



AGENDA

Logan County Board of Commissioners
315 Main Street, Sterling, Colorado
Tuesday, June 30, 2020 - 9:30 a.m.

Call to Order
Pledge of Allegiance
Revisions to Agenda
Consent Agenda

Approval of the Minutes of the June 16, 2020 meeting.

Acknowledge the receipt of the Sheriff's Fee Report for the month of May, 2020.

Unfinished Business **New Business**

Consideration of the approval of an application for Sales of Fireworks on behalf of Our Town Fireworks for sales at 12915 County Road 37, Sterling, Colorado.

Consideration of the approval of an application for Sales of Fireworks on behalf of Discount Fireworks for sales at 198 Springdale Road, Sterling, Colorado.

Consideration of the approval of an application for Fireworks Display on behalf of Sterling Boat Club for a display to be held at the Sterling Boat Club dock on July 3, 2020 at Sterling Boat Club Dock, North Sterling State Park.

Consideration of the approval of an agreement between Logan County and Willard Telephone and issuance of permit # 2020-13 for use of the County Right of Way along and under County Road 18 for new fiber service.

Consideration of the approval of Resolution 2020-23 and an application for Subdivision Exemption on behalf of Donald W. Lebsack and Joyce Lebsack to create a 5.00-acre parcel from a 40.65-acre parcel in the Agricultural (A) zone district in the Southwest Quarter of the Northeast Quarter (SW1/4NE1/4) of Section 13, Township 8 North, Range 52 West of the Sixth Principal Meridian, Logan County, Colorado.

Miscellaneous Business/Announcements

County Offices will be closed Friday, July 3, 2020 in observance of Independence Day – July 4, 2020.

The next meeting will be scheduled for Tuesday, July 7, 2020, at 9:30 a.m. at the Logan County Courthouse.

Executive Session as Needed
Adjournment

June 16, 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 | Chairman |
| Jane Bauder | Commissioner |
| Byron Pelton | Commissioner |

Also present:

| | |
|-----------------|---|
| Alan Samber | Logan County Attorney |
| Pamela M. Bacon | Logan County Clerk |
| Marilee Johnson | Tourist Information Center Director/County Public |

| | |
|--|---------------------|
| | Information Officer |
|--|---------------------|

| | |
|-------------|-------------------|
| Dave Conley | Lodging Tax Board |
|-------------|-------------------|

| | |
|-----------|---------------------|
| Rob Quint | Planning and Zoning |
|-----------|---------------------|

| | |
|----------------|------------------------|
| Patty Bartlett | Logan County Treasurer |
|----------------|------------------------|

| | |
|-------------|-----------------------------------|
| Trea Miller | Logan County Economic Development |
|-------------|-----------------------------------|

| | |
|----------------|------------------|
| Jerry Casebolt | Logan County EMS |
|----------------|------------------|

| | |
|-----------|------------------|
| Jeff Rice | Journal-Advocate |
|-----------|------------------|

| | |
|-----------------|---------|
| Jennifer Herron | NextEra |
|-----------------|---------|

| | |
|---------------|------------------|
| Brandon Smith | Core Consultants |
|---------------|------------------|

| | |
|---------------|---------|
| Nathan Keiser | NextEra |
|---------------|---------|

| | |
|---------------|---------|
| Bonnie Heiple | NextEra |
|---------------|---------|

| | |
|-------------|---------|
| Tricia Hale | NextEra |
|-------------|---------|

| | |
|--------------|---------|
| Todd Sattler | NextEra |
|--------------|---------|

| | |
|--------------|---------|
| Desa Inskeep | NextEra |
|--------------|---------|

| | |
|----------------|--|
| Donna Hastings | |
|----------------|--|

| | |
|-----------------|--|
| Steve McCracken | |
|-----------------|--|

| | |
|------------------|--|
| Dianne McCracken | |
|------------------|--|

| | |
|-----------|--|
| Tony Gerk | |
|-----------|--|

| | |
|-------------|--|
| Lauren Gerk | |
|-------------|--|

| | |
|---------------|--|
| Megan Ringler | |
|---------------|--|

| | |
|-------------|--|
| Alisha Hurt | |
|-------------|--|

| | |
|-------------|--|
| Lori Schott | |
|-------------|--|

| | |
|--------------|--|
| Cindy Horner | |
|--------------|--|

| | |
|-----------------|--|
| Patrick Steward | |
|-----------------|--|

| | |
|-------------|--|
| Randy Alfen | |
|-------------|--|

| | |
|-------------|--|
| Nancy Alfen | |
|-------------|--|

| | |
|------------------|--|
| Taylor Hickerson | |
|------------------|--|

| | |
|----------------------|--|
| Brooke Mollehan Cook | |
|----------------------|--|

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 June 2, 2020 meeting.

- Acknowledgment of the receipt of the Landfill Supervisor's Report for the month of May, 2020.
- Acknowledgement of the receipt of the Treasurer's Report for the month of May, 2020.
- Acknowledgement of the receipt of the Clerk and Recorder's Report for the month of May, 2020.
- Appointment of Erin Lybarger to the Logan County Fair Board Sponsorship Chairperson to fulfill the remainder of a vacant term to November 2020.

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

Chairman McBride continued with Unfinished Business:

The Board will consider the adoption of a resolution approving a conditional use permit on the application Niyol Wind, LLC to construct, operate and maintain a wind energy center.

Chairman McBride moved to approve a condition that all turbines within 2500 feet of an occupied structure to be equipped with low noise blades. Commissioner Pelton seconded and the motion carried 3-0.

Commissioner Pelton moved to approve a condition for a provision in the Development Agreement to be entered into between the applicant and Board of County Commissioners which requires a complaint resolution for addressing the complaints made by the residents and land owners situated within the boundaries of this project. Commissioner Bauder seconded and the motion carried 3-0.

Commissioner Bauder moved to approve a condition for sound testing monthly for the first year and then quarterly after for the life of the project with reports to Planning and Zoning and Commissioners. Commissioner Pelton seconded and the motion carried 3-0.

Commissioner Pelton moved to approve a condition adding Exhibit Q decommissioning in the application to be more fully developed in the Development Agreement with the final assurance test added to that. Commissioner Bauder seconded and the motion carried 3-0.

Commissioner Pelton moved to approve a condition requiring tower lighting standards as required from the FAA for the wind turbines above 499 feet as stated for the application with the FAA. Commissioner Bauder seconded and the motion carried 3-0.

Commissioner Bauder moved to approve a condition of Table 1 for the setback motion of 1475 feet. Chairman McBride seconded and the motion carried 3-0.

