

**Logan County Commissioners Work Session
November 5, 2024**

Present: Mike Brownell, Joe McBride, Jerry Sonnenberg, Alan Samber, Kristan Lange, Debbie Unrein, Marilee Johnson, Kyle Sundman, Dave Tennant, Brett Powell, Ken Kimsey, Trae Miller, Brian Kailey, Rob Quint, Rick Cullip, Caitlin Baseggio, Erin Hovel, Tiffany Nichols, Lisa Hudson, Laurie Jones, Darlene Harnly, Jeff Rice and Jennifer Crow.

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

APPROVAL OF MINUTES FROM PREVIOUS SESSION – Commissioner McBride moved to approve the minutes of the October 29, 2024 Work Session as written. Commissioner Sonnenberg seconded, and the motion carried, 3-0.

REVISIONS TO THE WORK SESSION AGENDA – There were no revisions.

REVIEW AND APPROVE SCHEDULE OF COUNTY BILLS – The Board met with Kristan Lange to review the Logan County schedule of bills dated November 5, 2024. All bills were approved as presented.

REVIEW OF BUSINESS MEETING AGENDA - There was no discussion.

PIVOT ENERGY - Kyle Sundman of Pivot Energy met with the Board concerning the Special Use Permit that was approved about a month ago for the construction, maintenance and operation of a Solar Energy Facility. The first issue is that the permit was originally approved for 20 years, and they had made a correction on record during the Board of County Commissioners hearing to extend that to 40 years. There was discussion about it at the Planning Commission that it was going to be a 40-year project, and it was acknowledged and accepted. The resolution went in at 20 years; however, the project needs the full 40 years.

The second issue is the height restriction in the resolution was “up to 10 feet.” In the narrative that was submitted, was a paragraph that said, “we expect all the panels to be below 10 feet at their max height. This is subject to final engineering.” Sundman said at the time of submission of the entitlement permit, there’s no way to have the full structural planar analysis done, exactly what module, racking, etc. They ran it basically on the north side of the site. The parcel slopes slightly to the north and so the elevation of the panels doesn’t change. They would be basically the same height across where it’s 10 feet over on the south side. The actual reveal height of the post is slightly higher on the north side, so it actually does exceed 10 feet.

Mr. Sundman suggested there are two options. One is to go back in and amend the whole permit if necessary. The other option on this parcel, the former three projects that were built under a separate conditional use permit that allows up to five megawatts, build the portion of the site that would be above ten feet, less the difference of whatever the old permit would provide for. He did not know if they could build a project that is split between two distinct permits.

Commissioner Sonnenberg stated that he remembers the discussion being the permit was for 20 years with two ten-year renewal periods. Mr. Sundman stated that would be okay with Pivot Energy and that the past projects have all been for 99 years. He assumed that all permits in Logan County were 99 years. In the narrative, the original term with Xcel Energy is for 20 years. With the solar rewards program, there are always options to extend beyond that. During their presentation, they clarified that it needed to be at least 40 years.

The original term was for 20 years with the ability to extend for another 10 years and an additional 10 years beyond that. The Commissioners tabled the resolution at the last meeting due to correct the term to 40 years, but also questioned the height restriction. Mr. Sundman stated that the previous projects were limited to 12 feet. In

the Pivot Energy narrative presented to the Planning Commission for this project, it said that the panels were expected to be less than 10 feet above grade at their highest point and Pivot commits to following the Logan County code for panel height restrictions. They assumed that there was a limitation of 15 to 25 feet. That exact height is subject to final structural engineering.

The reason why it was worded that way was because they had just finished a project where they had made an explicit commitment to a certain height, and it backfired on them because the site sloped a little bit in a situation similar to this one. It was an engineering nightmare to break up the panels where they had to create two separate arrays, one that was slightly lower and one that was slightly higher, because the reveal height of the posts is different as it runs with the topography. Mr. Sundman intended for this permit to not have a 10-foot height limit knowing that they had just come off of that situation.

Mr. Sundman stated that it is the north 15% of the site, where the railroad crosses through. The final language suggested was “exact height subject to final structural engineering.” The Board agreed to take Resolution 2024-29 off the table during the business meeting and amend the height restrictions as well as the 20-year term to 40 years.

CSU BUDGET INFORMATION – Logan County Extension Director, Brian Kailey met with the Board. Logan County Finance Director, Debbie Unrein also joined the meeting. Kailey asked if the Board was able to meet with James of CSU Extension. Commissioner Sonnenberg reported that the Board will meet with him the first week of December. Kailey gave the Board some background on where CSU is currently at with finances which relates to a breakdown of the agents’ salaries. They run on two different fiscal years, the county runs on the calendar year starting in January, whereas CSU runs on the fiscal year starting July 1. There are two line-items for each one of the agents because it shows the break in the year of how the salaries change. Option one is what the current Memorandum of Understanding (MOU) states regarding the current FTE’s. CSU would like to move more towards a percentage that reflects what each party is actually paying which would be option two or three. Kailey thinks option three benefits the county the best among the options. Option one is a little less costly on the county’s behalf, and it also reflects our MOU a little more closely.

CSU has sent a draft of a new MOU for the Board to review. The last was signed in 2017. The new draft was sent out recently with new wording. After the Board meets with James, these percentages might change. Kailey explained options for the salary for Extension Agent Jackie Wagner with the Board.

The Board is welcome to review and send it back to CSU with comments for further review. The first couple of pages are similar to the current MOU. The highlighted sections are new and updated and are going to be found mostly in Addendum One. Kailey asked the Board to review the MOU before any meetings with CSU. Kailey brought to the Board’s attention page 11, which offers two different options for them to house a non-appropriated account.

The non-appropriated accounts are used for Extension to help them run their programs. For example, the Healthier Weigh Program, where participants pay a \$25 fee to participate in the program. It buys zip drives and pays for copies, etc. If there are excess funds, it helps them build out the next program with startup costs, etc. so they’re not always asking the county for more support. The revenue helps with costs to put on the next program.

Another is the Seedling Tree Program which brings extra funds off of the tree sales. This helps them with more educational opportunities for the community. There are two options available for the non-appropriated accounts. They currently operate one, which is a county-based account. It is local. They submit a yearly analysis of the account, and it is audited every year. The Board knows about the current finances of that account and how they are utilized. The funds in this account helped purchase the Extension Office’s 12-passenger van recently. The County helped with the \$30,000 to purchase the van. This account provided

\$15,000 to make up the difference for the \$45,000 purchase.

The second option is to have an account maintained by CSU on campus. Kailey said that they would prefer to stay with the local account because the turnaround with CSU finances sometimes takes a little while. They could be looking at two months for reimbursement. CSU has a lot of accounts that they oversee. Getting an updated balance on the account sometimes can take a while. For instance, for the 4-H banquet, they needed to have a check written to the vendor that provided the food within three days.

Commissioner Sonnenberg questioned whether CSU would keep Logan County Extension's funds separate from other counties' funds. Kailey said that each county extension would be in its own account and would not be co-mingled. The two signers on the Logan County account are himself and JD Sexton.

Debbie Unrein reminded the Board that they had decided to adopt the budget on December 10, 2024. All of the decisions will need to be finalized before then so that she can have the resolutions to Jennifer to prepare for that meeting.

There being no further business to come before the Board, the meeting was adjourned at 9:37 a.m.