

Gene A. Meisner
Commissioner District One

Rocky L. Samber, Chairman
Commissioner District Two

David G. Donaldson
Commissioner District Three



Office Phone
970-522-0888
FAX 970-522-4018
TTY 970-526-5383

Web: www.colorado.gov/logan
E-mail: commissioners@logancountyco.gov

**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, August 25, 2015 - 9:00 a.m.**

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

Approval of the Minutes of the August 18, 2015 meeting.

Acknowledge receipt of the Tourist Information Center Coordinator's report for the month of July, 2015.

**Unfinished Business
New Business**

Consideration of the approval of an Intergovernmental Agreement between Logan County, Colorado, acting by and through the Logan County Clerk and Recorder and Fleming Fire Protection District for administration of their respective duties concerning the conduct of the Coordinated Election to be held November 3, 2015.

Consideration of the approval of Resolution 2015-25 and an application vacating the platted cul-de-sac public right-of-way contiguous to Lots 5, 6, 7, 8 & 9, Block 1, Sunny Slope Addition, First Filing, located in the North Half of the Northwest Quarter of Section 30, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado.

**Other Business
Miscellaneous Business/Announcements**

The next regular business meeting will be scheduled for Tuesday, September 1, 2015, at 9:00 a.m. at the Logan County Courthouse.

**Executive Session as Needed
Adjournment**

August 18, 2015

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
David G. Donaldson	Commissioner
Gene A. Meisner	Commissioner

Also present:

Alan Samber	Logan County Attorney
Pamela M. Bacon	Logan County Clerk
Marie T. Granillo	Logan County Deputy Clerk
Rob Quint	Logan County Planning and Zoning
Callie Jones	Journal Advocate
Forrest Hershberger	South Platte Sentinel

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 or corrections for today's agenda. None were indicated.

The Board continued with the Consent Agenda items:

- Approval of the Minutes for the August 4, 2015 meeting.
- Acknowledgement of the receipt of the Landfill Supervisor's report for the month of July, 2015.
- Acknowledgement of the receipt of the Treasurer's report for the month of July, 2015.
- Acknowledgement of the receipt of the Clerk and Recorder's report for the month of July, 2015.

Commissioner Meisner moved to approve the Consent Agenda for the August 18, 2015 board meeting. Commissioner Donaldson seconded and the motion carried 3-0.

Commissioner Donaldson made a motion to approve an Intergovernmental Agreement between Logan County, Colorado, acting by and through the Logan County Clerk and Recorder and the City of Sterling for administration of their respective duties concerning the conduct of the Coordinated Election to be held November 3, 2015 and authorize the chairman to sign. Commissioner Meisner seconded and the motion carried 3-0.

Commissioner Meisner moved to approve the Intergovernmental Agreement between Logan County, Colorado, acting by and through the Logan County Clerk and Recorder and the Highland

Park Sanitation District for administration of their respective duties concerning the conduct of the Coordinated Election to be held November 3, 2015 and authorize the chairman to sign. Commissioner Donaldson seconded and the motion carried 3-0.

Commissioner Donaldson made a motion to approve a license agreement between Logan County and CoreLogic Spatial Solutions, LLC for the purchase and use of certain county GIS data and authorize the chairman to sign. Commissioner Meisner seconded and the motion carried 3-0.

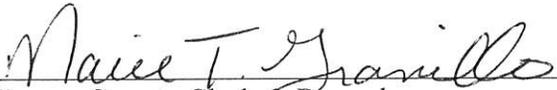
Commissioner Donaldson moved to approve an agreement between Logan County and Sandra K. Needham for use of the county's right of way across CR 30 for a driveway access. Commissioner Meisner seconded and the motion carried 3-0.

The Board moved on to Miscellaneous Business/Announcements:

The next regular business meeting is scheduled for Tuesday, August 25, 2015 at 9 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 9:08 a.m.

Submitted by:


Logan County Clerk & Recorder

Approved: August 25, 2015

BOARD OF COUNTY COMMISSIONERS
LOGAN COUNTY, COLORADO

(seal)

By: _____
Rocky L. Samber, Chairman

Attest:

Logan County Clerk & Recorder

Tourist Information Center

July 2015

- For the month of July, the traffic count into the rest area was 45,002 according to the restroom door counters. We logged 11,186 visitors who signed the guest book inside the tourist information center, compared to 8,593 last month. The volunteers assisted an average of 360 visitors a day, compared to the daily average of 286 visitors in June.
- Major referrals into Sterling include: restaurants, gas, motels, Wal-Mart, antique stores, museum, North Sterling State Park, tree sculptures, retail shopping, concerts/July Jamz, vehicle care/repair, ice cream. Travelers are referred to other towns for RV camping/parking, marijuana stores.
- Still in need of promo material from local businesses. Colorado Popcorn is very innovative in their marketing efforts and has provided product samples for giveaways to the visitors this month. The samples include the business name and contact info as an excellent marketing tool.
- Working on updating numerous flyers for local historical and points of interest areas.
- Working on coordinating a visit by staff and volunteers from the Colorado Welcome Center in Dinosaur. As a state welcome center, they are required to visit areas of Colorado every year. This year is their northeast Colorado tour. Our volunteers will be hosting a potluck lunch for the group at the Overland Trail Museum. The Dinosaur volunteers will also be taken on a tour of the tree sculptures around town, ending with Supper at Sunset at the Swedlund ranch. The object of the tour is for the Welcome Center volunteers to become acquainted with other areas of the state in order to make tourism referrals.

