



AGENDA

Logan County Board of Commissioners

NOTE DIFFERENT MEETING LOCATION FOR THIS MEETING ONLY

Sterling Elks Lodge, 321 Ash Street, Sterling, Colorado

Tuesday, June 2, 2020 - 9:30 a.m.

Call to Order

Pledge of Allegiance

Revisions to Agenda

Consent Agenda

Approval of the Minutes of the May 19, 2020 meeting.

Acknowledge the receipt of the Veteran's Service Officer's monthly report and certification of pay form for the month of May, 2020.

Approval of the assignment of Logan County Ambulance debt collections accounts to Wakefield and Associates, the account numbers ending in 4002,30002.

Appointment of Amanda Morgan and Janie Rasmussen (Assistant) to the Logan County Fair Board as Queen's Coordinators to fulfill the remainder of a vacant term to November 2020.

Ratification of the following actions:

- Approval of Department of Human Services Bills dated May 26 and June 2 and Payroll dated June 2, 2020.
- Approval of Logan County Bills dated May 26, 2020 and June 2, 2020.

Unfinished Business

New Business

Consideration of the award of the Gate Keepers bid for the 2020 Logan County Fair and Rodeo to Anthony Waldon.

Consideration of the approval of a Petition for Abatement of Taxes on behalf of Overland Trail, LLC in the amount of \$12,469.89.

Consideration of the approval of Resolution 2020-20 to amend the IRC Section 125 Flexible Benefits Plan to allow midyear changes to the Day Care and the Health FSA benefits election due to the COVID-19 pandemic.

Consideration of the approval of Resolution 2020-21 to amend the IRC Section 125 Flexible Benefits Plan to allow participants in the Health Flexible Spending Account (FSA) to carryover up to \$550.00 from the prior plan year balance to the new plan year. This carryover amount is in addition to employee's election for the new plan year.

The Board will conduct a public hearing for the Consideration of the Approval of an application for Conditional Use Permit on behalf of Niyol Wind, LLC to construct, operate and maintain a wind energy generating center.

Other Business

Miscellaneous Business/Announcements

The next meeting will be scheduled for Tuesday, June 16, 2020, at 9:30 a.m. at the Logan County Courthouse.

Executive Session as Needed

Adjournment

May 19, 2020

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

Joseph A. McBride
Jane Bauder
Byron Pelton

Chairman
Commissioner
Commissioner

Also present:

Alan Samber
Pamela M. Bacon
Debbie Unrein
Marilee Johnson

Logan County Attorney
Logan County Clerk
Logan County Finance
Tourist Information Center Director/County Public
Information Officer
Logan County Economic Development

Trae Miller

Chairman McBride called the meeting to order at 9:30 a.m. The meeting opened with the Pledge of Allegiance. Chairman McBride asked if there were any revisions for the agenda. No revisions were noted.

The Board continued with the Consent Agenda items:

- Approval of the Minutes of the May 5, 2020 meeting.
- Acknowledgment of the receipt of the Treasurer's Report for the month of April, 2020.
- Acknowledgement of the receipt of the Sheriff's Fee Report for the month of April, 2020.
- Acknowledgement of the receipt of the Clerk's Fee Report for the month of April, 2020.
- Acknowledgment of the receipt of the Landfill Supervisor's Report for the month of April, 2020.
- Ratification of the following actions:
 - Approval of the Department of Human Services Bills dated May 12 and May 19 and Payroll dated May 19, 2020.
 - Approval of Logan County Bills dated May 12, 2020 and May 19, 2020.

Commissioner Pelton moved to approve the Consent Agenda. Commissioner Bauder seconded and the motion carried 3-0.

Chairman McBride continued with New Business:

Commissioner Bauder moved to approve an amendment to lease agreements 420-03401-01, 420-03401-02 and 420-03401-03 between Logan County and The Lamar Companies to modify the terms of the existing lease agreement to convert the payment term from annual prepayment to monthly payment and authorize the Chairman to sign. Commissioner Pelton seconded and the motion carried 3-0.

Commissioner Pelton moved to approve Resolution 2020-19 in opposition to the National Popular Vote Compact, which will appear on the 2020 General Election Ballot. Commissioner Bauder seconded and the motion carried 3-0.

Trae Miller, Director of the Logan County Economic Development will address the Board concerning the utility bill for the Annex.

- Trae Miller explained the gas, water and electric cost for 2019 and asked if there was any room to adjust the


cost for Logan County Economic Development usage of the Annex based on historical past three year cost.

- Commissioners agreed to pay the water as that is a cost the county would incur anyways and to split the heat cost \$250/\$250 for total bill to be paid of \$3679.93

The next business meeting will be scheduled for Tuesday, June 2, 2020, at 9:30 a.m. at the Logan County Courthouse.

There being no further business to come before the Board, the meeting adjourned at 10:07 a.m.

Submitted by:


Logan County Clerk

Approved: June 2, 2020

BOARD OF COUNTY COMMISSIONERS
LOGAN COUNTY, COLORADO

(seal)

By: _____
Joe McBride, Chairman

Attest:

Logan County Clerk & Recorder



Colorado Department of Military and Veterans Affairs
County Veterans Service Officers Monthly Report and Certification of Pay

County of Logan Month of May 2020

GENERAL INFORMATION		REQUEST FOR MEDICAL RECORDS	
Telephone Calls *	80	21-4142 & 21-4142a	- 0 -
Office Visits / telephone	02 / 07	MILITARY RECORDS/CORRECTIONS	
Home Visits	- 0 -	SF180	↑
Outreach Visits	↓	DD149	↑
Community Events	↓	DD293	- 0 -
Request for Medal	↓	NA13075	↓
Operation Recognition	↓	Other	↓
Correspondence Rec'd	04	NSC PENSION	
Correspondence Written	09	21-527EZ	- 0 -
Info/Referral/Inquiries	06	21-8416	- 0 -
VCAA Notice	- 0 -	WIDOWS PENSION	
State Benefits	↓	21-534EZ	- 0 -
Income Verifications	↓	21-8416	- 0 -
NEW CLAIMS INITIATED		DIC	
21-22 CVA	03	21-5234EZ	- 0 -
21-22 others	03	WAIVERS/COMPROMISE	
SC ENTITLEMENT		21-5655	- 0 -
21-526EZ	- 0 -	APPEALS	
21-0966 Informal	↓	21-0985 NOD	- 0 -
21-4138	02	VA Form 9	↓
21-526EZ Reinstate	- 0 -	20-0995	01
21-526EZ IU	↓	20-0996	↑
21-8940 IU	↓	10182	- 0 -

