



AGENDA

Logan County Board of Commissioners
Logan County Courthouse, 315 Main Street, Sterling, Colorado
Tuesday, March 31, 2020 - 9:30 a.m.

Call to Order
Pledge of Allegiance
Revisions to Agenda
Consent Agenda

Approval of the Minutes of the March 17, and March 19 and 25, 2020 meetings.

Ratification of the following actions:

- Approval of bills dated March 31, 2020 for Logan County and Logan County Human Services Department.
- Adoption of the Logan County Emergency Operations Personnel Policy Updates.
- Freeze ordered on all 2020 budgeted Capital Expenditures Fund and Capital Outlay Fund purchases until further notice. The freeze does not apply to service related items. Purchases initiated before the freeze order are allowed to continue.
- Allow the emergency purchase of laptop computers for use by employees to work remotely.

Unfinished Business **New Business**

Consideration of the approval of a contract between Logan County and Heartland Pulling Series for production of a sanctioned Tractor Pull at the Logan County Fair on July 31, 2020.

Consideration of the approval of Resolution 2020-11 granting the amendment of Special Use Permit #175 issued to McEndaffer Feedyard for the operation of a 40,000 head cattle feedlot in Logan County, Colorado.

Consideration of the approval of Resolution 2020-12 granting a Special Use Permit (SUP) for the operation of a 25,000 head cattle feedlot in Logan County for Dr. James Miller, dba Champaign Land and Cattle, Inc.

Consideration of the approval of Resolution 2020-13 granting an amendment to Special Use Permit #221 to Jane Bauder for the Operation of an additional six space travel trailer camping area on a property described as a parcel of land located in the Northeast

Quarter (NE4) of Section 35, Township 8 North, Range 53 West of the Sixth Principal Meridian, Logan County, Colorado.

Consideration of the approval of Resolution 2020-14 granting Conditional Use Permit #245 for the construction, maintenance and operation of a Solar Garden operated by TCA Microgrid Energy, LLC, doing business as Pivot Energy, LLC, consisting of solar modules mounted to single-axis tracking racks, associated electrical equipment including inverters, transformers, combiners, and other equipment, with total production not to exceed five (5) megawatts, to be developed in phases and construction to occur over the next five (5) years, located on a 25 acre parcel leased from Robert A. Lingreen in the Southwest Quarter (SW1/4) of Section 31, Township 8 North, Range 52 West of the 6th Principal Meridian, Logan County, Colorado.

Consideration of the approval of Resolution 2020-15 granting a Conditional Use Permit (CUP) for the construction, maintenance and operation of a Solar Garden operated by TCA Microgrid Energy, LLC, doing business as Pivot Energy, LLC, consisting of solar modules mounted to single-axis tracking racks, associated electrical equipment including inverters, transformers, combiners, and other equipment, with total production not to exceed ten (10) megawatts, to be developed in phases and construction to occur over the next five (5) years, located on a 50 acre parcel, more or less, leased from State of Colorado, State Board of Land Commissioners, in the Southeast Quarter (SE1/4) and Southwest Quarter (SW4) of Section 35, Township 8 North, Range 52 West of the 6th Principal Meridian, Logan County, Colorado.

Consideration of the approval of Resolution 2020-16 resolution granting a Conditional Use Permit (CUP) for the construction, maintenance and operation of a Solar Garden operated by Pivot Energy 13, LLC, consisting of approximately 6200 solar modules mounted to single-axis tracking racks, associated electrical equipment including inverters, transformers, combiners, and other equipment, with total production not to exceed two (2) megawatts, located on a 10 to 12 acre parcel leased from Douglas A. Carrigan in the Southwest Quarter (SW1/4) of Section 35, Township 8 North, Range 52 West of the 6th Principal Meridian, Logan County, Colorado.

Approval of a letter to Governor Jared Polis Requesting Temporary Suspension of Certain Statutory Property Tax Delinquency Requirements and Permanent Legislative Change

Other Business

Miscellaneous Business/Announcements

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

Executive Session as Needed

Adjournment

March 17, 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-Absent
Commissioner

Also present:

Alan Samber
Pamela M. Bacon
Rob Quint
Jerry Casebolt
Dave Conley
Marilee Johnson

Logan County Attorney
Logan County Clerk
Planning and Zoning
Emergency Management
Lodging Tax Board
Tourist Information Center Director/County Public
Information Officer
Building and Grounds
Logan County Human Resources
Logan County Assessor
Department of Human Services
City of Sterling

Chance Wright
Diana Korbe
Peggy Michaels
Dave Long
Don Saling
Robert Lingreen
George Good
Wendy Jerman
Jeff Rice

Journal Advocate

Chairman McBride called the meeting to order at 9:37 a.m. The meeting opened with the Pledge of Allegiance. Chairman McBride asked if there were any revisions for the agenda. None were indicated.

The Board continued with the Consent Agenda items:

- Approval of the Minutes of the March 3, 2020 meeting.
- Acknowledgment of the receipt of the Treasurer's report for the month of February, 2020.
- Acknowledgment of the receipt of the Landfill Supervisor's report for the month of February, 2020.
- Acknowledgement of the receipt of the Sheriff's Fee report for the month of February, 2020.
- Acknowledgment of the receipt of the Clerk and Recorder's report for the month of February, 2020.

Commissioner Pelton moved to approve the Consent Agenda. Chairman McBride seconded and the motion carried 2-0.

Chairman McBride continued with New Business:

Commissioner Pelton moved to approve the Logan County Lodging Tax Board Project for the Colorado Flatlanders annual Rod Run in the Park in the amount of \$3,500.00. Chairman McBride seconded and the motion carried 2-0.

Commissioner Pelton moved to approve a Waiver of Annexation Impact Report on behalf of the City of Sterling for the Platte Valley Industrial Park – Phase I. Chairman McBride seconded and the motion carried 2-0.

- Don Saling with the City of Sterling explained the Waiver of Annexation Impact Report.

Commissioner Pelton moved to approve a petition for abatement of taxes on behalf of Patricia Bartlett, Logan County Treasurer for 2019 Jeopardy Assessments based on 2018 Levies in the amount of \$2,735.17 and allow the Chairman to sign. Chairman McBride seconded and the motion carried 2-0.

Commissioner Pelton moved to approve a petition for abatement of taxes on behalf of Patricia Bartlett, Logan County Treasurer for Uncollectible Personal Property Tax (bankruptcies) in the amount of \$70,057.34 and allow the Chairman to sign. Chairman McBride seconded and the motion carried 2-0.

Commissioner Pelton moved to approve Resolution 2020-08 and an application for a Subdivision Exemption on behalf of Robert D. Lingreen to create a 7.0-acre parcel from a 118.75-acre parcel in an Agricultural (A) zone district in the Southeast Quarter of the Southwest Quarter (SE1/4SW1/4) of Section 31, Township 8 North, Range 52 West of the Sixth Principal Meridian, Logan County, Colorado. Chairman McBride seconded and the motion carried 2-0.

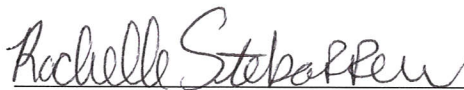
Commissioner Pelton moved to approve an agreement between Logan County and James Aranci and issuance of Right of Way Permit #2020-6 for use of the County Right of Way along County Road 71 for a driveway entrance. Chairman McBride seconded and the motion carried 2-0.

Commissioner Pelton moved to approve an agreement between Logan County and Eric Hernandez and issuance of Right of Way Permit #2020-7 for use of the County Right of Way across County Road 68 for an 18-inch irrigation pipe. Chairman McBride seconded and the motion carried 2-0.

The next business meeting will be scheduled for Tuesday, March 31, 2020, at 9:30 a.m. at the Logan County Courthouse. The Heritage Center is closed at this time but Meals on Wheels will still be delivered. The Visitors Center is also closed. For any County business either call, go online or use the drop box.

There being no further business to come before the Board, the meeting adjourned at 9:50 a.m.

Submitted by:



Logan County Deputy Clerk

Approved: March 31, 2020

BOARD OF COUNTY COMMISSIONERS
LOGAN COUNTY, COLORADO

(seal)

By: _____
Joe McBride, Chairman

Attest:

Logan County Clerk & Recorder

March 19, 2020

The Logan County Board of Commissioners met in emergency session via email 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

Logan County Attorney
Logan County Clerk

Chairman McBride called the emergency meeting via email to order at 11.45 a.m.

Chairman McBride continued with New Business:

Chairman McBride met with Diana, Debbie, Jerry, and Christian with Paramount to discuss some of these issue prior to presenting them in this meeting. Generally, the following were near consensus in those discussions.

I also listed this meeting in the title with a reference number using A in front of the date. For future meetings/issues if we could please keep some type of system. Emails are getting out of control!

Issue 1: We currently have a few people that have been sent home from work for possible symptoms/exposure. As you may be aware, several counties are offering 80 hours of paid Admin leave for those that are affected. This is the suggested proposal:

We offer 40-80 hours of Admin sick leave for anyone exhibiting symptoms or that are put into quarantine. This is essentially on an honor system so we just hope for low abuse. Secondly, if someone self-quarantines and uses all of that time, later gets sick, they would have to use PTO.

Issue 2: Advanced PTO: Recommendation is to front newer employees or those with no PTO to have advanced PTO allotted. This would slowly be paid back through continued employment. Cap for program is recommended at 80 hours.

Issue 3: Future budget considerations. While the county mostly relies on property taxes, the money that we do bring in through sales tax will be impacted. In addition, I believe future assessment will be impacted. With all of the unknowns I would recommend placing a freeze on large ticket purchases that may have already been approved in budgets. I apologize that memo left before the decision, so if this item does not receive two votes in favor we will have to reissue that memo.

