

Gene A. Meisner
Commissioner District One

Rocky L. Samber, Chairman
Commissioner District Two

David G. Donaldson
Commissioner District Three



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**OFFICE OF THE BOARD
LOGAN COUNTY COMMISSIONERS**

315 MAIN STREET SUITE 2
STERLING, COLORADO 80751

AGENDA

**Logan County Board of Commissioners
Logan County Courthouse, 315 Main Street, Sterling, Colorado
Tuesday, April 26, 2016 - 9:00 a.m.**

**Call to Order
Pledge of Allegiance
Revisions to Agenda
Consent Agenda**

Approval of the Minutes of the April 19, 2016 meeting.

**Unfinished Business
New Business**

Consideration of the approval of an agreement by and between the Logan County Fair & Rodeo c/o Board of County Commissioners of Logan County and Kevin Rich d/b/a/ Wild West Cattle Company for the production of the Professional Bull Riding event at the 2016 Logan County Fair.

Consideration of the approval of Resolution #2016-11 amending the Logan County Zoning Resolution, Section 7.7, Flood Damage Prevention Regulations, Article III, Section B, Basis for Establishing the Special Flood Hazard Area, for the unincorporated areas of Logan County, Colorado.

Consideration of the approval of Resolution #2016-12 granting an amendment to Special Use Permit #182 to operate a swine, farrow-to-finish operation with a maximum capacity of 800,000 pounds, but not more than 4,000 animal units, by Keith Roelle (dba) Double Diamond Farm, LLC, in an Agricultural Zone District located in the West Half (W $\frac{1}{2}$) of Section 23, Township 12 North, Range 53 West of the 6th Principal Meridian, Logan County, Colorado.

**Other Business
Miscellaneous Business/Announcements**

The next regular business meeting will be scheduled for Tuesday, May 3, 2016, at 9:00 a.m. at the Logan County Courthouse.

**Executive Session as Needed
Adjournment**

April 19, 2016

The Logan County Board of Commissioners met in regular session with the following members present constituting a quorum of the members thereof:

Rocky L. Samber	Chairman
Gene A. Meisner	Commissioner

Also present:

Jennifer Crow	Manager, Administrative Support
Callie Jones	Journal Advocate
Forrest Hershberger	South Platte Sentinel
Rob Quint	Logan County Planning and Zoning
Dave Conley	Logan County Lodging Tax Board
Chip Steger	Sugar Beet Days
Cheryl Walraven	Sugar Beet Days

Chairman Samber called the meeting to order at 9:00 a.m. The meeting opened with the Pledge of Allegiance.

Chairman Samber asked if there were any revisions for the agenda. No revisions were necessary.

The Board continued with the Consent Agenda items:

- Approval of the Minutes of the April 12, 2016 meeting.
- Acknowledgment of the receipt of the Public Trustee's Quarterly Report for the first quarter of 2016.

Commissioner Meisner moved to approve the Consent Agenda for the Tuesday, April 19, 2016 Board meeting. Commissioner Samber seconded and the motion carried 2-0.

Chairman Samber continued with Unfinished Business:

Commissioner Meisner moved to approve the abatement of taxes in the amount of \$19.72 on behalf of Patricia Bartlett, Logan County Treasurer. Commissioner Samber seconded and the motion carried 2-0.

Dave Conley, Chip Steger and Cheryl Walraven explained the Lodging Tax Board project on behalf of Sugar Beet Days.

Commissioner Meisner moved to approve the Logan County Lodging Tax Board project on

behalf of Sugar Beet Days in the amount of up to \$6,000.00. Commissioner Samber seconded and the motion carried 2-0.

Chairman Samber continued with New Business:

Rob Quint explained the request for the ROW Permit #2016-3 on behalf of Pauley Construction.

Commissioner Meisner moved to approve an agreement between Logan County and Pauley Construction, and the issuance of ROW Permit #2016-3 for use of the county right-of-way under CR 12 at 4987 Highway 63, Atwood, Colorado for installation of a 6 pair phone line. Commissioner Samber seconded and the motion carried 2-0.

Commissioner Meisner moved to approve proposals for the following services at the Logan County Fair:

Ticket taker/usher services - to Caliche After Prom in the amount of \$3,500.
Port-a-potties - Waste Management - in the amount of \$1,550.
Trash disposal services - Waste Management in the amount of \$2,050.