SC ENTITLEMENT CONTINUED		INSURANCE CLAIMS	
21-4192 IU Employer	↑	29-357	↑
21-4138 SMC	- 0 -	29-4364	- 0 -
21-686c Dependency	↓	29-336 Beneficiary	↓
21-674 School Attendance	↓	29-4125 Lump Sum	↓
VA HEALTHCARE		VTF REQUESTS	
10-10EZ	- 0 -	Rental Assistance	↑
CHAMPVA	- 0 -	Utilities Assistance	↓
HOMELESS VETERANS CLAIMS		Prescription Assistance	↓
Service Connection	- 0 -	Food Assistance	- 0 -
NSC Pension	- 0 -	Transportation Assistance	↓
VOC REHAB		Clothing Assistance	↓
28-1900 CH31	- 0 -	Other	↓
MISC CLAIMS		VA HOME LOAN	
21-8678 Clothing Allow	↑	26-1800	- 0 -
21-4502 Adaptive Equip.	↑	26-1817	- 0 -
26-4555 Housing	- 0 -	SURVEYS	
10-0103 HISA Grant	↓	County VSO Feedback and Comment Forms Submitted:	- 0 -
CRSC	↓	OTHER	
BURIAL ALLOWANCE		* Calls: professional to vets/ from vets/ concerning	06 45/22/07
21P-530	↑	Emails: professional to vets/ from vets/ concerning	64 05/05/33
40-1330	- 0 -	Text messages: from vets to vets	63/63
21-2008	↓	21-0958	01
INCARCERATED VETERANS		21P-8416	01
21-526EZ Reinstatement	- 0 -		
21-4138 Apportionment	- 0 -		

Certification by County Veterans Service Officer

I hereby certify, the above captioned monthly report is true and accurate. I have been paid the following amount(s) for the month of May, 2020 from Logan county.

Salary	\$ <u>2,019.98</u>
Expenses (maintenance)	\$ <u>27.40</u>
Office Space	\$ <u>-0-</u>
Telephone	\$ <u>84.10</u>
Office Supplies	\$ <u>-0-</u>
Travel	\$ <u>-0-</u>
Training Conference	\$ <u>-0-</u>
Other <u>Postage</u>	\$ <u>10.20</u>
 TOTAL	 \$ <u>2,141.76</u>


Signature of County Veterans Service Officer

05/29/2020
Date

Certification by County Commissioner or Designee

In accordance with CRS 28-5-707, I hereby certify the accuracy of the Report CVA-26 revised 2-15-2019:

County Commissioner or Designee of

County

Date

This certification, submitted monthly, properly signed and executed is considered as application for the monetary benefits to the County General Fund in accordance with 28-5-804 (2002) Colorado Revised State Statute.

Submit this form no later than the 15th day the following month.

Mail to:
Colorado Division of Veterans Affairs
Attention: Director
1355 South Colorado Blvd.
Building C, Suite 113
Denver, Colorado 80222

Logan County Advisory Board Fair Board Application

Amanda Morgan

Name: _____
Mailing Address: _____ 33216 County Road 75
City/State/Zip: _____ Crook, CO 80726
Telephone: (303)587-9398 Cell Phone: _____
Occupation: NJC Equine Instructor Email Address: Amanda.morgan@njc.edu

☒ Queen Coordinator

☐ Entertainment

☐ Commercial Exhibits & Parking

☐ Advertising & Promotions

☐ Livestock Exhibits

☐ Parade

☐ Fair Manager

☐ Rodeo

☐ Horse Events

☐ 4-H Rodeo

☐ Grandstands & Security

☐ Youth & Open Class Exhibits

☐ Demolition Derby

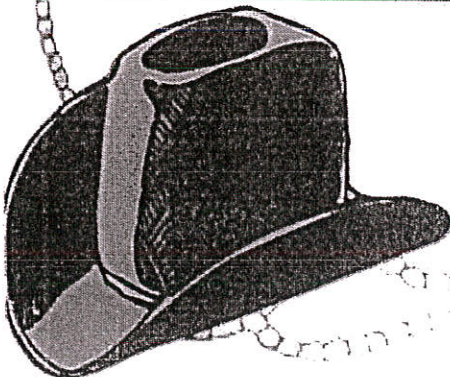
☐ Bull Riding Chairperson

My Qualifications are:

Equine instructor for 10 years. Past Elizabeth Stampede Queen,
and I remain involved some of their activities. Experienced in
public relations, event marketing, and coordination.

I am interested in serving because:

I believe in a Royalty Program. I know the value it can have to a rodeo as a
marketing tool, I have personally benefited from the skills and values that can be
learned through a good program, and I believe in supporting a young lady who
chooses to represent something she loves and works hard to serve her rodeo and
community through her reign.



Amanda Morgan

Signature

05/12/2020

Date

Logan County Advisory Board Fair Board Application

Name: Janie Rasmussen

Mailing Address: 8912 Co Rd 370

City/State/Zip: Sterling CO 80751

Telephone: 970 522 2322

Cell Phone: 970 630 6448

Occupation: Bookkeeper

Email Address: janierasmussen80@gmail.com

☒ Queen Coordinator

☐ Entertainment

☐ Commercial Exhibits & Parking

☐ Advertising & Promotions

☐ Livestock Exhibits

☐ Parade

☐ Fair Manager

☐ Rodeo

☐ Horse Events

☐ 4-H Rodeo

☐ Grandstands & Security

☐ Youth & Open Class Exhibits

☐ Demolition Derby

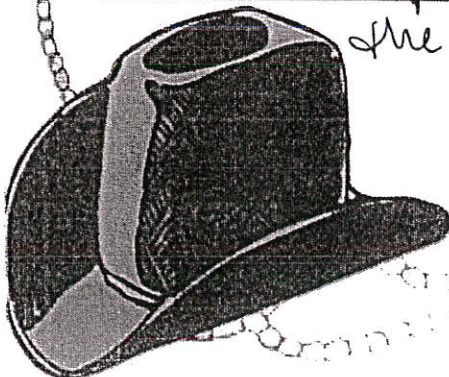
☐ Bull Riding Chairperson

My Qualifications are:

Organized, Self starter and a team player. I am
also a former Queen myself ('98 Douglas County)

I am interested in serving because:

Because I believe in the Queen Program and know
the kind of opportunities it can provide the girls as
well as the promotional opportunities it can provide
the LCF.