Issue 4: Future work environment: Again, a lot of unknowns on how long this may last. Christian advised many will be able to work from home and can remote access desktops. Diana is reaching out to all elected officials and department heads for impacts and for numbers on the amount that can work from home. One issue we will face is the lack of available laptops. Christian has one supplier that has older i7 laptops that we can hopefully secure. The estimated price per unit is around \$700. Two weeks of payroll costs about 200k with benefits. I believe we should

identify how many can work from home, how many laptops we would need, and place that order to secure them before it is too late.

Chairman McBride asked first for discussion until a call for a vote.

Commissioner Bauder commented she was in favor of all of these recommendations.

On issue #1-I would be in favor of 80 hours due to the fact that it would be a mandatory 14-day quarantine for anyone exhibiting symptoms.

Get those laptops bought.

Commissioner Pelton commented he thought working from home at this point is a little premature, we closed the county to public access to prevent any transmission from the public. I just think we are getting a little ahead of ourselves. If we need to buy the laptops now that's fine with me, but I would be in favor of waiting to work from home.

Chairman McBride did a Recap of vote:

Issue 1: 3 in favor, Diana please establish a memo letting everyone know about the advance PTO bank and cap.

Issue 2: 3 in favor, 80 hours as admin leave/sick for quarantine. Please let it be known that if someone uses this time, is not sick, or has some other sickness and later acquires COVID that they would then be utilizing their own PTO time.

Issue 3: 3 in favor, Byron would like it noted that this is bigger ticket items, not service related.

Issue 4: 3 in favor, Diana please continue establishing the count needed for laptops. Jerry will be working with Christian on availability and pricing. Jerry please try and obtain 3 bids or provide reasons on a purchase order. Once the purchase order is filled out, send an email to us for approval. We don't have an exact allotment figure for laptops yet, so this will be determined once available.

The next business meeting will be scheduled for Tuesday, March 31, 2020, at 9:30 a.m. at the Logan County Courthouse.

Submitted by:

Logan County Clerk and Recorder

Approved: March 31, 2020

BOARD OF COUNTY COMMISSIONERS
LOGAN COUNTY, COLORADO

(seal)

By: _____
Joe McBride, Chairman

Attest:

Logan County Clerk & Recorder

March 25, 2020

The Logan County Board of Commissioners met in emergency session via email 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

Logan County Attorney
Logan County Clerk

Chairman McBride called the emergency meeting via email to order at 10:07 a.m.

Chairman McBride continued with New Business:

Chairman McBride opened the meeting with a request in regard to extending the action of Resolution 2020-09 Declaration of Local Disaster Emergency that expired yesterday with no expiration listed until rescinded.

Commissioner Bauder thought that we should extend it. COVID is just getting started in our community and I think it's important to implement this for as long as necessary.

Attorney Alan Samber commented he doesn't think you need to do anything. The disaster declaration only expires in 7 days if it is unilaterally declared by the principle executive officer of a political subdivision, without further action of the governing body of the political subdivision. I am not aware that anyone declared a disaster unilaterally (without vote of the entire Board), but even if that did occur, the BOCC, as the governing body, adopted Resolution 2020-09 as a group and specified in the resolution that it remains in effect until rescinded. Therefore, no further action is required.

To the extent that you have already called an emergency meeting and voted to extend resolution 2020-09, I would just treat it as your action reviewing the status of the ongoing emergency and the effectiveness of the declaration, and reaffirming the continuation of the disaster declaration already set forth in Resolution 2020-09. There is nothing wrong with that.

Chairman McBride asked if everyone was Okay considering this information, to reaffirming the continuation of the disaster declaration?

Chairman McBride stated reaffirmed of the declaration and it will continue as noted in the email meeting

The next business meeting will be scheduled for Tuesday, March 31, 2020, at 10:41 a.m. at the Logan County Courthouse.

Submitted by:

Logan County Clerk and Recorder

Approved: March 31, 2020

BOARD OF COUNTY COMMISSIONERS
LOGAN COUNTY, COLORADO

(seal)

By: _____
Joe McBride, Chairman

Attest:

Logan County Clerk & Recorder



HEARTLAND PULLING, LLC.

PO BOX 431

BRIDGEPORT, NE 69336

heartlandpullingseries@gmail.com

308-279-0232 or 308-279-1790

2020 Event Contract

Heartland Pulling, LLC (HPS) and Logan County, Colorado, (Promoter) enter into this agreement for the purpose of obtaining a sanctioned event from HPS, with the rights and obligations explained in this contract.

SECTION I. Event Information

HPS agrees to sanction the following event:

Location: 1120 Pawnee Ave., Sterling, CO 80751 Event Date: 7/31/2020 Event Time: 5:30 p.m.

SECTION II. Rates

All fees listed below are in U.S. Dollars. Full payment is **required** at the conclusion of the event. Please make the necessary arrangements with event/financial personnel.

Sanctioning Fee*	\$1,000
Base Fee**	\$8,745
Street Stock (optional)	\$400.00
Additional Hooks	Maximum \$250
Announcer – Paid separately than HPS	Quote Available on Request
Total	\$10,395.00

*The sanctioning fee is the required fee to post the event on our schedule, order insurance coverage and handle administrative expenses. The fee must be paid to have the event considered "confirmed", and is non-refundable.

**The base fee includes all HPS administrative personnel that will help manage your event, including entry, scales, sled rental, sled operator, tech official, and competitor purse payments. Please see Section IV for promoter-supplied help.

SECTION III: What We Provide

In return for the payment of the above-mentioned sanction fee and base fee, HPS will provide the following for your event:

- Flagman-Starting Line
- Flagman-Finish Line
- Tech Official
- Scale Official
- Entry, results and payout official
- Insurance (for pull event only - DOES NOT INCLUDE other coverages)
- Sled and Scales
- Hook and Unhook Personnel

SECTION IV: What You Must Provide

In order to help make your event successful, the Promoter must provide the following:

- Dirt Track minimum 250 feet in length (prefer 300 feet), 30 feet wide
- Four tow vehicles (prefer small utility tractors or pickups)
- Water Source to wet the track

- Announcer (HPS has an announcer available for most events)
- Amplifier and sound system for announcer's use
- Security, including those checking pit passes at pit entrances and ticket takers for general admission
- Ambulance/Paramedic Crews
- Fire extinguishers (minimum two - prefer one every 50 feet trackside)
- Advertising for event
- Insurance for additional attractions
- Equipment to maintain track surface/personnel to man equipment
- Loader or Vehicle to assist unloading HPS scales and weighting/unweighting of the sled (must be able to lift and maneuver 2,000 pounds of weight).

SECTION V: HPS Event Rules

1. All pullers, pit crews and family members are required to purchase pit passes for the pit areas based upon the established HPS maximums. HPS will collect all pit passes and hook fees from HPS member pullers. Hook fees and pit pass fees remain property of HPS.
2. HPS does not charge an entry fee to HPS members; however, a hook fee is collected from each HPS member upon entry. This hook fee is retained by HPS.
3. The promoter is not allowed to collect additional fees (including, but not limited to, entry fees, pit pass surcharges, vehicle fees, and gate fees) from members.
4. If the event is multi-session, the pit pass rate for HPS-related personnel (including competitors, pit crews, and immediate family) shall be limited to a one-day charge.
5. The pit pass rate for HPS competitors, pit crew and immediate family is capped at \$20. This maximum is only valid for persons known/declared to HPS entry personnel during the registration process. HPS **does not** regulate standard grandstand or pit pass rates for persons not affiliated with HPS.
6. HPS does not issue free pit passes other than the ones listed below. If the promoter wishes to distribute complimentary pit passes (to ambulance/fire crews, for example), the promoter is responsible for sourcing and securing a distinct pit pass and distributing those complimentary passes before the start of the event. HPS will collect pit passes at prevailing rates for all persons who enter through the pit gates. As part of the contract terms, the following personnel (maximum 10) are to receive pit passes at no charge:
 1. Flagmen
 2. Tech officials
 3. Scale Official
 4. Entry, results, payout personnel
 5. Each sanctioned competitor receives 2 pit passes with payment of hook fee.
7. The pit areas must be open and accessible no later than four (4) hours prior to the start of the event. If street stock classes are selected, we recommend designated pit areas for street stock and HPS vehicles.
8. HPS reserves the right to display appropriate banners, track markers, and other promotional material, and reserves the right to sell souvenir shirts, programs, etc. on the event grounds without additional charges by the Promoter. Also, HPS reserves the right to have our announcer read advertising copy provided by HPS, including upcoming pulls and major sponsors of HPS.
9. HPS requires a suitable spot for our video crew/vehicle. The vehicle shall be located near the end of the track with an unobstructed view of the track. HPS also reserves the right to video the entire event and sell DVD's to HPS members. Such video will remain the property of HPS.
10. HPS event is an alcohol-free event from start to finish. In order to comply with our family-oriented nature and insurance regulations, we absolutely prohibit alcohol in the pit area from the pit opening to the conclusion of the show. Anyone caught possessing open containers of alcohol will be asked to discard the alcohol and will be asked to leave the pit area. Once the entire event has concluded, the alcohol rule does not apply.

SECTION VI: Additional Insureds

Please list all additional insureds here. There is no charge for additional insureds listed on this contract. Additional insureds not listed in this section may invoke a \$40 handling charge per insured requested.

1) "Logan County, Colorado, a body corporate and politic"

315 Main Street, Sterling, CO 80751

Affiliation: Promoter

SECTION VII: Contract Terms

This contract, once executed by both parties, shall be considered in full force and subject to cancellation terms listed in Section VIII. This contract is enforceable in parts, as well as a whole, and the invalidation of one portion of the contract will not affect the other portions of the contract.

All changes to the contract must be in writing, and accepted by both parties. It is understood that no verbal agreements that conflict with terms of this contract have been accepted.

SECTION VIII: Cancellation / Non-Performance

HPS accepts this contract in good faith. If the Promoter wishes to cancel the contract, such cancellation must be received in writing no later than 60 days prior to the event date. Such cancellation prior to the 60-day date will require payment of the non-refundable \$1000.00 deposit. No other amounts shall be due to HPS.

