

## Logan County Commissioners Work Session

October 5, 2021

Present: Byron Pelton, Jane Bauder, Joe McBride, Alan Samber, Shannon Graves, Rhonda Chrisp, Trae Miller, Rob Quint, Chip Powell (via telephone), Jerry Casebolt, Marilee Johnson, 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 September 28, 2021 as written. Commissioner McBride seconded and the motion carried.

**REVISIONS TO WORK SESSION AGENDA** – Discussion of the Subdivision Exemption process in Logan County. Commissioner Pelton added discussion of a memo from the Treasurer and Trae Miller. Commissioner Bauder added discussion of IT services. Jennifer Crow added Lawn Mowing Service bids.

**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 5, 2021. The Board approved all bills as presented. The Board also approved the Department of Human Services Payroll for the period of September 11, 2021 through September 24, 2021.

**REVIEW AND APPROVE SCHEDULE OF COUNTY BILLS** – Rhonda Chrisp met with the Board to review the Logan County schedule of bills dated October 5, 2021. **IT SUPPORT** - Commissioner Bauder noted that the walkthrough with IT companies was held last Friday. Bids are due October 29th. Paramount Technologies has not responded to phone calls, e-mails or texts from yesterday. There is no contract with Paramount Technologies. The county may have to hire an interim IT support company until the bids are in and a contract with a new company can be completed. The Board approved all bills as presented with the exception of the Paramount Technologies October payment.

**REVIEW BUSINESS MEETING AGENDA** – Resolution 2021-35 for a Subdivision Exemption on behalf of Logan County Economic Development Corporation will be tabled definitely until the October 19<sup>th</sup> meeting. Trae Miller explained that the agreement was sent back a couple of days ago with a few changes they would like to make. The Board will also postpone definitely the contract with Polymer and Energy, Ltd for the sale of property until the October 19<sup>th</sup> meeting.

**ROB QUINT SUBDIVISION EXEMPTION** – Rob Quint met with the Board concerning the subdivision process. There is a scenario concerning wells that made them look at how minor subdivisions and subdivisions are approved. The number of wells allowed per parcel on two parcels divided with a third piece with 35-acres or more and state water. If you handle the division through the subdivision exemption process, you can have one well. If handled as a regular subdivision process, there is potential

The state wants to know the process used, whether a subdivision or subdivision exemption to determine the number of wells. Commissioner Bauder explained that it can hinder development in the county. A ten-acre parcel cannot be subdivided into three parcels with a well on each parcel. The way the county handles the subdivision exemption, only the first parcel can have a well. The state believes that the county only uses the subdivision exemption process but the county has never clarified one way or the other. All the state is looking for is clarification and that will determine the water. They want to know whether the county follows the subdivision exemption process for minor subdivisions or whether we follow the subdivision process for minor subdivisions. The process determines the number of wells that can be granted.

The state wants to know which process Logan County uses and how many wells. Rob Quint asked do they need to follow the subdivision exemption process for minor subdivisions or do they follow the subdivision process for minor subdivisions. Alan Samber stated that he will need to look at Article 8 of the Subdivision Regulations to determine what, if anything needs to be amended in the subdivision regulations to clarify the process. Alan Samber to research the matter. This will be placed on Unfinished Business next Work Session Agenda.

**TREASURER MOBILE HOMES TAX CERTIFICATES** – Logan County holds several mobile home tax certificates from the last tax sale. The redemption period for the mobile home owners to cure the delinquency has expired. County can apply for certificate. When this has come up in the past, the conclusion has been that the homes are pretty dilapidated and would be a liability for the county. The county would be obligated either to removed them or pay the lot rent. Ultimately what has happened on these mobile homes is that the taxes have been deemed uncollectible. There is no liability for the county to just hold a lien. If the county does nothing, after a certain period of time the Board could pass a resolution that the taxes are deemed uncollectible. The properties may be occupied and lot rent being paid, however the taxes are not being paid. The cost to the county to take ownership of the properties and either pay lot rent or to demolish them would be a lot of money. The Assessor would be able to determine what kind of condition the properties are in.

**LAWN MOWING SERVICE** – The Lawn mowing service contract is up this year. The Board agreed to put the Lawn moving service bids out.

The meeting recessed at 9:23 and reconvened at 9:46 a.m.

**CHIP POWELL RE: MINOR SUBDIVISION** – Chip Powell was on a telephone conference to state his concerns. He is working on a minor subdivision for his property on County Road 31. The property had everything done for the subdivision. However, there was a communication error. Chip was under the impression that the board either approved or denied the subdivision. However, it was tabled before the Planning Commission because he was not present. In the paperwork, it says that you have to make an argument, but it does state that he must be present. His argument was that everything was done and submitted as required. Rob said he would let him know when it was done. Chip thought that meant that he did not have to do anything further. It is not written that he has to be in person at the meeting. Commissioner Pelton stated that it is before another Board (the Planning Commission), a completely separate board. The Commissioners cannot do that legally.

His concern is that he did everything he was told to do and it wasn't passed. The next meeting is October 19. Chip agreed to attend the October 19 meeting. Rob Quint stated that Chip can have someone represent him as long as he knows who is at the meeting to represent him. After the Planning Commissioner approves it, it will come before the Board of Commissioners on November 2.

**ROB QUINT EXECUTIVE SESSION RE FEMA** - Commissioner McBride moved to go into Executive Session for a conference with the County Attorney for the purpose of discussing legal recourse and receiving legal advice related to enforcing the County's Flood Plain regulations on non-compliant properties identified by FEMA as allowed C.R.S. 24-6-402(4)(b) Commissioner Bauder seconded and the motion carried.

Participants in the Executive Session were: Commissioners Byron Pelton, Commissioner Jane Bauder, Commissioner Joe McBride, County Attorney Alan Samber and Rob Quint. Persons who participated in the

executive session were asked if any substantial discussion of matters not included in the motion to go into executive session occurred during the executive session, or if any improper action occurred during the executive session in violation of the Open Meetings Law. No concerns were stated.

There being no further business to come before the Board, the meeting adjourned at 10:26 a.m.