

**Logan County Commissioners Work Session
October 14, 2025**

Present: Mike Brownell, Jim Santomaso, Jim Yahn, Alan Samber, Mike Burri, Rick Cullip, Rob Quint, Marilee Johnson, Debbie Unrein, Trae Miller, Tom Kiel, Terrie May, Kaitlynn Storch, Nathan Keiser, Leo Gorgens, Blake Marcus, Ben Gager, Callie Jones, and Jennifer Crow.

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

APPROVE MINUTES FROM PREVIOUS SESSION - Commissioner Santomaso moved to approve the minutes of the October 7, 2025 Work Session. Commissioner Yahn seconded, and the motion carried 3-0.

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

REVIEW OF BUSINESS MEETING AGENDA – There were no revisions.

HOSPICE OF THE PLAINS - Terrie May and Kaitlynn Storch of Hospice of the Plains met with the Board. Terrie May explained that the annual Hospice of the Plains auction will take place on January 31, 2026. They have reserved the Mitchek Event Center and are asking that the fees be waived for the set-up day, and the day of the event, also the day after for cleanup. The fees for the Mitchek Event Center were waived last year. The second request is for the donation of tickets for the auction to an event at the fair. Last year, the Board donated either concert or bull riding tickets. Hospice of the Plains is also requesting use of the Gazebo for November 24, 2025 – January 10, 2026 for their Tree of Lights. They are asking for the \$50.00 fee for the Gazebo rental to be waived also.

Commissioner Yahn mentioned that on one of the rodeo nights, there will be a drone light show for America's 250th anniversary and Colorado's 150th anniversary. Commissioner Santomaso clarified that the drone show will be at the Friday night rodeo. Commissioner Yahn moved to waive the fees for the Mitchek Event Center and the Gazebo rental and for the donation of fees and two tickets to the Friday Night Rodeo. Commissioner Santomaso seconded, and the motion carried 3-0. Commissioner Yahn thanked Hospice of the Plains for all that they do for the community.

PLANNING AND ZONING APPLICANTS RECEIVING FRAUDULENT STATEMENTS – Rob Quint met with the Board concerning applicants who have had projects go through the Planning and Zoning Office and later the applicants have received fraudulent statements. Six or seven applicants have received statements after their projects were approved. Applicants have now been getting emails the morning of the hearings. Some of the statements look like they have been signed by Commissioner Brownell. The amount of the first two statements sent was about \$8,000. The email suggests that the applicant email back and do a wire transfer. Applicants from all three projects approved last week received a statement that morning at about 8:30 a.m. and then there were several emails sent to applicants from projects approved before those. Luckily, the applicants are calling and asking about them before paying them.

The statements look legitimate because they are using the County emblem. Some of the statements say they are from the Planning Department and some of them say they are from the Planning Commission.

Alan Samber suggested that the applicant's personal contact information such as the address, email and phone number can be put on a separate page of the application and keep that for internal use only. The information would not be posted on the website as part of the agenda packet, then it won't be accessible to those people who are trying to scam people.

Jennifer reported she took all of the agenda packets down off the website last week when it was discovered that the scammers were pulling the information from the packets. Only the agenda is posted on the website for 2025. The packet could continue to be emailed to those on the email group. If we don't post the whole packet on the website, it does help with our accessibility on the website standards. Alan Samber stated that the law does not require that the actual items be attached to the agenda. A statement could be placed on the agenda page on the website that the full agenda packet is available upon request. The information that was available in the packets about applicants will not be available any longer as the applications have been changed.

Lisa Williams changed the Planning and Zoning application last week. Jennifer replaced them on the website. Rob Quint has a sign-in sheet if someone comes in requesting the information on a project. The Planning and Zoning Office has notified all applicants with a recent project. They have also supplied copies of the fraudulent statements to the Sheriff's Office. There have not been any new statements reported since the agenda packets have been pulled from the website. Alan suggested a letter in the packet to let applicants know about what's been happening and that the fees that they pay as part of the application are all the fees the county will be billing. Rob said they will make sure that they mention that this has happened and that the fees that they pay are the only fees that are necessary, but they can add a statement to the packet as well.