If the contract is canceled by the Promoter within 60 days of the event date listed on this contract, HPS reserves the right to demand and collect the full-face value of the contract, including the sanctioning fee, potential mileage charges (using verifiable mileage estimates), and base fee. Such amounts shall be due and payable at the time of cancellation.

In the event of unforeseen circumstances that would cause the cancellation of an event by HPS (i.e. Acts of God, acts of war or terrorism, major mechanical malfunctions of related HPS owned-or-leased equipment, etc.), HPS reserves the right to cancel the event and refund all moneys collected from the Promoter, including the non-refundable sanction fee.

If HPS is remitted funds for any charges, especially sanctioning fees, and such funds are not collectable (i.e. NSF checks, stopped payments, etc.), HPS reserves the right to cancel this contract without penalty or further obligation and remove the event from the schedule. Any rebooking will require an additional \$39 service fee to compensate HPS for the dishonored funds.

RAIN CLAUSE: Once the pull has started (defined as after the first tractor hooks to the sled), HPS will be paid the entire pull fee.

UNFILLED PURSE: HPS pays unfilled purse back to the promoter.

SECTION IX: Contact Information

All correspondence and contact about this event will be conducted between HPS and the following contact:

Organization: Logan County Fair & Rodeo

Contact Name: Todd Thomas, Fair Manager

Mailing Address: 315 Main Street, Sterling, CO 80751

Phone Number: 970-522-0888, Ext. 222.

Fax Number: 970-522-4018

SECTION X: Indemnification and Hold Harmless

Contractor agrees to indemnify and hold harmless Logan County, including its officers, agents and employees, from and against all claims, damages, losses, injuries, and expenses of whatever nature, arising out of or resulting from any acts of omissions of the Contractor, its agents, employees, or assigns.

SECTION XI: Insurance

Contractor shall maintain in full force and effect, at its own expense, comprehensive general liability insurance coverage with a minimum coverage of \$1,000,000 each occurrence, \$1,000,000 general aggregate. Such insurance shall indicate "Logan County, Colorado, a body corporate and politic, is named as Additional Insured" and a certificate of insurance shall be provided to Logan County no later than 3 days prior to the commencement of the Event. Such certificate shall contain a valid endorsement that the policy may not be cancelled or modified without thirty (30) days written notice to Logan County, as provided in section 12 below.

SECTION XII: Notices

Any notice, request, demand, waiver, or other communication required or permitted to be given under this Agreement will be in writing and will be deemed to have been duly given only if delivered in person or by first class, prepaid, registered or certified mail, sent to the following persons:

To Logan County: Board of County Commissioners
 315 Main Street
 Sterling, CO 80751

With a copy to: County Attorney
 508 S. Tenth Ave.
 Sterling, CO 80751

To Contractor: Heartland Pulling, LLC
 c/o Greg Lussetto
 P.O. Box 431
 Bridgeport, NE 69336

SECTION XIII: Acceptance

1. This contract is not considered accepted and in-force until:
 1. Signed by the Promoter
 2. Signed by HPS
 3. Payment of a **\$1000.00 deposit** is received from the Promoter and collected by HPS's official financial institution.
2. The event will not be listed on the official HPS event schedule until the contract is considered accepted.
3. Acceptance of the contract shall be revoked if the payment of the sanction fee is dishonored or revoked.

Promoter Signature

Date

HPS Signature

Date

RESOLUTION

NO. 2020 - 11

AMENDED SPECIAL USE PERMIT #175

A RESOLUTION GRANTING THE AMENDMENT OF SPECIAL USE PERMIT #175 ISSUED TO McENDAFFER FEEDYARD FOR THE OPERATION OF A 40,000 HEAD CATTLE FEEDLOT, IN LOGAN COUNTY, COLORADO.

WHEREAS, McEndaffer Feedyard has applied to amend Special Use Permit #175, seeking expansion from 30,000 head to 40,000 head for continued operation of an existing cattle feedlot operation lying in Section 5, Township 6 North, Range 53 West of the Sixth Principal Meridian, Logan County, Colorado; and

WHEREAS, the Applicant submitted an Engineering Report and Site Plan in support of the application, detailing the proposed feedlot expansion; and

WHEREAS, the Logan County Planning Commission, after reviewing all materials, taking testimony of the applicant and surrounding property owners, and finding no issues that would limit or deny this application, recommended approval of the application for the requested amendment of Special Use Permit #175 at its March 17, 2020 meeting; and

WHEREAS, McEndaffer Feedyard is a registered CAFO in good standing with the Colorado Department of Public Health and Environment; and

WHEREAS, on March 31, 2020, a public hearing of the Logan County Board of County Commissioners was held to consider the issuance of the amended Special Use Permit #175 for McEndaffer Feedyard, to operate a 40,000 head maximum confined animal feeding operation in an Agricultural Zone District, on the above described property.

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

I. APPROVAL:

The application of McEndaffer Feedyard to amend Special Use Permit #175 with expansion to facilitate a 40,000 head cattle feedlot, with related equipment and structures, as defined by Colorado Department of Public Health and Environment (CDPHE) regulations, to be located in Section 5, Township 6 North, Range 53 West of the Sixth Principal Meridian, Logan County, Colorado, as described in the Engineering Report and Site Plan submitted by the Applicant, is hereby approved, subject to the following conditions:

1. The permit term shall be for ninety-nine (99) years on the identified and approved Special Use Permit #175. The use permitted must remain in ongoing compliance with the Logan County Zoning Resolution and all other Federal, State and local rules and regulations. Periodic reviews for compliance with such regulations shall be conducted every five (5) years. If any changes, such as alterations or enlargements, occur to the Special Use Permit identified and approved herein, the applicant shall be responsible for seeking and obtaining separate approval of a permit and term of approval for those proposed changes.
2. All reasonable and necessary preventative measures must be taken for dust suppression and fly control according to industry standards.
3. The Applicant must obtain the CAFO approvals and permits required by the (CDPHE) consistent with the land use authorized herein.
4. The setback for all animal confinement areas in the expansion area shall be at

least three hundred (300) feet from the edge of the County Road 14.

II. FINDING OF FACT:

- 1. The use on the described site is compatible with the Logan County Master Plan and existing land uses in the area, which is zoned Agricultural District with a pre-existing Special Use Permit for a cattle feedlot operation.
- 2. This facility is State CDPHE permitted for a capacity of 30,000 head, with additional approval and permitting required for the capacity limit of 40,000 head.

BE IT FURTHER RESOLVED that Special Use Permit #175 is subject to review and application for renewal for continued permitted use on and after March 31, 2119. 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 forgoing conditions and all other county zoning or other land use regulations. Noncompliance with any of the conditions may be cause for revocation of the permit.

Done the 31st day of March, 2020.

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

(Aye)(Nay)
Joseph A. McBride

(Aye)(Nay)
Byron H. Pelton

(Aye)(Nay)
Jane A. Bauder

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 Logan County in regular session on the 31st day of March, 2020.

Logan County Clerk and Recorder

SPECIAL USE PERMIT AMENDMENT APPLICATION
AS REQUIRED BY THE LOGAN COUNTY ZONING RESOLUTION
DEPARTMENT OF PLANNING & ZONING

Applicant
Name: BRET McEndaffer Phone: 470-580-1344
970-522-5330

Address: 412 Highland Drive Sterling, CO 80751

Landowner
Name: BRET McEndaffer Phone: _____

Address: Same

Description of Property:

Legal: 1/4 Section ALL Section 5 Township 6N Range 53W

Address: 13681 LCR 12 Access off CR or Hwy: Colo 6

New Address Needed: Y or N Subdivision Name: _____

Filing _____ Lot _____ Block _____ Tract _____ Lot Size _____

Current Zoning: Ag Current Land Use: Ag

Current Special Use: 30,000 HEAD CAFO

Proposed Changes of Special Use: INCREASE to 40,000 HEAD

Building Plans: _____

I, (We), hereunto submit this application for a Special Use Permit Renewal to the Board of County Commissioners, together with such plans, details and information of the proposed special use. I, (We), further understand that the Board of Logan County Commissioners may, in addition to granting a Special 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 24 day of JAN 2020

Signature of Applicant: Bret McEndaffer

Signature of Landowner: Bret McEndaffer

McEndaffer Feedyard
2020 - SUP 175 Amend
13681 CR12, Merino
Expand from 30,000 to 40,000

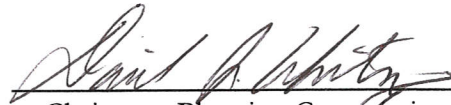
FOR COUNTY USE:

Application Fee: One hundred dollars (\$100.00) *pd 2/6/20 v# 31967 Rct.#1007*

Date of Planning Commission: *March 17, 2020*

Recommendation of Planning Commission: ☒ Approval ☐ Denial

Recommended Conditions of Amended Special Use Permit: _____


Chairman, Planning Commission

COUNTY COMMISSIONERS ACTION:

Conditions of Amended Special Use Permit: _____

Date Granted: _____

Date Denied: _____

Joseph A. McBride (Aye) (Nay)

Byron H. Pelton (Aye) (Nay)

Jane E. Bauder (Aye) (Nay)

**McEndaffer Feedyard
2020 - SUP 175 Amend
13681 CR12, Merino
Expand from 30,000 to 40,000**

RESOLUTION

NO. 2020-12

SPECIAL USE PERMIT #232

A RESOLUTION GRANTING A SPECIAL USE PERMIT (SUP) FOR THE OPERATION OF A 25,000 HEAD CATTLE FEEDLOT, IN LOGAN COUNTY, COLORADO FOR DR. JAMES MILLER dba CHAMPAIGN LAND AND CATTLE, INC.