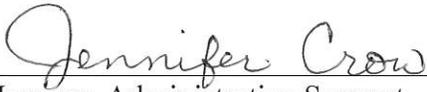
Commissioner Samber seconded and the motion carried 2-0. These proposals were recommended by the Logan County Fair Board.

The Board moved on to Miscellaneous Business/Announcements:

The next regular business meeting is scheduled for Tuesday, April 26, 2016 at 9:00 a.m. in the hearing chambers at the Logan County Courthouse.

There being no further business to come before the Board the meeting was adjourned at 9:19 a.m.

Submitted by:



Manager, Administrative Support

Approved: April 26, 2016

BOARD OF COUNTY COMMISSIONERS
LOGAN COUNTY, COLORADO

(seal)

By: _____
Rocky L. Samber, Chairman

Attest:

Logan County Clerk & Recorder

AGREEMENT FOR SERVICE - PROFESSIONAL BULL RIDING EVENT

This Agreement is entered into as of the ___ day of Mach, 2016, by and between the LOGAN COUNTY FAIR & RODEO, c/o Board of County Commissioners of Logan County, a political subdivision of the State of Colorado, whose address is 315 Main Street, Sterling, CO 80751 (hereinafter "Logan County") and KEVIN RICH, d/b/a WILD WEST CATTLE COMPANY, whose address is 38050 WCR 53, Eaton, CO 80615 (hereinafter "Contractor").

RECITALS

WHEREAS, the Logan County Fair & Rodeo is an annual event conducted at the Logan County Fairgrounds in the City of Sterling, County of Logan, State of Colorado; and

WHEREAS, among the events held annually at the Logan County Fair & Rodeo is a Professional Bull Riding performance; and

WHEREAS, Contractor has proposed to produce, manage and supply an arena and rodeo stock for the Professional Bull Riding performance at the 2016 Logan County Fair.

AGREEMENT

In consideration of the above recitals and the mutual agreements stated below, the parties agree as follows:

1. Dates. Logan County agrees to provide Contractor the use of the arena and grandstands at Logan County Fairgrounds on Tuesday, August 2, 2016, for the production of Professional Bull Riding event, which will commence at 7:00 p.m. on August 2, 2016.
2. Responsibilities of Contractor. The Contractor shall be responsible, at its own cost, for supplying all bull riding stock, labor and personnel, portable arena, sound equipment, office space and equipment, announcers, judges, bullfighters, clown, pickup men, and related supplies and services for complete production of the Professional Bull Riding event with one specialty act (either Freestyle Bullfighting or Miniature Bull Riding), all as more particularly described in the Contractor's written proposal, attached hereto as Exhibit A and fully incorporated herein by reference.
3. Responsibilities of Logan County: Logan County shall be responsible for the following at its sole cost:
 - a. Providing and printing Event admission tickets;
 - b. Providing ticket sellers and ticket takers, prior to and during the Event;
 - c. Preparing the grandstand seating areas;
 - d. Removing trash and debris from all stadium areas;