NEXT ERA ENERGY WIND FARM UPGRADES NEAR PEETZ - Nathan Keiser and Leo Gorgens joined the meeting. Next Era Energy will be upgrading their hubs in the Peetz area. The upgrades will be about a year or more out. It will require a building permit and possibly a road agreement. Mr. Keiser said that the same type of maintenance was done in late 2019 or early 2020 at the Northern Colorado Wind I and II projects near the Peetz Table. At that time, they only had a building permit, they did not have a road use agreement. Their engineering and construction company emailed the road superintendent that outlined the specific intersections that were going to need to be improved.

They do not mind signing a road use agreement with the county and are happy to go forward with a road use agreement if that's what the commissioners prefer. There are no new roads being installed and there are no underground collection changes. There are cranes involved because they will need to remove the nacelles at the top of the turbines. The nacelles are being replaced with more efficient technology for the most part. It's literally just the equipment in the top of the turbines that are being replaced. The blades aren't being replaced, they will take them down and stage them at the base of the turbine and then put them back up. That is the reason the turning radiuses will not need to be as large as they were with the last project. The project will be completed in about five months as opposed to 12 to 16 months like they had done before and will have a lot less impact than previous projects that they did.

The Board agreed that it would be good to have a road use agreement in place so that everyone knows what routes will be used and what roads will be expected to be brought back up to current status. Landowners will be informed and compensated for damaged crops.

The wind turbines went operational in 2014 or 2015, so they are about 10 years old. The new equipment is more efficient. With the new equipment, on a less windy day, they will be able to generate a lot more megawatts.

BATTERY STORAGE - Rob Quint also mentioned that Leo Gorgens has been reaching out to the Planning and Zoning Department concerning battery storage. They have already drafted regulations that fit into Logan County Zoning regulations. They would be willing to come up next Tuesday and do a small informal presentation or Q and A for the Board. Gorgens stated that utility companies are looking at battery storage because it makes their grid more reliable. Utility companies are asking for the battery storage locations, and it is something they try to accommodate for them.

Commissioner Brownell asked if there are national standards for battery storage and placing these modular units. Gorgens stated that there are several national and state regulatory codes that they build the facilities to comply with. The design of the battery storage facilities is very heavily regulated. They will cover that in their presentation to the Board.

The meeting recessed at 9:34 a.m. and reconvened at 9:48 a.m.

MORATORIUM ON CLEAN ENERGY APPLICATIONS - Blake Marcus of Granite Renewables and Ben Gager of SWCA Environmental Consultants met with the Board concerning the Board's planned moratorium on clean energy applications to include wind energy, solar energy and hyperscale data center facilities in Logan County. Mr. Marcus distributed a packet of material to the Board that included cultural resources, agricultural aquatic resources, habitat assessment, all the items that the county would ask for in a special use permit. The company wants to make sure that there are no fatal flaws or endangered species or relevant cultural places of cultural importance on site. Marcus stated that they have no specific goals or objectives for this meeting except to relay timelines of their energy application and make sure that they are working in a way that those timelines can be met effectively.

Commissioner Brownell mentioned emails from Marcus that noted deadlines coming up in January. Marcus answered the FERC is putting in a new High Impact Load Tariff (HILT). The decision will be made on October 31 and will dictate whether or not they're moving forward with the proposed timeline which has an application deadline of January 1. The application is very expensive, several hundred thousand dollars for them to apply. The HILT will require \$2.7 million per megawatt requested and they are requesting a lot of megawatts. They are looking at several sites in Colorado, Wyoming and New Mexico. If there's not an understandable pathway to permitting before that application date, they will prioritize their resources to other sites. They chose Logan County because there are a lot of very favorable characteristics here. There is high access to natural gas, grid resources and renewable energy producing a lot of megawatts in the area.