Marilee Johnson
Tourist Information Center Coordinator

TOURIST INFORMATION CENTER												
MONTHLY VISITORS TOTALS												
	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	(counters)	
JANUARY	3,368	2,370	2,947	2,708	3,003	2,985	2,703	2,710	3,006	2,772		
FEBRUARY	3,138	2,742	3,713	2,892	2,985	2,552	2,062	2,416	3,042	2,716		
MARCH	5,422	6,278	6,019	5,163	4,770	5,682	4,074	3,802	5,121	3,702		
APRIL	5,660	5,053	4,891	4,407	4,905	5,178	3,098	3,885	4,865	4,461	25,005	
MAY	7,220	7,471	7,653	7,911	7,551	7,083	6,177	6,729	7,149	6,118	26,425	
JUNE	12,899	12,453	11,397	11,943	11,676	11,203	9,867	10,282	9,950	8,593	31,661	
JULY	14,296	15,794	15,672	13,800	14,109	15,884	11,406	12,998	12,239	11,186	45,022	
AUGUST	10,699	12,172	10,518	10,892	11,663	10,970	9,190	8,978	9,470			
SEPTEMBER	7,220	8,051	8,051	8,307	8,159	8,703	7,155	4,608	6,494			
OCTOBER	4,985	6,219	5,437	5,306	5,802	5,922	5,295	3,975	6,524			
NOVEMBER	3,899	4,432	3,926	4,317	4,408	3,552	3,565	3,009	3,914			
DECEMBER	3,228	4,340	3,642	3,119	4,122	3,710	3,580	4,297	3,717			
TOTAL	82,034	87,375	83,866	80,765	83,153	83,424	68,172	67,689	75,491	39,548	128,113	

AUG 14 2015

CLERK & REC

INTERGOVERNMENTAL AGREEMENT

Coordinated Election

November 3, 2015

THIS AGREEMENT is made and entered into this 14 day of Augst 2015, by and between **Logan County, Colorado**, acting by and through the **LOGAN COUNTY CLERK AND RECORDER** (hereinafter referred to as "County Clerk"), and **FLEMING FIRE PROTECTION DISTRICT** (hereinafter referred to as "District"), for administration of their respective duties concerning the conduct of the Coordinated Election to be held November 3, 2015.

Pursuant to the provisions of Article XIV, Section 18(2)(a) of the Colorado Constitution and Section 29-1-203, Colorado Revised Statutes, as amended, the County Clerk and District have each made a finding that it is in their best interest to conduct the election to be held on **November 3, 2015**, as a "**Coordinated Election**" as such term is defined in the Uniform Election Code of 1992, as amended ("Code"), and to that end, in consideration of the benefits and obligations contained herein, and subject to the terms and conditions as are hereinafter set forth, the parties enter into this agreement for the cooperative conduct and financing of the coordinated election as follows:

1. Said election will be conducted by the County Clerk as a "**Mail-in Ballot Election.**" The type of election to be held is:

(2) X Ballot Issue (TABOR) _____ Ballot Questions _____ Candidates

2. Except as otherwise provided in this Agreement, the County Clerk shall act as the coordinated election official for the conduct of the election for District for all matters in the Code which require action by the coordinated election official. The County Clerk will have primary responsibility for the coordination of the election for District and the procedures to be completed by the County Clerk hereunder. The District shall designate an election official who shall act as the primary liaison between the District and the County Clerk, and who will have primary responsibility for the conduct of election procedures to be handled by the District hereunder. Nothing herein shall be deemed or construed to relieve the County Clerk or the governing body of the District from their official responsibilities for the conduct of the election.
3. The District encompasses territory within Logan County. This agreement shall be construed to apply only to that portion of the District within Logan County.
4. Actual use of this Agreement for any election held by the District shall be conditioned upon:
 - a. A determination, by **Resolution of the governing body of the District**, that an election is required and that the election should be held as a coordinated election, and execution by District of the Intergovernmental Agreement;

- b. **Notice of Resolution and Intergovernmental Agreement** being delivered to the County Clerk no later than 70 days prior to the election date (**Tuesday, August 25, 2015**). [Section 1-7-116(2), C.R.S.]
- c. Acceptance of the notice indicated in (2) above by the County Clerk and determination by the County Clerk that the County Clerk shall undertake its duties under the Agreement, with notice of such determination to be delivered to the District within five (5) days of the County Clerk's receipt of such notice indicated in (2) above.

Following the completion of a, b, and c above, the election procedures in the Agreement shall be activated.

THE COUNTY CLERK SHALL PERFORM THE FOLLOWING DUTIES FOR THIS COORDINATED ELECTION FOR THE DISTRICT:

1. **Costs:**

Determine the "least cost" method for mailing the TABOR Notice Package, if applicable.

Keep a careful and accurate accounting of time, supplies, and salaries that are chargeable to the District.

District's share of the county's costs shall consist of such costs that are directly proportional to the cost to the county in conducting an election for the District, and shall be calculated as follows:

- a. The total number of registered electors in the District eligible to vote in District's election shall be multiplied by the total number of candidates and/or issues of the District ("voter opportunities").
- b. The total number of voter opportunities for all District's in the coordinated election shall be divided into the total number of voter opportunities for District and multiplied by 100 to determine the District's percentage share of the county's costs.

Actual cost includes, but is not limited to, the costs of labor, training, printing, publication of general information to the voting public, and materials itemized, identified, and consumed for the conduct of the District's election.

The governing body calling the election shall pay the cost of conducting a nonpartisan election, including the cost of printing and supplies.

If more than one nonpartisan governing body calls an election and there is no statewide issue, the costs will be divided among the governing bodies based on the above formula 1(b.)

Counties are responsible for the costs of the off-year election, including the cost of printing and supplies, if a statewide issue is on the ballot. District will be charged only that portion of the actual cost of the election directly attributable to its election.

County Clerk will submit to District a statement of charges (for costs incurred by the county and not billed directly to the District by an outside vendor) in a timely manner.

2. **Ballot Preparation:**

County Clerk will create the layout of the text of the ballot in a format that complies with Title 1 and the Secretary of State Rules and arrange for the printing of the election ballots. The county will order the number of ballots reasonably expected to be required based on the number of registered voters in the District to be printed for each jurisdiction within the county.

District must certify the ballot content to the County Clerk **no later than, Friday, September 4, 2015**, in order to permit review, proofreading, and approval before the County Clerk authorizes the printing of the ballots. The District shall be solely responsible for the language, content, and accuracy of the ballot content. The ballot text shall be provided in Microsoft Word format, in Arial ten (10) point font and with no extraordinary formatting of any kind (including, but not limited to, no bullets, text boxes, charts, spreadsheets, bolding, strike-outs, strike-throughs, or symbols).

The certified list of candidates, ballot issue and or ballot questions shall be final and the County Clerk will not be responsible for making any changes after the certification.

Submit the certified version in English and Spanish Text (when it is applicable) The Clerk will notify you when applicable. No changes to the ballots may be made without the express written approval of the County Clerk after **Friday, September 4, 2015**.

The County Clerk shall fax or transmit electronically the printed ballot to District and District shall return the ballot following review, proofreading and approval within **one (1) working day of receipt**, by fax, electronic transmission or hand-delivery, *unless requested sooner by the printer*.