- e. Providing reasonable security prior to, during and after the Event;
 - f. On-site ambulance services provided during the performance;
 - g. Advertising through Logan County Fair & Rodeo's general fair advertising.
4. Term and Compensation. The term of this agreement shall be for an initial term of one year, for the performance of the event at the 2016 Logan County Fair. In consideration for the services provided hereunder, Logan County agrees to pay Contractor a fee of Forty Six Thousand Five Hundred Dollars (\$46,500.00) for the services, which include the Freestyle Bullfighting specialty act option, to be provided at the 2016 Logan County Fair. Alternatively, the Contractor shall be paid a fee of Forty Five Thousand Five Hundred Dollars (\$45,500.00) if the services include the Miniature Bull Riding specialty act option. Such sum shall be payable in full upon completion of the Event. Logan County shall be obligated to pay such fee only if the Event is fully completed as scheduled, and shall not be obligated to pay any sums, nor shall Contractor be obligated to perform this Agreement, if the Event is cancelled as a consequence of inclement weather, war, embargoes, strikes, governmental restrictions, riots, fires, floods, earthquakes, or other acts of God. Provided that Contractor satisfactorily performs this agreement in all material aspects, as determined by Logan County in its sole and absolute discretion, this agreement may be renewed for a successive term of two additional years, for event performances at the 2017 and 2018 Logan County Fairs. Such renewal and its material terms, if different from the terms set forth herein, shall be reduced to a separate written memorandum, and signed by the parties on or before March 1, 2017.
5. Independent Contractors. The parties acknowledge that the Contractor and any staff provided by the Contractor, or other individuals associated with Contractor in carrying out its responsibilities under this Agreement, are NOT employees of Logan County and will, at all times, be considered and treated as independent contractors.
6. Indemnification and Hold Harmless. Contractor agrees to indemnify and hold harmless Logan County, including its agents and employees, from and against all claims, damages, losses, injuries, and expenses of whatever nature, arising out of or resulting from any acts or omissions of the Contractor, its agents, employees, or assigns.
7. Insurance. At all times while performing the services required hereunder, Contractor shall maintain in full force and effect, at its own expense, comprehensive general liability insurance coverage with a minimum coverage of \$1,000,000 each occurrence, \$1,000,000 general aggregate. Such insurance shall name "Logan County, Colorado, a body corporate and politic," as an additional insured and certificates of insurance for each participating organization shall be provided to Logan County no later than 3 days prior to the commencement of the Event. In addition, Contractor shall provide Worker's Compensation insurance for its employees in the amounts required by Colorado law.

8. Notices. Any notice, request, demand, waiver, or other communication required or permitted to be given under this Agreement will be in writing and will be deemed to have been duly given only if delivered in person or by first class, prepaid, registered or certified mail, sent to the following persons:

To Logan County: Board of County Commissioners
 315 Main Street
 Sterling, CO 80751

With a copy to: County Attorney
 508 S. Tenth Ave.
 Sterling, CO 80751

To Contractor: Kevin Rich
 Wild West Cattle Company
 38050 WCR 53
 Eaton, CO 80615

9. Waiver. This Agreement or any of its provisions may not be waived except in writing. The failure of any party to enforce any right arising under this Agreement on one or more occasions will not operate as a waiver of that or any other right on that or any other occasion.
10. No Third Party Beneficiaries. None of the terms, conditions or covenants in this Agreement shall give or allow any claim, benefit, or right of action by any third person not a party hereto. Any person other than Contractor or Logan County receiving services or benefits under this Agreement shall be only an incidental beneficiary.
11. No Joint Venture: Nothing contained in this agreement shall be construed to imply that a joint venture or partnership is created by and between the parties.
12. Entire Agreement. This Agreement contains the entire agreement of the parties and supersedes all prior oral or written agreements and understandings with respect to the subject matter. This Agreement may not be amended or modified except by a writing signed by the parties.
13. Severability. Any term or provision of this Agreement which is invalid or unenforceable will be ineffective to the extent of such invalidity or unenforceability without rendering invalid or unenforceable the remaining rights of the person intended to be benefitted by such provision or any other provisions of this Agreement.
14. Construction. This Agreement has been negotiated by the parties and, if desired, their respective legal counsel, and legal or equitable principles that might require the construction of this Agreement or any provision of this Agreement against the party

drafting this Agreement will not apply in any construction or interpretation of this Agreement.

15. Termination. If, through any cause, Contractor fails to fulfill its obligations under this agreement in a timely and proper manner, or if Contractor violates any of the covenants, conditions, or stipulations of this agreement or otherwise fails to perform the agreement to the sole satisfaction of Logan County, Logan County shall thereupon have the right to, in addition to any other remedies provided by law, immediately terminate this agreement upon giving written notice to Contractor of such termination and specifying the effective date thereof.
16. Assignment. Neither this agreement, nor any rights hereunder, in whole or in part, shall be assignable or otherwise transferable by Contractor without the prior written consent of Logan County.

IN WITNESS WHEREOF, the parties have executed this Agreement effective as of the day and year first set forth above.

BOARD OF COUNTY COMMISSIONERS
OF LOGAN COUNTY, COLORADO

KEVIN RICH
D/B/A WILD WEST CATTLE CO.