Janie Rasmussen

Signature

5-4-20

Date

Fair Manager, Todd Thomas
thomast@logancountyco.gov

315 Main Street | Sterling, CO 80751



Fair Administrative Assistant, Karah Karg
kargk@logancountyco.gov

970-522-0888 ext 222

May 15, 2020

Anthony Waldon
13031 Central Ave N.E.
Albuquerque, NM 87123

Dear Mr. Waldon:

We are pleased to announce the Board of Commissioners has awarded Anthony Waldon the **Gate Keepers** bid for the 2020 Logan County Fair & Rodeo for the bid price of \$1,900.00.

Thank you for your bid and we look forward to working with you. If you have any questions, please free to contact us at 970-522-0888 X 222, or Todd Thomas, Fair Manager at 970-580-2357.

Sincerely?

BOARD OF COMMISSIONERS
LOGAN COUNTY, COLORADO

Joe McBride, Chairman

Byron H. Pelton

Jane E. Bauder

PETITION FOR ABATEMENT OR REFUND OF TAXES

Please submit in duplicate copies and answer all questions.

County Name: **LOGAN**

Date Received:

Use Assessor's or Commissioners Date Stamp

PETITIONER: Complete **Section I** on this side only
Section I:

Date: 4/28/2020
Petitioner's Name: Overland Trail LLC
Petitioner's Mailing Address: 7305 Lowell Blvd. Suite 200
Westminster, CO 80030

Property Address or Legal

Description of Property:

1415 Platte St.

Schedule or Parcel Number:

38052530305003

Petitioner states that the taxes assessed against the above property for tax year 2019
are incorrect for the following reasons:

Granted exemption

In order to correct this error, it will be necessary to abate/refund the following amounts:

\$12,469.86

Tax Amount

2019

Year

Petitioner requests an abatement or refund of the appropriate tax associated with a reduction in value.

I declare, under penalty of perjury in the second degree, that this petition, together with any accompanying exhibits or statements, has been examined by me, and to the best of my knowledge, information and belief, is true, correct and complete.


Petitioner's Signature

(720) 542 6563
Daytime phone number

By: _____
Agent's Signature*

() _____
Daytime phone number

*Letter of agency must be attached when petition is submitted.

Every petition for abatement or refund filed pursuant to section 39-101-114, C.R.S., shall be acted upon pursuant to the provisions of this section by the Board of County Commissioners or the Assessor, as appropriate, within six months of the date of filing such petition. 39-1-113(1.7), C.R.S.

Section II: Assessor's Use Only

Tax Year: 2019		
	Assessed Value	Tax Amount
Original	147,510.00	\$12,469.86
Corrected	0.00	
Abate/Refund	147,510.00	\$12,469.86

(FOR ASSESSOR AND COUNTY COMMISSIONERS USE ONLY)

RESOLUTION OF COUNTY COMMISSIONERS

Resolution No. 93-1

Section I: In accordance with 39-1-113(1.5), C.R.S., the County Commissioners of Logan County authorize the Assessor to review petitions for abatement or refund and to settle by written mutual agreement any such petition for abatement or refund in an amount of one thousand dollars or less per tract, parcel, or lot of land or per schedule of personal property.

The Assessor and Petitioner mutually agree to an assessed value and tax abatement/refund of:

	Tax Year: 2019	
	Assessed Value	Tax Amount
Original	147,510.00	\$12,469.86
Corrected	0.00	\$0.00
Abate/Refund	147,510.00	\$12,469.86

PLEASE NOTE: THE TOTAL TAX AMOUNT DOES NOT INCLUDE ACCRUED INTEREST, PENALTIES, AND FEES ASSOCIATED WITH LATE AND/OR DELINQUENT TAX PAYMENTS, IF APPLICABLE. PLEASE CONTACT YOUR COUNTY TREASURER FOR FULL PAYMENT INFORMATION.

Petitioner's Signature

Date

Assessor's or Deputy Assessor's Signature

Date

If Section I is not complete and / or if petition is for more than \$10,000, Section II must be completed. Submit an original petition and a copy to the Division of Property Taxation.

Section II: Assessor's recommendation:

- ☐ Approved or ☐ Approved in part \$ _____.
- ☐ No protest filed in _____. (If a protest was filed, please attach a copy of NOD.)
- ☐ Denied for the following reason(s):

Assessor's or Deputy Assessor's Signature

Section III: WHEREAS, the County Commissioners of Logan County, State of Colorado, at a duly and lawfully called regular meeting held on 6 / 2 / 2020 at which meeting there were present the following members, Jane Bauder, Bryon Pelton, Joe McBride, with notice of such meeting and an opportunity to present having been given to the taxpayer and the Assessor said County, an abatement/refund be (approved / denied) for property tax year 2019. The taxes to be abated or refunded are \$12,469.86, which presents an assessed value of \$147,510.

Peggy Michaels (being present / not present) and Petitioner Overland Trail LLC, (being present / not present), and WHEREAS, The said County Commissioners have carefully considered the within petition, and are fully advised in relation thereto, NOW BE IT RESOLVED, That the Board (agrees / does not agree) with the recommendation of the Assessor and the petition be (approved / denied) and

Chairperson of the Board of County Commissioners Signature

I, Pamela Bacon, County Clerk and Ex-Officio Clerk of the Board of County Commissioners in and for the aforementioned County, do hereby certify that the above and foregoing order is truly copied from the record of the proceedings of the Board of County Commissioners.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County at Sterling, Colorado, this

Second day of June, 2020

County Clerk's or Deputy County Clerk's Signature

ACTION OF THE PROPERTY TAX ADMINISTRATOR

Denver, Colorado _____ (Date)

The action of the Board of County Commissioners, relative to the within petition, is hereby

- ☐ Approved; ☐ Approved in part \$ _____; ☐ Denied for the following reason(s):

Secretary's Signature

Property Tax Administrator's Signature

RESOLUTION

NO. 2020-20

**LOGAN COUNTY
IRC SECTION 125 AMENDMENT**

WHEREAS, Logan County, a sponsor of an IRC Section 125 Flexible Benefits Plan, has the right, at any time, to amend this Plan.

