

## Logan County Commissioners Work Session

October 19, 2021

Present: Byron Pelton, Jane Bauder, Alan Samber, Shannon Graves, Rhonda Chrisp, Debbie Unrein, Morgan Lulf, Tom Kiel, Trae Miller, Rob Quint, Jerry Casebolt, Marilee Johnson, Kevin Blankenship, Lisa Vecchietti and Dave Fournier, Jeff Rice and Jennifer Crow.

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

**APPROVAL OF MINUTES FROM PREVIOUS SESSION** – Commissioner Bauder moved to approve the minutes from October 12, 2021 as written. Commissioner Pelton seconded and the motion carried.

**REVISIONS TO WORK SESSION AGENDA** – Commissioner Pelton added Rob Quint to discuss FEMA, and Debbie Unrein to discuss a Colorado Department of Agriculture grant, Commissioner Bauder added discussion of the IT letter and asked that it stay on the agenda as Unfinished Business and Subdivision Regulations will stay on the agenda as Unfinished Business.

**REVIEW AND APPROVE HUMAN SERVICES SCHEDULE OF BILLS** – Shannon Graves met with the Board to review the Logan County Department of Human Services schedule of bills dated October 19, 2021. The Board approved all bills as presented. The Board also approved the Department of Human Services Payroll for the period of September 25, 2021 through October 8, 2021.

**REVIEW AND APPROVE SCHEDULE OF COUNTY BILLS** – Rhonda Chrisp met with the Board to review the Logan County schedule of bills dated October 19, 2021. The Board approved all bills as presented.

**REVIEW BUSINESS MEETING AGENDA** – Chairman Pelton stated that the two items on the agenda pertaining to PEL (Polymer and Energy Limited) are not going to be considered due to an e-mail received from PEL stating that they are pulling out of the project and choosing to go to Australia and Thailand for their project instead of Colorado. Alan Samber recommended that the applications be considered withdrawn. Resolution 2021-40 for Subdivision Exemption on behalf of Mike Harms' will be postponed definitely to November 2<sup>nd</sup>. The applicant should not be Mr. Harms, it will be changed to the limited liability company that was recently created.

**ROB QUINT/FEMA DEADLINE** – Rob Quint discussed the FEMA deadline of Friday, October 22<sup>nd</sup> to respond to the non-compliance issues. Rob met with Tom Birney of FEMA and with Doug Mahan of the State of Colorado Water Board. The group walked through the properties in question and came up with solutions for the properties. Rob reported that he has been working with a surveyor, Forrest Leaf. The recommendation for the Waste Management and Maricks' properties was to wet floodproof or dry floodproof. Forrest Leaf's figures for cost of the flood proofing will run around \$100,000. There has been lots of resistance from the property owners due to cost. He is not optimistic about the owners agreeing to the costs. Both properties are 1/10 of an inch off from FEMA's elevations to come in to compliance. In this case, dry flood proofing would secure the perimeter with some sort of barrier and every door would need to have flood gates.

Waste Management's building is used for storage of recyclable trash before it is sorted. It is not used for any other purpose. It does not seem feasible for them to spend \$100,000 on flood proofing the building. Maricks' building does have an office space with restrooms. Both properties would have more than ample notice in the event of a flood. Waste Management's property is in the Pawnee Creek flood area. Most

railroad tracks can be used as a barrier for flooding from the South Platte River due to the elevation of the tracks. It takes days for river flood waters to get here.

There are private individuals, who own their properties outright who have said no to any of the wet flood proofing or dry flood proofing of any of the structures involved. Rob did speak with Tom at FEMA. FEMA would like the county to take all of these individual property owners to court. The problem with taking that to court is if the county loses, they will have not gained any ground. The county has been told that the owners will do nothing to remedy the non-compliance issues. Two of the property owners could be taken to court because they have not allowed the county on the property to inspect it.

One of the properties has a variance granted from a previous board of County Commissioners. They followed all of the county rules in effect at the time and got the variance. The Board is not willing to take people to court that complied with all the rules in effect at the time. The Board is willing to take the ones to court that have refused to allow access to their property and have not worked with the county.

