

Logan County Commissioners Work Session

May 18, 2021

Present: Byron Pelton, Jane Bauder, Joe McBride, Alan Samber, Marilee Johnson, Jerry Casebolt, Alma McArthur, Valerie Richards, Jeff Rice, Travis Sides, Brian Meeker, Shawn Todd and Jennifer Crow.

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

APPROVAL OF MINUTES FROM PREVIOUS SESSION – Commissioner McBride moved to approve the minutes from May 11, 2021 as written. Commissioner Bauder seconded and the motion carried.

REVISIONS TO WORK SESSION AGENDA - Chairman Pelton added Jerry Casebolt and Brian Meeker to meet with the Board to discuss Fairgrounds security. Chairman Pelton will discuss severed minerals resolution. Commissioner McBride added discussion of keeping sheep in a subdivision.

REVIEW AND APPROVE DEPARTMENT OF HUMAN SERVICES SCHEDULE OF BILLS – Valarie Richards met with the Board to review and approve the Logan County Department of Human Services schedule of bills dated May 18, 2021. The Board approved all bills as presented. The Board also approved the DHS payroll for the period April 24 through May 7, 2021.

REVIEW OF BUSINESS MEETING AGENDA – The Board reviewed the business meeting agenda for May 18, 2021. Chairman Pelton added the PARR light, sound and stage contract to the agenda for sound for the Logan County Fair Night Show in the amount of \$45,000 for three years, the balance owed is currently \$10,000 for this year. Chairman Pelton also noted that the number of Resolution 2021-19, needs to be changed to Resolution Number to 2021-20.

TRAVIS SIDES DISTRICT ATTORNEY – District Attorney for the 13th Judicial District met with the Board concerning staffing and to give an update on the office. The office employs two investigators who have been actively involved along with other agencies, in helping investigate internet luring, sex exploitation, and child pornography cases. Internet luring is cases usually involve an undercover officer online, impersonating an underage female, who end up in online chats with suspects who try to lure them into sexual situations. These cases are felony offences, sexual assault, even if there is no physical contact with the child. Twenty-one of these cases have been prosecuted since 2018. Three cases specifically in Morgan, Logan and Sedgwick counties, not only did they lure the defendant, they were able to get the defendant to confess to other contact offences. National data says that 70% of luring cases have also committed prior contact offences. Most cases far more likely to go to trial than any other types of cases. These defendants never want to admit to the crime.

In the last month and a half, the investigators have not worked any of these types of cases because of three murder cases going to trial. There is one case in Morgan County and two cases in Logan County. Law enforcement dedicates a lot of resources to investigations of murder trials. All of the agencies are understaffed and do not have enough experienced investigators.

Homicides and sex assault cases require more experienced, skilled investigators to investigate the case. Investigators are busy on the investigation and then have to go back to work on other cases. However, in murder cases, investigators don't stop investigating from the day of the murder to the day the trial starts.

Ten years ago, there were 265 felony cases in Logan County, in 2020 there were 455 cases, a 71% percent increase. In 2010, there were two prosecutors in the D.A.'s office dedicated to prosecuting felony cases, there are currently, just two investigators in the office. In 2019 in Logan County, there were 645 felony cases in Logan County. That is a 143% increase over felony cases in 2010. In 2010 in Morgan County there were 295 felony cases and in 2020, there were 405 felony cases. In 2019 there were 355 felony cases. Between 2010 and 2020 that is a 37% increase with two prosecutors assigned to felony investigations and in 2020 and they still have only two prosecutors assigned to felony prosecution.

Logan and Morgan drive the numbers most across the jurisdiction. Yuma, Kit Carson, Washington, Phillips and Sedgwick counties have far fewer felony cases. They have between 25-65 felony cases back in 2020. Overall between 2010 and 2020, they have gone from 735 felony cases to 1,110 cases, a 50% increase. They are operating with the same number of attorneys in 2021 as they did in 2010. The attorneys can't spend as much time on the cases as they need to. They must prosecute the most serious felony cases. Ideally, across the state, they usually try to have no more than 150 felony cases per prosecutor, now in the 13th Judicial District, attorneys have over 200 felony cases per prosecutor in both Logan and Morgan Counties.

Mr. Sides discussed the difficulty in finding prosecutors to work in the district for the salaries he is able to offer. They will not get any applications. At the beginning of the year, the office had two vacancies in which there were three applications received for those vacancies, he hired two of them, and after four-five months on the job, they are both leaving for better salaries in the bigger counties. One is leaving for a job paying \$20,000 more than he can offer.

Weld County is the closest competitor for hiring new attorneys. Their starting attorney wage is \$20,000 more than he can offer to starting attorneys. He would need to increase salaries to current employees and offer increased salaries to new hires. Support staff would also be needed.

Sides wanted to bring this to the Board's attention now, to get the matter on the radar for the budget process later this year.

The meeting recessed at 9:43 a.m. and reconvened at 10:24 a.m.