They would like to apply on December the first or as late as December 14. It is industry standard for all data centers to have some sort of uninterruptible power source or UPS that in the past has been diesel generators, which have more risks and are not as clean. They prefer to use battery energy storage solutions. They're willing to submit applications based on the permitting process that the board decides on.

Commissioner Santomaso asked who regulates the battery storage facilities. Marcus explained that the facilities are highly regulated by the Federal Energy Regulatory Commission or FERC and by the utility companies. They have extremely tight regulations on the safety protocols, fire safety protocols, containment, spacing industry standards, best practices, etc. They are required to meet those high standards as opposed to county standards for any of this equipment. It also must interact with local transmission grid standards which are exceptionally high.

Commissioner Santomaso suggested that those regulations could be adopted instead of trying to come up with new regulations. Marcus noted that there are several counties that have lots of battery energy storage and it's something that is rapidly moving across the nation right now as grids are looking for more grid reliability. They're looking for ways to make sure that the same number of megawatts are hitting the grid at any moment. They can suggest other counties' regulations that can be adopted to the highest possible standards for both safety and to promote business within the county.

Mr. Gager said that SWCA has supported similar efforts for other counties in terms of providing recommendations on regulations. AES has a format recommendation that was shared previously but there are others that they would be happy to provide. They's been a lot of change in these regulations across the country and there are a lot of resources for how to write the regulations and a lot of similar sized counties and areas.

Commissioner Yahn stated that each county is unique, whether there is a generalized regulation that the federal government adopts for certain things, our county would have specifics that we would want to protect and make sure are in order. One of the reasons why we're looking at this moratorium is that we're not going back later and revisiting a regulation that we should have changed. Our County Attorney wanted six months, because that way it won't need to be extended. We could look at data centers first, and then look at the wind regulations next, or whatever is needed. It will need to be fast tracked if they're looking at a December 14 deadline. It will need to go through the Planning Commission process first, followed by the Commissioners approval.

Commissioner Yahn also stated that the Board did not have any idea that the application was coming when they announced that they were working on the moratorium. The Board is trying to stay ahead of the curve by stating we need to get data centers and battery storage center regulations in our county regulations now, because we won't be ready if anything like this pops up.

Alan Samber asked if it was to be a data storage center or battery storage facility and if they go together. Mr. Marcus discussed the project further and told the Board that it would be one of the largest projects in the US west. It will be close to two gigawatts of nameplate. It will include a significant request of power from the grid, and it will include one gigawatt of natural gas generation on site and 630 megawatts of solar as ancillary power. Then there will be 1,800 megawatt hours of battery energy storage, so that if there is an interruption to the power supply, it can run a full cycle, or at least one or two days on battery energy storage instead of using diesel generators. This will be a co-located energy using grid power, natural gas generation on site and the potential to add solar as well.

Marcus stated that the biggest concern with data centers up until a few years ago, was water usage. Data centers are incredibly safe. They are just banks of computers with some sort of cooling apparatus. There will have to be some sort of training with local emergency services to make sure they have the resources in case of a bad incident.

Data centers are now being designed to need minimal water usage. In the past, the computers have been cooled with water, and it have taken an enormous amount of water. Now, because they will be generating a lot of energy on site, they can do air cooling or air conditioning. Most of the year, you can cool directly with the outside air, because it'll be below the minimum temperature. They will need one to three million gallons of water to do a one-time fill or any necessary top offs. That will be a commercial deal, it will not be taking water from local resources or farmers. If there's a way to do a commercial deal in town, they would be interested. They have no expectation of using local water to do our initial filling of these resources.

Commissioner Yahn stated that North Sterling Irrigation District has deals with energy companies for water all the time. Marcus said that they have been talking with Tall Grass because they have dealt with the water issue before. This is not very much water compared to what data centers have used in the past. The water will be in a closed loop system and there is no chance of contamination of the ground water.