Commissioner Pelton moved to approve the application for a conditional use permit application of Niyol Wind, LLC to construct, operate and maintain a wind energy center including the findings of: 1. The decibel levels of the turbines are 50 decibels or less staying in accordance with the most restrictive state statutes of residential areas since this is an agricultural area it stays well below what residential would have, so it works. 2. The land use for this particular project is reasonable because it works together with agriculture in a partnership and the land that it surrounds to create a partner with the landowners and Niyol. 3. Commissioner Bauder added that it does go with our Master Plan because our Master Plan embraces renewable energy and is consistent with our goals. Logan County is positioned to be a leader in renewable energy sector with this project and will help Colorado meet its renewable energy goals. 4. NextEra has not only met but exceeded all of our current regulations, all the studies, plans and majority of negotiations had to be completed before the permit could be pulled and I believe that NextEra has been a great contributor to NJC renewable energy program. NJC has one of the nations top programs in the U.S. It is safe. 5. There is going to be minor impacts to wildlife from the studies and the distance from the homes is almost three times

the height of the tower. Commissioner Bauder seconded and the motion carried 3-0.

Chairman McBride continued with New Business:

Consideration of the approval of the following Logan County Lodging Tax Board projects:

- Logan County Tourism Restart and Recovery Plan - \$5,000.
- Tourist Center Director Salary - \$33,000.

Commissioner Bauder moved to approve the Logan County Lodging Tax Board Project Logan County Tourism Restart and Recovery Plan in the amount of \$5,000. Commissioner Pelton seconded and the motion carried 3-0.

Commissioner Pelton moved to approve the Logan County Lodging Tax Board Project Tourist Center Director Salary in the amount \$33,000. Commissioner Bauder seconded and the motion carried 3-0.

Commissioner Bauder moved to approve of an agreement between Logan County and Nebraskalink Fiber and issuance of permit #2020-9 for use of the County Right of Way under various Logan County roads for fiber optic lines and vaults. Commissioner Pelton seconded and the motion carried 3-0.

Commissioner Pelton moved to approve of an agreement between Logan County and Cindy Lawley/Sitewise and issuance of permit #2020-10 for use of the County Right of Way under 117 Highland Drive for a new gas service line. Commissioner Bauder seconded and the motion carried 3-0.

Commissioner Bauder moved to approve of an agreement between Logan County and Cindy Lawley/Sitewise and issuance of permit #2020-11 for use of the County Right of Way under 201 Highland Drive for a new gas service line. Commissioner Pelton seconded and the motion carried 3-0.

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

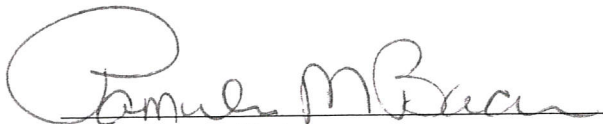
There being no further business to come before the Board, the meeting adjourned at 10:23 a.m.

Chairman McBride reconvened the meeting at 10:42 a.m.

Commissioner Bauder moved approve resolution 2020-22 for a 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, privet gravel access roads, permanent meteorological data collection towers, operations and maintenance facilities and storage buildings, related equipment and structures, right-of-way, a temporary batch plant and other ancillary facilities ad uses in portions of Township 9, Ranges 49 & 50 W, Township 8, Ranges 49 & 50 West; Township 7, Ranges 50 & 51 W, and Township 6, Range 51 West of the 6th Principal Meridian in Logan County, Colorado. Commissioner Pelton seconded and the motion carried 3-0.

There being no further business to come before the Board, the meeting adjourned at 10:44 a.m.

Submitted by:


Logan County Clerk

Approved: June 30, 2020

BOARD OF COUNTY COMMISSIONERS
LOGAN COUNTY, COLORADO

(seal)

By: _____
Joe McBride, Chairman

Attest:

Logan County Clerk & Recorder

* emailed to
Jennifer 06.24.2020
@ 1:15pm (8)

| CIVIL PAYMENTS | | | | | | |
|----------------|---------|---|-------------|----------------------|------------------|-----------------------|
| May-20 | | | | | | |
| Date | Check # | Business Check # | Sheriff # | Amount | Amount of Refund | Amount Owed to County |
| 5/5/2020 | 732 | Cash | 2020-229 | \$ 35.00 | \$ 15.00 | \$ 20.00 |
| 5/5/2020 | 733 | Cash/8538,10 02,145,1495,1 302,2051,377, 3521,3689,78 86,7887 | N/A | \$ 1,192.00 | | \$ 1,192.00 |
| 5/14/2020 | 735 | Cash | 202-239/240 | \$ 55.00 | \$ 10.00 | \$ 45.00 |
| 5/18/2020 | 737 | 4191 | 2020-238 | \$ 35.00 | \$ 15.00 | \$ 20.00 |
| | | | | Total Owed to County | | \$ 1,277.00 |

| CIVIL PAYMENTS CREDIT CARDS | | | | | |
|-----------------------------|---------|-----------|----------|----------------------|-----------------------|
| May-20 | | | | | |
| Date | Check # | Sheriff # | Amount | Amount of Refund | Amount Owed to County |
| 5/4/2020 | | 2020-227 | \$ 25.00 | | \$ 25.00 |
| 5/12/2020 | | 2020-237 | \$ 43.00 | | \$ 43.00 |
| 5/13/2020 | 734 | 2020-235 | \$ 40.00 | \$ 15.00 | \$ 25.00 |
| 5/14/2020 | | 2020-228 | \$ 35.00 | | \$ 35.00 |
| 5/18/2020 | 736 | 2020-242 | \$ 40.00 | \$ 15.00 | \$ 25.00 |
| 5/20/2020 | | 2020-248 | \$ 35.00 | | \$ 35.00 |
| 5/20/2020 | | 2020-251 | \$ 35.00 | | \$ 35.00 |
| 5/26/2020 | | 2020-252 | \$ 40.00 | | \$ 40.00 |
| 5/26/2020 | | 2020-253 | \$ 35.00 | | \$ 35.00 |
| 5/26/2020 | | 2020-254 | \$ 10.00 | | \$ 10.00 |
| 5/27/2020 | | 2020-255 | \$ 17.50 | | \$ 17.50 |
| 5/28/2020 | 738 | 2020-257 | \$ 35.00 | \$ 15.00 | \$ 20.00 |
| 6/4/2020 | | 2020-281 | \$ 35.00 | | \$ 35.00 |
| | | | | Total Owed to County | \$ 380.50 |

| OTARY/SEX OFFENDERS/RECORDS REQUEST CREDIT | | | | | |
|--|--|-----------|----------|----------------------|-----------------------|
| May-20 | | | | | |
| Date | | Sheriff # | Amount | Amount of Refund | Amount Owed to County |
| 5/12/2020 | | | \$ 50.00 | | \$ 50.00 |
| 5/14/2020 | | | \$ 50.00 | | \$ 50.00 |
| 5/26/2020 | | | \$ 50.00 | | \$ 50.00 |
| | | | | Total Owed to County | \$ 150.00 |

| CHP CREDIT CARDS | | | |
|------------------|--|----------------------|-----------------------|
| May-20 | | | |
| Date | | Amount | Amount Owed to County |
| 4/30/2020 | | \$ 63.00 | \$ 63.00 |
| 5/4/2020 | | \$ 63.00 | \$ 63.00 |
| 5/5/2020 | | \$ 13.00 | \$ 13.00 |
| 5/11/2020 | | \$ 63.00 | \$ 63.00 |
| 5/13/2020 | | \$ 15.00 | \$ 15.00 |
| 5/29/2020 | | \$ 63.00 | \$ 63.00 |
| 5/29/2020 | | \$ 63.00 | \$ 63.00 |
| 5/29/2020 | | \$ 63.00 | \$ 63.00 |
| 6/1/2020 | | \$ 152.50 | \$ 152.50 |
| 6/1/2020 | | \$ 152.50 | \$ 152.50 |
| 6/4/2020 | | \$ 152.50 | \$ 152.50 |
| 6/4/2020 | | \$ 152.50 | \$ 152.50 |
| | | Total Owed to County | \$ 1,016.00 |