3. **Election Judges:**

The County Clerk will supervise, administer, and train election judges provided by the district/political parties for the preparation of the ballots for mailing, in the event the vendor chosen by the County Clerk is unable to process and mail the ballots.

The County Clerk will supervise, administer and train election judges provided by the district/political parties for verification of voted ballots prior to counting.

A maximum of three (3) people, to be appointed as election judges, shall be provided by the District to assist in all phases of the preparation of ballot for counting and canvassing. The number of judges will be determined by the County Clerk.

District shall provide personnel, if requested by the County Clerk; to serve as election judges for a maximum of fifteen (15) days before the election as needed to assist in preparation and verification of ballots prior to counting. In the event County Clerk must appoint judges to represent the District, a fee of \$20.00 per hour per judge will be assessed to District. Appointees of District shall be sworn in and deputized as an election judge.

4. **Signature Verification:**

The County Clerk's office will supervise election judges in the verification of signatures on voted mail-in or mail ballots prior to being approved for counting.

5. **Preparation of Voter Lists:**

The County Clerk will be responsible for creating the voter registration lists and mailing labels for the election. The County Clerk will print or email one computer list of all registered electors in District for use in conjunction with petition verification at no cost. Additional lists will be furnished at a cost of one cent (\$.01) per name, plus a \$25.00 set up fee. A minimum fee of \$25 will be charged for additional lists.

6. **Election Supplies:**

The County Clerk will provide all necessary equipment, supplies, forms, and personnel, (except personnel requested by County Clerk to be provided by District) to conduct the aforesaid election, at a rate based on the number of registered electors in the District, where applicable.

7. **Notice of Election:**

The County Clerk shall publish Notice of Election. District's candidates and/or ballot question will be included in the Notice. Publication of the notice by the County Clerk for a coordinated election shall satisfy the publication requirement for all political subdivisions participating in the coordinated election. [Section 1-5-205(1) and (1.4), C.R.S.] [C.R.S 1-7.5-107(2.5)(a)] **Wednesday, October 14, 2015** (at least 20 days before each election if conducting as a mail in ballot election)

8. **Election Day Preparation:**

The designated election official shall conduct a Logic and Accuracy Test.

The designated election official shall create a Testing Board consisting of at least two persons, one from each major political party.

The tests shall be sufficient to determine that the voting system is programmed, the election is correctly defined on the voting system, and all the voting system's input, output, and communication devices are working properly.

District may designate one person, who shall be allowed to witness all public tests and the counting of pretest votes and may witness the resetting of each device that passed the test to a preelection state of readiness and the sealing of each such device in order to secure its state of readiness.

9. **Election Day Activities:**

The County Clerk will provide support on the day of the election via telephone and/or in person, should the need arise, from 6:00 a.m. until counting of the District's ballots is completed.

10. **Counting of Ballots and Recounts:**

The County Clerk will conduct and oversee the process of counting the ballots and reporting the results.

The County Clerk will provide written materials as provided by law, train and supervise election judges provided by either the district or political party, who will be responsible for verifying and opening the voted ballots prior to counting.

The County Clerk will train and supervise judges who will serve as the verification board for the counting of ballots.

The County Clerk will establish backup procedures and backup site for the counting of the ballots, should the counting equipment fail during the count. Should the equipment fail and it is determined that the counting procedures will not be recovered within a reasonable period of time; the counting procedures will be moved to the predetermined and pre-tested site for the duration of the election counting procedures. All related costs are to be paid by the District (shared with all other Districts whose ballots are being counted during the election in the time frame using the backup procedures and site).

The County Clerk will instruct and otherwise oversee the **County Board of Canvassers**, and the Board of Canvassers provided by the District, if any.

The County Clerk will conduct a canvass of the votes cast and certify the results.

The County Clerk will certify the results of the District's election within the time required by law and forthwith provide the District with the results of the Abstract of Votes.

The County Clerk will conduct any recounts as provided by law within the time frame required.

11. **Storage and Records:**

The County Clerk shall store all election records, and any other such materials as required under the code, for period of at least (25) months after the election. Such storage shall be accessible by the District, if necessary to resolve any challenges or other legal questions that might arise.

12. **TABOR Notice:**

The County Clerk will print information in the TABOR Notice Exactly as such information is submitted by the District. The County Clerk will determine how to order notices for participating districts; however, materials supplied by the district shall be kept together as a group.

13. **Mailing the TABOR Notice:**

The County Clerk will determine the least cost method for mailing the TABOR Notice package. Nothing herein shall preclude the County Clerk from sending the TABOR Notice Package to persons other than the electors of the district if such transmittal arises from the County Clerks effort to mail the TABOR Notice package at the least cost.

14. **Property Owners:**

Special Districts Only: The County Clerk will be mailing TABOR notices to active registered electors who do not reside within the county where the political subdivision is located but are registered electors in the State of Colorado.

The County Clerk will obtain a list of property owners list for the district from the Logan County Assessor to be used to review against the voter registration.

THE DISTRICT AGREES TO PERFORM THE FOLLOWING DUTIES REGARDING THE COORDINATED ELECTION:

1. **Ballot Certification:**

The District must certify ballot content to County Clerk no later than **Friday, September 4, 2015**, in order to permit review, proofreading, and approval before the County Clerk authorizes the printing of the ballot. The order of the ballot and ballot content shall include the name and office of each candidate for whom a petition has been filed with the designated election official and any ballot issues or ballot questions to be submitted to the eligible electors. [Section 1-5-203(3) (a), C.R.S.]

The ballot content must be certified in the order in which it will appear on the ballot. The certified list of candidates, ballot issue and or ballot questions shall be final as submitted and the County Clerk will not be responsible for making any changes after the certification.

The District shall submit the final in English and Spanish Text (when applicable). The County Clerk will notify you if applicable. Send the file by e-mail to baconp@logancountyco.gov and submit a printed text copy of the file in English and Spanish (if applicable) on 8 ½ X 11 paper printed on 1 side only in a readable word format.

The District is responsible for final verification as to accuracy of its ballot upon return from publisher and within **one (1) working day** of notification by County Clerk, unless advised otherwise.