WHEREAS, Dr. James Miller dba Champaign Land and Cattle, Inc., has applied for a Special Use Permit (SUP) #232 to operate a 25,000 head cattle feedlot on a parcel of land in the North Half (N2) Section 5, Township 7 North, Range 55 West of the 6th Principal Meridian, Logan County, Colorado; and

WHEREAS, the Logan County Planning Commission, after reviewing all materials, taking testimony of the applicant and surrounding property owners, and finding no issues that would limit or deny this application, recommended approval of the application for the requested Special Use Permit at its March 17, 2020 meeting; and

WHEREAS, Dr. James Miller dba Champaign Land and Cattle, Inc., has applied to become a registered Confined Animal Feeding Operation (CAFO) in good standing with the Colorado Department of Public Health and Environment (CDPHE); and

WHEREAS, on March 31, 2020, a public hearing of the Logan County Board of County Commissioners was held to consider the issuance of the Special Use Permit #232 for Dr. James Miller dba Champaign Land and Cattle, Inc., to operate a 25,000 head maximum Confined Animal Feeding Operation in an Agricultural Zone District, on the above described property.

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

I. APPROVAL:

The application of Dr. James Miller dba Champaign Land and Cattle, Inc., for the operation of a 25,000 head cattle feedlot, with related equipment and structures, as defined by CDPHE regulations, to be located in the North Half (N2) Section 5, Township 7 North, Range 55 West of the 6th Principal Meridian, Logan County, Colorado, as described in the Engineering Report and Site Plan submitted by the applicant, is hereby approved, subject to the following conditions:

1. The permit term shall be for ninety-nine (99) years on the identified and approved Special Use Permit #232. The use permitted must remain in ongoing compliance with Logan County Zoning Resolution and all other Federal, State and local rules and regulations. Periodic reviews for compliance with such regulations shall be conducted every five (5) years. If any changes, such as alterations or enlargements, occur to the Special Use Permit identified and approved herein, the applicant shall be responsible for seeking and obtaining separate approval of a permit and term of approval for those proposed changes.
2. All reasonable and necessary preventative measures must be taken for dust suppression and fly control according to industry standards.
3. The Applicant must obtain the CAFO approvals and permits required by the CDPHE consistent with the land use authorized herein.
4. Improvements, related equipment and structures may not occur until the CDPHE approves and inspects the design, building plans and lagoon sites for the feedyard.

II. FINDINGS OF FACT:

1. The use on the described site is compatible with the Logan County Master Plan and existing land uses in the area, which is zoned Agricultural District with a Special Use Permit for a cattle feedlot operation.
2. This proposed facility is in the process of acquiring a CAFO permit with the State of Colorado and is requesting to be permitted by the State CDPHE for a feedyard with the capacity of 25,000 head.

BE IT FURTHER RESOLVED that Special Use Permit #232 is subject to review and application for renewal for continued permitted use on and after March 31, 2119. 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 forgoing conditions and all other county zoning or other land use regulations. Noncompliance with any of the conditions may be cause for revocation of the permit.

Done the 31st, day of March, 2020.

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

Joseph A. McBride, Chairman

(Aye)(Nay)

Byron H. Pelton, Commissioner

(Aye)(Nay)

Jane A. Bauder, Commissioner

(Aye)(Nay)

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 31st day of March, 2020.

County Clerk and Recorder

SPECIAL USE PERMIT APPLICATION
AS REQUIRED BY THE LOGAN COUNTY ZONING RESOLUTION
DEPARTMENT OF PLANNING & ZONING

Applicant

Name: Dr. James Miller Phone: (970) 228-4604

Address: 11905 County Road 5 Merino, Colorado 80741

Landowner

Name: Champaign Land & Cattle Inc. Phone: (970) 228-4604

Address: 11905 County Road 5 Merino, Colorado 80741

Description of Property

Legal: ¼ Section N 1/2 Section 5 Township 7-N Range 55-W

Address: 11905 County Road 5 Merino, Colorado 80741 Access off CR or Hwy: County Road 5

New Address Needed: (Y) or N Subdivision Name: N/A

Filing N/A Lot N/A Block N/A Tract N/A Lot Size N/A

Current Zoning: Agricultural Current Land Use: Agricultural

Proposed Special Use: Phased expansion of the existing <999 head open feedlot. Initial expansion would facilitate headcount to 9,999 head of feeder cattle. Total expansion would facilitate headcount total to 25,000 head of feeder cattle. All storm water conveyance will be planned by a Licensed Professional Engineer to a Holding Pond.

Terms of Special Use: 99 years.

Building Plans: Potential to construct lean-to covers over bunk in areas. Potential to construct working facility at a later date.

I, (We), hereunto submit this application for a Special 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 Special 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 25th day of February

Signature of Applicant:

Signature of Landowner:

Cheryl Miller
Cheryl Miller / Champaign Land and Cattle Inc.

cwerner@securemdllc.com

MILLER, Dr, James SUP2020-2
25,000 Head Cattle Feedlot
N2 Section 05-07-55

FOR COUNTY USE

Application Fee: One Hundred Dollars (\$100.00) *pd 2-26-2020 ✓ #1124 Ret. #*

Date of Planning Commission: *March 17, 2020*

Recommendation of Planning Commission: ☒ Approval ☐ Denial

Recommended Conditions of the Special Use Permit: _____

David A. Hays
Chairperson, Planning Commission

COUNTY COMMISSIONERS ACTION:

Conditions of the Special Use Permit: _____

Date Granted: _____

Date Denied: _____

Joseph A. McBride (Aye) (Nay)

Byron H. Pelton (Aye) (Nay)

Jane A. Bauder (Aye) (Nay)

**MILLER, Dr, James SUP2020-2
25,000 Head Cattle Feedlot
N2 Section 05-07-55**

RESOLUTION

NO. 2020-13

AMENDMENT TO SPECIAL USE PERMIT #221

A RESOLUTION GRANTING AN AMENDMENT TO SPECIAL USE PERMIT (SUP) #221 FOR THE OPERATION OF AN ADDITIONAL SIX SPACE TRAVEL TRAILER CAMPING AREA ON A PROPERTY DESCRIBED AS A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER (NE4) OF SECTION 35, TOWNSHIP 8 NORTH, RANGE 53 WEST OF THE SIXTH PRINCIPAL MERIDIAN, LOGAN COUNTY, COLORADO.

WHEREAS, Jane E. Bauder has applied for an amendment to Special Use Permit (SUP) #221 to operate an additional six (6) space camping area for travel trailers and/or camping vehicles and the previously permitted six (6) individual camping spaces, for a total of twelve (12) on a parcel of land in the Agriculture zone district and the Commercial Highway zone district located in the Northeast Quarter (NE4) of Section 35, Township 8 North, Range 53 West of the Sixth Principal Meridian, Logan County, Colorado; and

WHEREAS, the Logan County Planning Commission, after legal notice was provided as required, conducted a public hearing on the application on March 17, 2020 and, after reviewing all materials, taking testimony of the applicant and other interested persons, and finding no issue that would limit or deny the application, recommended approval of the application for the requested amendment to Special Use Permit (SUP) #221; and

WHEREAS, as required by Section 7.3, I., of the Logan County Zoning Resolution, the application was referred to the Northeast Colorado Health Department for its regulatory compliance review and the Department reported that it has no objections to the proposed camping area as long as a larger septic system with a lift is installed to accommodate the expansion, and subject to ongoing compliance with its regulatory parameters; and

WHEREAS, after providing legal notice as required by Section 5.4 of the Logan County Zoning Resolution, a public hearing of the Logan County Board of County Commissioners was held on March 31, 2020 to consider the approval of the Amended Special Use Permit.

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

I. APPROVAL:

The application of Jane E. Bauder for an amendment to Special Use Permit (SUP) #221 to operate a six (6) additional space camping area for travel trailers and/or camping vehicles and the previously permitted six (6) individual camping spaces, for a total of twelve (12) is GRANTED, subject to the conditions set forth in Section III, below.

II. FINDINGS OF FACT:

1. The proposed use is compatible with existing land uses in the area, which is zoned Agricultural District and Commercial Highway District with a Special Use Permit required for use of the site for camping areas.
2. There are no current compliance orders issued by the State of Colorado, Department of Public Health and Environment for the above property for Jane E. Bauder.

III. CONDITIONS:

1. Individual transient campers and trailers must be legally licensed and remain movable, and shall be limited to a maximum stay of three (3) months.

- 2. Sewer, water and electrical hookups must be supplied to each camping space as represented in the application for the amendment to the special use permit.
- 3. The camping area must remain in compliance with all applicable provisions of the Section 7.3, I., of the Logan County Zoning Resolution, and must comply with applicable regulations of the State of Colorado Department of Public Health and Environment, Colorado Division of Water Resources, or any other applicable local, state or federal regulations.
- 4. No more than the six (6) additional individual camping spaces and the previously permitted six (6) individual camping spaces, for a total of twelve (12) individual camping spaces, may be made available for use by transient campers and trailers at any one time.
- 5. 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 of this permit. Noncompliance with any of the conditions may be cause for revocation of the permit.

Adopted this 31st day of March, 2020.

LOGAN COUNTY BOARD OF COMMISSIONERS
LOGAN COUNTY, COLORADO

(Aye)(Nay)
Joseph A. McBride, Chairman

(Aye)(Nay)
Byron H. Pelton, Commissioner

(Aye)(Nay)
Jane A. 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 31st day of March, 2020.

