

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

MAY 16, 2022

CALL TO ORDER

Board of County Commissioners met in regular session on May 16, 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

BRUCE FICKENSCHER - CSU EXTENSION OFFICE Q1 2022 REPORT

Bruch Fickenscher, Regional Director for the Colorado State University Extension Office gave his first quarter report for 2022. He will be hiring a Southeast Area Director once the position description has been approved. He expressed concern for crops because of weather impact, and the fuel and fertilizer crisis.

RESOLUTION NO. 2022-8350

APPROVE SPECIAL DISBURSEMENT, MAY 10, 2022

Motion by McMillian, seconded by Arbuthnot to approve the special disbursement for May 10, 2022, and authorize transfer of funds in the following amount:

| | |
|--------------|-----------|
| General Fund | \$ 909.91 |
|--------------|-----------|

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

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

RESOLUTION NO. 2022-8351

APPROVE SPECIAL EVENT PERMIT FOR 2022 MILE HIGH MEET & GREET

Kraig Kaiser has applied for a Special Event Permit for the 2022 Mile High Meet & Greet which is held at Lake Meredith. They are expencting 1,000 attendees. Multiple food vendors will be on site, as well as one liquor vendor.

McMillian expressed concern regarding the lack of lawenforcement available to police the event, and medical/fire safety. In the past the County has paid for gravel, but there has been little financial benefit to the County. He feels the special event policy requirements gave Kraig Kaiser little time to meet the policy requirements. In the future, Kraig will need to apply at least sixty days in advance of the event.

Arbuthnot mentioned that if the County sells all of the write bands that we will receive \$1,500 in income. He also mentioned that Kraig usually donates to the fire department (Sugar City).

Motion by Arbuthnot, seconded by McMillian to approve the special event permit for the 2022 Mile High Meet & Greet.

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

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

**RESOLUTION NO. 2022-8352
APPROVE POLICY REGARDING MARIJUANA PRODUCT BEING CONSIGNED/SOLD TO EXTRACTION FACILITIES
AND/OR OTHER GROWING FACILITIES**

Motion by McMillian, seconded by Arbuthnot to approve the following policy related to marijuan product:

**POLICY REGARDING MARIJUANA PRODUCT(S) BEING CONSIGNED/SOLD TO EXTRACTION FACILITIES
and/or OTHER GROWING FACILITIES**

May 17, 2022

It has come to our attention that rather than selling their product directly to a dispensary or pot shop, growers are selling/consigning it to extraction facilities. As a result, the county has extreme difficulty following the product and ensuring they receive their 5% excise tax. Further, with many of these transactions, payment is not received by the grower upon the initial transfer, which is a violation of the ballot question submitted to the voters of Crowley County in November of 2016.

As some of you know, the Commissioners have been studying this issue for quite some time. They do not want to create a harmful situation for the growers, but at the same time they must find a way to comply with the original ballot question. In this regard, the following policy has been approved and becomes effective May 17, 2022.

Alternative 1: When the product is sold to an extraction facility and the payment is received immediately, the grower receives payment, enters this information in Metrc and pays the county 5% of the total sales. This payment must be made by the 20th of the month following the month the product is sold.

Alternative 2: When the product is consigned to an extraction facility and the payment is not received by the grower immediately, the grower must record the grams of product transferred in Metrc and based on the total weight of the transaction(s) and the current State Average Market Rate, the grower must pay the county 5% excise tax on the total sale. This payment must be made by the 20th of the month following the month the product is sold. The State Average Market Rate will be determined by using the rate sheet produced by the Department of Revenue for the specific product transfer date.

In the event one grower is selling product to another grower, the rule is the seller must pay the county the 5% excise tax on the total sale amount. This amount must be paid no later than the 20th day of the month following the date of sale.

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

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

OTHER BUSINESS OR DISCUSSION

Arbuthnot mentioned that a subdivision plan for 40 housing units has been proposed for Olney Springs.

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

ATTEST:

Melinda Carter, County Clerk

Blaine Arbuthnot, Chairman