

Logan County Commissioners Work Session

July 20, 2021

Present: Byron Pelton, Joe McBride, Jane Bauder, Alan Samber, Ashley Smith, Marilee Johnson, Scott Szabo, Debbie Unrein, Darlene Carpio, Tom Kiel, Dave Long, Jeff Reeves, Jeff Rice and Jennifer Crow.

Chairman Pelton called the meeting to order at 9:01 a.m.

APPROVAL OF MINUTES FROM PREVIOUS SESSION – Commissioner Bauder moved to approve the minutes from July 13, 2021 as written. Commissioner McBride seconded and the motion carried.

REVISIONS TO WORK SESSION AGENDA – Commissioner Pelton added Dave Long to the agenda to discuss Behavioral Health. Jennifer Crow added Logan County Ambulance Collections Accounts Assignments.

REVIEW AND APPROVE SCHEDULE OF DEPARTMENT OF HUMAN SERVICES SCHEDULE OF BILLS AND PAYROLL– Shannon Graves met with the Board to review the Logan County Department of Human Services schedule of bills dated July 20, 2021. The Board approved all bills as presented.

REVIEW BUSINESS MEETING AGENDA – The Board reviewed the Business Meeting Agenda for July 20, 2021.

BEHAVIORAL HEALTH IN SCHOOLS – Dave Long met with the Board to review a draft agreement between Logan County Department of Human Services and Merino, Peetz and Fleming Schools. This is a collaborative effort between the school districts and the Bobby Jones Program. The County will fund the project with ARPA money. The program will supply \$175,000 per year for all three schools. This has been done quickly and creatively. Lonnie Brungardt will be the signer for the service contract collaborative effort. Funds will be paid to the schools through Department of Human Services. Parts of the service contract can be amended as more rules are approved. Things could change with regards to timelines. The service contract is using the same format as the TANF contracts, just using different language. The contractor will submit a report through DHS. DHS will pass the report on to the State. Bobby Jones is expanding the program's measurable outcomes. There are more things he will be able to report. He understands what clearing house programs are to the Feds. and will keep as many records as he can.

There is a termination clause, if Bobby Jones cannot perform or if the program falls apart, the schools can determine how to do the program on their own. The date is commencing today. This will be added to the business meeting agenda. The schools are needing to ramp up now to be ready for the beginning of the school year.

SCOTT SZABO 2020 AUDIT REVIEW – Scott Szabo and Debbie Unrein met with the Board to discuss the 2020 audit. Mr. Szabo encourages the Board to read pages 4-11 of the audit which a section called “Management’s Discussion and Analysis” and is put together by county staff. It contains a lot of summarized information of what happened last year and going forward.

Szabo reviewed his summary of the audit. Changes in the fund balances are due to several things happening in the various funds. Prior year changes are included to compare the funds on a two-year basis. For example, the Justice Center Fund went down \$1.4 million, this is because the county ballot question reallocated that sales tax to the new Sales and Use Tax Fund.

Total cash is \$21.6 million at the end of the year, it grew about \$1.2 million. There are no concerns with any of the fund balances. Generally, the fund balance change will almost mirror the change in the cash.

The fund balance is \$36 million of which, the Justice Center has \$13.2 million which obviously not cash, it is the undepreciated portion of the facility. Fund balances for the county increased \$3.8 million over the year. These are very good healthy reserves in each of the funds. The General Fund has nine and a half months in reserve which is down a little bit but still a good reserve. Road and Bridge has almost nine months in reserve, again, down just a little bit. Human Services has a three-month reserve, Capital Expenditures has a five-month reserve.

Auditors look at trends and the fund balance history of the General Fund was at \$6.5 million in 2015 and is up to \$10.2 million in 2020. The Road and Bridge fund goes up and down, depending on the Highway User's Tax Fund and any big projects being done.

The single audit this year was focused on Human Services because of the \$1.9 million in COVID funds received. The files were complete and there were no issues found there.

