

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

APRIL 8, 2022

CALL TO ORDER

Board of County Commissioners met in regular session on April 8, 2022. The meeting was called to order by Chairman Blaine Arbuthnot at 8:30 a.m. Roy Elliott was absent. The following were present:

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

RESOLUTION NO. 2022-8324

APPROVE MARCH 2022 BOARD MINUTES

Motion by McMillian, seconded by Arbuthnot to approve the March 2022 board minutes.

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

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

RESOLUTION NO. 2022-8325

APPROVE DHS DISBURSEMENTS, APRIL 7, 2022

Motion by McMillian, seconded by Arbuthnot to approve the DHS disbursements for April 7, 2022, and authorize transfer of funds in the following amount:

DHS Fund \$ 7,757.55

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

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

RESOLUTION NO. 2022-8326

APPROVE DISBURSEMENTS, APRIL 8, 2022

Motion by McMillian, seconded by Arbuthnot to approve the disbursements for April 8, 2022, and authorize transfer of funds in the following amounts:

General Fund	\$ 47,175.84
Road and Bridge Fund	\$ 35,163.38
EMS Fire Fund	\$ 4,147.72
Ambulance Fund	\$ 22,213.66
Water Fund	\$ 32,796.83
Conservation Trust Fund	\$ 52.96
E911 Fund	\$ 1,565.65

Total Disbursements \$143,116.04

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

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

RESOLUTION NO. 2022-8327

APPROVE RESOLUTION OPPOSING PRESIDENTIAL EXECUTIVE ORDER 14008

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

RESOLUTION OPPOSING PRESIDENTIAL EXECUTIVE ORDER 14008

whereas, Crowley County is a legal and political subdivision of the State of Colorado for which the Board of county Commissioners ("Board") is authorized to act;

whereas, Crowley County contains about 512,000 acres of land situated in Southeastern Colorado; and

whereas, approximately 16% or 84,328 acres of land within the County is owned or managed under either Bureau of Land Management, Colorado State Trust, or Conservation Reserve Program; and

whereas, Public land ownership in Colorado in the year of 2019 was 39.86 percent of the State not including CRP lands. Public land ownership, including CRP lands in 2019, was 35.77 percent of all lands within the United States.

whereas, conserving lands does not assure its preservation. Left in an undisturbed or natural state, these lands are highly susceptible to wildland wildfires, insect infestation, and disease, all of which degrades the natural and human environments; and

whereas, the wellbeing, health, safety, welfare, economic condition, and culture of the County, its businesses, and its citizens depend on private land ownership and the use of these lands; and

whereas, many of Crowley County's businesses and citizens are involved in or otherwise depend on commerce that utilizes private lands and their resources, including crop production, livestock grazing, and outdoor activities such as hiking, biking, hunting, fishing, boating, gardening, and other recreational activities; and

whereas, this commerce is an important component of the Colorado economy, and is a major contributor to the economic and social wellbeing of Crowley County and its citizens; and

whereas, on January 27, 2021, President Joseph R. Biden, Jr., issued Executive Order 14008 entitled Tackling the Climate Crisis at Home and Abroad (86 Fed. Reg. 7,619); and

whereas, in Section 216 of Executive Order 14008, President Biden directed the Secretary of the Interior, in consultation with the Secretary of Agriculture and other senior officials, to develop a program to conserve at least 30 percent of the lands and waters in the United States by 2030, which is called the "30x30" program; and

whereas, under the 30x30 program, some 680 million acres of our Nation's lands would be set aside through conservation, preventing the productive use of these lands and their resources; and

whereas, there is no constitutional or statutory authority afforded to any President, the Department of Interior, the Department of Agriculture, or any other federal agency to set aside and permanently conserve 30 percent of all land and water in the United States, and no such authority is referenced in Executive Order 14008; and

whereas, placing private lands into permanent conservation status will cause a dramatic and irreversible harm to the economies of many states, including Colorado, and in particular rural counties such as Crowley County, whose citizens depend on private lands for their livelihoods and recreation; and

whereas, Executive Order 14008 at 216(a) directs the Secretary of the Interior, in consultation with other relevant federal agencies to "submit a report to the Task Force within 90 days of the date of this order recommending steps that the United States should take, working with State, local, Tribal and territorial governments, agricultural and forest landowners, fishermen, and other key stakeholders, to achieve the goal of conserving at least 30 percent of our lands and waters by 2030."

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

1. The Board opposes the 30x30 program, including its objective of permanently conserving 30 percent of the Nation's lands and waters in its natural state by 2030, or any similar program that will set aside and prevent the productive use of millions of acres of out lands.
2. The Board further opposes the designation of lands in Crowley County as wilderness, wilderness study areas, wildlife preserves, open space, or other conserved lands, thereby restricting public access to such lands and preventing the development and productive use of the resources on or within such lands.
3. The Board supports the continued private ownership of land in the County, recognizing the Nation's need for domestic sources of minerals, energy, timber, food, fiber, and recreation.
4. The Board recognizes and supports the State of Colorado's and private water system, including the State of Colorado's Statutes and regulations and programs governing

water rights and water use, and opposes any federal designation of waters and watercourses within the State and County that would impair or restrict water diversions and uses authorized under Colorado law.