By:
Rocky L. Samber, Chairman

By: 
Kevin Rich

By:
Gene A. Meisner, Commissioner

By:
David G. Donaldson, Commissioner

RESOLUTION

NO. 2016 - 11

A Resolution Amending the Logan County Zoning Resolution, Section 7.7, Flood Damage Prevention Regulations, Article III, Section B, Basis for Establishing the Special Flood Hazard Area, for the unincorporated areas of Logan County, Colorado.

WHEREAS, the Board of County Commissioners of Logan County is authorized pursuant to C.R.S. §30-28-116 and section 11.1 of the Logan County Zoning Resolution to adopt zoning regulations and to amend existing zoning regulations; and

WHEREAS, the Board of County Commissioners of Logan County, upon the recommendation of the Colorado Water Conservation Board and Federal Emergency Management Agency (FEMA), has determined that Section 7.7, Flood Damage Prevention Regulations, Article III, Section B, Basis For Establishing The Special Flood Hazard Area, should be amended as shown in bold-type below to reflect updated Flood Insurance Rate Maps:

The Special Flood Hazard Areas identified by the Federal Emergency Management Agency in a scientific and engineering report entitled, "The Flood Insurance Study for Logan County, **Colorado and Incorporated Areas**," dated **May 16, 2016** with accompanying Flood Insurance Rate Maps (FIRM) and any revisions thereto are hereby adopted by reference and declared to be a part of these regulations. These Special Flood Hazard Areas identified by the FIS and attendant mapping are the minimum area of applicability of these regulations and may be supplemented by studies designated and approved by the Logan County Planning and Zoning Department. The Floodplain Administrator shall keep a copy of the Flood Insurance Study (FIS), DFIRMs, FIRMs and/or FBFMs on file and available for public inspection.

WHEREAS, the revised Section 7.7, Flood Damage Prevention Regulations, Article III, Section B, Basis for Establishing the Special Flood Hazard Area, was reviewed by the Logan County Planning Commission and approved with a recommendation for adoption at its public meeting on April 19, 2016; and

WHEREAS, as required by law, legal notice was published on March 23, 2016, concerning a Public Hearing of the Logan County Board of County Commissioners on April 26, 2016 to consider adoption of the revised Section 7.7, Flood Damage Prevention Regulations, Article III, Section B, Basis for Establishing the Special Flood Hazard Area; and

WHEREAS, the draft of the proposed amendment as recommended by the Logan County Planning Commission, has been made available for inspection by the public in the Logan County Planning and Zoning Department and all required notices concerning the proposed amendment have been given.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Logan County, Colorado, that Section 7.7, Flood Damage Prevention Regulations, Article III, Section B, Basis For Establishing The Special Flood Hazard Area, is hereby amended to read in its entirety as follows:

SECTION B. BASIS FOR ESTABLISHING THE SPECIAL FLOOD HAZARD AREA

The Special Flood Hazard Areas identified by the Federal Emergency Management Agency in a scientific and engineering report entitled, "The Flood Insurance Study for Logan County, Colorado and Incorporated Areas," dated May 16, 2016 with accompanying Flood Insurance Rate Maps (FIRM) and any revisions thereto are hereby adopted by reference and declared to be a part of these regulations. These Special Flood Hazard Areas identified by the FIS and attendant mapping are the minimum area of applicability of these regulations and may be supplemented by studies designated and approved by the Logan County Planning and Zoning

Department. The Floodplain Administrator shall keep a copy of the Flood Insurance Study (FIS), DFIRMs, FIRMs and/or FBFMs on file and available for public inspection.

ADOPTED on Tuesday, this 26th day of April, 2016, effective May 16, 2016.

LOGAN COUNTY BOARD OF COMMISSIONERS
LOGAN COUNTY, COLORADO

Rocky L. Samber (Aye)(Nay)

Gene A. Meisner (Aye)(Nay)

David G. Donaldson (Aye)(Nay)

I, Pamela M. Bacon, County Clerk and Recorder in and for the County of Logan, State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of the County of Logan and State of Colorado, in regular session on the this 26th day of April, 2016.

