



AGENDA

Logan County Board of Commissioners
Logan County Courthouse, 315 Main Street, Sterling, Colorado
Tuesday, November 5, 2019 - 9:30 a.m.

Call to Order
Pledge of Allegiance
Revisions to Agenda
Consent Agenda

Approval of the Minutes of the October 29, 2019 meeting.

Consideration of the appointment of Ronda Taylor and Christine Hickox to the Logan County Community Corrections Board.

Acknowledgment of the receipt of the Veteran's Service Officer's monthly report and certification of pay form for the month of October, 2019.

Unfinished Business
New Business

Consideration of the approval of an agreement between Logan County and TSM Farm, LLC and issuance of Right of Way Permit number 2019-15 for use of the county right of way across County Road 50.

Other Business
Miscellaneous Business/Announcements

The next meeting will be scheduled for Tuesday, November 19, 2019, at 9:30 a.m. at the Logan County Courthouse.

Executive Session as Needed

October 29, 2019

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 - Absent
Commissioner
Commissioner

Also present:

Alan Samber
Pamela M. Bacon
Rachelle Stebakken
Marilee Johnson

Logan County Attorney
Logan County Clerk - Absent
Logan County Deputy Clerk
Tourist Information Center Director/County Public
Information Officer
Emergency Management
Planning and Zoning
TSM Farms
TSM Farms
TSM Farms
Journal Advocate

Jerry Casebolt
Rob Quint
Travis Hertneky
Terry Miller
Wendell Geeslin
Jeff Rice

Commissioner Bauder called the meeting to order at 9:30 a.m. The meeting opened with the Pledge of Allegiance. Commissioner Bauder 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 October 15, 2019 meeting.
- Re-appointment of Greg Larson as the appointee from Logan County to the Board of Directors of the Republican River Water Conservation District.

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

Commissioner Bauder continued with Unfinished Business:

Commissioner Pelton moved to approve Resolution 2019-39 appointing the Logan County Office of Emergency Management as the Designated Emergency Response Authority (DERA) responsible for establishing the capacity to respond to a Hazardous Materials Incident within the jurisdiction of Logan County and allow the Vice Chairman to sign. Commissioner Bauder seconded and the motion carried 2-0.

Commissioner Bauder continued with New Business:

Commissioner Pelton moved to approve an agreement between Logan County and the Colorado Department of Public Safety for the benefit of the Division of Fire Prevention and Control for Cooperative Wildfire Protection in Logan County and allow the Vice Chairman to sign. Commissioner Bauder seconded and the motion carried 2-0.

Commissioner Pelton moved to award the stock contract and associated personnel and services for production of the Logan County PRCA Rodeo for years 2020-2024 to Cervi Championship Rodeo. Commissioner Bauder seconded and the motion carried 2-0.

- Cervi Championship Rodeo
 - 2020 - \$30,596 (3% cost of living increase)
 - 2021 - \$31,514 (3% cost of living increase)
 - 2022 - \$32,459 (3% cost of living increase)
 - 2023 - \$33,109 (2% cost of living increase)
 - 2024 - \$33,771 (2% cost of living increase)
- Bar T Rodeo - \$38,000 (3% cost of living increase each year of contract)
- Vold Rodeo Company - \$35,000 (3% cost of living increase each year of contract)
- Lancaster Jones Pro Rodeo Company - \$40,000 (3% increase cost of living increase each year of contract)

Commissioner Bauder opened a public hearing on consideration of the approval of Resolution 2019-40 granting the amendment of Special Use Permit #185 issued to TSM Farm, LLC for the operation of a 30,000 head cattle feedlot in Logan County, Colorado. Rob Quint with the Logan County Planning and Zoning office explained the application.

- Travis Hertneky, on behalf of TSM Farms, spoke in favor of Resolution 2019-40. Travis explained the expansion by each phase and answered questions about pest, odor and dust control.

There being no further comment, Commissioner Bauder closed the public hearing.

Commissioner Pelton moved to approve Resolution 2019-40 granting the amendment of Special Use Permit #185 issued to TSM Farm, LLC for the operation of a 30,000 head cattle feedlot in Logan County, Colorado. Commissioner Bauder seconded and the motion carried 2-0.

The next business meeting will be scheduled for Tuesday, November 5, 2019, at 9:30 a.m. at the Logan County Courthouse.

County Offices will be closed Monday, November 11, 2019 in observation of Veteran's Day. Thank you to all Veterans who have served this great country, the United States of America!

There being no further business to come before the Board, the meeting adjourned at 9:48 a.m.