And, in keeping with the IRS' regulations governing Section 125 of the Internal Revenue Code, along with the IRS Notice 2020-29.

RESOLVED that effective for the 2020 Plan Year, the IRC Section 125 Flexible Benefits Plan shall be amended to allow midyear changes to the Day Care and the Health FSA benefits election due to the COVID-19 pandemic. Participants must submit the 2020 election change no later than July 31, 2020.

BE IT UNDERSTOOD that the passage of this amendment is in all respects legal and that this amendment is in full force and effect.

Dated this 2nd day of June, 2020.

**BOARD OF COUNTY COMMISSIONERS
LOGAN COUNTY, COLORADO**

Joseph A. McBride, Chairman

Byron H. Pelton

Jane E. Bauder

ATTEST:

County Clerk and Recorder

RESOLUTION

NO. 2020-21

**LOGAN COUNTY
IRC SECTION 125 AMENDMENT**

WHEREAS, Logan County, a plan sponsor of an IRC Section 125 Flexible Benefits Plan, has the right, at any time, to amend this Plan,

And, in keeping with the IRS regulations governing Section 125 of the Internal Revenue Code,

RESOLVED that effective for the plan year beginning January 1, 2020, the IRC Section 125 Flexible Benefits Plan shall be amended as follows:

In accordance with IRS Notice 2020-33, this plan shall allow participants in the Health Flexible Spending Account (FSA) to carryover up to \$550.00 from the prior plan year balance to the new plan year. This carryover amount is in addition to employees election for the new plan year.

BE IT UNDERSTOOD that this amendment is in all respects legal and is in full force and effect with the signature of the duly authorized agent.

Dated this 2nd day of June, 2020.

**BOARD OF COUNTY COMMISSIONERS
LOGAN COUNTY, COLORADO**

Joseph A. McBride, Chairman

Byron H. Pelton

Jane E. Bauder

ATTEST:

County Clerk and Recorder

RESOLUTION
NO. 2020-XX

A RESOLUTION APPROVING THE ISSUANCE OF CONDITIONAL USE PERMIT (CUP) #247 TO BE ISSUED TO NIYOL WIND, LLC FOR THE CONSTRUCTION OF A STATE OF THE ART WIND POWERED GENERATING FACILITY TO INCLUDE UP TO EIGHTY-NINE (89) WIND TURBINE GENERATORS, GENERATED POWER TO APPROXIMATELY 200.8 MW, PAD MOUNTED TRANSFORMERS, BURIED AND OVERHEAD CABLE, A SUBSTATION, PRIVATE GRAVEL ACCESS ROADS, PERMANENT METEOROLOGICAL DATA COLLECTION TOWERS, OPERATIONS AND MAINTENANCE FACILITIES AND STORAGE BUILDINGS, RELATED EQUIPMENT AND STRUCTURES, RIGHTS-OF-WAY, A TEMPORARY BATCH PLANT AND OTHER ANCILLARY FACILITIES AND USES IN PORTIONS OF TOWNSHIP 9, RANGES 49 AND 50 WEST; TOWNSHIP 8, RANGES 49 AND 50 WEST; TOWNSHIP 7, RANGES 50 AND 51 WEST; AND TOWNSHIP 6, RANGE 51 WEST OF THE 6" PRINCIPAL MERIDIAN IN LOGAN COUNTY, COLORADO.

WHEREAS, Niyol Wind, LLC has applied for a Conditional Use Permit (CUP) to construct a state of the art wind powered generating facility to include: up to eighty-nine (89) wind turbine generators that would generate approximately 200.8 megawatts; pad mounted transformers, buried and overhead cable, a substation, private gravel access roads, permanent meteorological data collection towers, operations and maintenance facilities and storage buildings, related equipment and structures, rights-of-way, a temporary batch plant and other ancillary facilities and uses, all of which is located in portions of the following described locations::

Township	Range	Sections	Halves or Quarters
6 North	51 West	1	W2
		2	N2
		4	N2
Township	Range	Sections	Halves or Quarters
7 North	50 West	4,5,6,7 and 18	All
		1	N2
		2	All except E2 of SE4 of SE4
		3	All except S2 of SW4
		8	S2 and NW4
		17	S2 and W2 of NW4
		19	SW4
		20	N2 of N2
7 North	51 West	1,2,12,13,22,23,24,26,27	All
		3	N2 and N2 of SE4
		11	All except SW4 of SW4
		14	S2 and NE4
		15	S2 except NE4 of SE4
		33	S2
		34	N2 and SW4
		36	W2
Township	Range	Sections	Halves or Quarters
8 North	49 West	18,19,30	All
		5	NE4 and N2 of NW4
		6	NW4 and NW4 of NE4 and S2 less and except railroad ROW together with parcel 38051905300026 lying on either side of Railroad ROW
		7	S2 except NE4 of SE4

8 North	50 West	1,2,11-16, 21-35	All
		9	S2
		10	S2 and NE4
		18	All except SE4 of SE4
		19	All except NE4 of NE4
		20	All except NW4 of NW4
		36	SE4 and E2 of SW4
Township	Range	Sections	Halves or Quarters
9 North	49 West	31	All
		32	W2
9 North	50 West	35	N2
		36	All

all within the 6th Principal Meridian; Logan County, Colorado; and

WHEREAS, the Logan County Planning Commission recommended approval of the application for a Conditional Use Permit for the construction of a state of the art wind powered generating facility located on the aforementioned identified land after a public hearing held on April 21, 2019, concluding on May 19, 2020; and

WHEREAS, a public hearing was held by the Board of County Commissioners to consider the application for the Conditional Use Permit on June 2, 2020, after due notice was provided as required by law.

NOW, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LOGAN COUNTY, COLORADO:

I. APPROVAL:

The application of Niyol Wind, LLC for Conditional Use Permit #247 is hereby GRANTED, subject to the conditions set forth below.

II. FINDINGS OF FACT:

1. The proposed use is compatible with existing land uses in the area zone, which is zoned Agricultural and Agricultural with CUP Districts,
- 2.
- 3.
- 4.

