

Logan County Commissioners Work Session

July 5, 2023

Present: Jerry Sonnenberg, Joe McBride, Mike Brownell, Alan Samber, Jerry Casebolt, Kristan Lange, Debbie Unrein, Rob Quint, Aimee Haynes, Jeff Rice, and Jennifer Crow.

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

APPROVAL OF MINUTES FROM PREVIOUS SESSION – Commissioner Brownell moved to approve the minutes of June 20, 2023. Commissioner McBride seconded, and the motion carried, 3-0.

REVISIONS TO WORK SESSION AGENDA – None.

REVIEW AND APPROVE SCHEDULE OF COUNTY BILLS – Kristan Lange met with the Board to review the Logan County schedule of bills dated July 5, 2023. The Board approved all bills as presented.

REVIEW BUSINESS MEETING AGENDA – No questions were asked.

FLEMING COMMUNITY DUMP - Aimee Haynes met with the Board concerning a problem with a community dump located at the intersection of County Roads 38 and 77, one mile north of Fleming on the correction line. The Fleming town dump was deeded over to Jeff and Sandy Nichols. There is a “No Dumping” sign on the property that is full of bullet holes.

One of the original conditions on the sale of the property to the Nichols was that they were to build a fence around the property. A few weeks ago, a huge grain bin blew from the property through the Haynes’ four-wire fence a half-mile into their pasture. Ms. Haynes asked if the county could work with them to fence the property up and get it cleaned up. The Haynes are thankful that their cows did not get out of their pasture and get hit on the road when the grain bin knocked the fence down. Kids are often on the property and use it for target practice.

The property previously was the Fleming town dump. The EPA started making landfills get certified. The Commissioners and the Town of Fleming were not going to continue to operate the Fleming landfill. The land was sold to Jeff and Sandy Nichols with the agreement at the time that a fence would be built. When Mr. Nichols was alive, the property was kept in better condition and the dumping was not taking place. The property is approximately twelve acres. There is no trash being buried on the land, however the public is dumping large items on the property such as hot tubs, couches, trailers, etc.

Commissioner McBride asked if the agreement was between the Town of Fleming and the landowner, wouldn’t it be the Town of Fleming that would need to initiate action with the landowner? The Town of Fleming was the seller.

Alan Samber does not know if the Colorado Department of Public Health and Environment (CDPHE) will apply if trash is not being buried. He will have to look at the definition of a solid waste disposal facility again. It seems to hinge on whether things are being buried. If the landowner does not want people dumping on her property, it is a case of trespassing and illegal dumping on the property. If the property is being used as a solid waste disposal facility, the

owner would have to receive a certificate of designation from the county that has been approved by the state.

Rob Quint noted that the Assessor previously had the land classified as Ag land until 2018 but after 2020 it was classified as market grass. Currently it is classified as vacant land. If it is not classified as Agriculture land, then the county's junk and weed ordinance would apply and the county can put pressure on the owner to clean it up.

Commissioner McBride will email the Sheriff's Office and ask for extra patrol in the area to watch for illegal dumping.

It was suggested a letter be sent to the landowner to secure the property with fencing so that it is not accessible for dumping. It is a possible zoning violation for dumping.

Mrs. Haynes said that she and her husband have discussed making an offer to purchase the property and cleaning it up to sell it as a lot to build on. It was suggested that it is possible that the land could be contaminated since it has previously been used as a dump.

The Board agreed to have Alan Samber draft a letter to Mrs. Nichols. If there is a zoning violation, he should include that information. It was also suggested that it might be helpful if the Fleming Town Council would send a note out with water bills that dumping is no longer allowed on the land.

JOURNAL-ADVOCATE PUBLISHING SCHEDULE AS OF JULY 10, 2023 - Jeff Rice notified the Board that the Journal-Advocate will no longer be publishing the physical Monday and Tuesday editions. The Monday and Tuesday editions will be published online, however.

ROAD CONDITIONS COUNTY ROAD 370 - Jeff Rice also asked the Board for help with County Road 370 in front of his house. Construction in that area has created problems with the road since the gravel pit was open for so long. There is a mud hole in front of his house at 13450 CR 370. There is no gravel left on the road for 30-40 yards right in front of his driveway.

LANDFILL FEE STRUCTURE – Commissioner Brownell reported that Matt Chrisp would like to meet with the Board to visit about the landfill fee structure. The Board agreed that the first meeting in August, they would meet with Matt about the landfill fee structure.

BOARD OF EQUALIZATION SCHEDULE – Jennifer discussed the Board of Equalization schedule with the Commissioners. The Board will need to schedule time to meet with any persons who have submitted petitions by the deadline and then provide a decision by August 5 to those persons. She will ask the Assessor's Office how many petitions to expect and let the Board know potentially how many hearings they may have to schedule.

JAIL INSPECTION – Commissioner McBride reported that the Board inspected the Logan County Jail on June 20, 2023 and found no issues.

There being no further business, the meeting was adjourned at 9:37 a.m.