Commissioner Yahn explained that the Board is looking at adding to the regulations a third-party review of Special Use Permit applications. It can help expedite the applications. The applicant would pay for the review. Marcus stated that they are familiar with the practice with landowners and paying for legal fees and consultants. This is something that they are amenable to. Yahn also discussed economic development and sales and use tax for public utilities and how this would possibly fall under the state exemptions and prevent the county from getting any taxes for 20 years. Marcus said that there are exemptions that exist. He would have to discuss this with their attorneys what those exemptions are. Once construction starts, there are pilot programs directly with the county, which is payment in lieu of taxes, to make sure that the county is getting

consistent cash flow directly to the community so that it is not left out with a big project like this.

There will be as many as 1,000 – 2,000 individuals involved in construction of the facilities for about two years during several phases. They expect to do significant road improvements and paving at their own costs in order to make sure that they are not destroying county resources. There are very few landowners in that area. It might have some impact on ranching or livestock based on dust, interruptions or noise, but they will make sure that they feel well taken care of.

The lifespan of the project is estimated to be 40 years. As part of their understanding with the landowners they often create some sort of decommissioning bond to return the land to agricultural use or its previous use and the same can be put in place for roads. Experience has been, is that energy resources almost never return, and that landowners will continue to want to lease or sell, and then utilities will continue to want to use this resource. However, decommissioning bond is standard for industry practice, so there's no fear of bankruptcy or force majeure that would prevent it from being returned to its original usage.

Commissioner Yahn asked what effect this will have on agricultural users pumping wells in the summertime. How does this affect the grid? Marcus answered that it is extremely complex, and that's part of the reason why the Tri-state application fees are so high. They have to do extensive studies to make sure their other customers don't pay higher rates and don't have interrupted power based on their needs. That's part of the reason why we are doing so much generation on site. Most of their generation will happen independently of the grid, without putting strain on the local resources with anticipated growth of the local economy.

Commissioner Santomaso asked how large the solar field is anticipated to be. Marcus answered that the solar field will be built as ancillary power. They will start with the grid interconnection that takes up very little space, maybe 4.6 acres. The warehouses and the OMM buildings and the parking lots and all the infrastructure might take almost 500 acres given reasonable spacing. Then they will have the option to purchase 4,000 acres that has the potential to be solar. That will be built out as energy needs require, data centers tend to be built by warehouse. They're 75 megawatt warehouses. They don't build all at once because the capital requirements are extreme. They build based on the amount of energy they have, and then they continue building. Then solar might be added as they're maximizing the energy resource on site. This probably wouldn't happen all at once and it might happen incrementally over the years, based on how fast the final company, which are large companies like Oracle, Meta, Google, want to grow.

Commissioner Yahn asked if there were any similar facilities nearby that the Board could tour. Mr. Marcus stated that there was a similar one in Los Lunas, New Mexico. Cheyenne is about to build an 11-gigawatt hub, mostly on natural gas. He offered to send an email with existing sites that are close by and photos of what some of these assets might look like.

Marcus explained that there has been significant difficulty with data centers in the US. Companies do not want their data housed overseas anymore. It's a high risk for corporate espionage or for theft for companies. American companies are not willing to build overseas if they're going to invest billions of dollars. They don't want some foreign entity to take control and to cut off access to their facilities. American demand for data centers is skyrocketing. Permitting around cities has become difficult. There are not a lot of data centers in the middle of the country. They have tried to prioritize being near cities, however, the cost of land and the cost of energy near cities is extreme. So, they are trying to get ahead of the market right now by getting into areas like Logan County, which have easier permitting requirements and more access to energy. The largest data center in America, the Cheyenne hub, is going to be 11 gigawatts. For understanding New York City is, nine gigawatts of power. This is going to be like an enormous energy infrastructure, and they are all targeting the center of the country because of the available space and power.