The Board approved the audit and agreed it should be submitted to the state. The Board thanked Debbie for doing such a thorough job with her work. Scott Szabo told the Board that the audit went very well, the staff here does a tremendous job and Human Services staff also does a tremendous job

BUSINESS PERSONAL PROPERTY TAX – Commissioner Pelton received a call from Peggy Michaels reporting that the State will now exempt \$50,000 in business personal property tax. Right now, Logan County exempts \$25,000. She would like to know if the Board would agree to rescind the county exemption and just go with the State \$50,000 exemption. The Board agreed to rescind the resolution for the county exemption on business and personal property tax. Alan Samber will work on a resolution for the next business meeting.

The meeting recessed at 9:30 a.m. and reconvened at 9:57 a.m.

DARLENE CARPIO – REGIONAL DIRECTOR FOR REPRESENTATIVE KEN BUCK UPDATE – Congressman Buck has been involved in the recent passing of a series of six antitrust bills addressing the monopolies of Apple, Amazon, Facebook and Google. All six bills made it through committee after an over 19-hour session with only a few amendments. Congressman Buck said, “Big tech has abused its dominance in the marketplace to crush competitors, censor speech and control how we see and understand the world. Apple, Amazon, Facebook and Google have prioritized power over innovation and harmed American businesses and consumers in the process.” The companies have maintained monopoly power in the online market place by using a variety of anti-competitive behaviors to stifle competition. That is what these bills are addressing. Now that they have made it out of committee, they will go to the Senate.

Last month the Congressman denounced the dangerous concept of Critical Race Theory, as anti-American and has introduced the Saving American History Act that would ban federal funds from being used to teach the 1619 Act. The 1619 Act teaching gets rid of the Constitution, the Declaration of Independence and takes the beginning of our country back to when slavery began. It is very important that history stays what it was.

Carpio and her District Director recently set up a one-day tour that involved four counties all dealing with different stages of childcare issues. In Logan County they met with Dave Long who is on a committee working on an infant childcare project. They also met with Michelle Sharp and Claudia Straight with the Early Childhood Council. Rosie Evans out of Morgan county with Evans Early Childhood created a very good documentary about childcare called “Desert On the Plains.”

Small World Childcare's closure in Logan County has had a detrimental effect on childcare resources in Logan County.

Congressman Buck met with Republican River stakeholders on June 5. Don Brown was also there and helped with understanding conservation programs. A letter was sent to Ag Secretary Vilsack asking one him to

address those conservation programs with the authority that was given in the 2018 Farm Bill. He has the latitude to extend to dryland farmers to continue farming as opposed to no production.

The Congressman is taking 30 x 30 very seriously, time will tell what is intended. How it is to be implemented has not yet been fully made known. He is concerned for what it may do to personal property rights. He and Representative Boebert have introduced the 30 x 30 Termination Act which will nullify section 216 of that executive order which contains the 30 x 30 program.

Congressman Buck has also been working on the Opposing Step Act. This would repeal the stepped-up basis in assessing capital gains taxing at death. The act would be detrimental to being able to leave generational family farms when they have to pay that tax.

TERRY HIGGINS UNITED STATES AIR FORCE – Terry Higgins and Mr. Causewell met with the Board. New guides are being sent out to landowners concerning construction that is going to be taking place in the local missile fields. All landowners who are adjacent to missile fields received a newsletter and have been contacted three times to let them know what is going to take place. Basically, the facilities will be gutted and all new technology will replace the 1960's technology in the bases.

Currently, a private contractor for the military is doing some cultural surveys by driving down back roads, and staying on the roads or on public land, not on private land. They are looking for cultural resources or environmental resources that could stop them from doing the construction. Local Sheriffs have been informed in the areas that they are working in. In the Pawnee Grasslands, they are concerned that cultural artifacts may be found. Surveyors will be looking through binoculars from the road for endangered plants, birds, insects etc. Survey teams will wear vests with the business name on them and their trucks will be marked. Most of the construction will be done on the land already used for the missile fields. They will take the existing infrastructure will be gutted – it is 1960's technology and update with the new technology and make it more secure to meet the threats of tomorrow. Basically, there will be a lot more trucks on the road, a lot of construction workers will need places to stay, etc. a large part will be trenches for new utilities, i.e. fiber which will probably go along pre-existing corridors along roads and possibly some on private lands.

Construction was to start this year, but with several issues including Covid, a reduction of funding, politics, etc., the project has been pushed back to start sometime next year. This is a 10-year project. Local sites will look as they do now after the project is completed. They will not have anything outside the boundaries.

