOGAN COUNTY SCHEDULE OF BILLS - Kristan Lange met with the Board to review the Logan County schedule of bills dated December 10, 2019. The Board approved all bills as presented.

REVIEW AND APPROVAL OF BUSINESS MEETING AGENDA - The Board reviewed the business meeting agenda for December 10, 2019.

WIND FARM CONCERNS - Cyndi Vandembark discussed her concerns with the wind farm expansion and/or replacement of wind turbine blades with longer blades. She expressed concerns that landowners who do not benefit from the placement of the turbines have no say in the placement of the towers. Ms. Vandembark presented research on health concerns related to the wind turbines being in close proximity to homes and asked the Board to place an 18 month moratorium on new wind farms and wind turbine blade replacements.

OPEN ROPING ON SUNDAYS - Lori Shot met with the Board on behalf of a request made by Mike Goss to request that the Board open the Exhibit Center for youth roping on Sundays. Several families have high school students in the Colorado Junior Rodeo Association who travel to events. They would like to practice on Sundays in the Exhibit Center. Participating in open riding on Saturdays is hard for the students and their families as they are involved in sports. Mr. Goss is willing to bring in calves for the kids to rope. They will not need the arena worked as it will be worked for Saturday open riding.

The Board agreed give the Sunday hours a trial period. This is to be for youth roping only. Cleanup of manure in the roping chute and alleyway is expected of the group. This will start on December 15 and continue until April. Families must purchase passes to be eligible to rope. Mr. Goss will notify Chance in advance if they do not plan to rope.

The meeting recessed at 9:30 a.m. and reconvened at 9:45 a.m.

SILENT RAILROAD CROSSING - No update.

SUNSET MEMORIAL GARDENS - Bruce Lawlor and Dave Tennant joined the meeting. Prairie Moon has signed an agreement to transfer ownership of the cemetery to Logan County. The agreement will be placed on the Board's agenda for next Tuesday. If approved, formal transfer of title of the land will take place December 31.

Proposed rules for the cemetery are basically the same as the rules for Riverside Cemetery. There are some benches allowed in locations that don't interfere with mowing operations.

2020 CENSUS - Training for the Complete Count Core Committee will take place Friday, December 13 at 9:00 a.m. at the Courthouse.

WESTERN AND RURAL LOCAL GOVERNMENTS COALITION. - Commissioner Pelton noted that John Becker discussed this in the CCI Eastern District meeting. Concerns were presented about proposed revisions to regulations. The small operators society would like to join in to be able to go and protest rule makings in Oil and Gas Commission.

ECONOMIC DEVELOPMENT - Chairman McBride distributed a draft Economic Development Incentive Policy. The policy is a guideline for incentives for economic development. Copies were given to the Treasurer and the Assessor for feedback.

History of the area is discussed as well as the enhanced amenities available in Logan County. Incentive guidelines can be changed and improved if necessary. Business eligibility includes creation of five new jobs or an increase of 10% but not less than two new full time employees over the base number of people employed at the facility. Year One, Zero in Taxes was discussed. The business personal property tax credit was increased to \$7,700 up to a maximum of \$25,000 actual value of personal property. Small towns are included in the plan and property tax incentives may be increased in those areas if allowed by statute. Licensed daycare incentives, and a facade improvement program are included in the program. Free Range Tourism highlights efforts to develop tourism and agritourism opportunities in the rural area. Alan Samber will review for statutory permission on the tax credits.

The Board agreed to review the history, amenities and Year One Zero in Taxes pages for discussion at the work session next week.

FEMA PROPERTIES NOT IN COMPLIANCE - Harry Katz, Thomas Birney, Doug Mahan, of FEMA and Rob Quint joined the meeting. A list of properties in Logan County that are non-compliant with the FEMA flood plain development permitting process was discussed.

A history of the county's adoption of the flood plain regulations was reviewed. Rob Quint noted that in 2013 Logan County had not adopted the flood plain regs. He worked with FEMA through the process which took about a year to adopt the flood plain regulations. Then he worked on flood plain development permit in which was put in place in 2017. Logan County had no flood plain regulations prior to that. Thomas Birney noted that Logan County joined the National Flood Insurance Program in 1989. It was the first time the community had flood insurance available. When counties join, they submit a form with a resolution stating that the county is

voluntarily joining, and at the same time adoption of a flood plain ordinance should take place. FEMA would not allow a community to join unless ordinance adopted.

In 2013, the state set higher standards and regulations for the floodplain, modifying what already existed. Logan County did not have an option and had to adopt the higher standards.