CIVIL CHECKS \$ 1,277.00
 CIVIL CREDIT CARDS \$ 380.50
 RECORDS/VIN/FINGERPRINTS CREDIT CARDS \$ 150.00
 CHP CREDIT CARDS \$ 1,016.00
 TOTAL PAID TO GENERAL FUND \$ 2,823.50 Check#742
 DEPOSIT TAKEN TO BANK OF COLORADO \$ 1,317.00

#12157

FIREWORKS PERMIT APPLICATION

(PLEASE TYPE OR PRINT CLEARLY)

APPLICANT INFORMATION**FEE 100.00**

NAME Our Town Fireworks DATE 5-15-20
ADDRESS PO Box 248 PHONE 605 381 3091
CITY New Underwood ST SD ZIP 57761
BUSINESS LOCATION 12915 County Rd 37 outside city limits
Sterling, CO

BUSINESS OWNER INFORMATION

NAME Boydston Enterprises Inc ^{Dale} Boydston PHONE 605 484 3027
ADDRESS same as above
CITY _____ ST _____ ZIP _____

PROPERTY OWNER INFORMATION

NAME First Christian Church PHONE 970 522 3353
ADDRESS 12915 County Rd 37
CITY Sterling ST CO ZIP 80751

PROPOSED STRUCTURE

☐ TENT ☐ STAND (WOOD) ☐ STAND (METAL) ☐ TRAILER ☒ OTHER 45' walk thru container
(SPECIFY)
SIZE _____ FT. LONG X _____ FT. WIDE X _____ FT. HIGH **OCCUPANT LOAD** _____
EXITS NO. 2 WIDTH 8' / 36" SEPARATION 40' **FACTOR = 30**

F/X EQUIPMENT NO. OF EXTINGUISHERS 2 TYPE ABC

LOGAN COUNTY SALES TAX LICENSE NUMBER02 55607 0015

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING FIREWORKS WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW.

[Signature] 5/15/20
APPLICANTS SIGNATURE Karen Boydston 605-381-3091 **DATE**

on site contact: Joanne Conter 970-580-2406

OUR TOWN FIREWORKS
FIREWORKS STAND FS2020-2
12915 CR 37, Sterling

LOGAN COUNTY PLANNING & ZONING CODE ENFORCEMENT DIVISION

FIRE DEPARTMENT CHECKLIST
FOR DEPARTMENT USE ONLY

- ☐ Proper size, number and separation of exits.
- ☐ Exits are illuminated. Fixtures have separate sources of power when the occupant load exceeds 300.
- ☐ Exit signs are installed. Fixtures have separate sources of power when occupant load exceeds 300.
- ☐ Occupant load sign installed near the front entry/exit.
- ☐ NO SMOKING OR OPEN FLAME signs are installed
- ☐ Temporary building is structurally stable and anchored to the ground.
- ☐ There is a minimum of 50 feet between the stand and any other structure.
- ☐ Vegetation has been removed for a distance of thirty (30) feet around the structure.
- ☐ Fire extinguishers are of the appropriate type, mounted correctly, in an acceptable location.
- ☐ All electrical cords are sufficient in size and in good repair. No open electrical boxes or connections.
- ☐ Aisles are a minimum of 44 inches in width.
- ☐ No provisions for living inside the structure are present.
- ☐ Comments: Sales of Fireworks cannot commence until the Sterling Fire Department and Logan County Planning and Zoning inspections have been passed.

INSPECTION APPROVED _____ DATE ____/____/____
SIGNATURE FOR BUILDING INSPECTOR

INSPECTION APPROVED _____ DATE ____/____/____
SIGNATURE FOR FIRE DEPARTMENT

SALES TAX LICENSE HAS BEEN ACQUIRED ☐ YES ☐ NO

APPLICATION SUBMITTED ON OR BEFORE JUNE 8 ☐ YES ☐ NO

APPLICANT HAS MET ALL REQUIREMENTS OF THE FIRE DEPARTMENT ☐ YES ☐ NO

THE PERMIT FEE HAS BEEN PAID IN FULL ☒ YES ☐ NO 5/27/20 CK# 12157

PERMIT APPROVED ON THIS DAY _____

Byron H. Pelton, Logan County Commissioner

Joseph A. McBride, Logan County Commissioner

Jane E. Bauder, Logan County Commissioner

**OUR TOWN FIREWORKS
FIREWORKS STAND FS2020-2
12915 CR 37, Sterling**

FIREWORKS SALES PERMIT APPLICATION

(PLEASE TYPE OR PRINT CLEARLY)

APPLICANT INFORMATION

FEE 100.00

NAME Discount Fireworks - Richard Kreabiel DATE 18 May 2020
ADDRESS 1819 Red Brush ST PHONE _____
CITY Wichita ST KS ZIP 67206
BUSINESS LOCATION 198 Springdale Road - Sterling

BUSINESS OWNER INFORMATION

NAME Northeast Colorado Shrine Club - Jerry Ward PHONE 522-0244
ADDRESS 408 Adams Circle
CITY Sterling ST CO. ZIP 80751

PROPERTY OWNER INFORMATION

NAME Sterling Masonic Lodge PHONE 522 2622
ADDRESS 198 Springdale Road - PO Box 329
CITY Sterling ST CO. ZIP 80751

PROPOSED STRUCTURE

TENT STAND (WOOD) STAND (METAL) TRAILER OTHER Existing Building
(SPECIFY)
SIZE ____ FT. LONG X ____ FT. WIDE X ____ FT. HIGH OCCUPANT LOAD ____
EXITS NO. 2 WIDTH Single SEPARATION ____ FACTOR = 30

F/X EQUIPMENT NO. OF EXTINGUISHERS 4 TYPE Meet Current Requirement

~~LOGAN COUNTY~~ ^{State} SALES TAX LICENSE NUMBER

00794535-0006

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING FIREWORKS WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW.