Rob will report to FEMA that the Board will not take the property owners with the variance to court. It would be a waste of resources. The Board will not take property owners to court to force them to spend \$100,000 to flood proof their property.

**HOUSE BILL 21-1262 GRANT FUNDS** - Debbie Unrein met with the Board concerning House Bill 21-1262 which will grant money to county fairs \$46,000 in funds from the ARPA funds. The Board does not have any plans for the money yet. It was suggested to send the information to the Fair Board and see what they would like to spend it on. The funds must be spent by June 30, 2022. The county must return the grant form within 14 days of the award. This will need to be signed in the business meeting. The Board will add the grant award letter at the end of the agenda.

**IT SUPPORT TERMINATION OF SERVICE** – Alan Samber will draft a letter to the current IT support business. The letter will include the county’s need to get continued service until the change of service and also that help with the changeover is requested. As soon as he signs it and sends it back, the county will release the check for October’s payment.

The meeting recessed at 9:34 a.m. and reconvened at 10:17 a.m.

**FISH POND DEVELOPMENT LLC – NORTHEAST PLAZA** - Lisa Vicchettie and Dave Fournier of Fish Pond Development LLC met with the Board via Zoom. Fish Pond Development is acquiring Northeast Plaza which is an existing Section 8 property that has had no rehab for the last 15 years. They will take over the existing loan from HUD. Their overall financing plan will bring in Sterling Housing Authority as a partner for tax exemption. The loan will be transferred over to the housing authority to make the payments on the restructured loan. There is an existing Section 8 contract on the property. There are limited funds for rehab, rents cannot change. The plan is to acquire the property and apply for tax exempt bonds through the county on behalf of the development company through DOLA. The bond application is due November 1. This will allow the county to apply for more tax-exempt bonds than is usually allocated - no more than \$3.5 million in tax exempt bonds. In March, the developer would apply for non-competitive tax credits, \$35,000 per unit rehab costs for the property to bring the units up to current standards. Granite or quartz countertops, update the exterior and address deferred maintenance issues that the present owner has not been able to address. This is to ensure long-term affordability and keep the property in shape for the next 20 years.

The developer has already contacted a bond attorney to represent the county and they would like the county to approve an inducement resolution by October 26. The county would act as the applicant to DOLA for Private Activity Bonds statewide balance bond allocation applications due November 1.

They will prepare the application and bear all costs associated with the application.

The Board asked if energy efficiency and exterior upgrades would be part of the project. The overall focus is to develop projects with very high energy efficiency, low flow fixtures, either toilets, faucets and shower heads.

Total costs of the project are approximately \$6.5 million for acquisition and upgrades. CHAFA still has minimum standards that the project must meet and it focuses on energy efficiency. An energy audit will be performed by a consultant. Residents will like the finishes and the greater efficiency will benefit both. Some Section 8 contracts will allow rent increase but this project is not one of them and rent will stay the same.

The county would apply to DOLA on behalf of the project. The developer will put the application together. The county will need to adopt a resolution, sign the application and sign one more certification for the bond council. This will be budget neutral to the county, it will not be any funds through the county.

The Board would like to have the documentation sent to County Attorney Alan Samber to review. It will need to be approved at next week's Work Session. The Board would like a call with bond council next Tuesday. This will be put on the agenda before the resolution.

**ENGINE BRAKE ORDINANCE** – This will be put on unfinished business.

The Board welcomed new City Manager Kevin Blankenship to Logan County. Commissioner Pelton expressed appreciation to the city for the \$20,000 budgeted for the trail.

Mr. Blankenship talked about things that he has been hearing from citizens. The biggest thing is trails, people want the trails to go through. Affordable housing is another topic that is often discussed. The Board asked him to look at city codes for ways to reduce red tape. Commissioner Bauder asked that the Board be kept informed and up-to-date on city projects, and the vision for the City. Mr. Blankenship said that he is used to collaborating with local governments where he came from and hopes to continue that here.

There being no further business to come before the Board, the meeting adjourned at 10:46 a.m.