

**CROWLEY COUNTY BOARD OF COUNTY COMMISSIONERS
RECORD OF PROCEEDINGS**

MAY 29, 2020

CALL TO ORDER

Board of County Commissioners met in regular session on May 29, 2020. The meeting was called to order by Chairman Blaine Arbuthnot at 8:30 a.m. Roy Elliott was absent from the meeting. The following were present:

Blaine Arbuthnot-----Chairman
T. E. Allumbaugh-----Vice Chairman
LaShelle Benbow-----Deputy Clerk to the Board

RESOLUTION NO. 2020-7848

APPROVE MAY 2020 PAYROLL

Motion by Allumbaugh, seconded by Arbuthnot to approve the disbursements for May 29, 2020 payroll, and authorize transfer of funds in the following amounts:

General Fund	\$ 76,706.13
Road and Bridge Fund	\$ 16,657.28
EMS Fire Fund	\$ 2,179.26
Ambulance Fund	\$ 6,190.89
DHS Fund	\$ 28,834.56
Total	\$130,568.12

Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

Allumbaugh-----Aye
Arbuthnot-----Aye

RESOLUTION NO. 2020-7849

APPROVE DISBURSEMENTS, MAY 29, 2020

Motion by Allumbaugh, seconded by Arbuthnot to approve the disbursements for May 29, 2020 and authorize transfer of funds in the following amounts:

General Fund	\$125,995.05
Road and Bridge Fund	\$ 22,155.03
EMS Fire Fund	\$ 5,250.13
Ambulance Fund	\$ 16,588.47
Water Fund	\$ 15,893.70
DHS Fund	\$ 28,726.82
Conservation Trust	\$ 10.00
SECRETAC	\$ 39,671.24
Total Disbursements	\$254,290.44

Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

Allumbaugh-----Aye
Arbuthnot-----Aye

DISCUSSION OF CALLS REGARDING WRECKLESS DRIVING

The Commissioners have received multiple calls from citizens regarding an orange, tandem dump truck that is driving wrecklessly. This issue has been turned over to the Sheriff.

DISCUSSION SIGNS NEEDED FOR HIGHWAY 50 DETOUR

A number of people are getting lost when taking the detour from Highway 50 in Manzanola or Fowler. GPS systems are directing people to take county roads rather than staying on Highway 96. This is causing increased road damage. The Commissioners discussed placing additional signage to deter people from taking the county roads, and remaining on the Highway.

PLANNING AND ZONING HEARING

The board conducted a planning and zoning hearing. Those present were:

Commissioners: Allumbaugh and Arbuthnot
Deputy Clerk to the Board: LaShelle Benbow
Land Use Administrator: Matt Carter
Other Attendee: Dean Hiatt, Kenneth and Sandra Bandimere

APPROVE NON-FARM SUBDIVISION REQUEST SUBMITTED BY KENNETH AND SANDRA BANDIMERE, FILE NO. 2020-08

Allumbaugh made full disclosure that he has a conflict of interest, because his property is next to this property. He recused himself from this request. Roy Elliott called in to vote on this request.

Kenneth and Sandra Bandimere have applied for a non-farm subdivision exemption request for a proposed subdivision, which includes building custom homes on fifteen, 2.33 acre lots on the 35 acre parcel located in Sugar City, Colorado. The Crowley County Planning and Zoning Commission heard the request on May 26, 2020, and recommended approval by the Board.

After discussion with the Board of County Commissioners, Kenneth and Sandra asked to table their request for 30 days.

Motion by Elliott, seconded by Arbuthnot to approve tabling the non-farm subdivision exemption request for Crowley County File No. 2020-08, for a time period of 30 days.

Upon motion duly made and seconded the foregoing resolution was tabled by the following vote:

Arbuthnot-----Aye
Elliott-----Aye
Allumbaugh-----Abstain due to conflict of interest

RESOLUTION NO. 2020-7850

APPROVE SUBDIVISION EXEMPTION REQUEST SUBMITTED BY JONATHAN MCINTOSH, FILE NO. 2020-09

Jonathan McIntosh has applied for a subdivision exemption request to divide the 5.2 acre lot into two, 2.6 acre lots for marijuana cultivation. The property is located at 8552 Maverick Lane, Ordway, CO. The Crowley County Planning and Zoning Commission heard the request on May 26, 2020, and recommended approval by the Board.