The facility will have 50-100 permanent employees, a conservative estimate. These are high paying jobs. Many of them will be extremely technical, and many of them will be on site. There will be lots of maintenance needs as well. They can offer classes and Northeastern Junior College and onsite training. The construction labor will be mostly imported because it is incredibly specialized.

There is minimal operational noise. The gas generation will have some noise. The warehouses themselves do make some noise that should be minimal at the property boundary. The closest homes are several miles away. The site was chosen because it lies in a dell, so the visual impact will be minimal until you're right on top of it. They hope to be as unobtrusive as possible. The land was chosen specifically to reduce the visual impact. If the solar does get built, it will be more of a significant visual impact.

The bond will protect the site, not just for the battery disposal, but anything they place on site, everything would be returned to its natural state. The bond will be protected from the company building the site, in the case of a bankruptcy, etc. The decommissioning could still happen, even if there was a fire or horrible accident, etc.

Commissioner Yahn asked if they realized that they would be in the heart of the Intercontinental Ballistic Missile Sites and the federal government will want to weigh in because this a concern to them. They are redoing all of their sites in our area. A smaller data center was decommissioned in Cheyenne because it was too close to the FE Warren Air Force Base. He wants to make sure that we're not setting this up for something that we're not able to handle. Marcus stated that this is a reasonable concern. The U.S. Government is a potential purchaser of the site, and they want to be good neighbors to them and understand what their reasonable concerns are. Commissioner Yahn also stated that he heard him talk about their investors for this. There have been Chinese owned data centers and that is a huge concern around our defense system and that would be something that the Board would not want to happen with this facility.

Marcus stated that to be completely clear, they are Greenfield developers, and the final purchasers will be American companies. They will develop everything until construction starts. They are not the people who will be the actual construction company. They will move to a limited partnership with the final purchasing company which will be Oracle, Google, Meta, Tract, one of these larger companies that can post the significant capital requirements. Commissioner Yahn explained that he attended a meeting concerning this and it was discussed that the military does not necessarily like solar around the missile silos, they don't like wind turbines. They just don't like renewable energy, because there are a lot of components in there that they don't have control over, so this would be a concern. However, there is a need for data centers. Marcus will discuss this in more detail with Commissioner Yahn to get his contacts at the FE Warren AF Base.

Marcus explained that they have just finished their environmental due diligence, which gives them the confidence to move forward at full pace on this. If they had found rare, endangered species or any fatal flaws, they would not have been able to move forward. SWCA has finalized all of these reports. They're ready to move forward full speed ahead with both energy applications and contacting local interested parties, including the US Government and Military.

Commissioner Brownell said that the Board will move forward as quickly as possible on adopting regulations. Marcus offered to provide regulations that other counties have in place to see how they might fit within the framework of the county's needs. The Board discussed that there will be a moratorium put in place. The Board will keep the communication lines open about the moratorium.

Commissioner Santomaso noted that the soil is very sandy in that area. He asked what would be done to mitigate the soil during construction or at any point in time to keep it from blowing over on to the neighbor's property. Mr. Gager of SWCA noted that there is a soil breakdown in the materials distributed today. Land

will be disturbed predominantly during construction. SWCA has erosion control and environmental restoration and replication processes that are quite in depth. Most of that is for protecting water. They are inclined to keep dust and erosion to a minimum because the dust impacts operations, air quality, air conditioning, and solar panels. They use best practices to make sure there isn't any runoff and a lot of dust that's affecting neighbors' ranching and farming efforts. Neighboring farms grow mostly winter wheat. There are vegetation buffers in ditches and riparian buffer areas around the ditches and around waterways. Cedar Creek is the drainage area from runoff of the land and topography.

Commissioner Brownell thanked Mr. Marcus and Mr. Gager for considering Logan County and told the men that the Board wants to cooperate to the best of their ability to get the regs in place.

COMMISSIONERS PROCEEDINGS – The Board signed the approval of the Commissioners Proceedings for September 2025.

There being no further business to come before the Board, the meeting adjourned at 10:40 a.m.