The main point of the meeting today is to come out and establish a relationship in case issues arise in the future. Command has offered some in-person Town Halls to inform the public if the Board would like that.

The contractors are coming out of Denver and will have camper type vehicles, and a semi-trailer with housing in it. As many as two thousand construction workers may be on the project in four different areas within the missile field near Kimball, Nebraska, Sidney, Nebraska Sterling, and near Greeley. There will be a camp built, the location is not determined yet. This is dependent on availability of local hotels and motels. Local resources will determine whether the camp is needed.

The Board asked if a tour of the facility may be arranged. This is a possibility around November 1.

Roads and increased traffic are a concern for the Board. Prior to the Town Halls, a zoom call with contractors and county commissioners will take place, the additional funding for roads can be discussed at that time. The Board asked that Higgins contact Tim Bilobran with CDOT permitting concerning additional funding for roads and highways.

EXHIBIT CENTER LIGHTING – Cindy Hoal, Tom Kiel and Chance Wright met with the Board to discuss installing permanent twinkling lights in the Exhibit Center. Cindy Hoal, with the Sterling Community Fund asked if the Board would be interested in donating an estimated \$30,000 of twinkle lights for the Exhibit Center.

Commissioner Pelton told her that three bids would be needed. There are no bids back yet on the 12,900 feet of lighting needed. They have three bids for the lighting. J.D. Stone at Industrial Welding has donated all of the angle iron for the project and it is already installed – this was done during Covid. Tom Kiel has donated all of the electrical materials and work (two panels on the north end of the Exhibit Center and two 50-amp plug-ins there as well.)

Tom has donated all electrical work. Xcel Kevin Bellindir and Curtis Zink of Xcel are donating wedgits and will donate 13,000 feet of cable. Xcel will also donate the trucks to hang the lights. They would like to see if the lights can be left hanging permanently.

Three companies three options festoon lighting different switches different lights for different events. These will be LED dimmable lights will be hung below the fans which may help keep the dust off of the lights.

The lighting in the Exhibit Center will be improved tremendously. The lighting will not interfere with any roping in the Exhibit Center. They hope to get the lights for this year's gala on September 25. The lights will be paid for out of sales tax, because they are infrastructure/building improvement.

JEFF REEVES INTERNET BID PROCESS – Jeff Reeves discussed Rocky Mountain Bid Net with the Board. CDOT recommends entities use this, however they don't require its use. Most counties and other municipalities use it to get better prices on contracts. There is no cost to use the process. All that is entailed is a few hours of training. Reeves called the sealed bid process the county now uses archaic and it doesn't work. Bids for projects the county is doing and equipment can both be handled through RMBN. Other departments would benefit from using it. Jeff Reeves will go through the training and have access to it. It does not cost anything.

Sealed Bid coming in, how to prevent look at project to submit bids. Only Jeff will see the bids. The Board questioned the process as it needs to come in as a sealed bid. Reeves called the sealed bid process old school, and not enough advertising is getting out there. Reeves said the State is wanting the county to move to this process.

Reeves would like the Board to make a decision soon, as the department is about ready to go out for bids on the Red Lion Bridge project.

GREG STELMACH RE: OLD COUNTRY CLUB DRIVE - Greg Stelmach joined the meeting to discuss an issue that was brought to the Board's attention in 2017. The issue has to do with a water drainage pipeline in the county right of way that was never buried. Mr. Szabo was not allowed to put the water in the Springdale Ditch so he installed a pipe to be used to pump the water located 3' off the county road. It is an eyesore and has been a problem for people walking on the road. It is also an obstacle for the county mowers that can only mow a 3' swath next to the pipeline rather than a 5' or 6' swath. Mr. Stelmach stated that the pipeline is an eye sore, and it has been brought up to the Homeowner's Association, however nothing seems to be done every year. If the pipeline is on private property, the county can't ask them to move it. If it is on the county right of way the county could ask him to remove it. Jeff Reeves will contact Scott Szabo.