County Clerk and Recorder

AMENDMENT TO LOGAN COUNTY FLOOD DAMAGE PREVENTION REGULATIONS

Logan County Planning Commission held a hearing Tuesday, April 19, 2016 at 7:00 pm in the Logan County Courthouse, 2nd floor meeting room, located at 315 Main Street, Sterling Colorado, to consider amending the Logan County Zoning Resolution, Section 7.7, Flood Damage Prevention Regulations, Article III, Section B, Basis for Establishing the Special Flood Hazard Area, for the unincorporated areas of Logan County, Colorado. Amend to reflect new effective date for maps: May 16, 2016, per FEMA.

Recommendation of Planning Commission: _____ Approval _____ Denial

Chairperson, Planning Commission

ARTICLE III – GENERAL PROVISIONS

SECTION B. BASIS FOR ESTABLISHING THE SPECIAL FLOOD HAZARD AREA

The Special Flood Hazard Areas identified by the Federal Emergency Management Agency in a scientific and engineering report entitled, "The Flood Insurance Study for Logan County, Colorado and Incorporated Areas," dated May 16, 2016 with accompanying Flood Insurance Rate Maps (FIRM) and any revisions thereto are hereby adopted by reference and declared to be a part of these regulations. These Special Flood Hazard Areas identified by the FIS and attendant mapping are the minimum area of applicability of these regulations and may be supplemented by studies designated and approved by the Logan County Planning and Zoning Department. The Floodplain Administrator shall keep a copy of the Flood Insurance Study (FIS), DFIRMs, FIRMs and/or FBFMs on file and available for public inspection.

COUNTY COMMISSIONERS ACTION:

Date Granted: _____

Date Denied: _____

Rocky L. Samber

Gene A. Meisner

David G. Donaldson

ARTICLE III - GENERAL PROVISIONS

SECTION A. LANDS TO WHICH THESE REGULATIONS APPLY

These regulations shall apply to all Special Flood Hazard Areas and areas removed from the floodplain by the issuance of a FEMA Letter of Map Revision Based on Fill (LOMR-F) within the jurisdiction of Logan County, Colorado.

SECTION B. BASIS FOR ESTABLISHING THE SPECIAL FLOOD HAZARD AREA

The Special Flood Hazard Areas identified by the Federal Emergency Management Agency in a scientific and engineering report entitled, "The Flood Insurance Study for Logan County," dated September 29, 1989, with accompanying Flood Insurance Rate Maps and/or Flood Boundary-Floodway Maps (FIRM and/or FBFM) and any revisions thereto are hereby adopted by reference and declared to be a part of these regulations. These Special Flood Hazard Areas identified by the FIS and attendant mapping are the minimum area of applicability of these regulations and may be supplemented by studies designated and approved by the Logan County Planning and Zoning Department. The Floodplain Administrator shall keep a copy of the Flood Insurance Study (FIS), DFIRMs, FIRMs and/or FBFMs on file and available for public inspection.

SECTION C. ESTABLISHMENT OF FLOODPLAIN DEVELOPMENT PERMIT

A Floodplain Development Permit shall be required to ensure conformance with the provisions of these regulations.

SECTION D. COMPLIANCE

No structure or land shall hereafter be located, altered, or have its use changed within the Special Flood Hazard Area without full compliance with the terms of these regulations and other applicable regulations. Nothing herein shall prevent the Logan County Planning and Zoning Department from taking such lawful action as is necessary to prevent or remedy any violation. These regulations meet the minimum requirements as set forth by the Colorado Water Conservation Board and the National Flood Insurance Program.

SECTION E. ABROGATION AND GREATER RESTRICTIONS

These regulations are not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where these regulations and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

AMENDED
ARTICLE III - GENERAL PROVISIONS

SECTION A. LANDS TO WHICH THESE REGULATIONS APPLY

These regulations shall apply to all Special Flood Hazard Areas and areas removed from the floodplain by the issuance of a FEMA Letter of Map Revision Based on Fill (LOMR-F) within the jurisdiction of Logan County, Colorado.

SECTION B. BASIS FOR ESTABLISHING THE SPECIAL FLOOD HAZARD AREA

The Special Flood Hazard Areas identified by the Federal Emergency Management Agency in a scientific and engineering report entitled, "The Flood Insurance Study for Logan County, Colorado and Incorporated Areas," dated May 16, 2016 with accompanying Flood Insurance Rate Maps (FIRM) and any revisions thereto are hereby adopted by reference and declared to be a part of these regulations. These Special Flood Hazard Areas identified by the FIS and attendant mapping are the minimum area of applicability of these regulations and may be supplemented by studies designated and approved by the Logan County Planning and Zoning Department. The Floodplain Administrator shall keep a copy of the Flood Insurance Study (FIS), DFIRMs, FIRMs and/or FBFMs on file and available for public inspection.

