

Logan County Commissioners Work Session

December 7, 2021

Present: Byron Pelton, Jane Bauder, Joe McBride, Alan Samber, Ashley Smith, Rhonda Chrisp, Debbie Unrein, Jerry Casebolt, Diana Korbe, Marilee Johnson, Leonard Brekel, Pamela Brekel, Tabatha Shepard, Alexis Brower, Juan Cordero, Chief Judge Carl McGuire, Jeff Rice and Jennifer Crow.

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

APPROVAL OF MINUTES FROM PREVIOUS SESSION – Commissioner Bauder moved to approve the minutes from November 30, 2021 as written. Commissioner McBride seconded and the motion carried. Commissioner Pelton abstained as he was not present.

REVISIONS TO WORK SESSION AGENDA – Review of business meeting agenda was added.

REVIEW AND APPROVE HUMAN SERVICES SCHEDULE OF BILLS – Ashley Smith met with the Board to review the Logan County Department of Human Services schedule of bills dated December 7, 2021. The Board approved all bills as presented.

REVIEW AND APPROVE SCHEDULE OF COUNTY BILLS – Rhonda Chrisp met with the Board to review the Logan County schedule of bills dated December 7, 2021. The Board approved all bills as presented.

FAIR BILLS – Commissioner McBride moved to approve the schedule of bills for the Fair and allow the Chairman to sign. Commissioner Bauder seconded and the motion carried.

REVIEW BUSINESS MEETING AGENDA – The Board reviewed the Business Meeting agenda for December 7, 2021.

MEMORIAL FOR TRACI JACKSON COUNTY ROAD 37 – Leonard and Pam Brekel and Tabatha Shepard and Alexis Brower met with the Board to request a memorial sign be placed on County Road 37 in memory of Traci Jackson. There has been a memorial put on the county right of way that the adjacent landowner has removed. There is no permitting process for memorials, people generally have the right to place a memorial as long as the size does not exceed 3 feet high, 2 feet wide, and 6 inches in thickness. The discuss then turned to a road sign in memorial of Ms. Jackson. A sign could be purchased and placed by the Road and Bridge Department. The group was instructed to talk to Road and Bridge Supervisor Jeff Reeves.

FEMA LETTER – Rob Quint joined the meeting to discuss a letter received from FEMA regarding the county being put on probationary status with the (National Flood Insurance Program) due to several violations of the floodplain management program. Rob does not know what the next steps are. FEMA would like the county to go to court against the violators. The Board clarified that they are not opposed to going to court if necessary. However, there is one difficult case where a variance was issued by the county. FEMA has not answered the question what happens in the event the county would lose a court case. FEMA will work with the county to develop a plan to correct the issues and get through the probation. The county requires construction to be built one foot above flood plain. One foot is also the state regulation, which the county is required to impose. Local regulations must be as restrictive as the state, but they can also be more restrictive.

Rob will contact Tom Birney again. There is a \$50 fee that will be imposed on each flood insurance policy in the county. Rob Quint was told that FEMA policies go up every year and that \$50 is nothing when dealing

with a FEMA policy. The cost of bringing several of the properties into compliance is very expensive, Waste Management is looking at \$80,000 to dry flood-proof. Marick's is roughly \$120,000 to dry flood-proof.

The new flood plain regs were adopted in 2014 or 2015. If Maricks' building was built before the 1970's it could possibly be grandfathered in. Alan Samber noted that a court-issued administrative search warrant would be required to force the property owners to let the inspector on the property to look at the properties.

SPECIAL MEETING ON DECEMBER 14 - The Board approved scheduling a special meeting on December 14 for adoption of the budget.

LOWER SOUTH PLATTE WATER CONSERVANCY DISTRICT MILL LEVY - The four county treasurer's have now been served with notice of a law suit. The county will adopt the levies without the Lower South Platte Water Conservancy District levy and send to DOLA as was done last year.

It was agreed that the lawyer for the treasurers be paid for using the same population-based formula as the funding for the DA. Morgan County will pay the most then Logan County, and so on, etc.

TERRORIST HOGS IN CROOK – A complaint was received concerning pigs getting out and terrorizing the Town of Crook. The Mayor of Crook has called and would like to know what their recourse is. There is a property right outside of the Town of Crook that the pigs are kept on. The pigs often get out and cause damage in the town. State open range laws say that property owners have to fence out the pigs. A statutorily defined legal fence to fence out the pigs, is a three or four-strand barbed wire fence. They must show that they have attempted to fence the pigs out before they are entitled to sue the trespassing animal's owner. The barbed wire fence will not keep the pigs out. The mayor will be advised to call Brett Powell. There was case-law six years ago in Washington County with goats getting out. The town does not have their own municipal attorney. Alan will look at statutes.

The meeting recessed at 9:34 a.m. and reconvened at 10:10 a.m.

CHIEF JUDGE CARL MCGUIRE – Chief Judge Carl McGuire met with the Board. He has been Chief Judge in the 13th Judicial District since July 19, 2021. He noted appreciation for everything that has been done at the Justice Center. He met the engineer doing the air flow study. Staff was wearing coats in their offices yesterday.

The Judge asked the Board to consider replacing the carpeting. The carpeting is old and raveling at the seams. The Board noted that it is slated for renewal next year, possibly the first floor in 2022 and the second floor the next year. The Board explained that the Sales Tax passed a few years ago, ear-marks money to building repairs.

New legislation is requiring offenders' first appearances before a judge must occur within 48 hours of arriving at the jail, effective April 1, 2022. The Judge noted that Alan Samber's office doesn't get enough kudos, they are efficient, good and smart.

BOARD ASSIGNMENTS – Board assignments will be kept as is for 2022.

There being no further business to come before the Board, the meeting adjourned at 10:23 a.m.