Submitted by:

Richelle Steffen
Logan County Deputy Clerk

Approved: November 5, 2019

LOGAN COUNTY, COLORADO

(seal)

By: _____
Jane Bauder, Vice Chairman

Attest:

Logan County Clerk & Recorder

Jennifer Crow

From: draxler, john <john.draxler@judicial.state.co.us>
Sent: Monday, October 28, 2019 12:00 PM
To: Jennifer Crow
Subject: New member

Hi Jennifer,

Could you please have the Commissioners at their next meeting approve Ronda Taylor for our Community Corrections Board? She will be an excellent addition.

John Draxler
Chief Probation Officer
13th Judicial District
Probation Department
110 N. Riverview Rd. RM 100
Sterling, CO 80751
970-526-3999

Jennifer Crow

From: draxler, john <john.draxler@judicial.state.co.us>
Sent: Wednesday, October 30, 2019 9:55 AM
To: Jennifer Crow
Subject: One more

Hi Jennifer,

I would also like the Commissioners to appoint Christine Hickox on the community Corrections board please. She is a case manager 3 at DOC and will be a big help for our screening committee.

Thank you,

John Draxler

Chief Probation Officer
13th Judicial District
Probation Department
110 N. Riverview Rd. RM 100
Sterling, CO 80751
970-526-3999



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

County of Logan Month of October 2019

GENERAL INFORMATION		REQUEST FOR MEDICAL RECORDS	
Telephone Calls *	181	21-4142 & 21-4142a	06/05
Office Visits	56	MILITARY RECORDS/CORRECTIONS	
Home Visits	11	SF180	- 0 -
Outreach Visits	03	DD149	- 0 -
Community Events	- 0 -	DD293	- 0 -
Request for Medal	- 0 -	NA13075	- 0 -
Operation Recognition	- 0 -	Other	- 0 -
Correspondence Rec'd	04	NSC PENSION	
Correspondence Written	17	21-527EZ	- 0 -
Info/Referral/Inquiries	03	21-8416	- 0 -
VCAA Notice	- 0 -	WIDOWS PENSION	
State Benefits	- 0 -	21-534EZ	- 0 -
Income Verifications	- 0 -	21-8416	01
NEW CLAIMS INITIATED		DIC	
21-22 CVA J/D	18/13	21-5234EZ	- 0 -
21-22 others	08	WAIVERS/COMPROMISE	
SC ENTITLEMENT		21-5655	- 0 -
21-526EZ	06	APPEALS	
21-0966 Informal	08	21-0985 NOD	- 0 -
21-4138	06	VA Form 9	- 0 -
21-526EZ Reinstate	- 0 -	20-0995	01
21-526EZ IU	- 0 -	20-0996	02
21-8940 IU	- 0 -	10182	- 0 -

SC ENTITLEMENT CONTINUED		INSURANCE CLAIMS	
21-4192 IU Employer	- 0 -	29-357	- 0 -
21-4138 SMC	- 0 -	29-4364	- 0 -
21-686c Dependency	- 0 -	29-336 Beneficiary	- 0 -
21-674 School Attendance	- 0 -	29-4125 Lump Sum	01
VA HEALTHCARE		VTF REQUESTS	
10-10EZ	02	Rental Assistance	- 0 -
CHAMPVA	- 0 -	Utilities Assistance	- 0 -
HOMELESS VETERANS CLAIMS		Prescription Assistance	- 0 -
Service Connection	- 0 -	Food Assistance	- 0 -
NSC Pension	- 0 -	Transportation Assistance	- 0 -
VOC REHAB		Clothing Assistance	- 0 -
28-1900 CH31	- 0 -	Other	- 0 -
MISC CLAIMS		VA HOME LOAN	
21-8678 Clothing Allow	- 0 -	26-1800	- 0 -
21-4502 Adaptive Equip.	- 0 -	26-1817	- 0 -
26-4555 Housing	- 0 -	SURVEYS	
10-0103 HISA Grant	- 0 -	County VSO Feedback and Comment Forms Submitted:	09
CRSC	- 0 -	OTHER	
BURIAL ALLOWANCE		20-572/21-686c	02/02
21P-530	- 0 -	*from vets/to vets/prof.	84/65/32
40-1330	- 0 -	Emails: from vets/to vets	09/13
21-2008	- 0 -	Concerning vets/prof.	80/82
INCARCERATED VETERANS		Text messages:	
21-526EZ Reinstatement	- 0 -	from vets/to vets	05/05
21-4138 Apportionment	- 0 -		

Certification by County Veterans Service Officer

I hereby certify, the above captioned monthly report is true and accurate. I have been paid the following amount(s) for the month of October, 2019 from Logan county.

