

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

MAY 24, 2021

CALL TO ORDER

Board of County Commissioners met in regular session on May 24, 2021. The meeting was called to order by Chairman Blaine Arbuthnot at 8:30 a.m. The following were present:

Blaine Arbuthnot-----Chairman
Roy Elliott-----Vice Chairman
Terry McMillian-----Member
LaShelle Benbow-----Deputy Clerk to the Board

RESOLUTION NO. 2021-8088

APPROVE MEMORANDUM OF UNDERSTANDING BETWEEN THE 16TH JUDICIAL DISTRICT ATTORNEY, BENT COUNTY, COLORADO; CROWLEY COUNTY, COLORADO; AND OTERO COUNTY, COLORADO

Motion by Elliott, seconded by McMillian to approve the Memorandum of Understanding between the 16th Judicial District Attorney, and Bent County, Crowley County, and Otero County. The term of the MOU is January 1, 2021 through December 31, 2021. It outlines how funds from the three counties are provided to the D.A.'s office for the calendar year, and identifies responsibility for such items as expenditures, payroll, and revenues.

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

Arbuthnot-----Aye
Elliott-----Aye
McMillian-----Aye

RESOLUTION NO. 2021-8089

APPROVE MEMORANDUM OF UNDERSTANDING BETWEEN THE STATE OF COLORADO DEPARTMENT OF HUMAN SERVICES AND THE BOARD OF THE CROWLEY COUNTY COMMISSIONERS

Motion by McMillian, seconded by Elliott to approve the Memorandum of Understanding between the State of Colorado Department of Human Services and the Board of Crowley County Commissioners. The term of the MOU is July 1, 2021 through June 30, 2024, and will be reaffirmed annually through an amendment. This agreement is an annual performance contract that outlines the County's duties and responsibilities in implementing the Works Program and the Child Care Program.

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

Arbuthnot-----Aye
Elliott-----Aye
McMillian-----Aye

RESOLUTION NO. 2021-8090

APPROVE A RESOLUTION RECOGNIZING THE IMPORTANCE OF OUR AGRICULTURE AND OPPOSING COLORADO STATE INITIATIVE 16

Motion by Elliott, seconded by McMillian to approve a resolution opposing Colorado State Initiative 16, as follows:

WHEREAS, on March 17, 2021, upon rehearing, the Title Board of the Colorado Secretary of State set the title and submission clause for a citizen's initiative call "Protect Animals from Unnecessary Suffering and Exploitation", otherwise known as PAUSE, for inclusion on the 2022 General Election ballot; and

WHEREAS, cattle and other livestock production has historically been, and continues to be, one of the key economic drivers in Crowley County; and

WHEREAS, Crowley County Cattleman and our ranching families are part of a \$3.4B state industry with a \$40B economic impact and accounts for 15% of the states total export sales; and

WHEREAS, The U.S. Department of Agriculture reports (2017) the annual sale value of Crowley County cattle, calves, poultry, and hogs exceeds \$94M ; and

WHEREAS employment in the agriculture sector and related industries provides jobs to over one-thousand Crowley County citizens, a very large number of which are involved in ranching and livestock production; and

WHEREAS, the economic impact to farmers, ranchers, meat cutters, veterinarians, and other related industries would be disastrous; and

WHEREAS, Initiative 16 bans slaughter for animals that have lived less than 25 percent of their "natural" life span; and

WHEREAS, the initiative changes state statutory language to define common animal care practices as cruelty to animals; and

WHEREAS, the initiative criminalizes the following veterinary and animal husbandry practices: spaying and neutering, reproductive practices (artificial insemination, pregnancy diagnosis, fertility testing), etc.; and

WHEREAS, this anti-agriculture initiative would dramatically increase the cost of doing business in the State of Colorado, creating a hostile business environment that scares away investment from all sectors of our economy; and

THEREFORE, BE IT RESOLVED, THAT THE CROWLEY COUNTY BOARD OF COUNTY COMMISSIONERS OF CROWLEY COUNTY, COLORADO declares its support for our agriculture producers and opposes Initiative 16, and urges citizens to decline any action in support of Initiative 16;

APPROVED AND ADOPTED this 24th day of May, 2021.