Jerry Ward
APPLICANTS SIGNATURE

18 May 2020
DATE

DISCOUNT FIREWORKS
FIREWORKS STAND FS2020-1
198 Springdale Rd., Sterling

LOGAN COUNTY PLANNING & ZONING CODE ENFORCEMENT DIVISION

FIRE DEPARTMENT CHECKLIST
FOR DEPARTMENT USE ONLY

- ☐ Proper size, number and separation of exits.
- ☐ Exits are illuminated. Fixtures have separate sources of power when the occupant load exceeds 300.
- ☐ Exit signs are installed. Fixtures have separate sources of power when occupant load exceeds 300.
- ☐ Occupant load sign installed near the front entry/exit.
- ☐ NO SMOKING OR OPEN FLAME signs are installed
- ☐ Temporary building is structurally stable and anchored to the ground.
- ☐ There is a minimum of 50 feet between the stand and any other structure.
- ☐ Vegetation has been removed for a distance of thirty (30) feet around the structure.
- ☐ Fire extinguishers are of the appropriate type, mounted correctly, in an acceptable location.
- ☐ All electrical cords are sufficient in size and in good repair. No open electrical boxes or connections.
- ☐ Aisles are a minimum of 44 inches in width.
- ☐ No provisions for living inside the structure are present.
- ☐ Comments: Sales of Fireworks cannot commence until the Sterling Fire Department and Logan County Planning and Zoning inspections have been passed.

INSPECTION APPROVED

SIGNATURE FOR BUILDING INSPECTOR

DATE

6, 18, 2020

INSPECTION APPROVED

SIGNATURE FOR FIRE DEPARTMENT

DATE

6, 17, 2020

SALES TAX LICENSE HAS BEEN ACQUIRED ☐ YES ☐ NO

APPLICATION SUBMITTED ON OR BEFORE JUNE 8 ☐ YES ☐ NO

APPLICANT HAS MET ALL REQUIREMENTS OF THE FIRE DEPARTMENT ☐ YES ☐ NO

THE PERMIT FEE HAS BEEN PAID IN FULL ☒ YES ☐ NO ~~Fee #~~ Rec # 1139 100.00 Cash

PERMIT APPROVED ON THIS DAY

Byron H. Pelton, Logan County Commissioner

Joseph A. McBride, Logan County Commissioner

Jane E. Bauder, Logan County Commissioner

**DISCOUNT FIREWORKS
FIREWORKS STAND FS2020-1
198 Springdale Rd., Sterling**

~~FS2020-3~~
FD2020-1

**FIREWORKS DISPLAY PERMIT APPLICATION
LOGAN COUNTY, COLORADO**

Name of Organization: Sterling Boat Club

Name of Organization Contact: Debbie Klindt

Organization Contact Address: 908 Douglas St.

Organization Contact Telephone #: 520-7632

Date of Proposed Display: July 3rd 2020

Name and Address of Person(s) to be setting off/lighting/operating the display:

Name: Mark Fitzjohn

Address: 349 Plainview St.

Telephone #: 522-4718

Prior Experience: Set off fireworks for city of Stg
display + the boat club for years

Name: Jeff Gardner

Address: 451 Delaware St Stg

Telephone #: 580-7179

Prior Experience: Set off fireworks for city of Stg
display + the boat club for years

Exact Location of Display: (Please attach map) Boat dock + Stg
Boat Club

Time of Display: (Limited to one Hour) dusk

Purpose of Display: entertainment for community + visitors of State
Park + boat club members

Number of Persons Expected to be in Attendance: Boat Club members Statepark
campers

**Sterling Boat Club
2020 Fireworks Display
NW4NW4 02-09-53**

Proposed Method of Safeguarding the Participants, Neighbors, and Others from damages from display: (Please note fire extinguishers, shovels, and other equipment that will be available onsite.)

Every boat parked in the boat club is equipped with fire extinguishers as well as one in our shop. We have shovels on site as well as a tractor if needed. We have unlimited water supply and also hoses + water outlets are available. Fire Dept will have a truck there also.

Nearest Telephone and Distance from Display Area: cell phones on most all in attendance

Methods of Crowd Control: Boat club is fenced area. Outside people are not allowed on premises. Boat club is roped off & members watch from designated areas

Applicant Signature: Debbie Klindt

Applicant Name: Debbie Klindt

Applicant Title: member

Applicant Address: 908 Douglas St.

Applicant Telephone #: 520-7632

Sterling Boat Club
2020 Fireworks Display
NW4NW4 02-09-53

Conditions of Permit:

1. All fireworks displays performed in the State of Colorado must be conducted by a certified fireworks display operator or a certified pyrotechnic operator, whichever classification is appropriate. For information contact: Colorado Department of Public Safety, Division of Fire Safety, 700 Kipling, Lakewood, CO 80215, (303) 239-4463.
2. Permittee must comply with Logan County Resolution of May 5, 1987, regarding fireworks displays.
3. Permittee must comply with Colorado Revised Statute section 12-28-103 and any related or applicable State of Colorado statute regarding fireworks displays.
4. Permittee must comply with National Fire Protection Association Codes 1123 – 1990, Code for the Outdoor Display of Fireworks and/or any other National Fire Protection Association Codes as adopted by the County or as prescribed by State law.
5. Permittee must comply with International Fire Code Section 3308, Fireworks Display.
6. Any resulting permit is null and void on days when burning is restricted or banned by Logan County Red Flag Burning Restrictions Ordinance, Ordinance Number 2009-1, or the Logan County Open Fire and Open Burning Restriction Ordinance, Ordinance Number 2006-01.
7. Other Conditions: _____

APPROVED:

Signed at Sterling, Colorado on this _____ day of _____, _____.

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

Byron H. Pelton (Aye) (Nay)

Joseph A. McBride (Aye) (Nay)

Jane E. Bauder (Aye) (Nay)

Sterling Boat Club
2020 Fireworks Display
NW4NW4 02-09-53

Below for Office Use Only

Permit Fee \$ 25.00 Paid (Non-Refundable) 6/23/20 City 3053 Recd

Performance Bond on Deposit (Not less than \$1,000.00) _____

Fire Chief or Sheriff's Written Report Received _____

Sterling Boat Club
2020 Fireworks Display
NW4NW4 02-09-53

7

3



Sterling Boat Club
2020 Fireworks Display
NW4NW4 02-09-53

AGREEMENT TO USE LOGAN COUNTY RIGHT OF WAY
INDIVIDUAL PERMIT

THIS AGREEMENT made this (County fills in) 30 day of June, 2020, by and between the County of Logan, State of Colorado, hereinafter called "County", and Willard Telephone the undersigned easement holder or landowner, hereinafter called "Applicant".