III. CONDITIONS:

1. The applicant shall submit to Logan County Planning and Zoning an as-built map showing the location of each wind turbine within the boundaries of the CUP project.
2. Building plans must be submitted for administrative approval prior to the start of construction.
3. Any right-of-way crossings and temporary turnouts for the CUP area will be applied for, subsequent to a hearing on this Application by the Board of County Commissioners.
4. The permit term shall be for ninety-nine (99) years on the identified and approved CUP #247. If any changes, such as alterations or enlargements occur to the CUP #247 identified and approved herein, the applicant shall be responsible for seeking and obtaining separate approval of a permit and term of approval for those changes.
5. As a condition of approval of the CUP #247 the applicant shall enter into a Development Agreement between the Board of County Commissioners and applicant that will include the conditions set forth herein as well a specific details on the development of the wind project.
- 6.
- 7.
- 8.

BE IT THEREFORE RESOLVED, that Conditional Use Permit #247 is granted to Niyol Wind, LLC to construct a state of the art wind powered generating facility with a total of up to Eighty-nine (89) wind turbine generators that would generate approximately 200.8 megawatts; pad mounted transformers, buried and overhead cable, a substation, private gravel access roads, permanent meteorological data collection towers, operations and maintenance facilities and storage buildings, related equipment and structures, rights-of-way, a temporary batch plant and other ancillary facilities and uses on the identified project area, subject to the conditions set forth above. The Board of County Commissioners of Logan County retains continuing jurisdiction over the permit to address future issues concerning the site and to insure compliance with the conditions of the permit. The applicant is responsible for complying with all of the foregoing conditions and all other federal or state laws and county zoning or other land use regulations. Noncompliance with any of the conditions may be cause for revocation of the permit.

Done the 2nd day of June, 2020.

LOGAN COUNTY BOARD OF COMMISSIONERS
LOGAN COUNTY, COLORADO

(AYE)(NAY)
Joseph A. McBride, Chairman

(AYE)(NAY)
Byron H. Pelton, Commissioner

(AYE)(NAY)
Jane E. Bauder, Commissioner

I, Pamela M. Bacon, County Clerk and Recorder in and for the County of Logan, State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of the Logan and State of Colorado, in regular session on the 2nd day of June, 2020.

County Clerk and Recorder

LOGAN COUNTY CONDITIONAL USE PERMIT APPLICATION

AS REQUIRED BY THE LOGAN COUNTY ZONING RESOLUTION

DEPARTMENT OF PLANNING & ZONING

LOGAN COUNTY COURTHOUSE

STERLING, COLORADO 80751

Applicant

Name: Niyol Wind, LLC Phone: 561-304-5573
Address: 700 Universe Boulevard, Juno Beach, FL 33408

Landowner

Name: See Exhibit F Disclosure of Ownership Phone: _____
Address: _____

Description of Property:

Legal: $\frac{1}{4}$ Section _____ Section _____ Township _____ Range _____

Address: See Exhibit C for Legal Description Access off CR or Hwy: _____

New Address Needed: Y or **N** Subdivision Name: _____

Filing _____ Lot _____ Block _____ Tract _____ Lot Size _____

Current Zoning: Agriculture **Current Land Use:** Agriculture

Proposed Conditional Use: Installation of a wind generation center.
See letter for additional details.

Terms of Conditional Use: Wind generation center for 30 years or more.

Building Plans: See Exhibit P for Turbine Specifications

Names and addresses of all adjacent landowners within 500 feet of the above described property: _____

Please see Exhibit J for all adjacent landowners within 500 feet of the parcel boundary

I, (We), hereunto submit this application for a Conditional Use Permit to the Board of County Commissioners, together with such plans, details and information of the proposed conditional use. I, (We), further understand that the Board of Logan County Commissioners may, in addition to granting a Conditional Use Permit, impose additional conditions to comply with the purpose and interest of the Logan County Zoning Resolutions and Zoning Map.

Dated at Sterling, Colorado, this 1st day of April, 2020.

Signature of Applicant: 

Signature of Landowner: _____

NIYOL WIND, LLC CUP #247
2020 Wind Energy Facility
App. 39314 acres Logan County

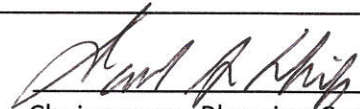
FOR COUNTY USE

Application Fee: One hundred dollars (\$100.00) *pd 3/16/20 ✓ #3963 Rct. #1044*

Date of Planning Commission: *April 21, 2020 - tabled to May 19, 2020*

Recommendation of Planning Commission: ☒ Approval ☐ Denial

Recommended Conditions of Conditional Use Permit: _____


Chairperson, Planning Commission

=====

COUNTY COMMISSIONERS ACTION:

Conditions of Conditional Use Permit: _____

Date Granted: _____

Date Denied: _____

Joseph A. McBride

Byron H. Pelton

Jane A. Bauder

NIYOL WIND, LLC CUP #247
2020 Wind Energy Facility
App. 39314 acres Logan County

Exhibit B – Written Description

Project Summary

Niyol Wind, LLC proposes to construct, operate, and maintain a wind energy generating facility (the “Niyol Wind Project” or “the Project”) near Fleming, Colorado consisting of up to 89 wind turbine generators, together with pad mount transformers, buried and overhead cable, a substation, private gravel access roads, permanent meteorological data collection towers, operations and maintenance facilities and storage buildings, related equipment and structures, rights-of-way, a temporary batch plant, a transmission line, and other ancillary facilities and uses in Logan County. The Niyol Wind Project would be located on approximately 39,314 acres of private and state land in Logan County.

Construction Schedule

The overall construction period for the Niyol Wind Project is expected to last approximately 7-10 months and commence in the spring of 2021. The Project is expected to employ approximately 250 people at the height of construction and will create 6-7 permanent positions when the Project is fully operational.

Wind Turbine Generators

The Niyol Wind Project is expected to have a total generating capacity of approximately 200.8 MW, with approximately 72-89 three-bladed wind turbine generators to be installed. The modern wind turbines under consideration for use in Logan County will be mounted on tubular steel towers that are: 1) 292 feet (89 meters) high and have a rotor diameter of 416 feet (127 meters) and 2) 295 feet (90 meters) high and have a rotor diameter of 380 feet (116 meters). The nacelle is located at the top of the tower and houses the gearbox generator and various control equipment. Rotor blades are attached to the nacelle through a rotor hub. The maximum height of a turbine (including the blade in a vertical position) will range from 495-505 feet (150-154 meters).