Salary	\$ <u>1,985.66</u>
Expenses <i>(maintenance contract)</i>	\$ <u>64.07</u>
Office Space	\$ _____
Telephone	\$ <u>84.54</u>
Office Supplies	\$ <u>15.09</u>
Travel	\$ <u>54.55</u>
Training Conference	\$ _____
Other <i>Postage</i>	\$ <u>13.35</u>
TOTAL	\$ <u>2,217.26</u>

Signature of County Veterans Service Officer

11/01/2019
Date

Certification by County Commissioner or Designee

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

County Commissioner or Designee of

County

Date

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

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

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

AGREEMENT TO USE LOGAN COUNTY RIGHT OF WAY
INDIVIDUAL PERMIT

THIS AGREEMENT made this (County fills in) _____ day of _____, _____, by and between the County of Logan, State of Colorado, hereinafter called "County", and TSM Farm, LLC the undersigned easement holder or landowner, hereinafter called "Applicant".

WHEREAS, Applicant owns the following described premises, or has an easement on, over or through said premises, to-wit (legal description): SE 1/4 35-10-52 to NW 1/4 01-09-52

_____ ; and

WHEREAS, Applicant desires to install and construct a irrigation pipeline, which will be located **(Circle One):** along, bore under, or trench across County Road 50, to benefit the above described premises; and

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

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

- ☒ Applicant agrees to furnish the County in writing in advance of installation the exact location and dimensions of said installation and construction.
- ☒ Buried installations must be at no less than 48 inches below the lowest level of any borrow ditch paralleling the County Road and an "Individual permit" must be submitted for each instance.
- ☒ Applicant shall have the right to install and construct an irrigation pipeline, described above, in the right of way of County Road 50, but such installation and construction shall be done only in the following manner. All work within the county ROW shall be performed only during regular business hours of the Logan County Road & Bridge Department to enable supervision and inspection of the work.
- ☒ All work authorized by this Agreement **shall be completed no later than** May 1, 2020.
- ☒ It is understood that no paved or oil-surfaced road shall be cut and will be crossed by boring only. For other roads and crossings of County property after installation. Applicant shall restore the surface to the same condition as existed prior to such construction.
- ☒ All cost and expense of installation, construction, maintenance, removal, or replacement is to be paid by the Applicant.
- ☒ The traveling public must be protected during this installation with proper warning signs or signals both day and night. Warning signs and signals shall be installed by and at the expense of Applicant.

ROW2019-15
Trench Irrigation Pipeline
TSM Farm, LLC
SE4 35-10-52 and NW4 01-09-52

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

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

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

☐ Other Provisions: _____

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

Owner #1
Terry Miller Printed name Terry Miller for TSM Farm, LLC
Signature
Owner #2

Printed Name
Signature

Individual Right-of-Way Permit Applicant:

Erin Kress for THEngineering, LLC
Printed name
Erin P. Kress
Signature
Address: PO Box 337748
Greeley, CO 80633

Rd. #927 V#2589
Application Fee Paid 10-24-2019
Date 10-24-2019

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

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

Byron H. Pelton (Aye) (Nay)

Joseph A. McBride (Aye) (Nay)

Jane E. Bauder (Aye) (Nay)

ROW2019-15
Trench Irrigation Pipeline
TSM Farm, LLC
SE4 35-10-52 and NW4 01-09-52

ROW2019-15
Trench Irrigation Pipeline
TSM Farm, LLC
SE4 35-10-52 and NW4 01-09-52

PROPOSED 15" IRRIGATION
FROM POND IN SECTION 35
TO EXISTING PIVOT IN
SECTION 1

PARCEL 380273354000068
TSM FARM, LLC
SE $\frac{1}{4}$ OF SE $\frac{1}{4}$ SEC 35, T10N, R52W

$\pm 55.0'$ EAST
OF CR 47
CENTERLINE

PARCEL 38027336100922
STATE OF COLORADO LAND BOARD
SW $\frac{1}{4}$ OF SW $\frac{1}{4}$ SEC 36, T10N, R52W

EXISTING REA POLE

EXISTING WINDBREAK

COUNTY ROAD 50

CENTERLINE OF EXISTING
COUNTY ROAD ALIGNMENT

PARCEL 38048301200275
TSM FARM, LLC
NE $\frac{1}{4}$ OF NE $\frac{1}{4}$ SEC 2, T9N, R52W

PARCEL 38048301200275
TSM FARM, LLC
NW $\frac{1}{4}$ OF NW $\frac{1}{4}$ SEC 1, T9N, R52W

COUNTY ROAD 47

OPEN CUT ACROSS ROAD
MINIMUM COVER OF 55"
PIPE MATERIAL, 15" 80PSI PIP

