



**AGENDA**  
**Logan County Board of Commissioners**  
**Logan County Courthouse, 315 Main Street, Sterling, Colorado**  
**Tuesday, December 19, 2023 - 9:30 a.m.**

**Call to Order**  
**Pledge of Allegiance**  
**Revisions to Agenda**  
**Consent Agenda**

Approval of the Minutes of the December 5, 2023, meeting.

Acknowledgement of the receipt of the Clerk and Recorder's report for the month of November, 2023.

Acknowledgement of the receipt of the Landfill Supervisor's report for the month of November, 2023.

Acknowledgement of the receipt of the Sheriff's fee report for the month of November 2023.

**Unfinished Business**

**New Business**

Consideration of the approval of Resolution 2023-39 allocating funds to be received upon the dissolution of the Logan County Water Conservancy District.

Consideration of the approval of a Logan County Lodging Tax Board Project for the 2024 Visitor's Center Budget in the amount of \$11,800.00.

Consideration of the approval an agreement between Logan County and the Colorado Department of Transportation (CDOT); the United States Department of Transportation, Federal Highway Administration – Colorado Division (FHWA); and the U.S. Department of the Air Force, Warren Air Force Base, Cheyenne, Wyoming (USAF) for extraordinary snow removal on missile defense access roads.

**Other Business**

**Miscellaneous Business/Announcements**

County offices will be closed Friday, December 22 through Monday, December 25, 2023 for Christmas.

There will be a special meeting scheduled for Tuesday, December 26, 2023 at 9:30 a.m. at the Logan County Courthouse.

**Executive Session as Needed**  
**Adjournment**

December 5, 2023

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

Jerry A. Sonnenberg	Chairman
Joseph A. McBride	Commissioner
Mike Brownell	Commissioner

Also present:

Alan Samber	Logan County Attorney
Rachelle Stebakken	Logan County Deputy Clerk
Marilee Johnson	Logan County Public Information Officer
Jerry Casebolt	Logan County EMS
Debbie Unrein	Logan County Finance/Budget Officer
Lavon Ritter	
Caitlin Bassegio	
Russell Adels	Renaissance Insurance
T. Scott Kennedy	Renaissance Insurance
Justine Tucker	Pinnacol Assurance
Chris Hansen	Pinnacol Assurance
Karl Merida	Pinnacol Assurance
Scott Runyan	Renaissance Insurance
Tom Kiel	
Jeff Rice	Journal Advocate

Chairman Sonnenberg called the meeting to order at 9:31 a.m. and opened the meeting with the Pledge of Allegiance.

Chairman Sonnenberg asked if there were any revisions for the agenda. Hearing none, Chairman Sonnenberg continued with consent agenda.

The Board continued with the Consent Agenda items:

- Approval of minutes of the November 21, 2023, meeting.

Commissioner Brownell moved to approve the Consent Agenda. Commissioner McBride seconded, and the motion carried 3-0.

Chairman Sonnenberg continued with New Business:

Chairman Sonnenberg opened a public hearing testimony phase of the meeting for Resolution 2023-38 for a Supplemental Budget for the following: Sheriff Department, Clerk and Recorder, OEM Department, and Fair Fund totaling \$120,222 from unanticipated revenues. Chairman Sonnenberg seeing no public comment, closed the public hearing testimony phase.

Commissioner McBride moved to approve Resolution 2023-38 for a Supplemental Budget for the following: Sheriff Department, Clerk and Recorder, OEM Department, and Fair Fund totaling \$120,222 from unanticipated revenues. Commissioner Brownell seconded, and the motion carried 3-0.

Chairman Sonnenberg opened a public hearing testimony phase of the meeting for an application for a renewal of an Ambulance Service License and Vehicle Permits on behalf of Logan County Ambulance submitted by Fire Chief Lavon Ritter of the Sterling Fire Department. Chairman Sonnenberg seeing no public comment, closed the public hearing testimony phase.

Commissioner McBride moved to approve an application for a renewal of an Ambulance Service License and Vehicle Permits on behalf of Logan County Ambulance submitted by Fire Chief Lavon Ritter of the Sterling Fire Department. Commissioner Brownell seconded, and the motion carried 3-0.