The turbines will be grounded in accordance with National Electrical Safety Code (NESC) standards and comply with all Federal Aviation Administration (FAA) requirements. See Figures 1 & 2 for diagrams of typical wind turbines.

Substation

The main function of the on-site substation will be to step-up the voltage from the collection lines (34.5 kV) to the transmission level (230 kV) and to provide fault protection. The basic elements of the step-up substation facilities are a control house, a bank of two main transformers, outdoor breakers, capacitor banks, relaying equipment, high voltage bus work, steel support structures, an underground grounding grid, and overhead lightning suppression conductors. The substation will consist of a graveled footprint area of up to ten acres, a chain-link perimeter fence, and an outdoor lighting system.

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Transmission Interconnect Line

The design for the overhead transmission line depends on terrain, width of ROW, and structure availability and cost. At the time of the application submittal, the transmission line is expected to be approximately 31 miles in length within Logan and Washington Counties and to operate at 230 kV. The transmission line support structures are expected to consist of a single/monopole structure made of steel or a suitable alternative. Overhead wires will consist of six wires attached to nonspecular (low reflectivity) conductors and one continuous ground wire.

Operation and Maintenance (O&M) Facility

The O&M facility will include a main building with offices, spare parts storage, restrooms, a septic system, a shop area, outdoor parking facilities, a turn-around area for larger vehicles, outdoor lighting, and gated access with partial or full perimeter fencing. The projected permanent footprint of the O&M facility (including parking area) will be approximately four acres. The location and exact layout of the O&M Facility has not been finalized; however, the facility will likely be within the Project boundary.

Public Access Roads

The project will be accessed primarily from Interstate 76, State Highway 61 and State Highway 6, and existing county roads. State Highway 6 provides access to the project area from the north, while State Highway 61 provides access from the South. Both of these highways are asphalt roads and upgrades are not anticipated to be required. Existing county roads within the project area are expected to be used during construction and operation of the project. Most, if not all, county roads within the project boundary have a gravel surface and some may need to be upgraded to accommodate equipment deliveries and movement. Culverts may need to be upgraded as well for the same reasons. Routes to be used and the improvements necessary to facilitate use of those routes will be in accordance with the Road Use Agreement to be developed in coordination with the Logan County Road Supervisor.

Permits and authorizations as required by applicable county, state, and federal rules for oversized loads will be obtained from the appropriate agency.

Turbine Access Roads

Low-profile, private gravel roads will be constructed to provide for construction and maintenance access to each turbine, to the O&M facility, and to the substation. Final design and location of these roads is still underway.

Meteorological Towers

There will be two permanent anemometer (wind measurement) tower installed in Logan County. The towers will be approximately 275 feet (83 meters) in height and will have anemometers mounted at varying distances about the ground.

Utility Interconnection or Crossing

Electrical power from the Niyol Wind Project will be transmitted through the transmission interconnect line to a three-breaker ring bus station along Tri-State Generation and Transmission's Story to North Yuma 230kV transmission line located in Washington County. Niyol Wind, LLC intends to enter into an interconnection agreement with Tri-State. Niyol Wind, LLC also intends to enter into crossing agreements with applicable utilities for locations within the project boundary at which it's transmission line or underground cable system crosses local utility or Xcel Energy and/or Tri-State transmission or distribution lines. The location of those crossings will be determined upon finalization of the project design and turbine array.