2. **Amendment 1 Notice:**

The District shall provide the full text of any required ballot issue (TABOR) notices to County Clerk by the end of the business day on **Tuesday, September 22, 2015**. [Section 1-7-904, C.R.S.]

The District shall provide all completed Article X, Section 20 notices in hard copy accompanied by a computer zip drive compatible with Microsoft Word or e-mail with a hard copy. The notice shall be provided in Microsoft Word format in Arial ten (10) point font and with no extraordinary formatting of any kind (including, but not limited to, no bullets, text boxes, charts, spreadsheets, bolding, strike-outs, strike-through, or symbols).

The District is responsible for assuring that the time lines for submission of the required Article X, Section 20 notice and summaries, if filed, are met. The coordinated election official shall not be responsible for failure to meet the Article X, Section 20 constraints if the notice and summaries are not submitted by the political subdivision within the deadline and in the form required by the coordinated election official.

The District is responsible for the process of receiving written comments relating to ballot issues/ballot questions and summarizing such comments.

3. **Costs:**

District shall remit payment for printing, supplies, judge salaries, training expenses, labor, publication fees, and mileage at the current county rate (\$.52/mile), specific to the District's share of these identified election costs to the County Clerk upon receipt of the statement.

4. **Call and Notice:**

District shall be responsible for publication of a call for nominations, if applicable.

5. **Petitions - Preparation and Verification:**

District will be responsible for the approval of petitions and will verify the signatures on the petitions circulated within the District. The District will notify the County Clerk if it would like a hard copy voter registration list printed out or an e-mailed list.

District will do all tasks required by law concerning nomination of candidates by petition, including but not limited to: issue approval of nominating petition, as to form, where appropriate, determine candidate eligibility; receive candidates acceptance of nominations; accept notice of intent, petitions for nominations, and affidavits of circulators, verify signature on nominating petitions, and hear any protest of the nominating petitions.

6. **Property Ownership Verification:**

Special Districts only: Provide personnel to verify property ownership within said District and Colorado voter registration, upon request of County Clerk.

Per Secretary of State Rule 4.1.3 The designated election official of each participating political subdivision must certify the completeness and accuracy of the SCORE (Statewide Colorado Registration and Election) system address library for address ranges within the district no later than the seventieth (70th) day before the election.

7. **Election Judges:**

A maximum of three (3) people, to be appointed as election judges, shall be provided by the District to assist in all phases of the preparation of ballot for counting and canvassing. The number of judges will be determined by the County Clerk.

District shall provide personnel, if requested by the County Clerk; to serve as election judges for a maximum of fifteen (15) days before the election as needed to assist in preparation and verification of ballots prior to counting. In the event County Clerk must appoint judges to represent the District, a fee of \$20.00 per hour per judge will be assessed to District. Appointees of District shall be sworn in and deputized as an election judge.

8. **Testing of Ballots:**

Prior to election, *upon request by District*, County Clerk shall supply District with official ballots that are clearly marked as test ballots. Ballots are to be secretly voted and a record retained of the test votes. A representative from the District will be required to be present for counting of the test decks prior to the election if test ballots are requested.

The County Clerk will determine testing times and District will be notified in advance. Request for test ballots should be made on or before **Friday, September 4, 2015.**

9. **Election Day Activities:**

District shall provide personnel, upon request of the County Clerk, to serve as election judges to assist with final ballot preparation prior to counting. In the event the County Clerk must appoint judges to represent District, a fee not to exceed \$20.00 per hour per judge will be assessed to District. Appointees of the District will be sworn in and deputized as an election judge.

District shall provide support on the day of election via telephone and/or in person, should the need arise, from 6:00 a.m. until counting of the ballots is completed.

10. **Recount:**

District shall provide personnel, as requested by County Clerk, to assist in the event a recount is necessary. In the event County Clerk must appoint judges to represent District, a fee of \$20.00 per hour per judge will be assessed to District. Appointees of District shall be sworn in and deputized as an election judge.

11. **Write-In Candidates:**

(if applicable) District will accept affidavits of intent for write-in candidacy by the close of business on the 64th day before the election (**Monday, August 31, 2015**) and forward a copy via fax or email daily to the County Clerk.

12. **Cancellation of Election:**

In the event that the election for which this Agreement was entered into is cancelled prior to the date such election was scheduled to occur and notice of such cancellation is provided to the County Clerk by the District, expenses incurred by the County Clerk on behalf of District relating to the election, both before and after the County Clerk's receipt of such notice, shall be paid by the District within thirty (30) days after receiving the County Clerk's invoice and receipt of all documentation of applicable costs. **Tuesday, September 1, 2015** (63 days before the election) is the deadline for cancellation of the election, if, in a nonpartisan election, there are not more candidates than offices to be filled and there are no ballot issues or questions. **Friday, October 9, 2015** (25 days before the election) is the last day to withdraw a ballot issue or ballot question that is not an initiative or recall election. [Section 1-5-208 (1.5), (2) and (5), C.R.S.]

* * * * *

On or before **Tuesday, August 25, 2015**: Resolution and Intergovernmental Agreement to County Clerk [1-7-116(2), C.R.S.] 70 days

No later than **Tuesday, September 1, 2015**: Deadline for cancellation of election (Nonpartisan candidate only election) [1-5-208(1.5), C.R.S.] 63 days

No later than **Friday, September 4, 2015**: Certify ballot content to County Clerk [1-5-203(3)(a), C.R.S.] 60 days

Friday, September 18, 2015: Last day to file pro/con comments pertaining to local ballot issue with the designated election official in order to be included in the issue mailing (Friday before the 45th day before the election) [1-7-901(4)]

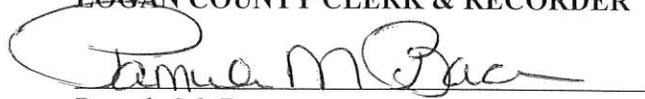
No later than **Tuesday, September 22, 2015**: Provide full text of Article X, Section 20 ballot issue notice [1-7-904, C.R.S.] 42 days

No later than **Friday, October 9, 2015**: May withdraw one or more ballot issues or questions. [1-5-208(2), C.R.S.] 25 days

NO ELECTION MAY BE CANCELLED IN PART!

THE PARTIES HERETO shall implement this Agreement in good faith, including acting in good faith in all matters that require joint or coordinated action.