**Other Business**

The next regular meeting will be scheduled for Tuesday, December 19, 2023, at 9:30 a.m. at the Logan County Courthouse.

There being no further business to come before the Board, the meeting adjourned at 9:34 a.m.

Submitted by:

  
\_\_\_\_\_  
Logan County Deputy Clerk

Approved: December 19, 2023

BOARD OF COUNTY COMMISSIONERS  
LOGAN COUNTY, COLORADO

(seal)

By: \_\_\_\_\_  
Jerry A. Sonnenberg, Chairman

Attest:

\_\_\_\_\_  
Logan County Clerk & Recorder

## Clerk Fees Collected 2023

November

### County Fees Retained

	<u>2022</u>	<u>2023</u>	
Recording Fees Retained	10,390.14	10,007.64	
Motor Vehicle Fees Retained	256,302.55	252,035.02	
Total \$	266,692.69	\$ 262,042.66	\$4,650.03

### Fees & Taxes Distributed

State of Colorado	181,981.19	202,550.93	
City of Sterling	26,340.76	21,663.99	
Town of Fleming	651.79	934.15	
Total \$	208,973.74	\$ 225,149.07	\$16,175.33

Fees Retained Year to Date

\$3,255,841.63

**LOGAN COUNTY SOLID WASTE DEPARTMENT--MATT CHRISP, SUPERVISOR**

315 Main Street Sterling, CO 80751

(970)522-8657 Fax---(970)522-1995

<b>FOR NOVEMBER 2023</b>		<b>TONS</b>	<b>PRICE</b>	<b>CHARGES</b>
Area Town Clean-ups	CPC		@ \$1.17	\$0.00
City of Sterling Clean-up	SFCC		@ \$1.17	\$0.00
City of Sterling Packers	SF	436.00	@ \$23.17	\$10,102.12
City of Sterling Dump Trucks	CL	144.72	@ \$23.17	\$3,353.16
General Public		25.87	@ \$23.17	\$599.41
Commerial (Packers & Roll Offs)	C	725.97	@ \$23.17	\$16,820.72
>5 Tons on Free Certificates	XTON		@ \$23.17	\$0.00
Indust. Waste>5 Tons on Free Cert.	IDXTON		@ \$36.17	\$0.00
Industrial Waste	All other ID	438.44	@ \$36.17	\$15,858.37
Industrial Petroleum Contaminated Soil	IDPCS		@ \$36.17	\$0.00
Out of County	OC	63.96	@ \$46.34	\$2,963.91
Industrial Waste Out of County	IDOC	5.93	@ \$72.34	\$428.98
Rural Free Certificates	NC	93.88	NC	
All County Vehicles	NCC	5.64	NC	
<b>TOTAL TONS</b>		<b>1940.41</b>		
<b>\$10.00 MINIMUM DIFFERENTIAL</b>				<b>\$499.83</b>
<b>\$20.00 MINIMUM DIFFERENTIAL</b>				<b>\$3.46</b>
E-Waste Recycling		11 ITEMS		\$85.00
E-Waste Recycling	NCEW		NC	
GEW (Government E-Waste)			LB. \$0.15	\$0.00
Recycled E-Waste (Landfill)	REW			
Outgoing Recycled Tires/Metal/Wood				
Car Tires (CHG)		63	@ \$5.00	\$315.00
Truck Tires (CHG)		1	@ \$8.00	\$8.00
Car/Truck Tires (NC)			NC	
Tractor Tires (CHG)			@ \$12.00	\$0.00
Earth Moving Tires (CHG)			@ \$20.00	\$0.00
Tractor/Earth Moving Tires (NC)			NC	
R & B Illegally Disposed Tires & Matts (RBT)		83 TIRES	NC	
Appliances (CHG)		4	@ \$5.00	\$20.00
Appliances (NC)			NC	
Analytical Reviews	ARV		@ \$180.00	\$0.00
Unsecured/Unauthorized Loads	CHG		@ \$10.00	\$0.00
Total # of Vehicles		751		
<b>TOTAL OC &amp; IDOC</b>				<b>\$3,396.34</b>
<b>TOTAL IN COUNTY</b>				<b>\$47,661.62</b>
<b>GRAND TOTAL</b>				<b>\$51,057.96</b>

