

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

DECEMBER 10, 2021

CALL TO ORDER

Board of County Commissioners met in regular session on December 10, 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. 2021-8237

APPROVE BOARD MINUTES FOR NOVEMBER 2021

Motion by Elliott, seconded by McMillian to approve the November 2021 board minutes.

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

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

RESOLUTION NO. 2021-8238

APPROVE THE WORK AND FINANCIAL PLAN BETWEEN USDA WILDLIFE SERVICES AND CROWLEY COUNTY FOR CY 2022

Motion by McMillian, seconded by Elliott to approve the work and Financial Plan between USDA wildlife Services and Crowley County for calendar year 2022. The annual cost to the county will be \$17,170.59.

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

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

RESOLUTION NO. 2021-8239

APPROVE COMMISSIONER CALENDAR FOR 2022

Motion by Elliott, seconded by McMillian to approve the 2022 Crowley County Calendar.

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

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

RESOLUTION NO. 2021-8240

APPROVE SPECIAL DISBURSEMENT DECEMBER 7, 2021

Motion by Elliott, seconded by McMillian to approve the special disbursement for December 7, 2021, and authorize transfer of funds in the following amount:

Ambulance Fund	\$ 232.50
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Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

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

RESOLUTION NO. 2021-8241

APPROVE DHS DISBURSEMENTS DECEMBER 9, 2021

Motion by Elliott, seconded by McMillian to approve the DHS disbursements for December 9, 2021, and authorize transfer of funds in the following amount:

DHS Fund \$ 7,923.07

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

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

RESOLUTION NO. 2021-8242

APPROVE DISBURSEMENTS DECEMBER 10, 2021

Motion by Elliott seconded by McMillian to approve the disbursements for December 10, 2021, and authorize transfer of funds in the following amounts:

General Fund	\$ 79,012.02
Road and Bridge Fund	\$ 19,217.77
EMS Fire Fund	\$ 1,484.79
Ambulance Fund	\$ 27,198.17
Water Fund	\$441,078.13
E911 Fund	\$ 1,564.74
Secretac Fund	\$ 836.11
Total Disbursements	\$570,391.73

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

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

RESOLUTION NO. 2021-8243

APPROVE EIGHTH REVISION TO THE CROWLEY COUNTY COMMERCIAL MARIJUANA REGULATIONS, SECTION, 14, ORIGINALLY DATED OCTOBER 24, 2016, WHICH INCLUDES A SECTION 13 FOR PENALTIES

Motion by McMillian, seconded by Elliott to approve the eighth revision to the Crowley County Commercial Marijuana Regulations, Section 14, which includes the addition of the following section:

13. PENALTIES

- a. Failure to obtain a local license prior to any plant, including clones, planted/cultivated on the property. The fine is \$5,000.00.
- b. Failure to renew any county license, authorizing a marijuana facility to operate by the renewal date. The fine is \$2,500.00.
- c. Violation of the 80/20 grow ratio if both recreational and medical licenses are issued to a grow facility. We understand that during harvest the ratio will vary from the 80/20 requirement. The facility must have documentation that shows that the facility will become compliant. The fine for non-compliance is \$5,000.00 if there is no documented plan to become compliant.
- d. Penalty for failure to pay the county 5 percent excise tax by the 16th of the following month after the sale of product. The fine is \$50.00 per day starting on the 16th of the month that taxes are due.
- e. Building code violations: the fine is \$25.00 per day until the violation is corrected. This includes all state plumbing and electrical requirements. The county holds the right to revoke the license of any grower that fails to become compliant.
- f. Water source agreement: failure to comply with the stipulated water source agreement at the time the license is issued will be \$1,500.00 per month. The county holds the right to revoke the license of any grower that fails to become compliant.
- g. The county holds the right to revoke any license that does not meet the requirements of the county. If a grow facility is non-compliant the county will notify the affected facility of the violations.

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

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

**RESOLUTION NO. 2021-8244
APPROVE CROWLEY COUNTY BUDGET 2022**

Motion by Elliott, seconded by McMillian to approve the 2022 Crowley County Budget as prepared by the Crowley County Commissioners.

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

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

**RESOLUTION NO. 2021-8245
APPROVE RESOLUTION TO LEVY TAXES FOR 2022**

Motion by Elliott, seconded by McMillian to approve the following resolution:

A RESOLUTION LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2022, TO HELP DEFRAY THE COSTS OF GOVERNMENT FOR COUNTY OF CROWLEY, COLORADO, FOR THE 2022 BUDGET YEAR.

WHEREAS, the Board of County Commissioners of Crowley County, has adopted the annual budget in accordance with the Local Government Budget Law, on December 10th, 2021, and;

WHEREAS, the amount of money necessary to balance the budget for general operating purposes from property tax revenue is \$2,199,835, and;

WHEREAS, the 2021 valuation for assessment for Crowley County as certified by the County Assessor is \$58,059,998;

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

Section 1. That for the purpose of meeting all general operating expenses of County Crowley during the 2022 budget year, there is hereby levied a tax of 37.889 mills upon each dollar of the total valuation for assessment of all taxable property within the County for the year 2022.

Section 2. That for the purpose of rendering a refund to its constituents during budget year 2022, there is hereby levied a temporary tax credit of (4.192) mills.

General Fund	25.581 mills
Temporary Tax Credit	(4.192) mills
Road and Bridge Fund	11.750 mills
EMS Fund	1.500 mills
Contingency Fund	0.000 mills
Human Services Fund	3.250 mills
Total Mill Levy	37.889 mills

Section 3. That the Crowley County Board of County Commissioners is hereby authorized and directed to immediately certify the mill levies for the County of Crowley as hereinabove determined and set.