County Clerk and Recorder

SPECIAL USE PERMIT AMENDMENT APPLICATION
AS REQUIRED BY THE LOGAN COUNTY ZONING RESOLUTION
DEPARTMENT OF PLANNING & ZONING

Applicant

Name: Jane Bauder Phone: 970.466-7541
Address: 13790 Sunny Knolls Lane, Sterling, Co 80751

Landowner

Name: Same Phone: _____
Address: _____

Description of Property

Legal: $\frac{1}{4}$ Section NE4 Section 35 Township 8 Range 53

Address: 16718 Hwy 14, Sterling Access off CR or Hwy: Hwy 14

New Address Needed: ☒ Y or ☐ N Subdivision Name: n/a

Filing _____ Lot _____ Block _____ Tract _____ Lot Size _____

Current Zoning: Commercial Hwy Current Land Use: Commercial

Proposed Special Use: Add ~~8~~ spaces to existing
RV Park

Terms of Special Use: 99 years

Building Plans: _____

I, (We), hereunto submit this application for a Special 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 Special 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 _____ day of _____

Signature of Applicant: Jane Bauder

Signature of Landowner: Jane Bauder

BAUDER, Jane
Amend SUP 221 - RV Park
Add 6 spaces NE4 35-8-53

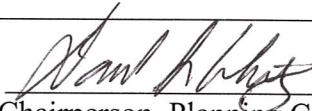
FOR COUNTY USE

Application Fee: One Hundred Dollars (\$100.00) *2 fee pd on previous app*

Date of Planning Commission: March 17, 2020

Recommendation of Planning Commission: ☒ Approval ☐ Denial

Recommended Conditions of the Amended Special Use Permit: _____


Chairperson, Planning Commission

COUNTY COMMISSIONERS ACTION:

Conditions of the Amended Special Use Permit: _____

Date Granted: _____

Date Denied: _____

Joseph A. McBride (Aye) (Nay)

Byron H. Pelton (Aye) (Nay)

Jane A. Bauder (Aye) (Nay)

BAUDER, Jane
Amend SUP 221 - RV Park
Add 6 spaces NE4 35-8-53

RESOLUTION

NO. 2020-14

Conditional Use Permit #245

A resolution granting a Conditional Use Permit (CUP) #245 for the construction, maintenance and operation of a Solar Garden operated by TCA Microgrid Energy, LLC, doing business as Pivot Energy, LLC, consisting of solar modules mounted to single-axis tracking racks, associated electrical equipment including inverters, transformers, combiners, and other equipment, with total production not to exceed five (5) megawatts, to be developed in phases and construction to occur over the next five (5) years, located on a 25 acre parcel leased from Robert A. Lingreen in the Southwest Quarter (SW1/4) of Section 31, Township 8 North, Range 52 West of the 6th Principal Meridian, Logan County, Colorado.

WHEREAS, TCA Microgrid Energy, LLC, doing business as Pivot Energy, LLC, has applied for a Conditional Use Permit for the construction, maintenance and operation of a Solar Garden on a 25 acre parcel in the Southwest Quarter (SW1/4) of Section 31, Township 8 North, Range 52 West of the 6th P.M.; and

WHEREAS, Phase 1 of the project located on approximately 10 to 12 acres will consist of approximately 5500 to 6200 solar modules with total production not to exceed two (2) megawatts, including inverters, transformers, combiners, and a ground-mounted racking system using single-axis tracker system; and

WHEREAS, the property is currently zoned Agricultural; and

WHEREAS, the Logan County Planning Commission, after reviewing all materials, taking testimony of the applicant and surrounding property owners, and finding no issues that would limit or deny this application, recommended an approval of this application for the requested Conditional Use Permit at its regular meeting on March 17, 2020; and

WHEREAS, the applicant is requesting approval of Conditional Use Permit #245, to construct, maintain and operate the Solar Garden, with the period of the Conditional Use Permit to run for 99 (ninety-nine) years, and subject to renewal thereafter. The permit will commence on the date of the approval of the requested Conditional Use Permit.

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

I. APPROVAL:

The application of TCA Microgrid Energy, LLC, doing business as Pivot Energy, LLC, for a Conditional Use Permit for the construction, maintenance and operation of a Solar Garden by TCA Microgrid Energy, LLC, doing business as Pivot Energy, LLC, located on a 25 acre parcel in the Southwest Quarter (SW1/4) of Section 31, Township 8 North, Range 52 West of the 6th P.M., is GRANTED, subject to the conditions set forth below.

II. FINDINGS OF FACT:

The use is compatible with existing land uses in the area, which is zoned Agricultural.

III. CONDITIONS:

1. The applicant will complete the five (5) Megawatt project in development and construction phases no later than March 30, 2025.
2. The permit term shall be for ninety-nine (99) years for the identified and approved CUP #245.

- 3. Equipment shall be flat photovoltaic solar panels, mounted on single-axis tracking racks along with associated electrical and utility equipment; and allows for equipment heights up to twelve (12) inches above the existing or conditioned grade. If any changes or alterations from the above equipment or parameters occur in future phases, the Applicant or any successor in interest shall be responsible for seeking and obtaining separate approval of a permit and term of approval for those changes.
- 4. Total production of project is not to exceed five (5) megawatts, to be developed in phases and construction is to occur over the next five (5) years.
- 5. The applicant shall construct a six foot chain link fence with three strand barbed wire top section surrounding the Project site, providing protection for the community and security for the Project assets. The fencing shall be installed in accordance with applicable federal and state regulations.
- 6. The applicant shall apply for and obtain an access permit from the Logan County Planning and Zoning Department, providing access to the site from Iris Drive (County Road 26).

BE IT THEREFORE RESOLVED, that Conditional Use Permit, #245, is granted for the construction, maintenance and operation of a Solar Garden operated by TCA Microgrid Energy, LLC, doing business as Pivot Energy, LLC, on the property legally described above, subject to the conditions set forth above and subject to application for renewal for continued permitted use after March 31, 2119. 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 forgoing conditions and all other county zoning or other land use regulations. Noncompliance with any of the conditions may be cause for revocation of the permit.

Done the 31st day of March, 2020.

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

(Aye)(Nay)
Joseph A. McBride, Chairman

(Aye)(Nay)
Byron H. Pelton, Commissioner

(Aye)(Nay)
Jane A. 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 31st day of March, 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: TCA Microgrid Energy, LLC dba Pivot Energy, LLC Phone: (404) 234-8543
Address: 1750 15th St. Suite #400, Denver, CO 80202

Landowner

Name: Robert Lingreen Phone: (303) 591-3303
Address: 17401 CR 14 NW Atwood, CO 80722

Description of Property:

Legal: $\frac{1}{4}$ Section SW Section 31 Township 8N Range 52W

Address: _____ Access off CR or Hwy: Iris Drive

New Address Needed: Y or N Subdivision Name: _____

Filing _____ Lot _____ Block _____ Tract _____ Lot Size _____

Current Zoning: Ag **Current Land Use:** Dryland Farming (4100-Agriculture)

Proposed Conditional Use: TCA Microgrid Energy, LLC dba Pivot Energy is proposing to construct solar arrays on up to 25 acres (equaling approximately 5MW DC). Pivot is requesting permission to phase development and construction over the next five years.

Terms of Conditional Use: 99 years or until all solar equipment has been removed from the site.

Building Plans: Phase 1 will consist of approximately 6,200 panels mounted to single-axis tracking racks, associated electrical equipment including inverters, transformers, combiners, and other equipment, an access road and a chain link or wildlife-friendly fence up to 8 feet tall.

Names and addresses of all adjacent landowners within 500 feet of the above described property: See Attachment 1 below

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 23 day of January 2020.

Signature of Applicant: [Signature]

Signature of Landowner: [Signature]

PIVOT ENERGY CUP
Pivot Solar 10, LLC
SW4 Sec 31-08-52

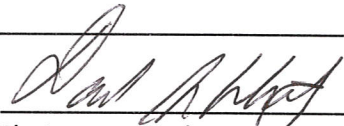
FOR COUNTY USE

Application Fee: One hundred dollars (\$100.00) *pd 2/5/20 ✓ #1387 Rd, #1004*

Date of Planning Commission: *March 17, 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