SIGNED BY: Pam Jerdig  
 DATE: Dec. 1, 2023



## LOGAN COUNTY SOLID WASTE SUR-CHARGE REPORT

<b>Nov. -23</b>	<b>TONS</b>	<b>CPC (CLOSURE)</b>	<b>GRAND TOTAL</b>
<b>CASH</b>	228.81	735.49	\$5,297.40
<b>CHARGE</b>	1130.88	2285.34	\$32,199.71
<b>CITY OF STERLING</b>	580.72	1166.66	\$13,560.85
<b>TOTAL</b>	<b>1940.41</b>	<b>\$4,187.49</b>	<b>\$51,057.96</b>
THESE TNS ARE SHIPPED OFF:			
<b>GEW</b>			
<b>RECYCLED METAL (SWAN)</b>			
<b>RECYCLED METAL (BOHM)</b>			
<b>RECYCLED TIRES</b>			
<b>RECYCLED EWASTE (LF)</b>			
<b>GRAND TOTAL TNS</b>	<b>1940.41</b>		

SIGNED BY: *Pam Jerdig*  
 DATE: *12-1-2023*

CIVIL PAYMENTS						
Nov-23						
Date	Check #	Business Check #	Sheriff #	Amount	Amount of Refund	Amount Owed to County
11/15/2023	1041	16928	2023-623	\$ 35.00	\$ 15.00	\$ 20.00
11/22/2023	1043	306798	2023-646	\$ 40.00	\$ 15.00	\$ 25.00
				<b>Total Owed to County</b>		\$ 45.00

CIVIL PAYMENTS CREDIT CARDS					
Nov-23					
Date	Check #	Sheriff #	Amount	Amount of Refund	Amount Owed to County
11/13/2023		2023-618/619	\$ 45.00		\$ 45.00
11/13/2023		2023-610	\$ 80.00		\$ 80.00
11/16/2023		2023-626	\$ 35.00		\$ 35.00
11/17/2023		2023-637/638	\$ 45.00		\$ 45.00
11/20/2023		2023-639	\$ 25.00		\$ 25.00
11/22/2023	1042	2023-641	\$ 40.00	\$ 15.00	\$ 25.00
11/28/2023		2023-656	\$ 40.00		\$ 40.00
12/3/2023		2023-658/659	\$ 45.00		\$ 45.00
12/6/2023		2023-660/661	\$ 45.00		\$ 45.00
12/6/2023		2023-665	\$ 35.00		\$ 35.00
				<b>Total Owed to County</b>	\$ 420.00

ARY/SEX OFFENDERS/RECORDS REQUEST CREDIT CARDS					
Nov-23					
Date		Sheriff #	Amount	Amount of Refund	Amount Owed to County
11/29/2023			\$ 12.00		\$ 12.00
12/1/2023			\$ 240.00		\$ 240.00
12/5/2023			\$ 15.00		\$ 15.00
11/13/2023			\$ 10.00		\$ 10.00
11/21/2023			\$ 45.00		\$ 45.00
11/21/2023			\$ 45.00		\$ 45.00
12/5/2023			\$ 45.00		\$ 45.00
11/20/2023			\$ 50.00		\$ 50.00
				<b>Total Owed to County</b>	\$ 462.00

CHP CREDIT CARDS			
Nov-23			
Date		Amount	Amount Owed to County
11/9/2023		\$ 152.50	\$ 152.50
11/14/2023		\$ 63.00	\$ 63.00
11/14/2023		\$ 152.50	\$ 152.50
11/16/2023		\$ 13.00	\$ 13.00
11/20/2023		\$ 63.00	\$ 63.00
11/30/2023		\$ 63.00	\$ 63.00
11/30/2023		\$ 63.00	\$ 63.00
12/1/2023		\$ 63.00	\$ 63.00
12/1/2023		\$ 63.00	\$ 63.00
12/4/2023		\$ 63.00	\$ 63.00
12/5/2023		\$ 152.50	\$ 152.50
		<b>Total Owed to County</b>	\$ 911.50