WHEREAS, Applicant owns the following described premises, or has an easement on, over or through said premises, to-wit (legal description): Willard Telephone Cooperative Association; and

WHEREAS, Applicant desires to install and construct a Fiber Service New, which will be located (Circle One): along, bore under, or trench across LCR 18, to benefit the above described premises; and

WHEREAS, the County is willing to allow such installation and construction by Applicant, but only upon the terms and covenants contained herein.

NOW, THEREFORE, in consideration of paying the County the sum of **\$100.00** or **\$200.00** and keeping of the terms and covenants contained herein, the parties agree as follows:

- ☒ Applicant agrees to furnish the County in writing in advance of installation the exact location and dimensions of said installation and construction.
- ☒ Buried installations must be at no less than 48 inches below the lowest level of any borrow ditch paralleling the County Road and an "Individual permit" must be submitted for each instance.
- ☒ Applicant shall have the right to install and construct Fiber Service New, described above, in the right of way of CR 18, but such installation and construction shall be done only in the following manner. All work within the county ROW shall be performed only during regular business hours of the Logan County Road & Bridge Department to enable supervision and inspection of the work.
- ☒ All work authorized by this Agreement shall be completed no later than 8-1-2020.
- ☒ It is understood that no paved or oil-surfaced road shall be cut and will be crossed by boring only. For other roads and crossings of County property after installation. Applicant shall restore the surface to the same condition as existed prior to such construction.
- ☐ All cost and expense of installation, construction, maintenance, removal, or replacement is to be paid by the Applicant.
- ☒ The traveling public must be protected during this installation with proper warning signs or signals both day and night. Warning signs and signals shall be installed by and at the expense of Applicant.

Willard Telephone Company
ROW2020-13 Bore under CR 18
22 54W T7N

☒ Applicant hereby releases the County from any liability for damages caused by said Fiber Service New, whether caused by employees or equipment of the County, or others, at any time. Further, Applicant agrees to protect, save and hold harmless, and indemnify the County from and against all liability, loss, damages, personal injuries or expenses suffered by or imposed against the County by reason of the construction, installation or maintenance of the above described improvement.

☒ No perpetual easement or right of way is granted by this instrument and should Applicant's use of said right-of-way interfere with the County's use, or intended use of said right-of-way, Applicant will remove or relocate the same upon demand of the County. Applicant shall pay all costs of such removal or relocation.

☒ This Agreement shall be a covenant running with the above-described real property and shall be binding upon the parties hereto, their heirs, successors, personal representatives, and assigns.

☐ Other Provisions: _____

Note: Applicants in the process of acquiring a Conditional Use Permit or a Special Use Permit - If easements containing signatures have been obtained and are in hand for the appropriate permit, then the landowner signatures required below can be waived.

Owner #1

Printed name

Signature

Owner #2

Printed Name

Signature

Individual Right-of-Way Permit Applicant:

Aimee Dollarshell

Printed name

Aimee Dollarshell

Signature

Address: 41499 Hwy 716 Stoneham, CO 80754 US

Application Fee Paid 150.00 CK # 2321

Date 6/19/20

Signed at Sterling, Colorado the day and year first above written.

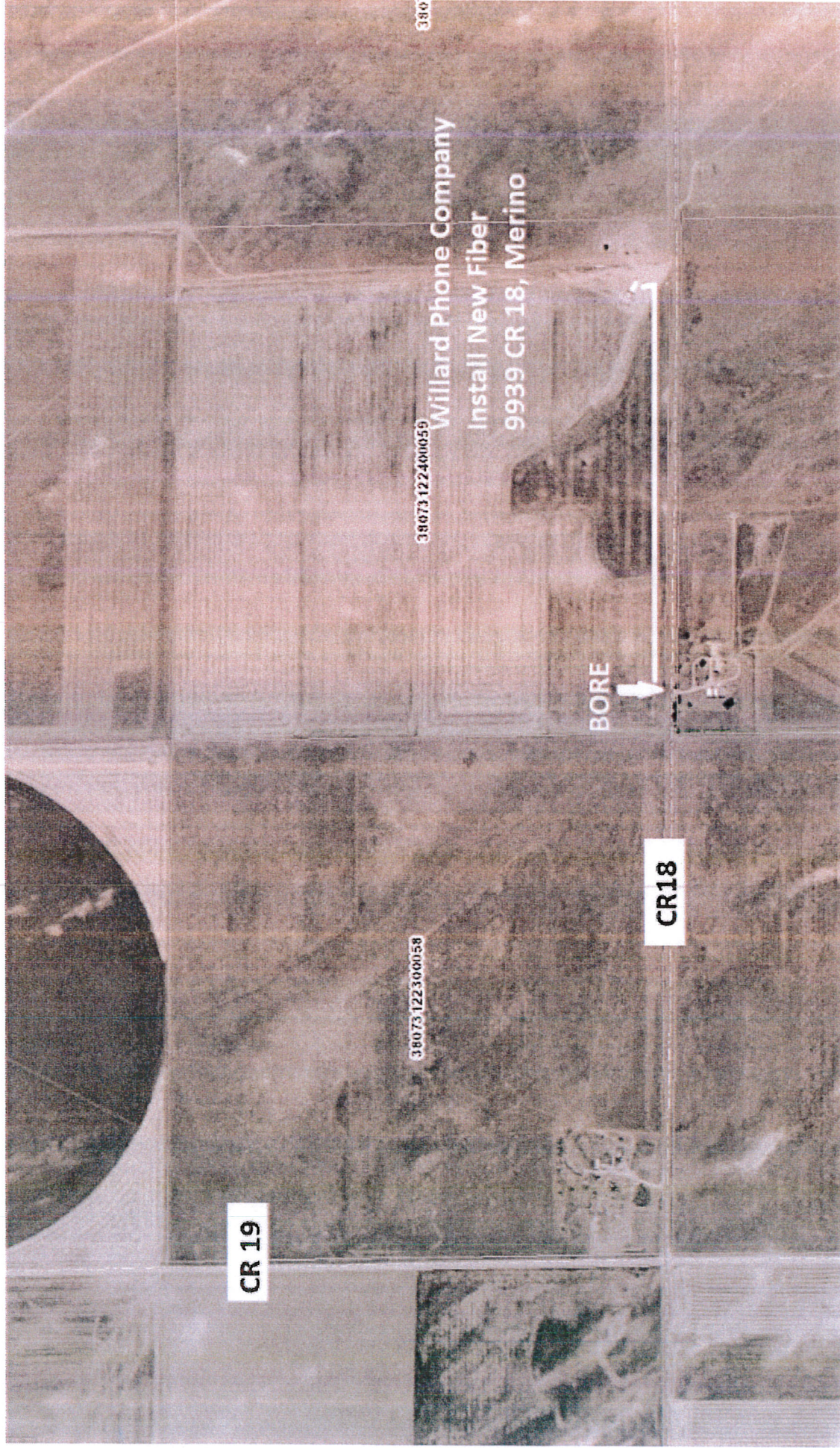
**THE BOARD OF COUNTY COMMISSIONERS
LOGAN COUNTY, COLORADO**

Byron H. Pelton (Aye) (Nay)

Joseph A. McBride (Aye) (Nay)

Jane E. Bauder (Aye) (Nay)

Willard Telephone Company
ROW2020-13 Bore under CR 18
22 54W T7N



Willard Telephone Company
ROW2020-13 Bore under CR 18
22 54W T7N

June 16, 2020

Logan County Commissioners,

Willard Telephone requests permission install fiber to the new home at ^{9939 CR 18}~~9938 CR 8~~ Merino Colorado.