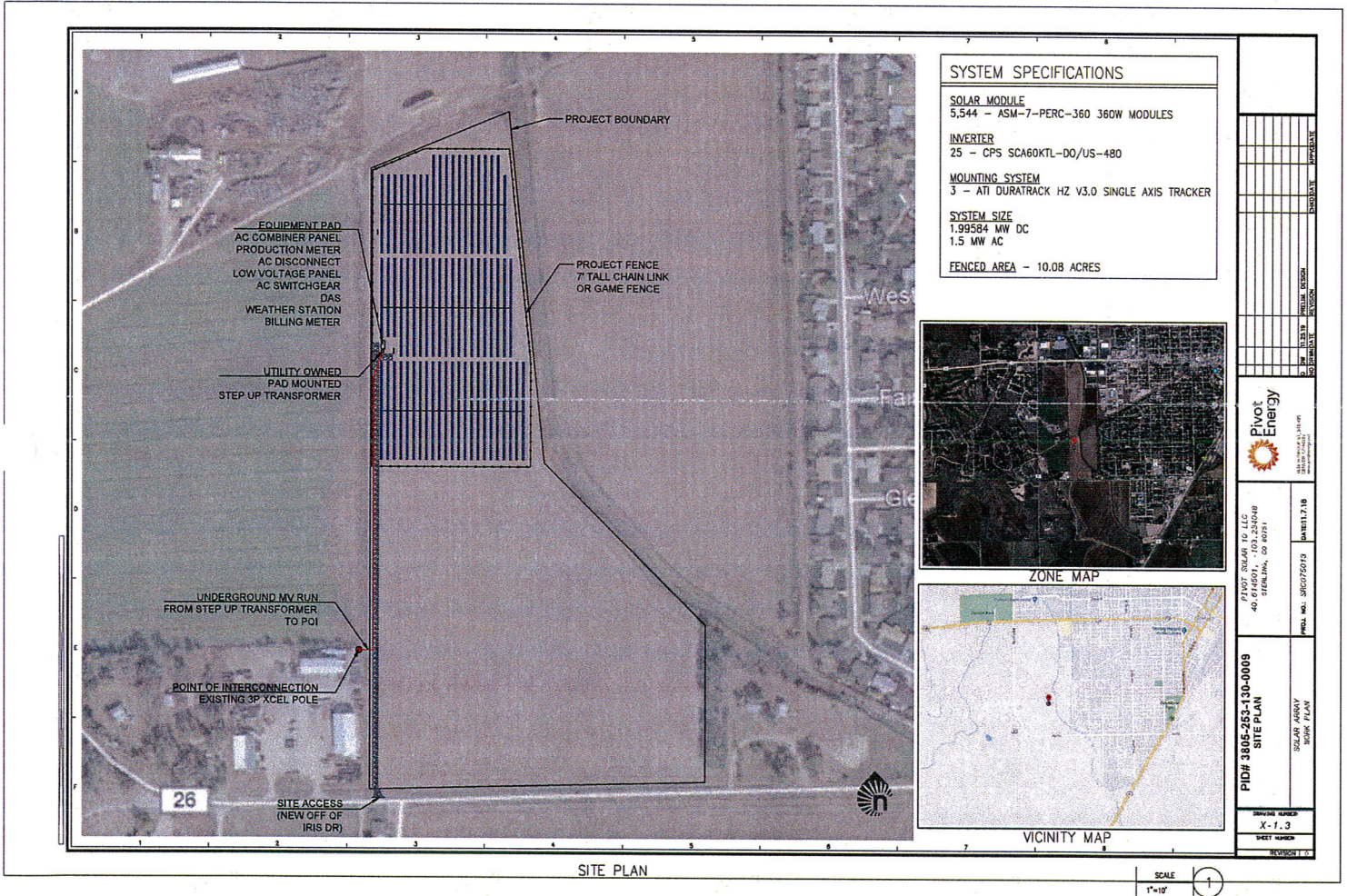
Jane A. Bauder

PIVOT ENERGY CUP
Pivot Solar 10, LLC
SW4 Sec 31-08-52

Plot Plan



Site Plan



RESOLUTION

NO. 2020-15

Conditional Use Permit #244

A resolution granting a Conditional Use Permit (CUP) for the construction, maintenance and operation of a Solar Garden operated by TCA Microgrid Energy, LLC, doing business as Pivot Energy, LLC, consisting of solar modules mounted to single-axis tracking racks, associated electrical equipment including inverters, transformers, combiners, and other equipment, with total production not to exceed ten (10) megawatts, to be developed in phases and construction to occur over the next five (5) years, located on a 50 acre parcel, more or less, leased from State of Colorado, State Board of Land Commissioners, in the Southeast Quarter (SE1/4) and Southwest Quarter (SW4) of Section 35, Township 8 North, Range 52 West of the 6th Principal Meridian, Logan County, Colorado.

WHEREAS, TCA Microgrid Energy, LLC, doing business as Pivot Energy, LLC, has applied for a Conditional Use Permit for the construction, maintenance and operation of a Solar Garden on a 50 acre parcel in the Southeast Quarter (SE1/4) and Southwest Quarter (SW4) of Section 35, Township 8 North, Range 52 West of the 6th P.M.; and

WHEREAS, Phase 1 of the project located on approximately 10 to 12 acres will consist of approximately 5500 to 6200 solar modules with total production not to exceed two (2) megawatts, including inverters, transformers, combiners, and a ground-mounted racking system using single-axis tracker system; and

WHEREAS, the property is currently zoned Agricultural; and

WHEREAS, the Logan County Planning Commission, after reviewing all materials, taking testimony of the applicant and surrounding property owners, and finding no issues that would limit or deny this application, recommended an approval of this application for the requested Conditional Use Permit at its regular meeting on March 17, 2020; and

WHEREAS, the applicant is requesting approval of Conditional Use Permit #244, to construct, maintain and operate the Solar Garden, with the period of the Conditional Use Permit to run for 99 (ninety-nine) years, and subject to renewal thereafter. The permit will commence on the date of the approval of the requested Conditional Use Permit.

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

I. APPROVAL:

The application of TCA Microgrid Energy, LLC, doing business as Pivot Energy, LLC, for a Conditional Use Permit for the construction, maintenance and operation of a Solar Garden by TCA Microgrid Energy, LLC, doing business as Pivot Energy, LLC, located on a 50 acre parcel in the Southeast Quarter (SE1/4) and Southwest Quarter (SW4) of Section 35, Township 8 North, Range 52 West of the 6th P.M., is GRANTED, subject to the conditions set forth below.

II. FINDINGS OF FACT:

The use is compatible with existing land uses in the area, which is zoned Agricultural.

III. CONDITIONS:

1. The applicant shall construct a six foot chain link fence with three strand barbed wire top section surrounding the Project site, providing protection for the community and security for the Project assets. The fencing shall be installed in accordance with applicable federal and state regulations

- 2. The permit term shall be for ninety-nine (99) years for the identified and approved CUP #244.
- 3. Equipment shall be flat photovoltaic solar panels, mounted on single-axis tracking racks along with associated electrical and utility equipment; and allows for equipment heights up to twelve (12) inches above the existing or conditioned grade. If any changes or alterations from the above equipment or parameters occur in future phases, the Applicant or any successor in interest shall be responsible for seeking and obtaining separate approval of a permit and term of approval for those changes.
- 4. Total production of project is not to exceed ten (10) megawatts, to be developed in phases and construction is to occur over the next five (5) years.
- 5. The applicant shall apply for and obtain an access permit from the Logan County Planning and Zoning Department, providing access to the site from Colorado State Highway 61.

BE IT THEREFORE RESOLVED, that Conditional Use Permit #244, is granted for construction, maintenance and operation of a Solar Garden operated by TCA Microgrid Energy, LLC, doing business as Pivot Energy, LLC, on property legally described above, subject to the conditions set forth above and subject to application for renewal for continued permitted use after March 31, 2119. 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 county zoning or other land use regulations. Noncompliance with any of the conditions may be cause for revocation of the permit.

Done the 31st day of March, 2020.

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

(Aye)(Nay)
Joseph A. McBride, Chairman

(Aye)(Nay)
Byron H. Pelton, Commissioner

(Aye)(Nay)
Jane A. 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 31st day of March, 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: TCA Microgrid Energy, LLC dba Pivot Energy, LLC Phone: (404) 234-8543
Address: 1750 15th St. Suite #400, Denver, CO 80202

Landowner

Name: State of Colorado Board of Land Commissioners Phone: (303) 866-3454
Address: 1313 Sherman St. Denver, CO 80203

Description of Property:

Legal: 1/4 Section SE & SW Section 35 Township 8N Range 52W

Address: _____ Access off CR or Hwy: HWY 61

New Address Needed: Y or N Subdivision Name: _____

Filing _____ Lot _____ Block _____ Tract _____ Lot Size _____

Current Zoning: Ag. **Current Land Use:** Undeveloped (9999-Exempt)

Proposed Conditional Use: TCA Microgrid Energy, dba Pivot Solar is proposing to construct solar arrays on up to 50 acres (equaling approximately, 10 MW DC). Pivot is requesting permission to phase development and construction over the next five years

Terms of Conditional Use: 99 years and subject to renewal thereafter.

Building Plans: Phase 1 will consist of approximately 6,200 modules mounted to single-axis tracking racks, associated electrical equipment including inverters, transformers, combiners, and other equipment, an access road and a chain link or wildlife-friendly fence up to 8 feet tall.

Names and addresses of all adjacent landowners within 500 feet of the above described property: See Attachment 1 below

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 27 day of January, 2020.

Signature of Applicant: Ed. Oppenhe

Signature of Landowner: Dan Rodenberg

PIVOT ENERGY CUP
Pivot Solar 11, LLC
SE4 & SW4 Sec 35-08-52

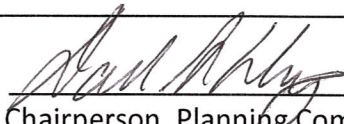
FOR COUNTY USE

Application Fee: One hundred dollars (\$100.00) *pd 2/5/20 J# 178 Rct. # 1005*

Date of Planning Commission: March 17, 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: _____