LOGAN COUNTY CLERK & RECORDER



Pamela M. Bacon
315 Main Street, Ste. 3, Sterling, CO 80751
Phone: (970) 522-1544
Fax: (970) 522-2063
Email: baconp@logancountyco.gov

**APPROVED:
BOARD OF COUNTY COMMISSIONERS
LOGAN COUNTY, COLORADO**

Attest:

Logan County Clerk & Recorder

(seal)

By: _____
Chairman of the Board

FLEMING FIRE PROTECTION DISTRICT

By: David Boerner
Printed Name: David Boerner
Title: Sec/treas.

Designated Election Official for District:

David Boerner
Mailing Address: 0406 CR77
Fleming CO 80728
Phone: (970) 520 - 3880
Fax: () -
Email: dcb@ptbb.net

AUG 17 2015

CLERK & REC

FLEMING FIRE PROTECTION DISTRICT

August 13, 2015

Meeting called to order by President Bob Schaefer at 7:00 pm. Present were Lon Comstock Jr., Mike Brownell, Gary Schmidt and David Boerner. Also present were Sam Wolever Sr. and Ken MacCrone.

Mike moved to approve the minutes seconded by Lon. Motion passed.
Dave gave the financial report.

Bills: Source Gas \$38.53, Town of Fleming \$101.79, Haxtun Telephone \$31.78, Grainland \$41.61 and MES \$2,742.00.

Lon moved to pay the bills seconded by Mike. Motion passed.

Sam Wolever has a bill from NJC for first aid training for \$295.55. Mike moved to pay NJC for Sam's bill for \$295.55 seconded by Lon. Motion passed.

Ken said that Grainland is busy and didn't get Big White in to get the leak fixed, but after driving it the leak stopped so they will just watch it and check the oil level for now. Ken reported that our ISO rating dropped to a 6, which is good news. Ken reported on several calls since our last meeting. He said he is planning an 8hr. training session for the volunteers. Ken also said that some of the SCBA air tanks are leaking. We will get them checked out.

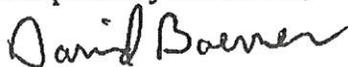
Mike reported that Sentry Siren recommended one 3phase siren for the town and a remote control to set it off. They thought putting it behind the old Harms Bros. building would be the best spot.

The up coming election was discussed. Dave moved to enter an Intergovernmental Agreement with the County of Logan to have two tabor ballot questions on the November 3, 2015 coordinated election seconded by Mike. Motion passed.

JD Stone was from Industrial Welding was here to give us ideas on a water truck. After discussion on what we wanted for a chassis he start looking for one.

Meeting adjourned

Respectfully submitted,



David Boerner
Sec./treas.

**RESOLUTION
NO. 2015-25**

A Resolution of the Board of County Commissioners of Logan County, Colorado, vacating the platted cul-de-sac public right-of-way contiguous to Lots 5, 6, 7, 8 and 9, Block 1, Sunny Slope Addition, First Filing, located in the North Half of the Northwest Quarter of Section 30, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado.

WHEREAS, Seth Soukup, owner of Lots 7, 8 and 9, Block 1, Sunny Slope Addition, First Filing, and Robert Price, owner of Lots 5 and 6, Block 1, Sunny Slope Addition, First Filing, have jointly petitioned the Board of County Commissioners of Logan County, Colorado, to vacate the platted cul-de-sac public right-of-way contiguous to Lots 5, 6, 7, 8 and 9, Block 1, Sunny Slope Addition, First Filing, in anticipation of the re-subdivision of Lots 5, 6, 7, 8 and 9; and

WHEREAS, the platted right-of-way proposed to be vacated has never been improved or developed for use as a public right-of-way and is excess land that is unneeded for public right-of-way due to the nature of the ownership and current use of the contiguous platted lots; and

WHEREAS, the vacation of the cul-de-sac right-of-way will result in title to the vacated portion vesting in the owners of the land abutting the vacated portion as provided in Colorado Revised Statutes section 43-2-302(1)(d), subject to the easements reserved below; and

WHEREAS, the proposed vacation will not leave any land adjoining the affected road right-of-way without an established public road or private access easement connecting the land with established public roads, and is otherwise authorized by Colorado Revised Statutes section 43-2-303; and

WHEREAS, the reservation of a private access easement, as authorized by Colorado Revised Statutes section 43-2-302(1)(f), will insure that all of the lots contiguous to the cul-de-sac will remain accessible from an established public right-of-way; and

WHEREAS, the Logan County Planning Commission, after reviewing the application and conducting a public hearing on the application, recommended the approval of the application to vacate the cul-de-sac right-of-way at its regular meeting on August 18, 2015.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Logan County, Colorado, that the platted cul-de-sac road right-of-way, commencing at its intersection with Corene Road and continuing along and contiguous to Lots 5, 6, 7, 8 and 9, Block 1, Sunny Slope Addition, First Filing, (as platted on Official Subdivision Plat recorded in Book 4, Page 18 on January 20, 1966 representative copy attached hereto as Exhibit A) is hereby vacated, and title to the vacated portion shall vest as provided in Colorado Revised Statutes section 43-2-302(1)(d);

SUBJECT TO AND RESERVING, however, a twenty (20) foot wide easement for private access and public utilities, upon, over and across the vacated public right-of-way described herein, as shown on the proposed plat for re-subdivision of Lots 5, 6, 7, 8 and 9, Block 1, Sunny Slope Addition First Filing, attached hereto as Exhibit B; said private access easement is reserved for use as a private access road by the owners of the abutting lots and their successors in interest, and their assigns, heirs, personal representatives, tenants, visitors, invitees and licensees, in common with all others having the like right, for the purpose of providing ingress and egress, to and from, the abutting lots and any public road. Rights-of-way or easements previously granted or established within any portions of the public right-of-way vacated by this Resolution are also reserved for the continued use of existing sewer, gas, water, or similar pipelines and appurtenances, and for existing electric, telephone and similar lines and appurtenances, if any.

The Clerk of the Board shall cause this Resolution to be recorded in the records of the Logan County Clerk and Recorder pursuant to Colorado Revised Statutes section 43-1-202.7.

Adopted and Signed this 25th day of August, 2015.

LOGAN COUNTY BOARD OF
COMMISSIONERS
LOGAN COUNTY, COLORADO

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

Gene L. 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 25th day of August, 2015.