CIVIL CHECKS \$ 45.00  
 CIVIL CREDIT CARDS \$ 420.00  
 RECORDS/VIN/FINGERPRINTS CREDIT CARDS \$ 462.00  
 CHP CREDIT CARDS \$ 911.50  
**TOTAL PAID TO GENERAL FUND \$ 1,838.50** Check#1044  
 DEPOSIT TAKEN TO BANK OF COLORADO \$ 75.00

**RESOLUTION  
NO. 2023 -39**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LOGAN COUNTY, COLORADO, ALLOCATING FUNDS TO BE RECEIVED UPON THE DISSOLUTION OF THE LOGAN COUNTY WATER CONSERVANCY DISTRICT**

**WHEREAS**, the Logan County District Court has entered an order approving the Plan Of Dissolution Of The Logan County Water Conservancy District; and

**WHEREAS**, the Dissolution Plan provides, in part, for the transfer of the District’s weather and flow monitoring system to Logan County, with ongoing operation and maintenance of the system being performed by Logan County; and

**WHEREAS**, the Dissolution Plan further provides for the transfer of all of the District’s remaining funds to Logan County, as provided in C.R.S. §37-3.5-107(3); and

**WHEREAS**, the Board of County Commissioners has determined that it is in the best interest of the citizens of Logan County to set aside from the funds received from the District the sum of \$\_\_\_\_\_ to provide for the estimated maintenance needs of the weather and flow monitoring system for the next ten years; and

**WHEREAS**, the Board further finds it in the best interests of the citizens of Logan County to return the remaining funds of the District to the taxpayers in the form of a temporary tax credit.

**NOW THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Logan County as follows:

1. The Logan County Budget Officer is directed to credit the District funds in the amount of \$\_\_\_\_\_ to the Logan County General Fund and to create an ongoing dedicated line item in the General Fund in the initial amount of \$\_\_\_\_\_ to provide for ongoing maintenance of the weather and flow monitoring system. Any additional District revenue that is subsequently collected by the Logan County Treasurer upon the receipt of any currently uncollected taxes shall be similarly credited to this General Fund dedicated line item.

2. The remaining funds of the District in the amount of \$4,450,084.00 shall be retained in the Logan County General Fund to be expended in fiscal year 2024 or thereafter in a manner to be determined by the Board of County Commissioners, with a concomitant temporary property tax credit in an identical amount to be given to Logan County taxpayers for 2023 taxes due and payable in 2024.



ADOPTED AND SIGNED this 19th day of December, 2023.

THE BOARD OF COUNTY COMMISSIONERS  
OF LOGAN COUNTY, COLORADO

\_\_\_\_\_(Aye) (Nay)  
Jerry A. Sonnenberg, Chairman

\_\_\_\_\_(Aye) (Nay)  
Joseph A. McBride

\_\_\_\_\_(Aye) (Nay)  
Mike Brownell

I, Pamela M. Bacon, Logan County Clerk and Recorder, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of Logan County, Colorado, sitting in regular session on the 19th day of December, 2023.

\_\_\_\_\_  
Clerk and Recorder

# THIS FORM HAS CHANGED – PLEASE READ CAREFULLY

## Logan County Lodging Tax Board Funding Request Form

**\*\* Please print and review all 3 pages and bring to the meeting \*\***

Date: 12/4/23

Event / Project: 2024 Visitor Center Budget

Responsible Party: (Signature) Marilee Johnson

Funds Payable to: (Organization) various vendors

Mailing Address:

Date(s) of Activity: 2024 operation of the Visitor Center (see attached budget)

Amount requested: \$11,800

**Complete attached application form.**

Focus shall be to attract visitors/attendees from outside Logan County or to enhance the experience of visitors. Priority will be given to events or marketing projects that encourage overnight lodging stays in Logan County.