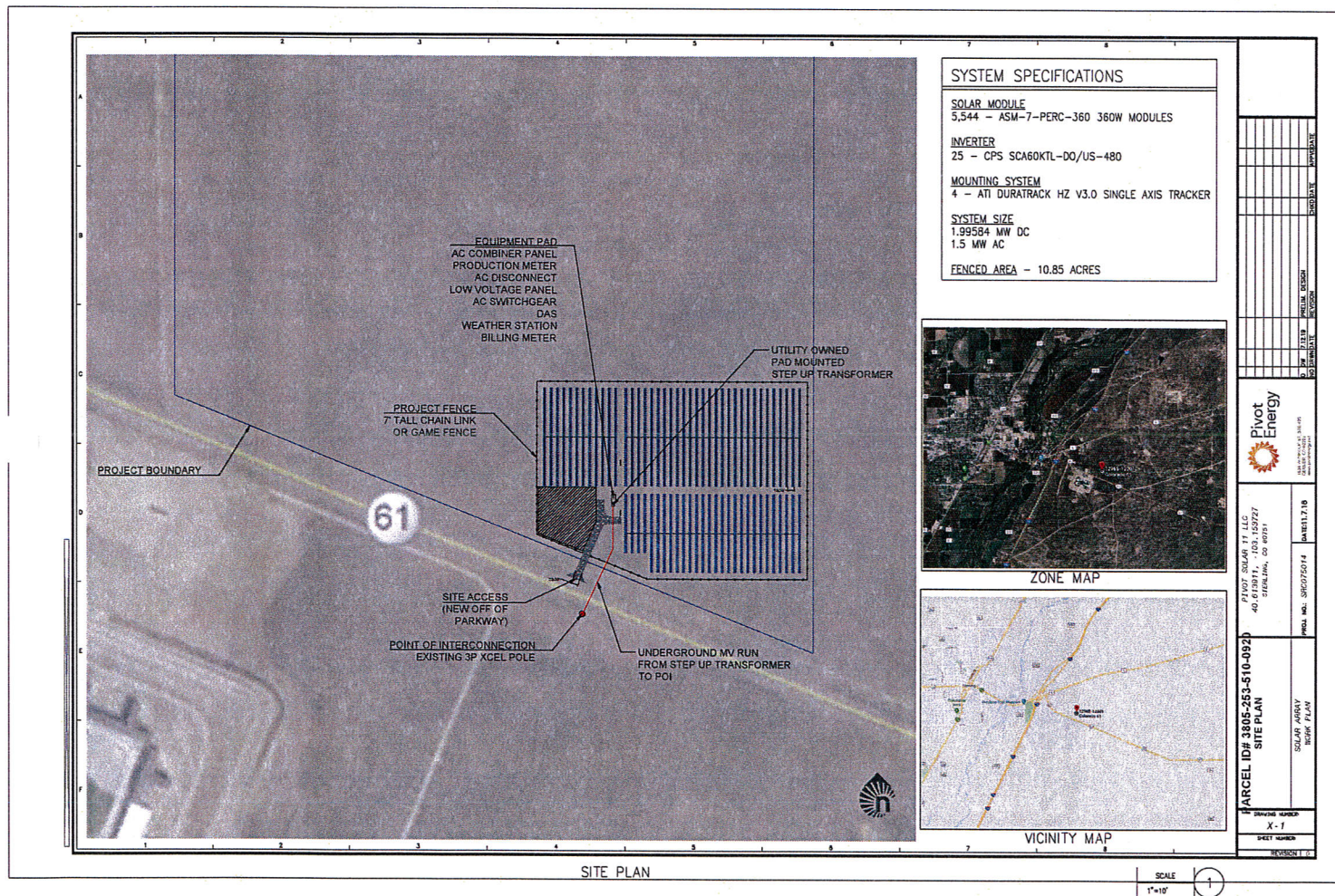
Joseph A. McBride

Byron H. Pelton

Jane A. Bauder

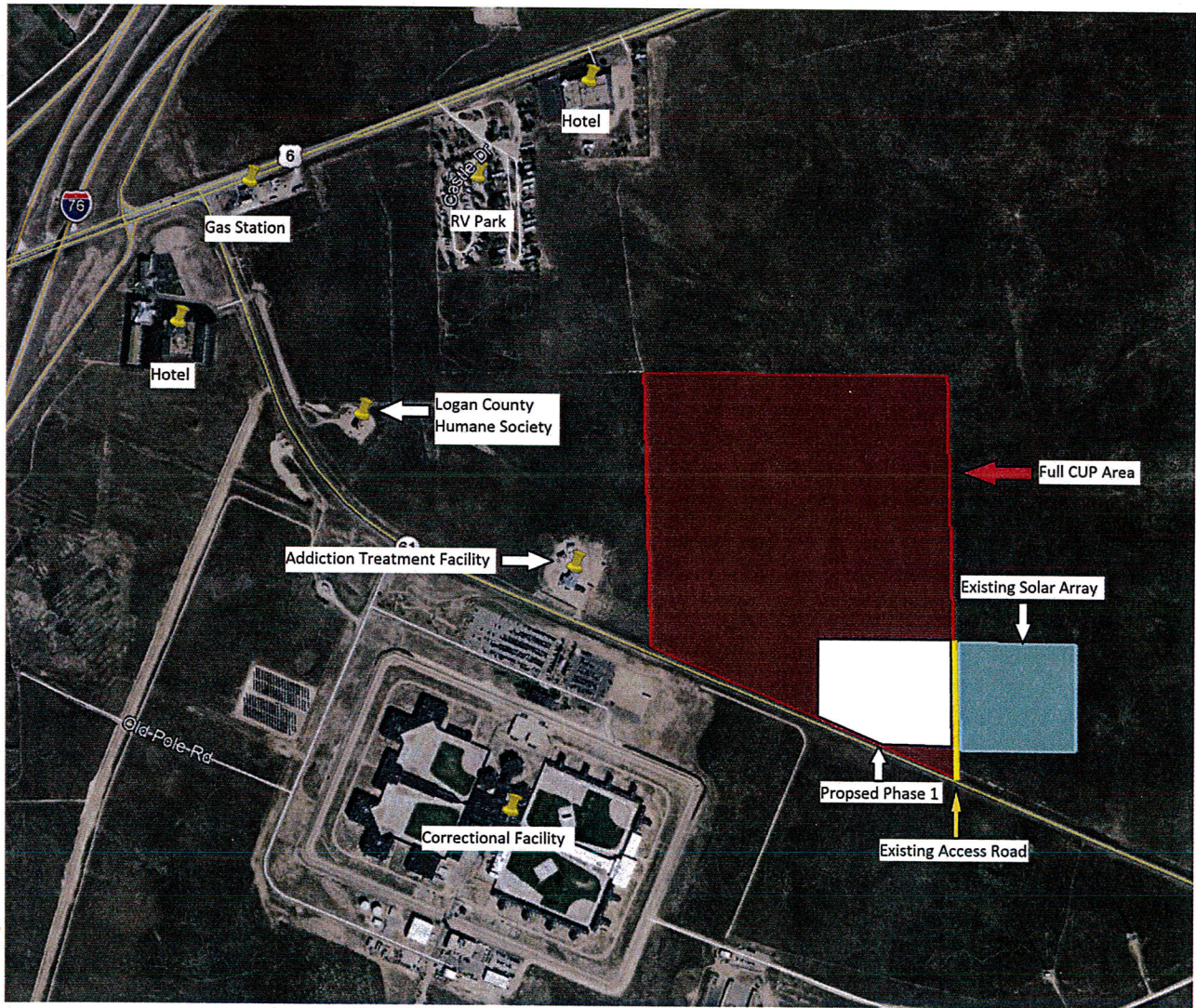
PIVOT ENERGY CUP
Pivot Solar 11, LLC
SE4 & SW4 Sec 35-08-52

Site Plan



PIVOT ENERGY CUP
Pivot Solar 11, LLC
SE4 & SW4 Sec 35-08-52

Plot Plan



PIVOT ENERGY CUP
Pivot Solar 11, LLC
SE4 & SW4 Sec 35-08-52

RESOLUTION

No. 2020-16

Conditional Use Permit #243

A resolution granting a Conditional Use Permit (CUP) for the construction, maintenance and operation of a Solar Garden operated by Pivot Energy 13, LLC, consisting of approximately 6200 solar modules mounted to single-axis tracking racks, associated electrical equipment including inverters, transformers, combiners, and other equipment, with total production not to exceed two (2) megawatts, located on a 10 to 12 acre parcel leased from Douglas A. Carrigan in the Southwest Quarter (SW1/4) of Section 35, Township 8 North, Range 52 West of the 6th Principal Meridian, Logan County, Colorado.

WHEREAS, Pivot Energy 13, LLC, has applied for a Conditional Use Permit for the construction, maintenance and operation of a Solar Garden on a 10 to 12 acre parcel in the Southwest Quarter (SW1/4) of Section 35, Township 8 North, Range 52 West of the 6th P.M.; and

WHEREAS, Phase 1 of the project will consist of approximately 5500 to 6200 solar modules with total production not to exceed two (2) megawatts, including inverters, transformers, combiners, and a ground-mounted racking system using single-axis tracker system; and

WHEREAS, the property is currently zoned Agricultural; and

WHEREAS, the Logan County Planning Commission, after reviewing all materials, taking testimony of the applicant and surrounding property owners, and finding no issues that would limit or deny this application, recommended an approval of this application for the requested Conditional Use Permit at its regular meeting on March 17, 2020; and

WHEREAS, the applicant is requesting approval of Conditional Use Permit #243, to construct, maintain and operate the Solar Garden, with the period of the Conditional Use Permit to run for 99 (ninety-nine) years, and subject to renewal thereafter. The permit will commence on the date of the approval of the requested Conditional Use Permit.

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

I. APPROVAL:

The application of Pivot Energy 13, LLC, for a Conditional Use Permit for the construction, maintenance and operation of a Solar Garden by Pivot Energy 13, LLC, located on a 10 to 12 acre parcel in the Southwest Quarter (SW1/4) of Section 35, Township 8 North, Range 52 West of the 6th P.M., is GRANTED, subject to the conditions set forth below.

II. FINDINGS OF FACT:

The use is compatible with existing land uses in the area, which is zoned Agricultural.

III. CONDITIONS:

1. The applicant shall construct a six foot chain link fence with three strand barbed wire top section surrounding the Project site, providing protection for the community and security for the Project assets. The fencing shall be installed in accordance with applicable federal and state regulations.
2. The applicant shall apply for and obtain an access permit from the State of Colorado Department of Transportation, providing access to the site from Colorado Highway 61.

BE IT THEREFORE RESOLVED, that Conditional Use Permit, #243, is granted for the construction, maintenance and operation of a Solar Garden operated by Pivot Energy 13, LLC, on the property legally described above, subject to the conditions set forth above and subject to application for renewal for continued permitted use after March 31, 2119. 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 forgoing conditions and all other county zoning or other land use regulations. Noncompliance with any of the conditions may be cause for revocation of the permit.

Done the 31st day of March, 2020.

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

(Aye)(Nay)
Joseph A. McBride, Chairman

(Aye)(Nay)
Byron H. Pelton, Commissioner

(Aye)(Nay)
Jane A. 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 31st day of March, 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: Pivot Solar 13, LLC Phone: (404) 234-8543
Address: 1750 15th St. Suite #400. Denver, CO 80202

Landowner

Name: Douglas Carrigan Phone: (303) 591-3303
Address: 16242 Poplar St. Brighton, CO 80602

Description of Property:

Legal: 1/4 Section SW Section 35 Township 8N Range 52W

Address: _____ Access off CR or Hwy: HWY 61

New Address Needed: Y or N Subdivision Name: _____

Filing _____ Lot _____ Block _____ Tract _____ Lot Size _____

Current Zoning: Ag **Current Land Use:** Undeveloped (4100-Agriculture)

Proposed Conditional Use: Pivot Solar 13, LLC is proposing to construct a Community Solar Garden on approximately 10 acres (equaling approximately 2MW DC).

Terms of Conditional Use: 40 years from the first commercial sale of electricity

Building Plans: Proposed project will include approximately 6,200 panels mounted to single-axis tracking racks, associated electrical equipment including inverters, transformers, combiners, and other equipment, an access road and a chain link or wildlife-friendly fence up to 8 feet tall.

Names and addresses of all adjacent landowners within 500 feet of the above described property: See Attachment 1 below

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 4th day of Feb 2020.