A description of the proposed work is as follows: Starting at the intersection of CR 18 and CR 19 continue east 2850ft to starting point at existing vault boring the road 60ft across to the north side. Then plowing 2100 ft east in north ditch of CR 18 to section 22 54W T7N.

Please see attached map for a detailed view of the proposed construction.

All cable will be placed a minimum of 48 inches below the lowest portion of the road or barrow pit. Traffic will be controlled in concordance with the Uniform Traffic Control Manual. Traffic warning signs will be placed a minimum of 100 feet from each direction of the proposed digging area. All utilities will be located prior to any work being done. Located will be requested from UNCC as required by law. Disturbed areas will be restored.

All pertinent documents have been enclosed. Should you have any questions or need additional information please call (970) 580-1992.

Thank You,


Aimee Dollerschell
General Manager
Willard Telephone

Enclosures

Willard Telephone Company
ROW2020-13 Bore under CR 18
22 54W T7N

RESOLUTION

NO. 2020-23

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

SUBDIVISION EXEMPTION FOR DONALD W. LEBSACK AND JOYCE LEBSACK

WHEREAS, Section 30-28-101 (10)(d), C.R.S., as amended, authorizes the Board of County Commissioners pursuant to resolution to exempt from the detailed requirements of the Logan County Subdivision Regulations any division of land if the Board of County Commissioners determines that such division is not within the purposes of the statutory provisions governing land division; and

WHEREAS, Donald W. Lebsack and Joyce Lebsack, have applied for an exemption from the Logan County Subdivision Regulations with reference to a proposed parcel to be created which is legally described as follows:

A parcel of land in the Southwest Quarter of the Northeast Quarter (SW1/4NE1/4) of Section 13, Township 8 North, Range 52 West of the Sixth Principal Meridian, Logan County, Colorado, said parcel being more particularly described as follows:

Beginning at the Southwest corner of a parcel of land described in book 1028 at page 763 of the Logan County records from whence the Northeast corner of the SW1/4NE1/4 of said Section 13 bears North 78°24'15" East a distance of 1090.82 feet; thence South 52°14'10" East along the Southerly line of said parcel of land described in book 1028 at page 763 a distance of 345.91 feet; thence South 47°27'10" East along the Southerly line of said parcel of land described in book 1028 at page 763 a distance of 188.43 feet; thence South 46°01'30" West a distance of 461.00 feet; thence North 42°05'15" West a distance of 488.34 feet to a point in the centerline of County Road 370, said point being on a horizontal circular curve concave Northwesterly whose delta angle is 2°15'33" and whose radius is 9793.53 feet; thence along the arc of said curve and continuing along the centerline of County Road 370 a distance of 386.16 feet (the chord of said arc bears North 39°44'00" East a distance of 386.13 feet) to the point of beginning and containing 5.00 acres, more or less, subject to County Road 370 right-of-way.

(As represented on official Subdivision Exemption Plat #2020-23); and

WHEREAS, Donald W. Lebsack and Joyce Lebsack, intend to create a parcel, consisting of 5.00 acres subdivided from a 40.65 acre parcel in an Agricultural (A) zone district, for sale; and

WHEREAS, the Logan County Planning Commission recommended approval of the application after reviewing the application, studying the staff review, and reviewing the proposed plat on June 25, 2020; and

WHEREAS, a public hearing was held by the Board of County Commissioners on June 30, 2020, at which time the Board reviewed the application and any exhibits, and heard the comments of the staff and any interested parties; and

WHEREAS, based on the application, supporting information, comments of staff and testimony of any interested persons, the Board finds as follows:

1. That the exemption is consistent with and conforms to the Logan County Zoning Resolution and Subdivision Regulations.

2. That the exemption relates to a division of land that is determined not to be within the purpose of C.R.S. 30-28-101, et. seq.

3. That legal and physical access is provided to the parcel by enforceable public rights-of-way or recorded easements, and the size, location and availability of essential services to the proposed parcel are reasonable, appropriate and customary for the intended use.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Logan County, Colorado, that the application by Donald W. Lebsack and Joyce Lebsack, for a Subdivision Exemption for the creation of 5.00 acre parcel in the unincorporated area of Logan County, as described above and as represented on official Subdivision Plat 2020-23, is hereby approved, provided that no further subdividing of the above described parcel shall occur without the prior approval of the Board of County Commissioners.

DONE on Tuesday, this 30th day of June, 2020.

BOARD OF COUNTY 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 County of Logan and State of Colorado, in regular session on this 30th day of June, 2020.

County Clerk and Recorder

FORM 7. APPLICATION FOR SUBDIVISION EXEMPTION PLAT APPROVAL

(To be filed in duplicate)

(Incomplete Applications will not be accepted)

Date May 20, 20201. Name of Subdivision Exemption Donald W. Lebsack 970-522-41252. Name of Applicant Don & Joyce Lebsack Phone 970-580-6125Address 15410 C.R. 370, Sterling, Co 80751
(Street No. and Name) (Post Office) (State) (Zip Code)3. Name of Local Agent n/a Phone _____Address _____
(Street No. and Name) (Post Office) (State) (Zip Code)4. Owner of Record same Phone _____Address _____
(Street No. and Name) (Post Office) (State) (Zip Code)5. Prospective Buyer n/a Phone _____Address _____
(Street No. and Name) (Post Office) (State) (Zip Code)6. Land Surveyor Liebert MacAtee Phone 970-522-1960Address 615 S. 10th Ave, Sterling, Co 80751
(Street No. and Name) (Post Office) (State) (Zip Code)7. Attorney n/a Phone _____Address _____
(Street No. and Name) (Post Office) (State) (Zip Code)8. Subdivision Exemption Location: on the SOUTH side of C.R. 370
21,635 Feet East of Hwy 6
(Direction) (Street)9. Postal Delivery Area 80751 School District RE110. Total Acreage 40.65 Zone AG Number of Lots 211. Tax Map Designation: Section/Township/Range SW4 NE4 13-8-52 Lot(s) 2

12. Has the Board of Zoning Appeals granted variance, exception, or conditional permit concerning this property?

If so, list Case No. and Name no13. Is Deed recorded in Torrens System: Number no14. Is Deed recorded in General System: Book 1024 Page 39615. Current Land Use: Ag / Residential16. Proposed Use of Each Parcel : Ag / Residential

LEBSACK, Don & Joyce
2020 Subdiv. Exempt. 5 acres
SW4NE4 Section 13-08-52

17. Proposed Water and Sewer Facilities: existing
18. Proposed Public Access to each new parcel: existing

19. Reason for request of this exemption (may use additional pages):
to sell

List all contiguous holdings in the same ownership:

Section/Township/Range W2 13-8-52 Lot(s) 1

Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the book and page of each conveyance into the present owner as recorded with the Logan County Clerk and Recorder. This affidavit shall indicate the legal owner of the property; the contract owner of the property, and the date the Contract of Sale was executed. IN THE EVENT OF CORPORATE OWNERSHIP: A list of all directors, officers, and stockholders of each corporation owning more than five percent (5%) of any class of stock must be attached [this need only be provided if Developer is requesting special assessment financing, the formation of improvement district(s) or benefit district(s)].