5. The Board supports reasonable national, regional, and global greenhouse gas emissions policies and goals that are comprehensive, practical, cost-effective, non-draconian, and do not unnecessarily single out specific industries or activities but opposes the use of global climate change as a reason to set aside large tracts of land as conservation lands to fulfill the 30x30 program's objectives.
6. The Board also maintains that any lands or other rights that are acquired to fulfill the 30x30 program's objectives should be acquired only from willing landowners and for the payment of full and fair market value for all rights and interests acquired, and not through eminent domain or any other regulatory compulsion, and only after analyzing and considering the impacts of such land acquisitions on the well-being, health, safety, welfare, economy, and culture of Crowley County, its businesses, and its citizens.

PASSED AND ADOPTED this 8th day of April 2022, in Ordway, Crowley County, Colorado.

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

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

RESOLUTION NO. 2022-8328

APPROVE CROWLEY COUNTY SPECIAL EVENTS PERMIT POLICY

Motion by McMillian, seconded by Arbuthnot to approve a special events permit policy as follows:

Crowley County Special Events Permit

PERMIT FEE: \$200.00

EVENT SUMMARY

Please provide the following information:

1. A brief description of the proposed activities and whether the event is open to the public and if there is a fee; if the number of participants will be limited and how the limit will be maintained; whether there will be amplified music; how volunteers will be trained and who is the coordinator.
2. Approximate expected attendance numbers.
3. Personnel numbers: staff, volunteers, independent contractors, security, vendors, etc.

EVENT SITE PLAN

The site plan/map shall depict the physical layout of the event. Provide an accurate detailed drawing or map that includes, but is not limited to, the following elements.

1. Boundaries
 - a. Delineate the boundary for the entire event venue.
 - b. If the event involves a moving route of any kind, show the particular route(s).
 - c. Locate fencing, barriers and barricades, points of ingress and egress. Show removable fencing for emergency access.
2. Site Improvements
 - a. Locate all stages, platforms, bleachers, tents, booths, and any other temporary structures.
 - b. Placement of generators and electric sources.
 - c. Locate areas for RVs, buses, trailers, and tech trucks.
 - d. Identify start and finish areas.
3. Security, Medical and Safety
 - a. Show security checkpoints and stations.
 - b. Location of first aid facilities
4. Transportation and Parking
 - a. Identify all parking areas.
 - b. Identify disabled parking areas.
5. Sanitation and Solid Waste

- a. Locate and identify the number of restrooms and/or portable toilets and hand washing stations.
- b. Placement of trash dumpsters.
- 6. Alcohol, Food Service, Vending and Tech Areas
 - a. Placement of bar areas and/or beer gardens including security fencing,

COMMUNICATIONS PLAN

Please provide the following information in this plan

- 1. STAFF
 - a. Staff contact list with designated responsibility.
 - b. Include all phone numbers.
 - c. Be prepared to provide Law Enforcement and/or Emergency Medical Services with one of your radios.
- 2. Emergency Medical Service Provider
 - a. Provide an Emergency Point of Contact.

SAFETY/SECURITY PLAN

- 1. Detail your proposed event attendee capacity.
- 2. Provide a Safety/Security Contact with a phone number.
- 3. Provide event liability insurance to cover medical expenses resulting from injury while participating in your event.
- 4. Should you fail to perform adequate cleanup, or if damage occurs to public property due to your event, you will be billed at full cost recovery rates plus overhead for cleanup and repair.
- 5. A special event liquor from the State of Colorado will be required if you plan to sell, distribute, or consume alcoholic beverages at your event. An application shall be submitted to the Crowley County Clerk.
- 6. You must submit your special events liquor license application to the Crowley County Clerk at least 30 days prior to the event.
- 7. All county disability access requirements applicable to your event need to be addressed. All temporary venues, related structures, and outdoor sites for special events shall be accessible to persons with disabilities.

FOOD PERMIT

If your event will be preparing, selling, distributing, or giving away food to the public, you may be required to obtain a permit from the Crowley/Otero County Health Department.

ADOPTED this 8th day of April 2022, in Ordway, Crowley County, Colorado.

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

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

PUBLIC HEARING ON PROPOSED CONTINGENCY BUDGET

The Board opened the public hearing for the proposed 2022 budget contingency and appropriation. There were no community members present, and the Board has received no written or verbal comments from the public.

RESOLUTION NO. 2022-8329

APPROVE A RESOLUTION FOR BUDGET CONTINGENCY AND APPROPRIATION

Motion by McMillian, seconded by Arbuthnot to approve the following budget contingency and appropriation:

A RESOLUTION APPROPRIATING ADDITIONAL SUMS OF MONEY TO DEFRAY EXPENSES IN EXCESS OF AMOUNTS BUDGETED FOR THE COUNTY OF CROWLEY, COLORADO.

WHEREAS, the Covid-19 pandemic has disrupted the equipment manufacturing and supply chain operations; and

WHEREAS, the longevity of such disruptions could not have been reasonably foreseen at the time of the adoption of the 2022 budget; and

WHEREAS, an opportunity to purchase a mini excavator that is currently in stock has presented itself;

AND WHEREAS, the money to finance this contingency is available in the same fund in the form of unrestricted surpluses.

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

Section 1. That the 2022 appropriation for the Road and Bridge Fund, line number 20.620.52000 Capital Outlay is hereby increased from \$220,600 to \$300,600 including the contingency.

Section 2. That the sum of \$80,000 is hereby authorized for use from unappropriated and unrestricted surpluses in the Road and Bridge Fund.

ADOPTED, this 8th day of April 2022.

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