1. Applications for funding shall be in writing with estimates or bids attached, and shall include a brief description of project and its impact on Logan County. Please provide 12 copies of the completed application, one for each Board member.
2. A presentation must be made in person at a Board meeting by the requesting person, business or organization and will be considered for approval at the following month's meeting.
3. Allocations will be made on a case by case basis and are not automatic. Funds for event advertising are scaled according to number of days of event, and final approval is at the discretion of the Lodging Tax Board and the Board of County Commissioners.
4. Funds allocated are NOT paid up-front. Reimbursement will be made for actual expenses via receipts or invoices submitted to Logan County Finance Office and approved by LTB Treasurer. Proof of expenses must be presented for payment within 90 days of the completion of the event.
5. **At least 50% of the granted advertising funds must be spent to reach an audience outside of Logan County.**
6. Funded events and marketing must recognize the contribution of the LCLTB and Logan County Tourism by prominently using the official tourism logo on all materials produced. Radio ads must include "FUNDS PROVIDED BY LOGAN COUNTY LODGING TAX BOARD." A link to the Logan County Tourism website [www.exploresterling.com](http://www.exploresterling.com) must also be displayed on the website of the grant recipient when applicable.
7. The Board requires in-person or written follow-up report within 90 days after the event.
8. **FAILURE TO COMPLY WITH THESE REQUIREMENTS COULD AFFECT FUTURE FUNDING.**

# TOURIST INFORMATION CENTER

## 2024 Proposed Budget

	<u>2023 APPROVED</u>	<u>2024 PROPOSED</u>
Internet / TV / Telephone	\$ 1,800.00	\$ 2,000.00
Coffee Service	\$ -	\$ -
Postage	\$ 500.00	\$ 300.00
Supplies	\$ 2,500.00	\$ 2,500.00
Website Hosting / Tourism Engine	\$ 3,000.00	\$ 3,000.00
Tourism / Marketing / PR / Misc	\$ 4,000.00	\$ 4,000.00
TOTAL	<u>\$ 11,800.00</u>	<u>\$ 11,800.00</u>

**AGREEMENT FOR EXTRAORDINARY MAINTENANCE AND  
EXTRAORDINARY SNOW REMOVAL  
Maintenance & Operation Program  
Transporter Erector Routes**

**Logan County, Colorado**

**January 1, 2024**

This agreement is made and entered into by and between Logan County, Colorado (herein referred to as the “County”); the Colorado Department of Transportation (CDOT); the United States Department of Transportation, Federal Highway Administration – Colorado Division (FHWA); and the U.S. Department of the Air Force, Warren Air Force Base, Cheyenne, Wyoming (USAF).

**RECITALS**

Whereas, pursuant to the provisions of Section 210, of Title 23, United States Code, and authority delegated by the Secretary of Transportation, FHWA is authorized to provide for the maintenance of defense access roads;

Whereas, the Military Surface Deployment and Distribution Command (SDDC) has certified that it is important to the national defense to provide for extraordinary maintenance and extraordinary snow removal under the conditions herein set forth on the defense access roads hereinafter described, and has requested that FHWA take appropriate action to provide for such extraordinary maintenance and extraordinary snow removal (EM/ESR) out of funds transferred to FHWA by the U.S. Department of the Air Force (USAF);

Whereas the County and CDOT are willing to cooperate in the interest of national defense by performing the extraordinary snow removal (ESR) and extraordinary maintenance (EM) work herein specified, under conditions what will result in neither a loss nor a gain to the county or CDOT.

**NOW THEREFORE**, the parties hereby agree as follows:

**1. GENERAL:**

As used herein, unless the contract indicates otherwise:

A. “**Defense Access Roads**” (DAR) are County-owned roads located in Logan County, Colorado that service missile sites.

B. “**Extraordinary Snow Removal**” (ESR) is snow removal over and above that ordinarily performed by the County for the class of roads involved. ESR allows for snow

removal at facility driveway entrances and defense access roads leading up to the first security gate of the facility.

Snow removal on State Highways is the sole responsibility of CDOT and snow removal on County roads is normally the responsibility of local county agencies and under normal circumstances the USAF has the flexibility to reschedule its activities allowing these agencies to provide snow removal service according to their regular schedules and priorities. In some instances, the USAF may need a road open prior to the County's scheduled snow removal and in other instances the County may not normally plow roads where sites are located if other means of access is available to local inhabitants. Therefore, the ESR program was established.

The ESR program is essential to National Defense Readiness by providing site access during equipment and personnel emergencies. The ESR program only applies for roads not in the State highway system. During extreme weather, the USAF personnel will evaluate options available including rescheduling and using special vehicles prior to requesting ESR.

