

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

**SEPTEMBER 30, 2021**

**CALL TO ORDER**

Board of County Commissioners met in regular session on September 30, 2021. 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  
Terry McMillian-----Member  
LaShelle Benbow-----Deputy Clerk to the Board

Audience: Melinda Rusher, Linda Sullivan, Vickie Buhr, Kristy Jo Sullivan, Desta Buhr, Wayne Rusher and Kashlee Karney.

**RESOLUTION NO. 2021-8189**

**APPROVE SEPTEMBER 2021 PAYROLL**

Motion by McMillian, seconded by Arbuthnot to approve the disbursements for September 30, 2021 payroll, and authorize transfer of funds in the following amounts:

General Fund	\$ 81,220.21
Road and Bridge Fund	\$ 21,731.69
EMS Fire Fund	\$ 2,456.17
Ambulance Fund	\$ 6,318.75
DHS Fund	\$ 30,984.16
Total	\$142,710.98

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

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

**RESOLUTION NO. 2021-8190**

**APPROVE PAYROLL BENEFIT DISBURSEMENTS, SEPTEMBER 30, 2021**

Motion by McMillian, seconded by Arbuthnot to approve the payroll benefit disbursements for September 30, 2021, and authorize transfer of funds in the following amounts:

General Fund	\$ 62,168.32
Road and Bridge Fund	\$ 18,266.05
EMS Fire Fund	\$ 2,448.15
Ambulance Fund	\$ 4,041.74
DHS Fund	\$ 28,575.21
Total Disbursements	\$115,499.47

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

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

**RESOLUTION NO. 2021-8191**

**APPROVE DISBURSEMENTS, SEPTEMBER 30, 2021**

Motion by McMillian, seconded by Arbuthnot to approve the disbursements for September 30, 2021, and authorize transfer of funds in the following amounts:

General Fund	\$ 33,832.34
Road and Bridge Fund	\$226,989.39
EMS Fire Fund	\$ 2,202.41
Ambulance Fund	\$ 6,719.82
Water Fund	\$ 2,117.00
DHS Fund	\$ 62.59
Secretac Fund	\$ 25,439.08
Total Disbursements	\$297,362.63

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

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

**RESOLUTION NO. 2021-8192**

**RESOLUTION CONCERNING COVID-19 VACCINE MANDATES**

Crowley County is proposing a resolution that states the decision to be vaccinated for COVID-19 is an individual and personal decision and should not be a decision made by force or manipulation by another person or entity, or as a condition of employment or activity of any kind. Arbuthnot stated the intent of today's meeting is to get views and opinions from the attendees. Crowley County is getting a legal opinion as the Governor has threatened to withhold Medicare and Medicaid funds from counties that approve such resolutions. Public discussion occurred.

Vickie Buhr stated that if you don't stand for something you will stand for anything. Our liberties and freedoms are in jeopardy because of the mask and vaccine mandates. She supports the resolution.

Linda Sullivan said that it is a personal decision, and should not be mandated. She compares what is happening now to what happened in Germany with the Nazi's. She supports the resolution.

Wayne Rusher stated that we need to take a stand against "King Polis". He supports the resolution.

Melinda Rusher asked the commissionets to take a stand against the Governor on behalf of Crowley County constituents. She supports the resolution.

Kashlee Karney asked if there was a way to help the school out regarding quarentine issues. It is very important that the kids remain in school, and future closures or exposure quarentines (without exhibiting symptoms) should be avoided. Such actions have negative effects on the students and administration. Education is very important, but so is the social aspect of school. There is a large increase in mental health issues in children as a result of limited socializing due to the pandemic. Arbuthnot mentioned that the school board would be the ones to assist the school. Linda Sullivan said that more community members should attend a school board meeting to discuss. Vickie Buhr said she is very concerned that these mandates are going to force more kids out of our school district. Kristy Sullivan believes the pandemic has had a huge negative impact on school age children. Both Kashlee Karney and Kristy Sullivan support the resolution.

Arbuthnot mentioned that our responsibility is the health and welfare of our community, and that is why we are getting a legal opinion before making a decision on the resolution.

Melinda Rusher inquired about the Dominion voting machines, and the fradulent activity that occurred in the previous election. She wanted to know if Crowley County was going to do something different. Arbuthnot explained that Crowley County Clerk, Melinda Carter, is looking into different software for the voting machines. She also has good control over verifying eligible voters; ensuring a deceased person is not submitting a vote.

Motion by McMillian, seconded by Arbuthnot to table the vote on the resolution until the board meeting scheduled for October 8, 2021, at 8:30 a.m.

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

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

**PLANNING AND ZONING HEARING**

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

Commissioners: Arbuthnot and McMillian ; Elliott was absent.  
Deputy Clerk to the Board: LaShelle Benbow  
Planning & Zoning Administrator: Matt Carter

**RESOLUTION NO. 2021-8193**

**COMMERCIAL SUBDIVISION EXEMPTION REQUEST BY JLJ VENTURES CORP. (DAVID LESSER), FILE NO. 2021-20**

Dean Hiatt informed the board of David Lesser and LJJ Ventures' desire to split one 5-acre lot in Sherman Subdivision into two 2.5 acre lots. These lots are approved for marijuana cultivation and processing. The purpose of the split is to increase the number of cultivation licenses on the property. The Crowley County Planning and Zoning Commission heard the request on September 27, 2021, and recommended approval by the Board, subject to the required survey and recording with access road right-of-way/easement included in the survey and recording.

WHEREAS, JLJ Ventures Corp (David Lesser), 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 09/27/2021; 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 JLJ Ventures Corp (David Lesser) is hereby approved.
2. The real property which is the subject of this resolution is described as follows:  
20180 Sherman Lane, Ordway, CO 81063.

The property is also known as:

Lot 2 Sherman Subdivision Filing No. 1

A portion of the NW1/4 of Section 17, and a portion of the SW1/4 of Section 8, Township 21 South, Range 56 West of the 6th PM. As shown by the plat recorded 1/24/2020 at reception no. 174444 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

Motion by McMillian, seconded by Arbuthnot to approve the subdivision exemption request for Crowley County File No. 2021-20, subject to survey and recording being completed; including access road right-of-way/easement.

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

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

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

ATTEST:

---

Melinda Carter, County Clerk

---

Blaine Arbuthnot, Chairman