County Clerk and Recorder

I, _____ CLERK AND RECORDER OF LOGAN COUNTY,
HEREBY CERTIFY THAT THE BOARD OF COUNTY COMMISSIONERS OF LOGAN COUNTY,
COLORADO ON THE _____ DAY OF _____, 20____, ACCEPTED
ON BEHALF OF THE PUBLIC THE FORGOING DESCRIBED PARCEL OF REAL PROPERTY OFFERED
FOR DEDICATION FOR PUBLIC USE, IN CONFORMITY WITH THE TERMS OF THE OFFER OF
DEDICATION

(SEAL)
CLERK AND RECORDER, LOGAN COUNTY, COLORADO

NOTES

EASEMENT INFORMATION AS PER STEWART TITLE -STERLING WRITTEN OWNERSHIP AND
ENCUMBRANCE REPORT, ORDER NO. 01330-57089, DATED APRIL 6, 2015:

LOT B

2. EASEMENT 10 FEET WIDE FOR UTILITIES AND AN EASEMENT 10 FEET WIDE FOR IRRIGATION AS SHOWN ON THE RECORDED PLAT OF SAID SUBDIVISION.
3. MINERAL RESERVATION IN WARRANTY DEED RECORDED DECEMBER 13, 1945 IN BOOK 349 AT PAGE 181; AND ANY AND ALL SUBSEQUENT INSTRUMENTS PERTAINING THERETO.
4. RESTRICTIONS, WHICH DO NOT CONTAIN A FORFEITURE OR REVERTER CLAUSE, AS CONTAINED IN INSTRUMENT RECORDED FEBRUARY 16, 1966 IN BOOK 603 AT PAGE 257.
5. WATER WELL AGREEMENT RECORDED SEPTEMBER 7, 1967 IN BOOK 620 AT PAGE 103; AND ANY AND ALL INSTRUMENTS PERTAINING THERETO.
6. EASEMENT FOR UNDERGROUND MAIN OR PIPELINE FOR CONVEYING WATER, TOGETHER WITH THE RIGHT OF PUTTING DOWN, INSPECTING, MAINTAINING, AND USING THE WATER WELL CONTAINED THEREON, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS THEREFROM, OVER A STRIP OF LAND 15 FEET IN WIDTH, AS GRANTED BY INSTRUMENT RECORDED SEPTEMBER 2, 1970 IN BOOK 650 AT PAGE 439; AND ANY AND ALL SUBSEQUENT INSTRUMENTS PERTAINING THERETO.
7. ALL WATER AND WATER RIGHTS TO LOGAN IRRIGATION DISTRICT AND SPRINGDALE DITCH, AND ALL OIL, GAS AND OTHER MINERALS IN, ON OR UNDER SAID PREMISES, AS RESERVED IN WARRANTY DEED RECORDED MAY 11, 1979 IN BOOK 731 AT PAGE 356; AND ANY AND ALL SUBSEQUENT INSTRUMENTS PERTAINING THERETO.
8. MODIFIED PROTECTIVE COVENANTS RUNNING WITH THE LAND AS SHOWN IN INSTRUMENT RECORDED OCTOBER 1, 1999 IN BOOK 925 AT PAGE 533.

LOT A

10. EASEMENT 10 FEET WIDE FOR UTILITIES AND AN EASEMENT 10 FEET WIDE FOR IRRIGATION AS SHOWN ON THE RECORDED PLAT OF SAID SUBDIVISION.
11. RESTRICTIONS, WHICH DO NOT CONTAIN A FORFEITURE OR REVERTER CLAUSE, AS CONTAINED IN INSTRUMENT RECORDED FEBRUARY 16, 1966 IN BOOK 603 AT PAGE 257.
12. WATER WELL AGREEMENT RECORDED SEPTEMBER 7, 1967 IN BOOK 620 AT PAGE 103; AND ANY AND ALL INSTRUMENTS PERTAINING THERETO.
13. ALL OIL, GAS AND OTHER MINERALS AS RECORDED IN WARRANTY DEED RECORDED APRIL 16, 1981 IN BOOK 754 AT PAGE 242.
14. MODIFIED PROTECTIVE COVENANTS RUNNING WITH THE LAND AS SHOWN IN INSTRUMENT RECORDED OCTOBER 1, 1999 IN BOOK 925 AT PAGE 533.

BEARINGS FOR THIS SURVEY ARE BASED ON THE ASSUMPTION THAT THE SOUTHEASTERLY LINE OF LOT 9, BLOCK 1, SUNNY SLOPE ADDITION, FIRST FILING BEARS NORTH 42°46'45" EAST. THE SOUTHEASTERLY AND NORTHEASTERLY CORNER OF SAID LOT 9 ARE MONUMENTED AS SHOWN

SET NO. 5 REBARS 24" LONG WITH YELLOW PLASTIC I.D. CAPS STAMPED "ANNE M. KORBE RLS 26964" AT THE POINTS SHOWN THUS ○, UNLESS OTHERWISE NOTED.

FOUND POINTS SHOWN THUS ●

DISTANCES IN PARENTHESES ARE PLATTED DISTANCES

NOTICE

ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

LOGAN COUNTY VACATION APPLICATION
 BOARD OF COUNTY COMMISSIONERS
 DEPARTMENT OF PLANNING & ZONING
 315 MAIN STREET, STERLING, CO 80751
 (970) 522-7879

Type of Vacation:

- Alley
- Platted Street
- County Road
- Subdivision Exemption
- Subdivision

Location of Vacation:

Legal: Quarter NORTHWEST Section 30 Township 8 NORTH Range 52 WEST OF 6TH P.M.
 Lot 5, 6, 7, 8 & 9 AND Block 1 Address 13871 CORENE ROAD } SUNNY SLOPE
THE VACATED CUL-DE-SAC } ADDITION, FIRST
13907 CORENE ROAD } FILING

Description of Vacation:

MR. PRICE OWNS LOTS 5 & 6, AND HAS WELL, SEPTIC, & OUTBUILDINGS
ACROSS BOTH LOTS, RENDERING THE LOTS AS ESSENTIALLY ONE PARCEL.
MR. Soukup OWNS LOTS 7, 8, & 9, WHICH ALSO INCLUDE WELLS & SEPTIC
ACROSS ALL 3 LOTS, PREVENTING THE SALE OF ANY LOT INDIVIDUALLY.
BETWEEN MR. PRICE'S PROPERTY & MR. Soukup'S PROPERTY IS A PLATTED CUL-DE-SAC
THAT IS 100 FEET ACROSS. MR. Soukup WISHES TO ADD 2 BEDROOMS TO THE
NORTHEAST SIDE OF HIS HOME, BUT THE CUL-DE-SAC IS TOO CLOSE TO HIS HOME
TO ALLOW THAT. THE CUL-DE-SAC IS VIRTUALLY OBSOLETE FOR ITS INITIAL PLANNED
PURPOSE, AND VACATING IT WOULD ALLOW THE CONSOLIDATION OF THE 5 LOTS DOWN
TO TWO LOTS; AND ELIMINATING THE CUL-DE-SAC, & REPLACING WITH A PERMANENT
 Reason for Vacation: DRIVE ACCESS EASEMENT WOULD ALLOW FOR IMPROVEMENTS OF THE
DRIVE WAY, THE ADDITION TO THE HOME, AND IT WOULD
SEE ABOVE ↗ CONSOLIDATE COUNTY RECORD-KEEPING PAPER WORK FOR THE
 DESCRIPTION PROPERTIES

SOUKUP, Seth & PRICE, Robert
 Vacate & Replat
 13871 and 13907 Corene Rd
 Sterling

PETITION FOR VACATION

TO: THE BOARD OF COUNTY COMMISSIONERS
LOGAN COUNTY, COLORADO

Applicant: SETH SOUKUP Phone: 719-649-7615

Address: 13871 CORENE ROAD

Applicant's Signature: [Signature] Date: 08-05-15

Landowner: SETH SOUKUP Phone: 719-649-7615

Address: 13871 CORENE ROAD

Landowner's Signature: [Signature] Date: 08-05-15

Landowner: BOB PRICE Phone: 970-520-0520

Address: 13907 CORENE ROAD

Landowner's Signature: [Signature] Date: 8-5-2015

Landowner: _____ Phone: _____

Address: _____

Landowner's Signature: _____ Date: _____

Landowner: _____ Phone: _____

Address: _____

Landowner's Signature: _____ Date: _____

Landowner: _____ Phone: _____

Address: _____

Landowner's Signature: _____ Date: _____

Landowner: _____ Phone: _____

Address: _____

Landowner's Signature: _____ Date: _____

Landowner: _____ Phone: _____

Address: _____

Landowner's Signature: _____

SOUKUP, Seth & PRICE, Robert
Vacate & Replat
13871 and 13907 Corene Rd
Sterling

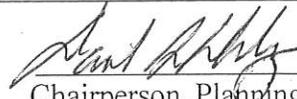
FOR COUNTY USE

Application Fee: One Hundred Dollars (\$100.00) pd. 8/6/2015 ✓ # 4235
receipt # 176750

Date of Planning Commission: Aug. 18, 2015

Recommendation of Planning Commission: Approval Denial

Recommended Conditions of Subdivision Exemption: _____


Chairperson, Planning Commission

COUNTY COMMISSIONERS ACTION:

Conditions of Subdivision Exemption: _____

Date Granted: _____

Date Denied: _____

David G Donaldson (Aye) (Nay)

Gene Meisner (Aye) (Nay)

Rocky Samber (Aye) (Nay)