C. **“Extraordinary Maintenance”** (EM) is repair work that is over and above the normal maintenance required to accommodate County traffic when determined necessary and requested by the USAF or FHWA on behalf of the USAF. EM will only be utilized on:

- (i) Primary Transporter / Erector routes when a Priority 1<sup>1</sup> or 2<sup>2</sup> exist; and
- (ii) Only when an alternate route to the missile Site (MS) is unavailable.

An authorized agent of the USAF, or the FHWA on behalf of the USAF, will notify the County to repair the identified DAR defects. As dictated by existing roadway conditions, County priorities, manpower, availability of resources, statutory limitations, and the priority of the Air Force Emergency, the County will complete the EM work as rapidly as practicable or notify the USAF otherwise.

The repairs will be made to the extent needed to permit USAF vehicle access to the MS, as determined in Priority 1 or 2. EM repairs may include, but are not limited to, damaged surfaces, soft spots, culvert or bridge shoring, radius enhancements, etc. EM is not intended, nor will it be used for, major repair construction.

D. **“Force Account”** means the direct performance of county highway construction work by the County by use of labor, equipment, materials, and supplies furnished by them and

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<sup>1</sup> USAF Priority 1: Repair of critical equipment for safe operation of the weapon system. Maintenance actions required to prevent damage or further damage to the weapon system, avoid injury to personnel, or render the weapon safe. To enable Security Forces to clear and re-secure/guard (e.g., camper) LFs displaying both outer and inner zone alarms that will not reset.

<sup>2</sup> Priority 2: a) Maintenance required to place MAFs on alert or return to alert. Maintenance required to retain or return sorties to EWO status. When a known compliance discrepancy exist which could result in a violation of federal, state, or local regulation or Air Force/base instructions. Air Force Global Strike Command Instruction (AFGSCI) 32-1005



used under their direct control. Force account can include work contracted by the County with private parties as agreed in the SOW. The County shall comply with Title VI of the Civil Rights Act of 1964, as amended by 49 CFR 21.

**E. Annual Reimbursement for Setup Fixed Costs** - Setup Fixed Costs are costs the County incurs for equipment setup and mobilization and routine snow removal from County roads and missile site access roads. This is independent of activities reimbursed under the provisions set forth in paragraph “2D” below.

## **2. TERMS OF AGREEMENT**

A. When EM/ESR on a DAR is necessary, an authorized agent of the USAF will formally request the service usually during normal working hours. However, weekend, evening, and late-night requests may sometimes be necessary.

For such situations, the County and CDOT will provide central dispatch numbers and / or points of contact for after-hours calls. Should an after-hours call be received, the County or CDOT may elect to perform the requested EM/ESR during non-duty hours. The overtime expense for non-duty hours incurred by the County or CDOT shall be acknowledged by the USAF as necessary to the performance of the immediate need for the success of the mission.

The USAF will furnish a list of authorized agents annually to the County and CDOT. The USAF will notify the County and CDOT of any changes to the list of authorized agents. The County and CDOT will also be supplied with telephone numbers for the Air Force Base Administration and the representative FHWA. See attachment “A.”

B. The County and CDOT will respond to all ESR requests by scheduling snow removal operations within twenty-four hours, with the intent of performing the snow removal within 24 hours after notification. Recognition by the parties to this agreement, limitations due to weather conditions, County and state priorities, manpower, equipment availability, resources, and priority level of the Air Force Emergency, the County and CDOT will respond in a timely manner and clear the designated defense access roads (or notify the USAF otherwise.) As soon as possible after the DAR has been cleared, the County or CDOT will notify the USAF snow desk by telephone at 307-287-7216 (Missile Engineering 24-hour line) and 307-773-2049 (Snow Control Center).