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

Arbuthnot-----Aye
Elliott-----Aye
McMillian-----Aye

RESOLUTION NO. 2021-8091

APPROVE SUBSTANCE USE DISORDER STATE LICENSURE PROGRAM RENEWAL APPLICATION FOR CROWLEY COUNTY CORRECTIONAL FACILITY

Motion by McMillian, seconded by Elliott to approve the Substance Use Disorder State Licensure Program renewal application by Crowley County Correctional Facility.

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

Arbuthnot-----Aye
Elliott-----Aye
McMillian-----Aye

RESOLUTION NO. 2021-8092

APPROVE AMENDMENT TO LOAN AGREEMENT

Motion by McMillian, seconded by Elliott to approve the Amendment to Loan Agreement between Country Manor, Inc., and Otero County, Colorado; Bent County, Colorado, Crowley County, Colorado; and the 16th Judicial District Attorney. This agreement outlines who is responsible for what percentage of the payment due.

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

Arbuthnot-----Aye
Elliott-----Aye
McMillian-----Aye

RESOLUTION NO. 2021-8093

APPROVE OPERATING AGREEMENT

Motion by Elliott, seconded by McMillian to approve the Operating Agreement between Otero Partners, Inc., Bent County, Crowley County, and Otero County. Term of the agreement is from January 1, 2021 through December 31, 2021.

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

Arbuthnot-----Aye
Elliott-----Aye
McMillian-----Aye

RESOLUTION NO. 2021-8094

APPROVE LEASE AGREEMENT WITH 16TH JUDICIAL DISTRICT ATTORNEY

Motion by Elliott, seconded by McMillian to approve the Lease Agreement between Otero Partners, Inc., as Property Manager for Bent, Crowley, and Otero Counties (Landlord), and 16th Judicial District Attorney (Tenant). The term of the lease agreement is June 1, 2021 through December 31, 2021.

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

Arbuthnot-----Aye
Elliott-----Aye
McMillian-----Aye

RESOLUTION NO. 2021-8095

APPROVE LEASE AGREEMENT WITH DOWN TO EARTH DENTISTRY, LLC, A.K.A. DENTAL DEPOT

Motion by Elliott, seconded by McMillian to approve the Lease Agreement between Otero Partners, Inc., as Property Manager for Bent, Crowley, and Otero Counties (Landlord), and Down to Earth Dentistry LLC, a.k.a. Dental Depot (Tenant). The term of the lease agreement is June 1, 2021 through May 31, 2022.

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

Arbuthnot-----Aye
Elliott-----Aye
McMillian-----Aye

RESOLUTION NO. 2021-8096

APPROVE LEASE AGREEMENT WITH MAGIC MIRROR, LLC

Motion by Elliott, seconded by McMillian to approve the Lease Agreement between Otero Partners, Inc., as Property Manager for Bent, Crowley, and Otero Counties (Landlord), and Magic Mirror, LLC (Tenant). The term of the lease agreement is June 1, 2021 through May 31, 2022.

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

Arbuthnot-----Aye
Elliott-----Aye
McMillian-----Aye

OTHER DISCUSSION

A ballot initiative is being proposed that will decrease the assessment rate on residential and commercial property. This will have a negative impact on Crowley County property tax revenues.

PLANNING AND ZONING HEARING

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

Commissioners: Arbuthnot, Elliott and McMillian
Deputy Clerk to the Board: LaShelle Benbow

RESOLUTION NO. 2021-8097

APPROVE ONE MILE MARIJUANA COMMERCIAL CULTIVATION CITY LIMITS VARIANCE APPLICATION FROM QUINCY HAEBERLE

Motion by Elliott, seconded by McMillian to approve the one mile marijuana commercial cultivation city limits variance application from Quincy Haeberle.

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

Arbuthnot-----Aye
Elliott-----Aye
McMillian-----Aye

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

ATTEST:

Melinda Carter, County Clerk

Blaine Arbuthnot, Chairman