Signature of Landowner: Douglas A. Carrigan

Signature of Applicant: Ed Oppen

PIVOT ENERGY CUP
Pivot Solar 13, LLC
SW4 Sec 35-08-52

FOR COUNTY USE

Application Fee: One hundred dollars (\$100.00) *pd 2-5-2020 ✓ #1381 Ret. #1006*

Date of Planning Commission: *March 17, 2020*

Recommendation of Planning Commission: ☒ Approval ☐ Denial

Recommended Conditions of Conditional Use Permit: _____

Paul R. Hight
Chairperson, Planning Commission

=====

COUNTY COMMISSIONERS ACTION:

Conditions of Conditional Use Permit: _____

Date Granted: _____

Date Denied: _____

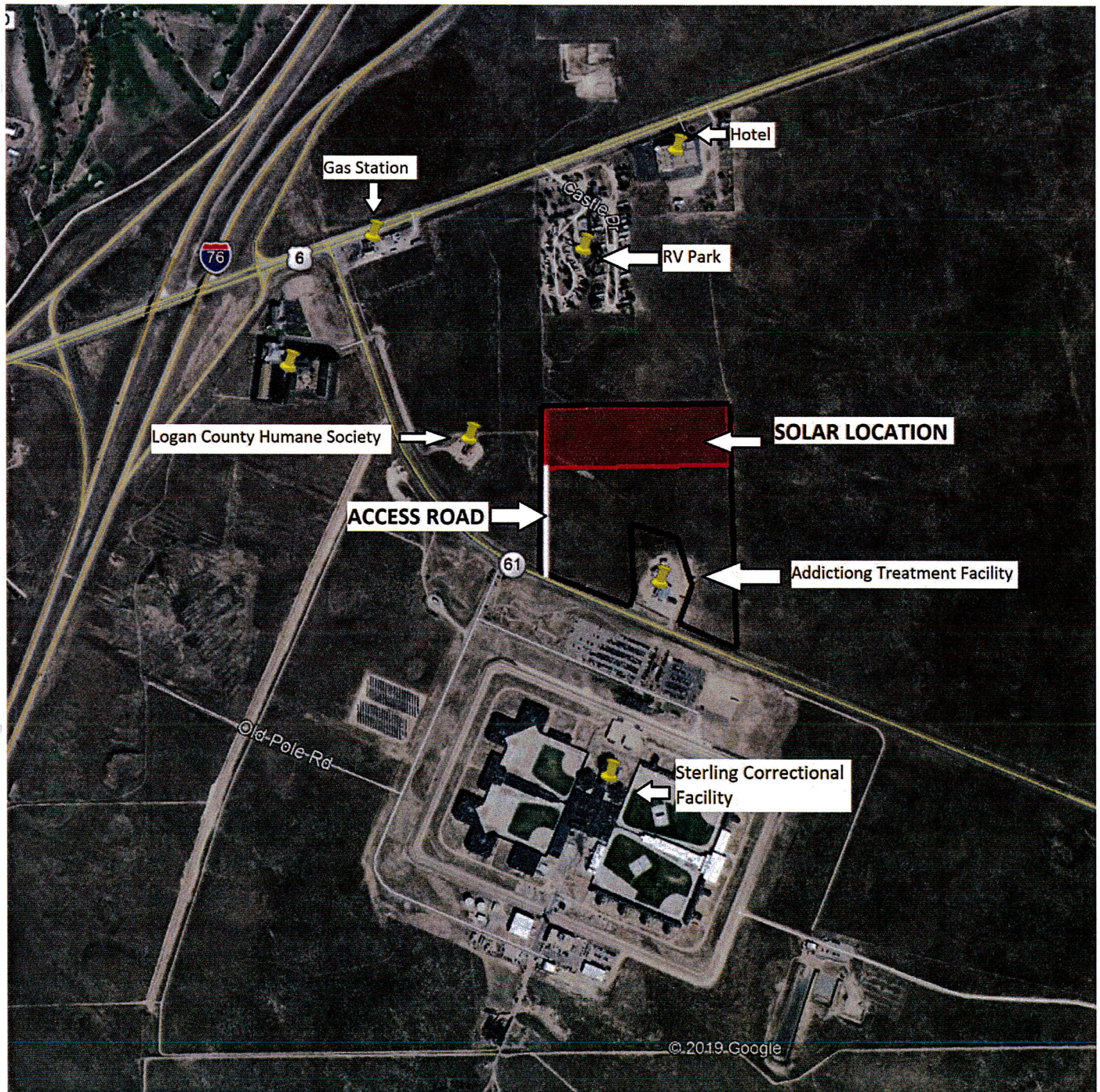
Joseph A. McBride

Byron H. Pelton

Jane A. Bauder

PIVOT ENERGY CUP
Pivot Solar 13, LLC
SW4 Sec 35-08-52

Plot Plan





March 31, 2020

Governor Jared Polis
State of Colorado
State Capitol Building
Denver, CO 80203

Via Email: Governorpolis@state.co.us

RE: Temporary Suspension of Certain Statutory Property Tax Delinquency Requirements and Permanent Legislative Change

Dear Governor Polis:

The Board of Logan County Commissioners respectfully requests that you suspend certain statutory property tax delinquency payment requirements in order to provide COVID-19 property tax relief to impacted businesses and taxpayers. The COVID-19 pandemic has impacted many businesses and citizens of Logan County and of the State of Colorado. The orders to close certain facilities have created financial hardship on many owners of businesses and their employees. Many are of the opinion the economic downturn will be short if the COVID-19 pandemic is brought under control in the next few months. However, until the COVID-19 pandemic is brought under control, many businesses in Logan County and the State of Colorado are experiencing cashflow problems that may put them out of business. Logan County and the State of Colorado need to do whatever they can to provide some financial relief to their businesses and taxpayers. In discussions with taxpayers and businesses, one way of providing financial relief without costing the state or local governments much money would be to look to ways to delay property tax payments until October 31, 2020, to hopefully allow the COVID 19 pandemic to subside and business to return to a more normal way.

The first half of the 2020 property tax bills were due February 29, 2020, second half is due June 15, 2020, and full payment due April 30, 2020. One simple way to provide taxpayer relief for a few months to help businesses' cashflow during COVID-19 pandemic would be to extend property tax due dates farther into the year and/or waive interest on the late payments. By temporarily suspending interest payments required in C.R.S. Section 39-10-104.5 (3) for late payments, taxpayers could keep their funds in their bank accounts and on their balance sheets for another six months at little cost to them and little lost real costs or revenue loss to local governments in the state. Additionally, by temporarily suspending or lowering the interest payments per C.R.S. Section 39-10-104.5 (3) taxpayers would not be paying the full 1% per month (12% per annum) interest penalty for late payments. Normally, the interest collected is apportioned to all the taxing entities on a prorate share. The economic reality is local governments are not earning anything close to 12% annually on their cash balance. In fact, most are probably earning less than 1% per annum with the Federal Reserve slashing its benchmark interest to near zero. As a result, local governments would not be hurt financially by temporarily suspending or lowering interest payments for six months.

One argument against doing a delay in tax payments for a few months, is it could cause cashflow issues with some of the local governments, like special districts or school districts with bonded debt payments due and just general operational cashflow. This problem would only be created if many of the taxpayers took advantage of the delay. One would assume that many taxpayers will pay their taxes as they normally do. This proposal gives an option to those taxpayers having a temporary cashflow problem during the COVID-19 pandemic. It will be much better to help businesses with the temporary property tax plan than to have many go out of business and never pay their taxes at all, especially personal property taxpayers. Also, to the degree financially feasible, the county could have the option of advancing a portion of the property tax payments to local taxing jurisdictions in the county during this period to help pay bonded indebtedness payments, if the jurisdiction demonstrates a financial need.

To make this more palatable to other counties, the statutory change to C.R.S. Section 39-10-104.5 (3) should make it optional to temporarily suspend or lower the interest payments per C.R.S. Section 39-10-104.5 (3).

One way to reduce objections from other taxing jurisdictions in a county choosing to temporarily suspend or lower the interest payments is to make the change revenue or cost-neutral to them. The interest paid during the six-month period at the reduced interest rate charged should still allow for the recovery of lost interest revenues to local jurisdiction based upon what they could get in the way of interest from banks during the six month period, which is one-percent per annum interest or 0.000833%.

This would help all businesses financially impacted due to the COVID-19 pandemic throughout the state.

The statutory change to accomplish the above objective would be to add C.R.S. Section 39-10-104.5 (12) as follows:

(12) A Board of County Commissioners from any county or city and county may by a resolution temporarily reduce the interest rate in this subsection (3) of this section from one percent per month to no lower than one-twelfth of one percent per month (0.000833%) for the period of time from May 1, 2020 to October 31, 2020. In any county where the Board of County Commissioners have temporarily reduced the interest rate per this subsection the County Treasurer with Board of County Commissioners approval by resolution may advance property tax amounts to a local taxing jurisdiction in the county during this period to help pay bonded indebtedness payments, if the jurisdiction demonstrates a financial need.

When the legislature reconvenes, it would be nice to have this taxpayer relief permanent through a legislative change, according to the CLS list of top legislative priorities, as it would fit under two of the categories:

Governor Jared Polis

March 31, 2020

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- o Relief to businesses (especially retail and restaurants sector)
- o Temporary reprieve of debt collection

The Board of Logan County Commissioners believes this suspension is needed to provide some financial relief to businesses and taxpayers throughout Colorado at very little cost or lost revenues to the state or local governments. Your support of this suspension and inclusion in any COVID-19 financial relief legislative package your administration will be presenting to the legislature is requested. Until the legislature acts on this statutory change we would ask that you suspend interest payment in 39-10-104.5 (3) until October 31, 2020, by executive order.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
LOGAN COUNTY, COLORADO

Joseph A. McBride

Byron H. Pelton

Jane E. Bauder

CC Via Email: Rod Pelton, rod.pelton.house@state.co.us
Jerry Sonnenberg, SenatorSonnenberg@gmail.com