

**Logan County Commissioners Work Session
September 10, 2019**

Present: Joe McBride, Jane Bauder, Byron Pelton, Alan Samber, Valerie Richards, Kristan Lange, Don Saling, Marilee Johnson, Jeff Rice, Trae Miller, Tracy Phillips, Mike Anderson, Brian Cullen, Cole Briggs, Cynthia Mills, Brae Wilson, Theresa Torres, Ethan Quinn, Ken Kimsey, _____
and Jennifer Crow.

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

APPROVAL OF MINUTES FROM PREVIOUS SESSION - Commissioner Pelton moved to approve the minutes of the September 3, 2019 work session as written. Commissioner Bauder seconded and the motion carried.

REVISIONS TO WORK SESSION AGENDA - Logan County Ambulance Accounts sent to collections and Wind Turbine Tax Ordinance discussion were added to the agenda.

REVIEW LOGAN COUNTY SCHEDULE OF BILLS - Valerie Richards met with the Board to review the Logan County Department of Human Resources schedule of bills dated September 10, 2019. The Board approved all bills as presented.

REVIEW LOGAN COUNTY SCHEDULE OF BILLS - Kristan Lange met with the Board to review the Logan County schedule of bills dated September 3, 2019. The Board approved all bills as presented.

LOGAN COUNTY AMBULANCE COLLECTION ASSIGNMENTS - Commissioner Pelton moved to approve assignment of Logan County Ambulance debt collections accounts to Wakefield and Associates, the account numbers ending in 29032, 41113, 08013, 32003 32004 and authorize the Chairman to sign. Commissioner Bauder seconded and the motion carried 3-0.

IT RFP - there is no update.

SUNSET MEMORIAL GARDENS - Sunset Memorial Gardens. Alan Samber has not been able to reach Mr. Lawlor. Alan is working on a rough draft of an agreement for the county to take possession of the property. Commissioner Pelton was contacted by Mr. Jensen who lives north of the property. Mr. Jensen wanted to know if the county was going to do a survey to know exactly where property lines are. He has been working on cleaning up along the property lines. There is no need for a new survey, the surveyors will be asked to find the property pins so that the property lines can be seen more readily.

ECONOMIC DEVELOPMENT PLAN - nothing new to discuss.

SILENT RAILROAD CROSSINGS - A meeting was held on September 9th with Don Saling, Greg Etl, Karen Schneiders of CDOT, George Good, Bob McCarty, Jim McNay and Joe McBride. Federal Build Grant funds are available for rural areas starting at \$1 million and for urban areas starting at \$5 million. If all the smaller towns participated, it would probably be over a \$5 million project. The engineering study will be discussed at the next meeting. The City of Sterling had a prior study done with each crossing costing \$500,000. If all of the towns, Merino,

Fleming, Crook, Iliff, Peetz and Sterling cooperated, it would give everyone a better shot of getting the grant award.

WIND TURBINE TAX - Commissioner Pelton presented a proposed ordinance which would exempt business personal property tax on mobile equipment used to build the wind turbines on-site. Greg Brophy recently met with the Board to encourage adoption of a resolution in eastern Colorado counties that is intended to unite the counties to attract the wind farm growth. Yuma County has passed a similar resolution, Sedgwick County is considering a resolution and Kit Carson County is working on one. Mobile equipment and materials are brought in to manufacture the wind turbine towers and blades on-site. The turbine bases are 20-25 feet wide and too large to transport on highways and roads. This is new technology coming out of Texas. The bill to exempt the business personal property tax statewide did not pass because they wanted counties to have local control.

Alan Samber suggested that the Assessor be asked to weigh in on this. It should not be called an ordinance it should be called a resolution. Samber would also like to see a site that references the state statute that gives the county authority to exempt the personal property taxes. The Board agreed to adopt the resolution when the necessary items have been completed.

2020 CENSUS - Commissioner Bauder attended an online webinar on Census recruiting. She will be working to get a committee together. The census is important to county governments because the Federal government distributes \$675 billion dollars based on population. Participation is also important because it determines the amount of federal money that goes to local roads, schools, mental health, etc.

IRC FLEX BENEFITS PLAN - Diana Korbe will be meeting with Scott Szabo and Dick Smith to determine what can be done.

The meeting recessed at 9:23 a.m. and reconvened at 9:27 a.m.

COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY C-PACE - Trae Miller and Tracy Phillips, Director of the C-PACE program met with the Board. Mr. Phillips explained that the "C" stands for Commercial, Industrial and Agricultural. The program also includes multi-family buildings with five or more units and non-profits. There is a residential program in the works for Colorado right now. There have been many challenges associated with the residential program in other states. They are working on a model that will work in Colorado.

C-PACE is Commercial Property Assessed Clean Energy. It is statewide program designed to finance energy efficiency, renewable energy and water conservation, for commercial, industrial and agricultural buildings. It is 100% financing that covers all costs for the building upgrades. Loans are long-term up to 25 years. A third mechanism is that it is a special benefit assessment placed on the building.