Adopted this 10th day of December 2021.

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

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

RESOLUTION NO. 2021-8246

APPROVE RESOLUTION AUTHORIZING EXPENDITURES AND REVENUES FOR EACH FUND FY 2022

Motion by McMillian, seconded by Elliott to approve the following resolution:

A RESOLUTION SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING A BUDGET FOR THE COUNTY OF CROWLEY, COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY 2022 AND ENDING ON THE LAST DAY OF DECEMBER 2022.

WHEREAS, the Board of County Commissioners of Crowley County has prepared and submitted a proposed budget at the proper time; and

WHEREAS, the proposed budget for this governing body was submitted for public inspection on October 12, 2021, for their consideration, and;

WHEREAS, upon due and proper notice, published or posted in accordance with the law, said proposed budget was open for inspection by the public at a designated place, a public hearing was held on November 10, 2021, and interested taxpayers were given the opportunity to file or register any objections to said proposed budget, and;

WHEREAS, whatever increases may have been made in the expenditures, like increases were added to the revenues or planned to be expended from reserves/fund balances so that the budget remains in balance, as required by law.

NOW, THEREFORE, BE IT RESOLVED BY THE Board of County Commissioners of the County of Crowley, Colorado:

Section 1. That estimated expenditures for each fund are as follows:

General Fund	\$3,743,914
Road and Bridge Fund	\$1,500,125
EMS/Fire Fund	\$138,987
Ambulance Fund	\$730,705
Water Fund	\$1,327,129
Dept. of Human Services Fund	\$1,295,385
Conservation Trust Fund	\$107,645
Contingent Fund	\$0
E911 Fund	\$37,500
Revolving Loan Fund	\$0

Section 2. That estimated revenues for each fund are as follows:

General Fund	
Property Tax (Net)	\$1,241,845
Revenue (Non-Property Tax)	\$2,884,690
Intergovernmental Revenues	\$330,752
Total Revenues	\$4,457,287
Road and Bridge Fund	
Property Tax (Net)	\$682,205
Revenue (Non-Property Tax)	\$86,650
Intergovernmental Revenues	\$704,126
Total Revenues	\$1,472,981
EMS/Fire Fund	
Property Tax (Net)	\$87,090
Revenue (Non-Property Tax)	\$27,000
Intergovernmental Revenues	\$21,000
Total Revenues	\$135,090
Ambulance Fund	
Intergovernmental Revenues	\$203,078
Other Revenues	\$220,000
Total Revenues	\$423,078
Water Fund	
Other Revenues	\$853,915
Total Revenues	\$853,915

Dept. of Human Services Fund	
Property Tax (Net)	\$188,695
Revenue (Non-Property Tax)	\$120,625
Intergovernmental Revenues	\$831,500
Total Revenues	\$1,140,820
Conservation Trust Fund	
Other Revenues	\$40,150
Total Revenues	\$40,150
Contingent Fund	
Property Tax (Net)	\$0
Revenue (Non-Property Tax)	\$0
Total Revenues	\$0
E911 Authority Fund	
Other Revenues	\$50,045
Total Revenues	\$50,045
Revolving Loan Fund	
Other Revenues	\$0
Total Revenues	\$0

Section 3. That the budget as submitted, amended, and herein after summarized by fund, hereby is approved, and adopted as the budget of the County of Crowley for the year stated above.

Section 4. That the budget hereby approved and adopted shall be signed by the Chairman of the Board of County Commissioners of the County of Crowley and made part of the public records of Crowley County.

Adopted this 10th day of December 2021.

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

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

RESOLUTION NO. 2021-8247

APPROVE RESOLUTION APPROPRIATING FUNDS AND SPENDING AUTHORITY FOR EACH FUND FY 2022
Motion by Elliott, seconded by McMillian to approve the following resolution:

A RESOLUTION APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS AND SPENDING AGENCIES, IN THE AMOUNT AND FOR THE PURPOSE AS SET FORTH BELOW, FOR THE COUNTY OF CROWLEY, COLORADO, FOR THE 2022 BUDGET YEAR.

WHEREAS, the Board of County Commissioners has adopted the annual budget in accordance with the Local Government Budget Law, on December 10th, 2021, and;

WHEREAS, the Board of County Commissioners has made provision therein for revenues in an amount equal to or greater than the total proposed expenditures as set forth in said budget, and;

WHEREAS, it is not only required by law, but also necessary to appropriate the revenues and reserves or fund balances provided in the budget to and for the purposes described below, so as not to impair the operations of the County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Crowley County, Colorado;

Section 1. That the following sums are hereby appropriated from the revenue of each fund to each fund, for purposes stated;

General Fund	
Total Appropriation:	\$3,743,914
Road and Bridge Fund	
Total Appropriation:	\$1,500,125
EMS/Fire Fund	
Total Appropriation:	\$138,987
Ambulance Fund	
Total Appropriation:	\$730,705
Water Fund	
Total Appropriation:	\$1,327,129
Department of Human Services	
Total Appropriation:	\$1,295,385
Conservation Trust Fund	
Total Appropriation:	\$107,645
Contingent Fund	
Total Appropriation:	\$0
E911 Authority Fund	
Total Appropriation:	\$37,500
Revolving Loan Fund	
Total Appropriation:	\$0

Adopted this 10th day of December 2021.

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