C. A request for EM services issued by the authorized agent of the USAF shall include a “scope of work” (SOW), a written description of the repair to be accomplished and a dollar limit “not to exceed”. Both parties acknowledging the level of effort necessary to fulfill the request prior to mobilization shall pen initials on the SOW. The parties can readily make amendments to the SOW upon agreement. The County and CDOT will record all necessary information and track services performed to accomplish the SOW as a ‘force account’ effort. The term force account shall mean the direct performance of county highway construction work by the County or CDOT by use of labor, equipment, materials, and supplies furnished by them and used under their direct control. Force account can include work contracted by the County or CDOT with private parties as

agreed in the SOW. The County and CDOT shall comply with Title VI of the Civil Rights Act of 1964, as amended by 49 CFR 21.

D. In the event of an emergency requiring a missile movement and it becomes necessary to initiate the movement before the County or CDOT can respond to the Air Force's request for snow removal, by virtue of this agreement, the Air Force shall be authorized to provide its own equipment and manpower to plow defense access roads and provide sander escort as needed for the success of the mission. Air Force shall notify the County or CDOT in advance that they will be plowing a county road or state highway so that it is known that there is a convoy on the road in a storm. Closed roads are of particular concern and prior contact is mandatory to ascertain if road is passable.

E. For ESR and EM done by the County or CDOT at the request of the USAF or FHWA on behalf of the USAF, the County or CDOT will be reimbursed for the force account bill and associated documentation. Documentation shall include justification of rates, all costs including, but not limited to, labor (including equipment operator), supervision, equipment, material and delivery, labor additives, overhead, depreciation, fuel, subcontracts, rentals, operation & maintenance, and insurance.

For verification of completed work, the County shall submit a copy of the EM SOW, any amendments, force account bill, and supporting documentation to:

- (i) FHWA; and
- (ii) Joshua Maynez ([joshua.maynez@us.af.mil](mailto:joshua.maynez@us.af.mil)) and Thomas Niichel ([thomas.niichel.1@us.af.mil](mailto:thomas.niichel.1@us.af.mil))

Within 20 working days, CDOT and FHWA will review and determine if the billing documentation is acceptable for further payment processing or CDOT will notify the County in writing of the deficiencies necessary to complete the bill and resubmit for acceptance.

F. ANNUAL REIMBURSEMENT FOR SETUP FIXED COSTS. This agreement recognizes fixed costs incurred by the County for equipment setup and mobilization independent of activities reimbursed under the provisions set forth in paragraph "2D". The County may request reimbursement for the amount identified in the provision below. The agreed amount below was negotiated based on historical data. The base year is established for Federal FY 2024 and the respective historical payment amount.

FY 2024 Basis - Logan County - \$45,332 (based on previous agreement 2023)

For the term of this agreement, the County will be reimbursed at the rate of the base year amount increased by simple interest rate at 3.50% per year. The table below shall be the amount reimbursed upon receipt of the proper billing documentation.

<b>Logan County</b>	
FY 2024	\$46,919
FY 2025	\$48,561
FY 2026	\$50,260
FY 2027	\$52,020
FY 2028	\$53,840

G. COMPLIANCE WITH ANTI-DEFICIENCY ACT. Any requirement for the payment or obligation of funds by the FHWA pursuant to this Agreement shall be subject to the availability of appropriated funds and the inclusion of such funds into the Department of the Air Force’s annual “program work plan”. No provision herein shall be interpreted to require any obligation or payment of funds in violation of the Anti-Deficiency Act 31 U.S.C. § 1341. In cases where payment or obligation of funds would constitute a violation of the Anti-Deficiency Act, the dates established requiring the payment or obligation of such funds by the FHWA shall be appropriately adjusted. It is the expectation of the parties to this Agreement that all obligations of the FHWA arising under this Agreement will be fully funded. The FHWA agrees to seek sufficient funding through the United States Department of Defense budgetary process to fulfill its obligation under this Agreement.

H. OUTSIDE EQUIPMENT RENTAL. When considered necessary, the County may rent equipment from outside parties to perform the work provided for herein, with advance approval from FHWA. The County will be reimbursed based on their actual cost for the operation and rental of this equipment. Including expenses incurred in obtaining the equipment and stand-by charges. To be reimbursed, the County will need to submit detailed records of the rental agreements, billings, man-hours, and expenses in obtaining and utilizing the equipment. The County will be reimbursed based on their actual cost for the operation and rental of this equipment including expenses incurred in obtaining the equipment and stand-by charges. The County shall not enter into any contracts for any work contemplated under this agreement without prior written authorization of the FHWA.