The applicant hereby consents to the provisions of Article 8.2 A&B of the Logan County Subdivision Regulations.

STATE OF COLORADO

) SS:

COUNTY OF LOGAN

_____ hereby depose and say that all of the above statements and the statements contained in the papers submitted herewith are true.

Donell W. Lebsack
(Applicant Signature)

Mailing Address:

15410 C.R. 370, Sterling, Co 80751

MY COMMISSION EXPIRES:

LEBSACK, Don & Joyce
2020 Subdivision Exemption
5 Acres
SW4NE4 Section 13-08-52

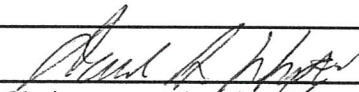
FOR COUNTY USE

Application Fee: One Hundred (\$100.00) and Thirteen (\$13.00) one page OR Twenty-
Three (\$23.00) two pages - separate check for recording fee.

Date of Planning Commission: n/a

Recommendation of Planning Commission: ✓ Approval _____ Denial _____

Recommended Conditions of Subdivision Exemption:



Chairperson, Planning Commission

COUNTY COMMISSIONERS ACTION:

Conditions of Subdivision Exemption:

Date Granted: _____

Date Denied: _____

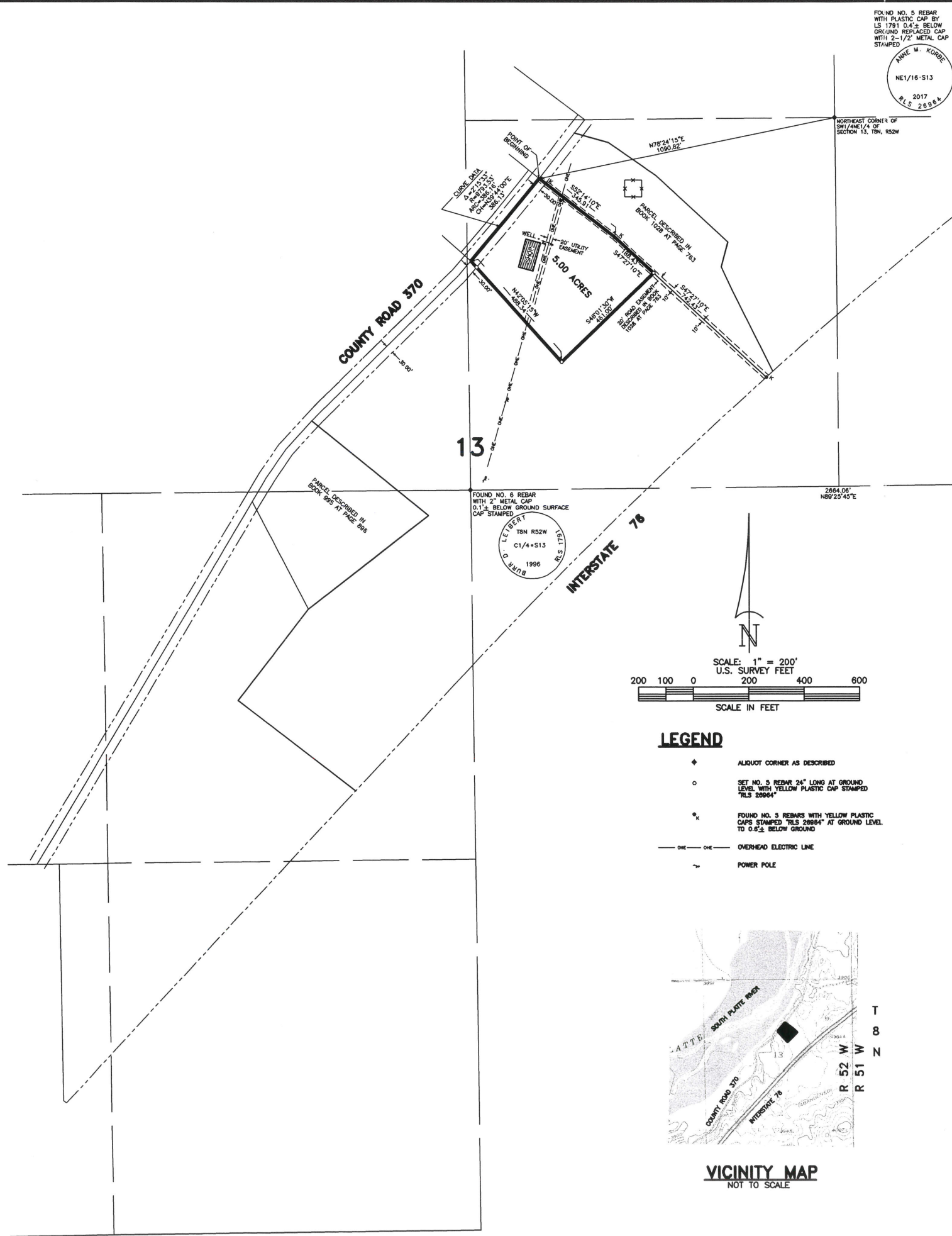
Byron H. Pelton (Aye) (Nay)

Joseph A. McBride (Aye) (Nay)

Jane E. Bauder (Aye) (Nay)

LEBSACK, Don & Joyce
2020 Subdivision Exemption
5 Acres
SW4NE4 Section 13-08-52

SUBDIVISION EXEMPTION PLAT NUMBER
DONALD W. LEBSACK AND JOYCE LEBSACK



SURVEYOR'S STATEMENT

I, ANNE M. KORB, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE SURVEY REPRESENTED BY THIS PLAT WAS MADE BY ME OR UNDER MY SUPERVISION, AND THIS PLAT ACCURATELY REPRESENTS SAID SURVEY BASED UPON MY KNOWLEDGE, INFORMATION, AND BELIEF. I FURTHER STATE THAT THE SURVEY AND THIS PLAT COMPLY WITH ALL APPLICABLE RULES, REGULATIONS, AND LAWS OF THE STATE OF COLORADO, STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS, AND IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