LOGAN COUNTY AMBULANCE COLLECTION ASSIGNMENTS - Commissioner McBride moved to approve assignment of Logan County Ambulance debt collections accounts to Wakefield and Associates, the account number ending in 3010 and 8001 and allow the Chairman to sign. Commissioner Bauder seconded and the motion carried 3-0.

MOU GUN RANGE – Commissioner Bauder reported that the Board of Commissioners adopted the Logan County Shooting Sports Range bylaws on May 19, 2015. The concern of several Commissioners and Board members is that the bylaws discuss not appointing related family members living in the same household. This is not in the bylaws prior to 2015.

The bylaws also did not state who is responsible for setting up the next meeting and notifying members. It does say that members should be notified at least one week, or seven days before the meeting but it doesn't say who is responsible for notifying them. This information needs to be in the bylaws and the same information needs to be added to the Secretary's duties. Conflicts of interest is also discussed in the bylaws.

Currently Steve Klein is Vice President and Cindy Klein is Sec./Treasurer. If new bylaws are adopted, how will this problem be eliminated. Term limits are four years. Steve's term is up in January 2022. Cindy's term is up in 2024. Commissioner Bauder sent all of this information to Dave Appelhans and asked him to discuss it with the Board. At the last meeting Jane attended, she told the Board it is not appropriate to have Steve and Cindy serving on the Board. The response was that if Cindy would not have stepped up to do the Secretary's job, there would be no one to do the job.

The Board also discussed that the league needs to have different meetings than the Shooting Sports Advisory Board. They hold the meetings together, and things get are getting mixed up. There needs to be some division. Jane will ask for the minutes of the meetings. Since there is already bylaws in effect, the amendment of the bylaws can be postponed to the beginning of the year.

PROPOSED BALLOT MEASURE – Commissioner Pelton stated that Alan Samber did a good job with the language on the ballot measure. Commissioner Pelton took the commissioners out of the resolution and left everyone else in, however, he would like to pull the measure and not put it on the ballot at all. Commissioner Bauder agreed.

BID OPENED – Commissioner McBride asked how the e-mail from one of the ESCO's concerning the way the RFP was written should be entered on the record. Only one bid was received. The RFP itself gives the Board the right to reject the bids for any reason.

NEW CLOUD – No new information.

GRANT WRITER – Commissioner McBride suggested that the county use some of the ARPA funds for a grant writer, Logan County is missing out on a ton of grants because we are not applying for them. He believes it should be an employee for at least a two-year term, not a contract grant writer. If at the end of the term, there are not successful applications, eliminate the position. Commissioner Bauder suggested using an online site which offers grant writing. Dennis Hunt works with CTSI and can write grants on behalf of the county.

GALA TICKET GIVEAWAY – Marilee Johnson met with the Board regarding an idea for the gala ticket giveaway. This will be run under the Logan County Facebook page and boost it to our demographics to everyone in Logan County. An advertisement will also be placed in the newspaper inviting people to mail in an entry if they are not on Facebook. People can enter by commenting on the post on what they think makes Logan County an attractive place to live, raise a family, establish a business and retire. The drawing will be a random drawing and not based on the comments. There are apps that can be used to pick the random comments. Five pairs of tickets will be given away. The deadline to enter will be August 31st.

SUNSET MEMORIAL GARDENS – Dave Appelhans reported that the old building will be torn down Monday morning starting around 8 a.m. Marilee will make sure to get the pictures online as the public appreciates the cooperative efforts of the county and City of Sterling.

BEER GARDEN – Alan Samber reported that the Fair Board recommended extending the beer garden contract another year due to the loss of 2020. The Board agreed to do this. Alan Samber will write an extension for the Board to approve. The existing contract says that the Knights will provide roll up doors on the west side of the beer garden each year with an amount not to exceed \$1,000 per year. Alan will need to know if there was anything done last year, if they did not, they will need to do it this year. The Fair Board will provide law enforcement or security. The police, sheriff, and CSP will be on the midway. Commissioner McBride thinks

that the Beer Garden is to have private security to catch problems starting in the Beer Garden. The Logan County Fair and Rodeo is responsible to pay for security for the Beer Garden. There is money in the Fair budget for security. Byron will call Todd to have him contact the private security firm.

There being no further business to come before the Board, the meeting adjourned at 11:40 a.m.