PEDESTRIAN SIGN – Tom Bedford met with the Board. He would like to have a pedestrian crosswalk across the county road right of way near the address of 24005 CR 33. The Sterling Boat Club has acquired the property and would like to put in a few safety measures for pedestrians and golf carts to a new semi-primitive campground. The speed limit is already 35 mph zones so it will not be a major change. Pedestrian crossing signs. The Board agreed to ask the Road and Bridge Department to get a solar powered flashing light sign, to create a pedestrian crossing zone. The property has not had improvements yet, but will be done by the end of summer. Mr. Bedford also discussed the fireworks show that the club puts on every year. The

price of fireworks has skyrocketed and there may be a shortage of fireworks this year. Commissioner Pelton will take Road and Bridge Manager Jeff Reeves out to the reservoir to explain the project. The sign will be on the blind corner to slow down traffic. By fourth of July would like to have in place. Will be a primitive campground when

FAIRGROUNDS SECURITY – Jerry Casebolt, Brian Meeker, and Shawn Todd met with the Board to discuss security for events held at the fairgrounds. Mr. Meeker distributed copies of his proposal. The Sheriff has put the Sheriff’s Posse on hiatus right now. Mr. Meeker was asked to come in to explain how their security would work and to make sure he would have the required qualifications, insurance, and bonding. Mr. Meeker said that their insurance agent told them that bonding is usually for private investigators. The firm does not do any investigating of events and carries a \$1,000,000 (One million-dollar) liability policy.

Brian Meeker explained to the Board some of his qualifications. The business was started in September of 2020. He has served in the military as a police officer and is a former detentions deputy at for the Logan County Sheriff. He was also a member of the Logan County Sheriff’s Posse, and helped start security policy at SRMC. Mr. Todd served in the military from 1993 until 2016 and has done some security work in the past. Alan Samber noted that Logan County would need to be listed on their insurance as an additional insured only for those events that hire them for security. Fees for the security service will be \$50.00/hour for two officers, then any additional deputies required would be \$20/hour. Renters of the fairgrounds need to pay the security firm directly.

Alan Samber will review the proposal. The county will work on a list of approved security providers, whether they are law enforcement or private security.

Although the security firm is hired by a private party and they are working the private party, but the security firm must have the county’s best interest in mind as well. Mr. Meeker was a member of the Sheriff’s Posse and had done some weddings and is familiar with the events. Meeker’s insurance will pay for any damages to property or injury to people in the event of a breach of peace while he is on duty.

Meeker and Todd are not police officers. They can detain people until law enforcement arrives, but they cannot arrest. Both men had to go through the police department to apply for concealed carry permits. The other officers employed by the security firm are not armed but carry OCM tasers. They have a contract with the Elks Club to do security for events that the Sheriff’s Posse used to do.

The Board will check with the county’s insurance through CTSI and check on recommendations for security.

UNLOCKING COURTHOUSE DOORS – The Board agreed that the parking lot entrance (south door), the first-floor main entrance door (historic entrance/north door) and the basement ADA north entrance will be open every business day. The east and west doors on the first-floor and the east and west basement entrances will be locked to entrance from outside. There are security risks with having so many entrances to the building. Locking down the east and west entrances will allow the county to have fewer security cameras. Also, there have been issues

with side doors being found unlocked after hours in the past. The side doors on the first floor can still be used to exit the building.

WAYFINDER SIGNS – Glenna Phelps-Aurich, Logan County Chamber Director recently sent an email to the Board asking for sponsorship and support two grants. The county is being asked to sponsor a \$100,000 grant for Wayfinder signs to be placed at the entrances to town at the city limits. The City of Sterling will sponsor a \$150,000 grant. There is a \$150,000 cap to the amount that one entity can apply for. The Board agreed that the county will sponsor a \$100,000 grant for the Wayfinder signs with the Lodging Tax Board and CAB each matching \$6,300. The Board agreed to approve the grant with matches as discussed. If the matches don't come through, the Board will discuss this again.

FEMA LETTER COMPLIANCE – Alan Samber is still trying to narrow down the list of properties out of compliance with the FEMA regs. The letter to property owners will basically say that “FEMA has done an audit and has identified properties out of compliance and yours is one them.” The letter will list the specific problems with the property and they must be rectified by the deadline. Everyone in the county participating in the National Flood Insurance Program will be fined \$50 each if FEMA is not satisfied with compliance in the county. The potential consequences of non-compliance will be the loss of the county's participation in the National Flood Insurance Program. If that occurs, then the property owners would have to get private flood insurance somewhere other than the National Flood Insurance Program.

MINERAL INTERESTS – The Board received a letter from County Treasurer Patty Bartlett concerning mineral interests. Commissioner Pelton wanted to make sure there are no more minerals sold without investigating them. The law says that the Treasurer is supposed to sell the tax lien but it also says the Treasurer's Office is supposed to do the research on the underlying severed minerals assessment. Patty Bartlett has submitted all the correct applications and will be starting the process again in July. She will need a resolution to cancel the mineral interest certificates of purchase. Alan Samber will prepare the resolution for the next business meeting.

SHEEP – Commissioner McBride received a call from a resident of Pleasant View Subdivision who is complaining about a neighbor keeping two sheep and other animals in the middle of the subdivision. The animals are 4-H projects. Apparently, there is not an HOA in existence in the subdivision any more. Even if there were an HOA, there is no enforcement mechanism for covenants in the county. Covenants can be deemed abandoned if the HOA has been inactive or the HOA is dissolved. The HOA must have an annual meeting each year to keep the covenants active, if no meeting is held, then the covenants can be deemed abandoned. Commissioner McBride suggested that the Board recommend that the woman talk to a private attorney.

The zoning code states: Keeping of pets and domestic animals is a use by right in all zone districts. Byron will talk to the family with the sheep and ask them to be good neighbors and keep the manure cleaned up.

There being no further business to come before the Board, the meeting adjourned 11:20 a.m.