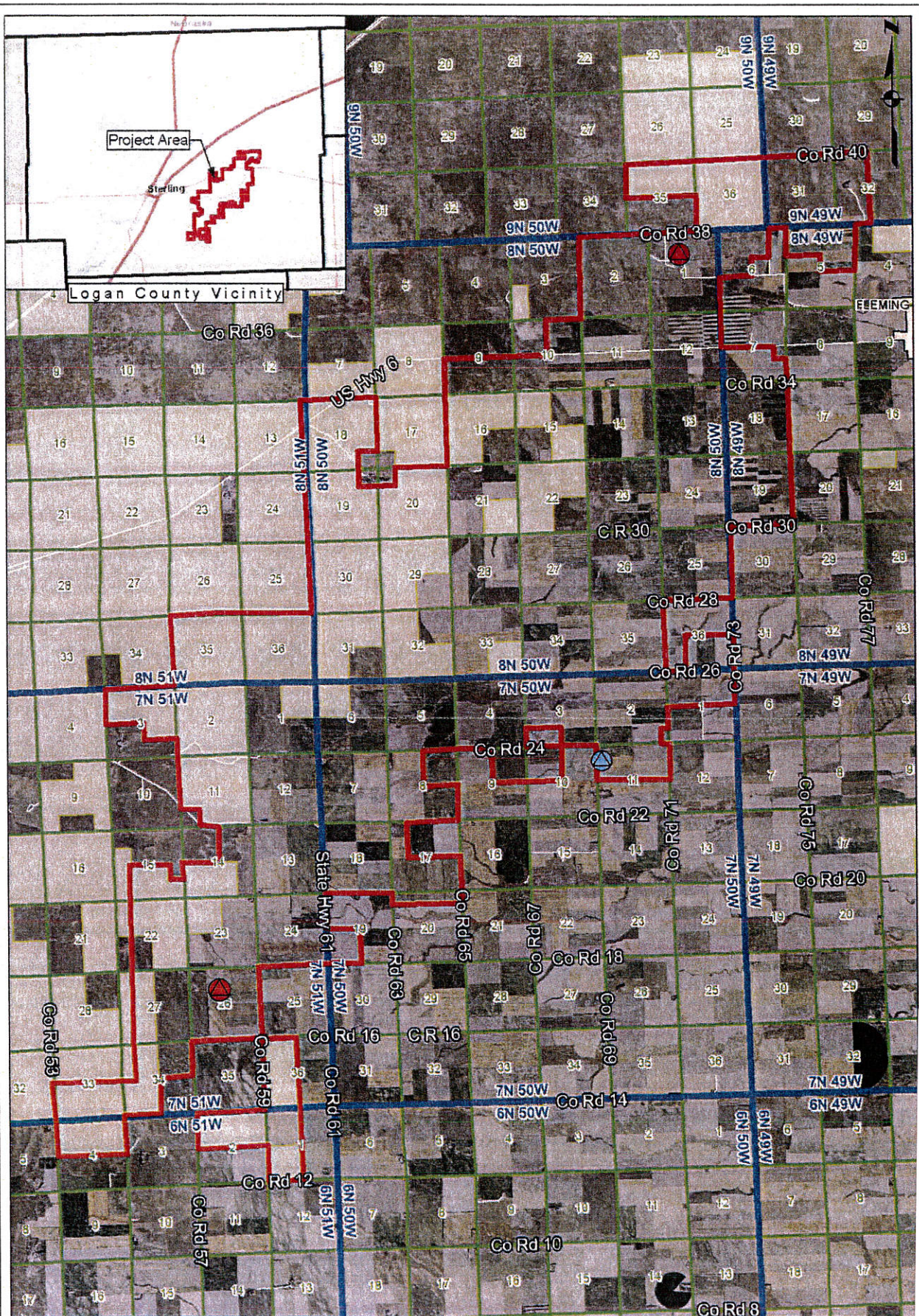
Exhibit C – Legal Description

Table 1. Legal Description

Township	Range	Sections	Subdivision
6N	51W	1	W 1/2
6N	51W	2	N 1/2
6N	51W	4	N 1/2
7N	50W	4-7,18	All
7N	50W	1	N 1/2
7N	50W	2	All except E 1/2 of SE 1/4 of SE 1/4
7N	50W	3	All except S 1/2 of SW 1/4
7N	50W	8	S 1/2 and NW 1/4
7N	50W	17	S 1/2 and W 1/2 of NW 1/4
7N	50W	19	SW 1/4
7N	50W	20	N 1/2 of N 1/2
7N	51W	1,2,12,13,22-24,26,27	All
7N	51W	3	N 1/2 and N 1/2 of SE 1/4
7N	51W	11	All except SW 1/4 of SW 1/4
7N	51W	14	S 1/2 and NE 1/4
7N	51W	15	S 1/2 except NE 1/4 of SE 1/4
7N	51W	33	S 1/2
7N	51W	34	N 1/2 and SW 1/4
7N	51W	36	W 1/2
8N	49W	18,19,30	All
8N	49W	5	NE 1/4, N 1/2 of NW 1/4
8N	49W	6	NW 1/4 and NW 1/4 of NE 1/4 and S 1/2 less and except railroad ROW together with parcel 38051905300026 lying on either side of railroad ROW
8N	49W	7	S 1/2 except NE 1/4 of SE 1/4
8N	50W	1,2,11-16,21-35	All
8N	50W	9	S 1/2
8N	50W	10	S 1/2 and NE 1/4
8N	50W	18	All except SE 1/4 of SE 1/4
8N	50W	19	All except NE 1/4 of NE 1/4
8N	50W	20	All except NW 1/4 of NW 1/4
8N	50W	36	SE 1/4 and E 1/2 of SW 1/4
9N	49W	31	All
9N	49W	32	W 1/2
9N	50W	35	N 1/2
9N	50W	36	All

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- Project Boundary
- Township / Range
- Section
- State Land Board Lan
- △ Proposed MET Tower
- Propos SODAR