SOUKUP, Seth & PRICE, Robert
Vacate & Replat
13871 and 13907 Corene Rd
Sterling

☐ OF SPRINGDALE DITCH

NOTE: LOTS SUBJECT TO SPRINGDALE DITCH R.O.W.
 10' EASEMENT FOR IRRIGATION
 10' PUBLIC UTILITY EASEMENT

BLOCK 1

FOUND NO. 5 REBAR WITH 1-1/2" DIA. UNREADABLE METAL CAP

10' PUBLIC UTILITY EASEMENT

FOUND NO. 5 REBAR WITH 1-1/2" DIA. UNREADABLE METAL CAP

FOUND BENT NO. 5 REBAR - NO CAP

CUL-DE-SAC
 50' RADIUS
 FOUND NO. 5 REBAR WITH 1-1/2" DIA. UNREADABLE METAL CAP

FOUND NO. 5 REBAR - NO CAP BADLY BENT REPLACED

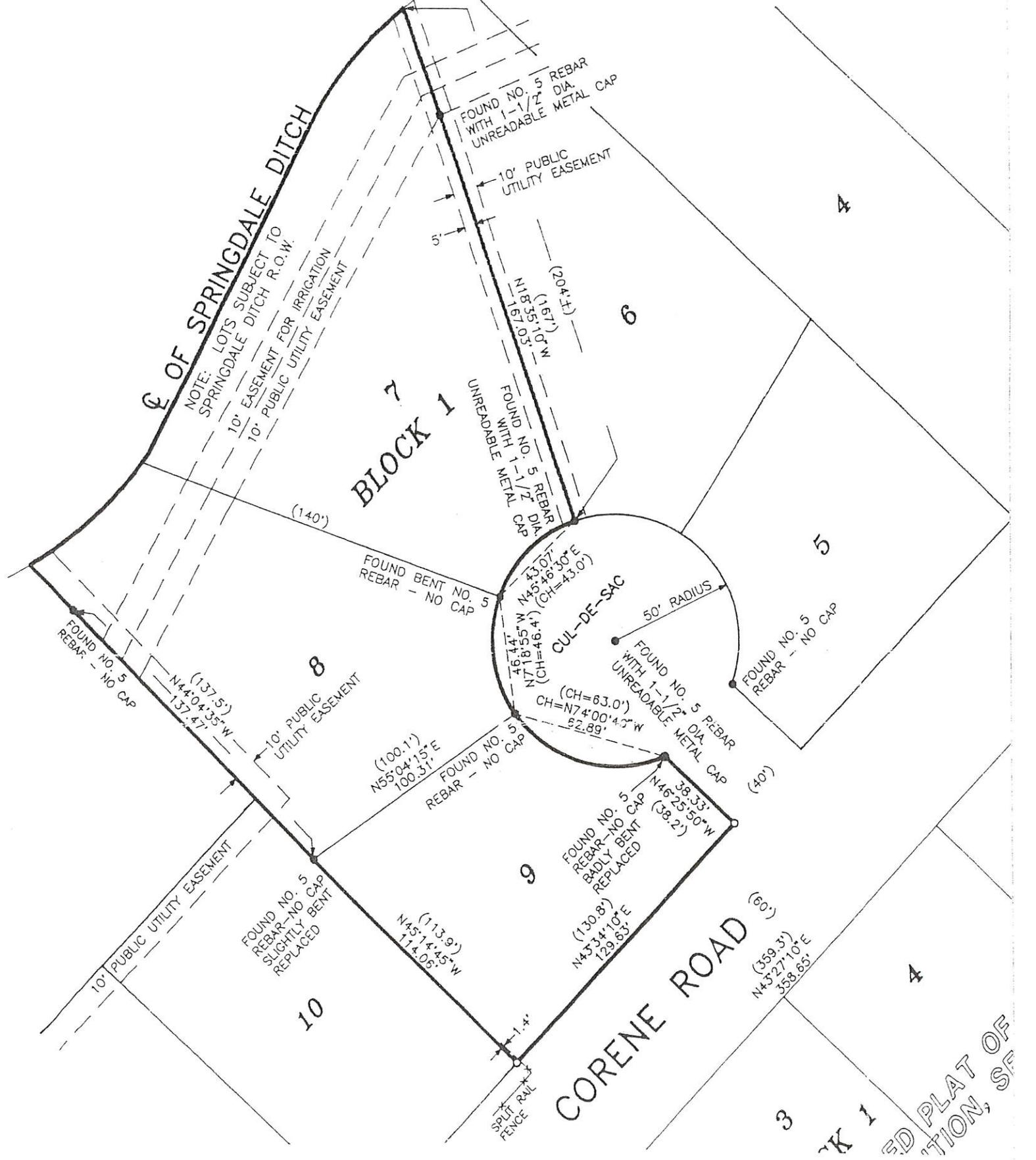
CORENE ROAD

CURRENT PLAT PRICE / SOUKUP

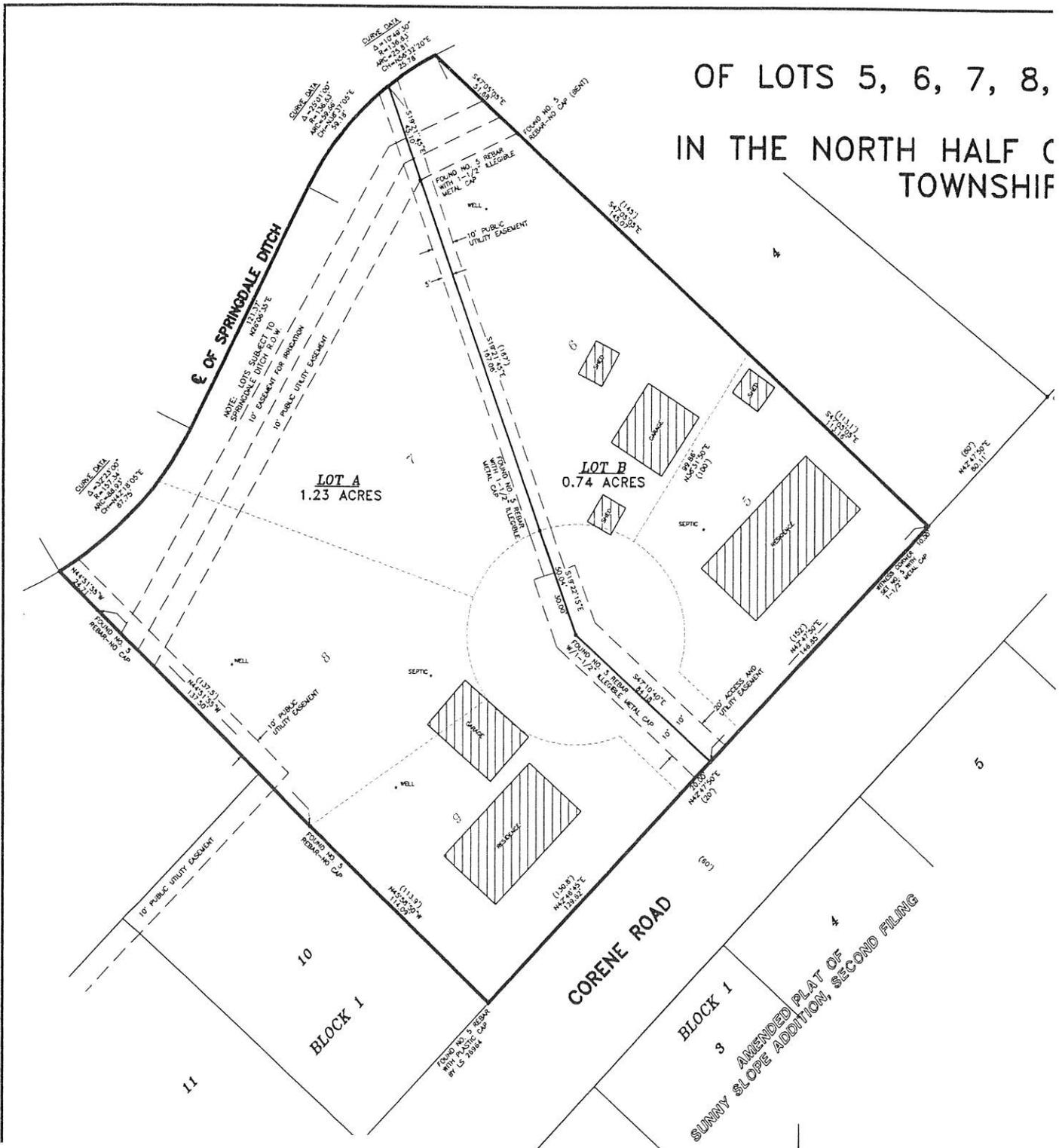
SOUKUP, Seth & PRICE, Robert
 Vacate & Replat
 13871 and 13907 Corene Rd
 Sterling

5 CAP

ED PLAT OF TION, SE



OF LOTS 5, 6, 7, 8,
IN THE NORTH HALF C
TOWNSHIP



SOUKUP, Seth & PRICE, Robert
Vacate & Replat
13871 and 13907 Corene Rd
Sterling

PROPOSED RESUBDIVISION

N

SCALE: 1" = 30'
U.S. SURVEY FEET

30 15 0 30 60 90

SCALE IN FEET

LEGEND

--- LOT LINES AS PLATTED IN
SUNNY SLOPE ADDITION, FIRST FILING