I. Detailed records of the costs associated with ESR and EM claims shall be retained on file by the County for a minimum of three years after the date of final payment for each contract period. The records shall be made available for review or audit by the CDOT or FHWA upon request. The records shall include the name and number of hours worked for each worker and whether it was straight time or overtime and the quantity and cost of all materials used, including the basis of cost of the materials.

**3. EFFECTIVE DATE AND TERMINATION: This Agreement shall run from January 1, 2024, through December 31, 2028.** This Agreement may be extended annually for up to three additional years by written mutual agreement. This agreement is subject to the right of either party, at its option, may terminate this Agreement at any

anniversary date. If a party decides to terminate the Agreement, they shall notify the other party at least 90 days prior to the anniversary date. Furthermore, at the request of any party, this Agreement shall be renegotiated.

This Agreement represents the entire and integrated Agreement between the parties and supersedes all prior negotiations, representations, and agreements whether written or oral.

The parties hereto release the other parties and their officers, agents, and employees from any cause or action arising out of the negligent performance by other parties.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed by their proper officials thereunto duly authorized as of the dates below indicated.

EXECUTED by the FHWA this 22nd day of November, 2023.

**FEDERAL HIGHWAY ADMINISTRATION**

\_\_\_\_\_  
Division Administrator

**United States Air Force  
WARREN AFB**

\_\_\_\_\_  
Lt Col Remington Marsden USAF Base Civil Engineer

**Colorado Department of Transportation**

\_\_\_\_\_  
Chief Engineer

CDOT Tracking Number: \_\_\_\_\_

EXECUTED by **Logan County** this \_\_\_\_\_ day of \_\_\_\_\_, 2023

\_\_\_\_\_  
Title \_\_\_\_\_

\_\_\_\_\_  
Title \_\_\_\_\_

**ATTACHMENT "A"**

To provide a reliable track record of service calls, USAF requests that a copy of this document be filled out and submitted to 90CES/CEM at email: [joshua.maynez@us.af.mil](mailto:joshua.maynez@us.af.mil) and [thomas.niichel.1@us.af.mil](mailto:thomas.niichel.1@us.af.mil) for each service request in Logan County. This form will be submitted with each request for payment.

**Persons authorize to request ESR/EM and telephone numbers:**

*F. E. Warren AFB Personnel Authorized to Activate Emergency Snow Removal (ESR) and Extraordinary Maintenance (EM) – FY24*

The following F. E. Warren AFB Personnel are authorized to Activate ESR:

- |                        |              |
|------------------------|--------------|
| 1. Mr. Thomas Pachniak | 307-773-3375 |
| 2. Mr. Vic Moore       | -2049        |
| 3. Mr. Dave Simpson    | -2049        |
| 4. MSgt Tyler Meiers   | -2049        |
| 5. TSgt Tyler Preston  | -2049        |
| 6. SSgt Cody Overgard  | -2049        |

The following F. E. Warren AFB personnel are authorized to activate ESR/EM:

- |                             |                   |
|-----------------------------|-------------------|
| 1. Lt Col Remington Marsden | 307-773-3600      |
| 2. Mr. John "Andy" McKinley | 307-773-3600      |
| 3. Mr. Joshua Maynez        | 307-773-2802/2438 |
| 4. Mr. Tom Niichel          | 307-773-4086/2438 |
| 5. Mr. Jim Myers            | 307-773-3557/2438 |

1. Type of service request received. EM  + *attach signed Scope of Work per agreement*  
ESR

Date \_\_\_\_\_

Time \_\_\_\_\_

2. Requester's Name \_\_\_\_\_ Rank \_\_\_\_\_ and Phone # \_\_\_\_\_

3. Location: Missile site and # \_\_\_\_\_ and County Rd. # \_\_\_\_\_

4. Date and time service was completed. \_\_\_\_\_



**5.Comment or remarks:**

**Recommend Approval**\_\_\_\_\_ **date**\_\_\_\_\_

**Recommend Disapproval**\_\_\_\_\_ **date**\_\_\_\_\_

**Reason:**