The owner pays the loan payment through the property tax bill. The loan is secured by the building. The building's financial health is what secures the loan. Improvements are happening on the building, the financing is attached to the building, and the project is underwritten by the building. Because it is an assessment on the property, it takes priority ahead of the mortgage. The bank subordinates to the assessment. The project will increase the owner's net income. The value of the property will usually significantly increase. That is the bank's collateral.

In foreclosure, the assessment does not accelerate, or become due, only payments in arrears one-three years are due. The fixed interest is averaging at 5%-6% in the competitive market. The thirty-one private capital providers in the program are competing to provide the financing. The Board will schedule a resolution to adopt the C-PACE program at the next meeting.

NJC FAIRGROUNDS LEASE - Mike Anderson, Brian Cullen, and Cole Briggs met with the Board to discuss continuing the lease of the Logan County Fairgrounds for the NJC Equine Management Program. The group expressed NJC's appreciation for the use of the facilities and the source of pride that NJC feels in the fairgrounds facilities and the ability to recruit students to their programs because of the facilities. The group also expressed appreciation for the good working relationship with Chance Wright and the Buildings and Grounds crew.

NJC is not requesting any changes in the terms of the contract. NJC does not have exclusive use of the fairgrounds and scheduling is cooperative between NJC and the County. Mr. Anderson explained that NJC has lost some important instructional days training colts during certain critical periods of time due to events being scheduled in the Exhibit Center arena. In the last school year, five days of critical class time was lost. It was agreed to include NJC personnel in scheduling events to avoid scheduling events during days that will interfere with critical class times. The Board indicated that the lease amount will stay the same with no changes.

The Board discussed partnering with NJC to replacing the Exhibit Center arena dirt. This has been discussed several times in the past but not carried out. NJC is willing to contribute in-kind equipment and personnel to help load and haul the dirt. Commissioner Pelton will work with Chance Wright and Cole Briggs to determine the cost to replace the arena dirt with suitable dirt for NJC and other events.

PROCLAMATION NATIONAL SENIOR CENTER MONTH - Cynthia Mills met with the Board concerning National Senior Center Month. Chairman McBride read the proclamation. Commissioner Bauder moved to approve the National Senior Center Proclamation and allow the chair to sign. Commissioner Pelton seconded and the motion carried.

BRAE WILSON COMPLAINT AGAINST LOGAN COUNTY JAIL - Brae Wilson, Theresa Torres, and Ethan Quinn, met with the Board concerning complaints about the Logan County Jail. Chairman McBride explained to the three individuals that the Board of Commissioners role is limited in the authority that they have over the Logan County Jail.

Brae Wilson stated that she is currently speaking with attorneys to and intends to file a lawsuit for abuse by the Logan County Jail staff. Wilson claims that she went to the hospital the day of her arrest and was told that if her problems continued, she would need to go back to the hospital because she is "high risk". Wilson claims the jail deputies refused her medical care. Wilson states she is seeing doctors and specialists for not only permanent mental damages but a "whole new set of physical ailments - which some look permanent" because of the conditions of the jail and the lack of treatment and the refusal of medical care.

Theresa Torres notified the Board that she intends to file a lawsuit with the ADA. On December 25th Torres was arrested. She was refused her service dog which sent her into such a severe panic attack that she could not come out of it. Torres told the deputies that she has PTSD, severe anxiety and had a high risk pregnancy due to lupus anticoagulant. Ms. Torres alleges that because she was refused her service dog, she gave birth to her son at 20 weeks. According to her

Hematologist, a blood clot passed to her son because of a severe panic attack leaving her gasping for air.

Ethan Quinn stated his complaint against Sterling PD and Logan County SO officers. Over Memorial Day weekend, officers grabbed him and told him they were issuing a ticket. Mr. Quinn asked the officers why they had to put their hands on him to issue a ticket. Quinn alleges one of the officers kicked out his knee, causing him to have to have knee surgery. After that, he feels that he was being targeted at the fair. A Sheriff's Deputy grabbed him, ran his name and let him go. He stated that he does have a criminal record and it is embarrassing to be in public. He has filed a complaint with the PD. Sgt. Baca told him there is nothing they can do as the body cam footage does not show anything. He also filed a complaint against the Sheriff's Office for detaining him for no reason. Nothing has happened with that.

Chairman McBride asked if he has spoken to the DA. Quinn stated that he has tried to contact the DA on another matter and his phone calls are not returned.

Chairman McBride noted that there is nothing that the Board of Commissioners can do at this point. The Sheriff is an elected individual. The chain of command starts with the Sheriff's Office. The District Attorney would be an option or they can contact the Colorado Bureau of Investigations. Or they can choose to retain an attorney. The Board of Commissioners cannot control the Sheriff, they only control the budget.

ADJOURNMENT - There being no further business to come before the Board, the meeting adjourned at 10:30 a.m.