WHEREAS, JONATHAN MCINTOSH, has filed a request for Subdivision Exemption with the Crowley County Planning and Zoning Commission concerning certain property located in Crowley County, Colorado

WHEREAS, a hearing was held before the Crowley County Planning and Zoning Commission concerning this request on 05/29/2020; and

WHEREAS, the Crowley County Planning and Zoning Commission has recommended to the Crowley County Commissioners that said request be approved;

NOW THEREFORE, the following resolution is hereby adopted by the Board of County Commissioners of Crowley County, Colorado;

1. The Subdivision Exemption request of JONATHAN MCINTOSH is hereby approved.
2. The real property which is the subject of this resolution is described as follows:

A tract of land lying in:

W1/2SE1/4 and that part of the W1/2NE1/4 lying under and to the South of the "Circle Ditch" right-of-way as said ditch is located on the ground, and as shown by the right-of-way of "Circle Ditch" now on file, all in Section 7, Township 21 South, Range 56 West of the 6th P.M. in the County of Crowley, State of Colorado

3. This resolution is approved and the real property which is the subject of this resolution for division is granted subject to the following conditions:
 - 1) Any and all health department requirements are to be complied with in their entirety.
 - 2) Crowley County Building Codes, if applicable, are to be complied with in their entirety.
 - 3) One certified copy of the survey shall be recorded with the Crowley County Clerk and Recorder and a second copy filed with the Land Use Administrator.

4. Other requirements:

Water source mark when applicable	Yes
Required Access Road mark when applicable	Yes
Sewer System mark when applicable	Yes

Adopted this 29th day of May, 2020

Motion by Allumbaugh, seconded by Arbuthnot to approve the subdivision exemption request for Crowley County File No. 2020-09.

Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

Allumbaugh-----Aye
Arbuthnot-----Aye

RESOLUTION NO. 2020-7851

APPROVE SUBDIVISION EXEMPTION REQUEST SUBMITTED BY 20071, LLC, FILE NO. 2020-10

Dean Hiatt, representing 20071, LLC, has applied for a subdivision exemption request to divide the 5 acre lot into two, 2.5 acre lots for marijuana cultivation. The property is located at 20071(W) and 20073(E) Tamarack Lane, Ordway, CO. The Crowley County Planning and Zoning Commission heard the request on May 26, 2020, and recommended approval by the Board.

Matt Carter expressed liability concerns regarding the neighboring draining ditch, and its potential to flood the property. Crowley County does not participate with FEMA and flood plain mapping. Therefore, there are no designated flood zones. Dean Hiatt stated that he has had several engineers look at the property, and he has no concerns regarding potential flooding.

WHEREAS, 20071 LLC, has filed a request for Subdivision Exemption with the Crowley County Planning and Zoning Commission concerning certain property located in Crowley County, Colorado

WHEREAS, a hearing was held before the Crowley County Planning and Zoning Commission concerning this request on 05/29/2020; and

WHEREAS, the Crowley County Planning and Zoning Commission has recommended to the Crowley County Commissioners that said request be approved;

NOW THEREFORE, the following resolution is hereby adopted by the Board of County Commissioners of Crowley County, Colorado;

1. The Subdivision Exemption request of 20071 LLC is hereby approved.
2. The real property which is the subject of this resolution is described as follows:

A tract of land lying in:

Lot #8 Sherman Subdivision

A portion of the NW ¼ of Section 17, Township 21 South, Range 56 West of the 6th P.M. County of Crowley, State of Colorado.

3. This resolution is approved and the real property which is the subject of this resolution for division is granted subject to the following conditions:
 - 1) Any and all health department requirements are to be complied with in their entirety.
 - 2) Crowley County Building Codes, if applicable, are to be complied with in their entirety.
 - 3) One certified copy of the survey shall be recorded with the Crowley County Clerk and Recorder and a second copy filed with the Land Use Administrator.

4. Other requirements:

Water source mark when applicable	Yes
Required Access Road mark when applicable	Yes

Sewer System mark when applicable Yes

Adopted this 29th day of May, 2020

Motion by Allumbaugh, seconded by Arbuthnot to approve the subdivision exemption request for Crowley County File No. 2020-10.

Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

Allumbaugh-----Aye

Arbuthnot-----Aye

No further business appearing the meeting was recessed.
Minutes taken by LaShelle Benbow.

ATTEST:

Melinda Carter, County Clerk

Blaine Arbuthnot, Chairman