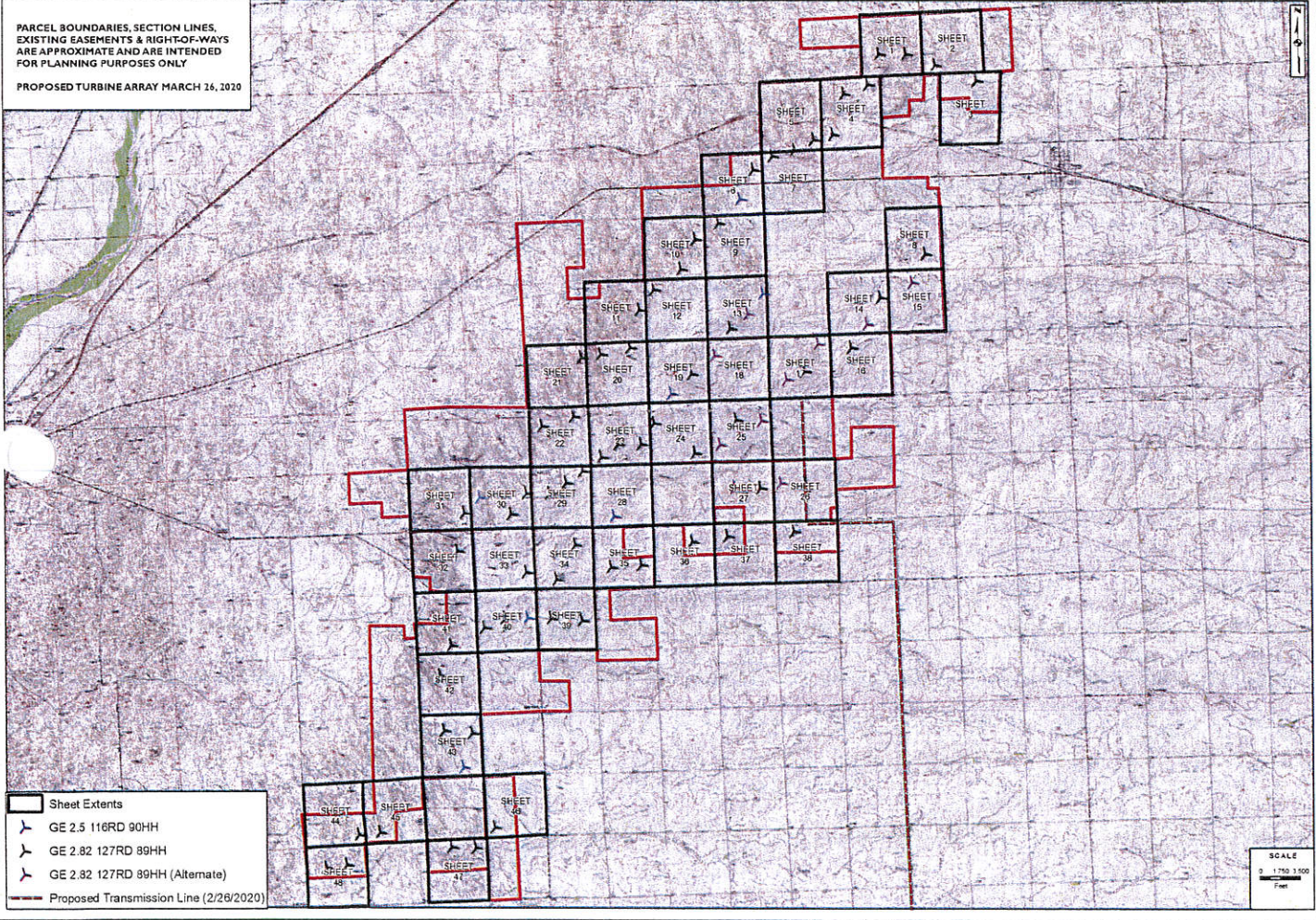
Niyol Wind Project

Vicinity Map
 Logan County, Colorado

Date: 3/31/201

PARCEL BOUNDARIES, SECTION LINES,
EXISTING EASEMENTS & RIGHT-OF-WAYS
ARE APPROXIMATE AND ARE INTENDED
FOR PLANNING PURPOSES ONLY

PROPOSED TURBINE ARRAY MARCH 26, 2020



- Sheet Extents
- GE 2.5 116RD 90HH
- GE 2.82 127RD 89HH
- GE 2.82 127RD 89HH (Alternate)
- Proposed Transmission Line (2/26/2020)

SCALE
0 1750 3500
Feet

CORE CONSULTANTS
1000 N. 10TH AVE. SUITE 100
DENVER, CO 80202
TEL: 303.733.1100
WWW.CORECONSULTANTS.COM

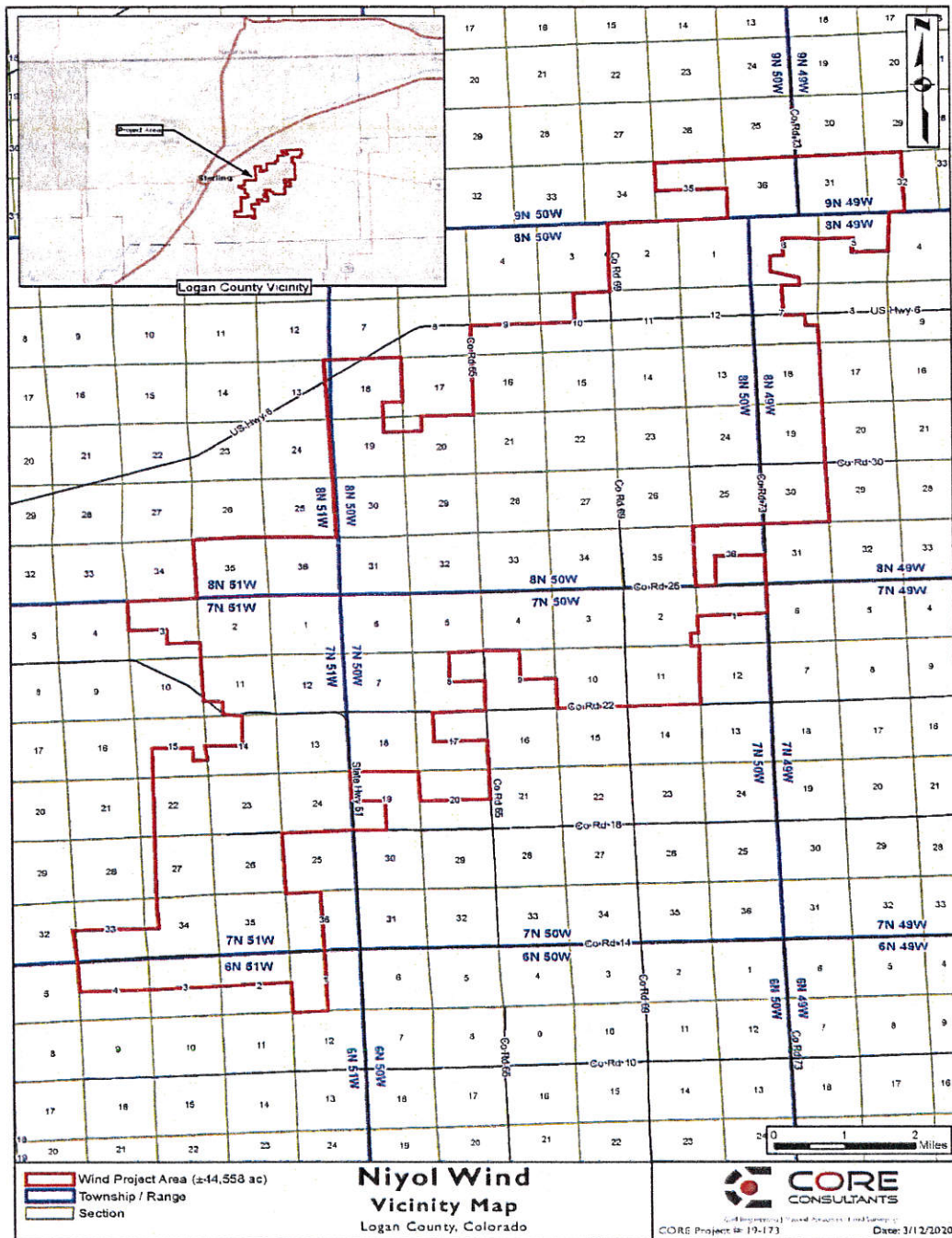
STATE OF COLORADO
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF HERITAGE & SCIENCE
1000 N. 10TH AVE. SUITE 100
DENVER, CO 80202
TEL: 303.733.1100
WWW.CORECONSULTANTS.COM

NIYOL WIND PROJECT
DETAILED SITE PLAN
LOGAN COUNTY, COLORADO

DRAWN BY: J. L. HARRIS
CHECKED BY: J. L. HARRIS
DATE: 03/26/2020
JOB NO.: 18-171
SHEET: CD-04

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EXHIBIT B
NIYOL WIND PROJECT VICINITY MAP



NextEra Energy Resources, LLC
700 Universe Boulevard, Juno Beach, FL 33408

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