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No structure or land shall hereafter be located, altered, or have its use changed within the Special Flood Hazard Area without full compliance with the terms of these regulations and other applicable regulations. Nothing herein shall prevent the Logan County Planning and Zoning Department from taking such lawful action as is necessary to prevent or remedy any violation. These regulations meet the minimum requirements as set forth by the Colorado Water Conservation Board and the National Flood Insurance Program.

SECTION E. ABROGATION AND GREATER RESTRICTIONS

These regulations are not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where these regulations and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

RESOLUTION

NO. 2016 - 12

A RESOLUTION GRANTING AN AMENDMENT TO SPECIAL USE PERMIT #182 TO OPERATE A SWINE FARROW-TO-FINISH OPERATION WITH A MAXIMUM CAPACITY OF 800,000 POUNDS, BUT NOT MORE THAN 4,000 ANIMAL UNITS, BY KEITH ROELLE (DBA) DOUBLE DIAMOND FARM, LLC, IN AN AGRICULTURAL ZONE DISTRICT LOCATED IN THE WEST HALF (W½) OF SECTION 23, TOWNSHIP 12 NORTH, RANGE 53 WEST OF THE 6TH PRINCIPAL MERIDIAN, LOGAN COUNTY, COLORADO.

WHEREAS, Keith Roelle previously applied and received Special Use Permit #182 for 4,000 head swine growing and finishing operation; and

WHEREAS, Keith Roelle, dba Double Diamond Farm, LLC, has applied to amend Special Use Permit #182, to operate a farrow-to-finish operation with a maximum capacity of 800,000 pounds, but not more than 4,000 Animal Units per CDPHE; and

WHEREAS, the State of Colorado Department of Public Health and Environment (CDPHE), Environmental Agriculture Program, has inspected this facility and all corrective action has been accomplished; and

WHEREAS, on April 26, 2016, a public hearing of the Logan County Board of County Commissioners was held to consider an amendment of Special Use Permit #182 for Keith Roelle, dba Double Diamond Farm, LLC, to operate a swine farrow-to-finish operation with a maximum capacity of 800,000 pounds, but not more than 4,000 Animal Units per CDPHE, in an Agricultural Zone District, on the following described property:

West Half (W½) of Section 23, Township 12 North, Range 53
West of the 6th Principal Meridian, Logan County, Colorado; and

WHEREAS, the above described property is currently zoned Agriculture with a Special Use Permit #182 for a 4,000 head swine growing and finishing operation; and

WHEREAS, the Logan County Planning Commission, after reviewing the application and conducting a public hearing on the application, recommended the approval of the proposed amendment of Special Use Permit #182 at its regular meeting on April 19, 2016; and

WHEREAS, the SUP #182 is to run for 5-years commencing on the expiration date of the approved SUP #182, the 2nd day of April 2016.

NOW BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LOGAN COUNTY, COLORADO:

APPROVAL:

The application of Keith Roelle, dba Double Diamond Farm, LLC, for the amendment of Special Use Permit #182 to operate a swine farrow-to-finish operation with a maximum capacity of 800,000 pounds, but not more than 4,000 Animal Units per CDPHE, located in the West Half (W½) of Section 23, Township 12 North, Range 53 West of the 6th Principal Meridian, Logan County, Colorado is GRANTED, subject to conditions set forth below.

FINDINGS OF FACT:

1. The continued use is compatible with the Logan County Master Plan and existing land uses in the area, which is zoned Agricultural District, Agricultural District with Special Use Permit for a swine farrow-to-finish operation.
2. This facility is a State permitted, with a capacity limit of 800,000 pounds, but not more than 4,000 Animal Units.
3. This facility was inspected by Colorado Department of Public Health and Environment.
4. This facility has no plans for expansion.