Joining the flood insurance program benefits the community as national flood insurance is available to residents if they live in a flood plain and if disaster occurred where Logan County became eligible for federal aid. If the county decided to withdraw, it would lose the eligibility for the insurance, and would not be eligible for federal grants. FHA and other federally backed mortgages require flood insurance. Many lenders require flood insurance. Private flood insurance varies because it is not federal program, and it is often more expensive.

Several of the properties listed as flood plain non-compliance properties were discussed. Some of the properties do not have paperwork completed, such as an elevation certificate.

Another of the properties was red-tagged and required to construction and obtain an engineer's permit. This property-owner has never complied and has not provided any engineering information or a flood elevation certificate, although it is believe that he did obtain the certificate.

FEMA would like the county to bring non-compliant structures into compliance to the greatest extent possible. The county's flood plain ordinance should contain provisions for enforcement.

An elevation certificate will show options to bring the property into compliance. Some of the properties may need a simple solution such as building one or two feet above grade. One of the properties in question was built on a slab two feet below grade and is illegal. It was not properly permitted and does not have a certificate of occupancy. FEMA officials discussed a building code for CO enforcement section. The flood plain ordinance should have a \$100/day fine. Some communities do use this in court. Counties can issue a "1316 blackball" so that a property cannot obtain flood insurance. No federally backed bank loan will be available on the property.

One of the property owners did go through the process to acquire a flood plain certificate but will not provide it to the county. The property owner does not allow anyone on the property. It was discussed that the property owner built a substantial addition on the property which was not permitted.

Another property had a variance issued by a prior Board of Commissioners for a basement in the floodplain. The property-owner did not have flood plain permit done. They did a flood study which required the structure to be raised 3". The full basement will present an issue. There are ways to bring the property into compliance such as filling in the basement. FEMA has very specific crawl space specifications. There is the 1316 option to use as a last resort. It is believed that the property owner will not follow any of the recommendations.

The Board asked what date the new maps will be issued. The maps are not in appeal now however may possibly be in appeal in January. Adoption is anticipated in 2021. The Board will work with Rob Quit to get the properties into compliance.

Rob Quint asked if the county needs floodplain development permits for work on county roads. Permits are required if the road is in a floodplain area. The Road and Bridge Department does need to apply for the flood plain development permits. FEMA flood plain development permits are necessary for any man made changes. It depends on the zone as to what is required for the permit. The county ordinance should lay the requirements out. Flood plain development permits do not always require engineering.

In an emergency, temporary repairs can be made. Permanent repairs will require that a permit be issued. This is only if the road is within the FEMA designated flood plain.

PLATINUM - Alan Samber was asked to review the current IT contract with Platinum Technology. Sixty days notice is necessary to Platinum if the contract will not be renewed. The current contract expires February 22, 2020.

RICK AND KATIE BARKLEY GRAVEL PIT - Jeff Reeves looked at the Barkley property a year ago concerning a potential gravel pit south of Fleming. He liked the pit material. The Barkleys have asked about the process for permitting. Engineering and surveying needs to be done to set boundaries. A State Mined Land Reclamation permit is necessary as well as a county Special Use Permit.

PUBLIC COMMENT DURING WORK SESSIONS - The Board discussed a format to allow for public comment during work sessions. It appears that Ms. Vandebark will be returning to future meetings to discuss the wind farm issue. An application has not been received for an actual project. If an application is submitted, due process requires that the Board cannot hear comments from the public outside of the public hearing. Discussion will need to stop if an application is received. The research will need to be presented to the Planning Commission Board as part of the permit process.

OFFICE OF EMERGENCY MANAGEMENT - Jerry Casebolt discussed the winter storm that occurred last week. Roads were closed and hotels were full with many people stranded. The Super 8 motel and the Ramada let them utilize their banquet rooms. The Red Cross would not open up shelters for Logan or Morgan Counties. There were 380 people stranded at the Elks Lodge and various churches.

Casebolt is working on MOUS with shelters. Warming centers or areas are needed. The Super 8 is willing to participate. Carol Brom is still the area lead for Red Cross. She was on board for opening the shelters, however the Greeley Red Cross division did not want to do it. Jerry talked to the Board about using the DeSoto building as a warming center. Lee Ann Lambert at the Extension Office schedules the building with approval necessary through the DeSoto Building Board. The DeSoto Building Board would need to be involved in the approval process.

ADJOURNMENT - There being no further business to come before the Board, the meeting adjourned at 11f:30 a.m.