

Logan County Commissioners Work Session

November 29, 2022

Present: Byron Pelton, Joe McBride, Alan Samber, Ashley Smith, Kristan Lange, Debbie Unrein, Marilee Johnson, Jerry Casebolt, Jeff Rice, Faith Blankenship, Jennifer Crow, Brian Kailey, Don Masin, Mark Earnhart, Dick Hutt, Marilyn Hutt, Bonnie Amen, Heidi Tribbit, Carol Gillham and Jim Korrey.

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

APPROVAL OF MINUTES FROM PREVIOUS SESSION – Commissioner McBride moved to approve the minutes of November 15, 2022. Commissioner Pelton seconded and the motion carried 2-0.

REVISIONS TO WORK SESSION AGENDA – None

REVIEW AND APPROVE HUMAN SERVICES SCHEDULE OF BILLS – Ashley Smith met with the Board to review Logan County Department of Human Services schedule of bills dated November 29, 2022. The Board approved all bills as presented. The Board also approved the Department of Human Services payroll for the period November 5, 2022, through November 18, 2022.

REVIEW AND APPROVE SCHEDULE OF COUNTY BILLS – Kristan Lange met with the Board to review the Logan County schedule of bills dated November 29, 2022. The Board approved all bills as presented.

REVIEW BUSINESS MEETING AGENDA – The Board reviewed the Business meeting agenda for November 29, 2022.

OEM – Jerry Casebolt met with the Board of Commissioners on the issue of wild geese dying from HPAI. This is similar to what took out all the chickens in the state of Colorado. Parks and Wildlife is handling it as of right now. Jerry spoke with Rob Crowder, Emergency Manager for Sedgwick County about Lake Jumbo having 100 to 200 dead birds yesterday. There have not been any dead birds reported in town at this time. Jerry is not sure who handles the Prewitt Reservoir. Prewitt is right on the border between Logan and Morgan counties. Prewitt Reservoir has a lot of geese activity, as does North Sterling. Jerry stated that we don't have any major facilities here in Logan County. Jerry stated, "Since we got snow and the ice is closing in on the water, the geese will congregate, and that could cause an issue." Jerry is going to visit North Sterling today as well as Pruitt Reservoir. He will keep the commissioners updated.

The meeting recessed at 9:07 a.m. and reconvened at 9:46 a.m.

DESOTO BOARD RE: DESOTO BUILDING AGREEMENT – Commissioner Pelton stated that the question was raised a couple of meetings ago that an event that was taking place in the county was denied use of the DeSoto building. The Commissioners wanted to bring in the DeSoto building board to have a discussion on what kind of events take place in the building.

Commissioner McBride said they are looking at building a new facility at the fairgrounds. He said with this event being turned down, it makes sense for the county to build a new facility which

will be able to accommodate groups and or events. Commissioner McBride asked Attorney Alan Samber and the attorney for the DeSoto Board “If somebody gets turned down and wants to sue somebody, is it county or is this nonprofit liable?”

Commissioner Pelton stated that Jim Korrey called him and discussed why the event was turned down.

Don Masin, the president of the DeSoto building stated that “If they were to approve this rental it would break at least four to five rules that is in the handout.” He asked the board to look at page three, number four – use of the building for commercial or personal ventures, including garage sales and other fundraisers is prohibited. The youth come first and should have priority. Also, a two weeks’ notice for request and meetings may be scheduled a maximum of two months in advance. He noticed the event is the first part of July 2023 which is a problem due to the booking regulations. Looking at page three, number 10, for security reasons the building will be vacated by 10:30 p.m. Monday through Thursday. On Friday and Saturday night, the building will be vacated by 12:30 a.m. On Sunday, the building is closed from 6 p.m. to 12 noon Monday. They said a lot of rules would be broken if the group was allowed to rent out the facility. Therefore, they are not in favor of renting the facility.

Commissioner McBride stated, “There is no commercial or personal ventures that went on in the DeSoto building.” This is the policy, and the board is sticking with it. Commissioner McBride wanted to make sure it applies to everyone.

Attorney Mark Earhart stated “That you can have meetings, wedding receptions, and personal things that are not fundraisers. Furthermore, the time frame requested by the group to rent the building was longer than usual. The board would need to think about the timeframe that is being requested for eight days in a row. The group request indicated that they would have around 1200 adults and 300 youth using this facility. The building fire code is 200 people, which is the most that can be in the building at one time. They are aware the people will not all be in the structure at one time, but they anticipate somewhere around this number of people to be present on the grounds. If the board were to suspend the application of the rules and regulations for this one-time use, they would need to talk about the danger of setting a precedent for other requests in the future.”

Commissioner McBride said he was not here to tell them they should or should not rent out the facility to the group. He asked the board if the group- 50th Van Nationals/Hardcore Vanners had been notified of being turned down. Commissioner McBride asked what the procedure was in letting groups know when they are not allowed to rent the facility.

Marilyn Hutt said they typically send out an email to the group. Attorney Mark Earhart said, “We may have dropped the ball in terms of communication with this group about their request.”

Commissioner McBride said if someone gets turned down, the group will automatically reach out to the Board of Commissioners. If the group had received a letter, the Board of Commissioners may not have heard anything. Commissioner McBride stated if the DeSoto building is not going to be used for commercial type events, this is a good reason for the other building to be constructed on the fairgrounds. Commissioner Bauder had other issues with the denial of request for rental, but she is not present today.

Don Masin stated, "The other concern he has is this event is scheduled to take place in July and that is close to fair. 4-H groups like to go in the building and practice with different things and begin setting up their projects." He stated "It is not a good time"

Jennifer Crow said the reason the group wanted to use the DeSoto building was due to its location at the gate. They want to use it as a check-in, pass out goodie bags, and sell T-shirts. They do not want to use the kitchen. They have asked the Lions Club to provide the meal, and they will eat at the Bingo Pavilion. It was basically being used as a check-in point for their event, and people will be checking in at different times.

Commissioner McBride asked County Attorney Alan Samber about the liability portion. Attorney Alan Samber stated, "This is an unprecedented county-owned building that is being managed by a non-county entity. This is unprecedented and is contrary to statute. This is a deal that was made by the commissioners back in the day." He said there is a concern that if the DeSoto Board makes a decision that violates someone's rights or discriminates against somebody for an improper reason, the county is going to be the one that is held liable. There needs to be more communication and cooperation between the board and the county.

Commissioner Pelton felt it would be good for the DeSoto board to meet with the next Board of County Commissioners once or twice a year moving forward. This will protect our taxpayers from being sued. We want to make sure that we continue to have a good relationship with the DeSoto Board.

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