CONDITIONS:

1. Effluent disposal from the production facility is to follow the most current best management practices, with input from the Northeast Colorado Health Department and the Colorado Department of Public Health and Environment.
2. The water well of the production facility is to be a minimum of 250 feet from a lagoon.
3. The water well is to be up-gradient from the lagoon and monitored at least annually for nitrate levels and compliance with the most current Northeast Colorado Health Department regulations.
4. A setback distance from a county road is to be a minimum of 300 feet.
5. A cover is required over the primary manure settling lagoon.
6. Trees on the property are to be maintained.
7. Weeds are to be kept to a minimum.
8. The site is to be kept seeded.
9. Continued compliance with all Federal, State of Colorado, Northeast Colorado Health Department and local regulations.

BE IT THEREFORE RESOLVED, that Special Use Permit #182 is amended allowing Keith Roelle, dba Double Diamond Farm, LLC, to operate a swine farrow-to-finish operation with a maximum capacity of 800,000 pounds, but not more than 4,000 Animal Units per CDPHE, located on the above described property, subject to application for renewal for continued permitted use after April 2, 2021. The Board of County Commissioners of Logan County retains continuing jurisdiction over the permit to address future issues concerning the site and to insure compliance with the conditions of the permit. The applicants are responsible for complying with all of the foregoing conditions of this permit. Noncompliance with any of the conditions may be cause for revocation of the permit.

Done this 26th day of April, 2016.

LOGAN COUNTY BOARD OF COMMISSIONERS
LOGAN COUNTY, COLORADO

(Aye) (Nay)
Rocky L. Samber, Chairperson

(Aye) (Nay)
Gene A. Meisner

(Aye) (Nay)
David G. Donaldson

I, Pamela M. Schneider, County Clerk and Recorder in and for the County of Logan, State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of the Logan and State of Colorado, in regular session on the 26th day of April, 2016.

County Clerk and Recorder

Amend
SPECIAL USE PERMIT APPLICATION
AS REQUIRED BY THE LOGAN COUNTY ZONING RESOLUTION
DEPARTMENT OF PLANNING & ZONING

Applicant Double Diamond Farm LLC
Name: Keith E. & Sandra K. Roelle Phone: 970-334-2333 - home
970-520-3581 - cell
Address: 38383 CR 31 Peetz, CO. 80747

Landowner
Name: SAME Phone: SAME
Address: SAME

Description of Property:

Legal: $\frac{1}{4}$ Section SW4 of Lot 2 Section 23 Township 12N Range 53W
& N4 of W2 of SW4 23 12N 53W
Address: _____ Access off CR or Hwy: 33

New Address Needed: Y or N Subdivision Name: _____

Filing _____ Lot _____ Block _____ Tract _____ Lot Size _____

Current Zoning: AG SUP #182 Current Land Use: Agriculture

Proposed Special Use: Change use to "Farrow to finish" for a
maximum of 800 000 lbs but not more than
4000 AU's per CDPHE

Terms of Special Use: _____

Building Plans: _____

I, (We), hereunto submit this application for a Special Use Permit to the Board of County Commissioners, together with such plans, details and information of the proposed special use. I, (We), further understand that the Board of Logan County Commissioners may, in addition to granting a Special Use Permit, impose additional conditions to comply with the purpose and interest of the Logan County Zoning Resolutions and Zoning Map.

Dated at Sterling, Colorado, this 26 day of Feb 2016

Signature of Applicant: Keith E. Roelle

Signature of Landowner: Keith E. Roelle

KEITH & SANDRA ROELLE
DBA Double Diamond Farm LLC
Amend SUP 182
38383 CR 31, Peetz

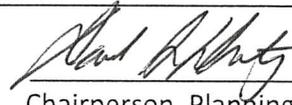
FOR COUNTY USE

Application Fee: One hundred dollars (\$100.00) pd 2/26/2016 v#4042 Receipt #79

Date of Planning Commission: April 19, 2016

Recommendation of Planning Commission: Approval Denial

Recommended Conditions of Special Use Permit: _____


Chairperson, Planning Commission

=====

COUNTY COMMISSIONERS ACTION:

Conditions of Special Use Permit: _____

Date Granted: _____

Date Denied: _____

Rocky L. Samber

Gene A. Meisner

David G. Donaldson

KEITH & SANDRA ROELLE
DBA Double Diamond Farm LLC
Amend SUP 182
38383 CR 31, Peetz