BY: ANNE M. KORB
FOR AND ON BEHALF OF
LEIBERT-McATEE & ASSOCIATES, INC.
R.L.S. NO. 26964

PRELIMINARY

NOT TO BE RECORDED
SEE LEIBERT-McATEE FOR
FINAL MYLAR TO RECORD

DESCRIPTION

A PARCEL OF LAND IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4) OF SECTION 13, TOWNSHIP 8 NORTH, RANGE 52 WEST OF THE SIXTH PRINCIPAL MERIDIAN, LOGAN COUNTY, COLORADO, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN BOOK 1028 AT PAGE 763 OF THE LOGAN COUNTY RECORDS FROM WHENCE THE NORTHEAST CORNER OF THE SW1/4NE1/4 OF SAID SECTION 13 BEARS NORTH 78°24'15" EAST A DISTANCE OF 1090.82 FEET; THENCE SOUTH 52°14'10" EAST ALONG THE SOUTHERLY LINE OF SAID PARCEL OF LAND DESCRIBED IN BOOK 1028 AT PAGE 763 A DISTANCE OF 345.91 FEET; THENCE SOUTH 47°27'10" EAST ALONG THE SOUTHERLY LINE OF SAID PARCEL OF LAND DESCRIBED IN BOOK 1028 AT PAGE 763 A DISTANCE OF 188.43 FEET; THENCE SOUTH 46°01'30" WEST A DISTANCE OF 461.00 FEET; THENCE NORTH 42°05'15" WEST A DISTANCE OF 488.34 FEET TO A POINT IN THE CENTERLINE OF COUNTY ROAD 370, SAID POINT BEING ON A HORIZONTAL CIRCULAR CURVE CONCAVE NORTHWESTERLY WHOSE DELTA ANGLE IS 2°16'37" AND WHOSE RADIUS IS 8783.83 FEET; THENCE ALONG THE ARC OF SAID CURVE AND CONTINUING ALONG THE CENTERLINE OF COUNTY ROAD 370 A DISTANCE OF 386.16 FEET (THE CHORD OF SAID ARC BEARS NORTH 38°44'00" EAST A DISTANCE OF 386.13 FEET) TO THE POINT OF BEGINNING AND CONTAINING 5.00 ACRES, MORE OR LESS, SUBJECT TO COUNTY ROAD 370 RIGHT-OF-WAY.

OWNER'S CERTIFICATE

DONALD W. LEBSACK AND JOYCE LEBSACK BEING THE SOLE OWNERS IN FEE OF THE ABOVE DESCRIBED PROPERTY, DO HEREBY DIVIDE THE SAME AS SHOWN ON THE ATTACHED MAP.

DONALD W. LEBSACK JOYCE LEBSACK

THE FOREGOING CERTIFICATION WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC WITNESS MY HAND & SEAL

PLANNING COORDINATOR CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR CONFORMANCE TO ARTICLE 8 OF THE LOGAN COUNTY SUBDIVISION REGULATIONS AND APPEARS TO COMPLY WITH ALL THE REQUIREMENTS.

PLANNING COORDINATOR DATE

CHAIRMAN-LOGAN COUNTY PLANNING COMMISSION CERTIFICATE

I HAVE REVIEWED THIS PLAT AND CONCUR WITH STAFF THAT THIS PLAT APPEARS TO BE IN CONFORMANCE WITH ALL THE REQUIREMENTS OF ARTICLE 8 OF THE LOGAN COUNTY SUBDIVISION REGULATIONS AND SUBMIT THIS TO THE BOARD OF COUNTY COMMISSIONERS FOR FINAL APPROVAL.

CHAIRMAN-LOGAN COUNTY PLANNING COMMISSION DATE

BOARD OF COUNTY COMMISSIONERS CERTIFICATE

THIS PLAT IS ACCEPTED AND APPROVED FOR FILING THIS _____ DAY OF _____, 20____.

CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS DATED

ATTEST:
COUNTY CLERK AND RECORDER

BY _____
DATE _____

DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

THAT DONALD W. LEBSACK AND JOYCE LEBSACK ARE THE OWNERS OF LAND INCLUDED WITHIN THE PLAT SHOWN HEREON, THAT WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS CLEAR TITLE TO SAID LAND AND WE HEREBY DEDICATE TO THE PUBLIC FOR USE AS SUCH, THE PUBLIC ROADWAYS AND PUBLIC UTILITY EASEMENTS SHOWN ON SAID PLAT AND INCLUDED IN THE ABOVE DESCRIBED PREMISES.

IN WITNESS WHEREOF THIS DEDICATION IS EXECUTED THIS _____ DAY OF _____, 20____.

DONALD W. LEBSACK JOYCE LEBSACK

STATE OF COLORADO }
COUNTY OF LOGAN }

THIS DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____.

IN WITNESS WHEREOF, I HERETO SET MY HAND AND OFFICIAL SEAL

(SEAL)

MY COMMISSION EXPIRES _____

PLAT NOTE

LOGAN COUNTY HAS ADOPTED A RIGHT TO FARM AND RANCH POLICY. RESOLUTION #99-50 RECORDED SEPTEMBER 21, 1999, IN BOOK 925 AT PAGE 430 OF THE LOGAN COUNTY RECORDS. PLEASE READ IT AND BE AWARE OF ITS PROVISIONS.

RECORDER'S CERTIFICATE

I, _____, CLERK AND RECORDER OF LOGAN COUNTY, COLORADO, HEREBY CERTIFY THAT THE BOARD OF COUNTY COMMISSIONERS OF LOGAN COUNTY, COLORADO ON THE _____ DAY OF _____, 20____, ACCEPTED ON BEHALF OF THE PUBLIC THE FOREGOING DESCRIBED PARCEL OF REAL PROPERTY OFFERED FOR DEDICATION FOR PUBLIC USE, IN CONFORMITY WITH THE TERMS OF THE OFFER OF DEDICATION

(SEAL)

CLERK AND RECORDER, LOGAN COUNTY, COLORADO

LEBSACK, Don & Joyce
2020 Subdivision Exemption
5 Acres
SW4NE4 Section 13-08-52

| REVISIONS | LEIBERT-McATEE & ASSOCIATES, INC. |
|------------------|---|
| | P.O. BOX 442 615 SOUTH TENTH AVENUE STERLING, CO 80751 970-522-1960 |
| | TITLE |
| | SUBDIVISION EXEMPTION PLAT NUMBER FOR DONALD W. LEBSACK AND JOYCE LEBSACK IN THE SW1/4NE1/4 OF SECTION 13, T8N, R52W OF THE 6TH P.M., LOGAN COUNTY, COLORADO |
| SCALE: 1" = 200' | DR. BY: AK |
| DATE: 5-20-2020 | PROJECT: 1308-18 |
| | DRAWING NO. |
| | SHEET 1 of 1 |