

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

**JUNE 30, 2022**

**CALL TO ORDER**

Board of County Commissioners met in regular session on June 30, 2022. 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  
Audience-----Graham Baseck

**RESOLUTION NO. 2022-8376**

**APPROVE DHS DISBURSEMENTS, JUNE 24, 2022**

Motion by McMillian, seconded by Elliott to approve the DHS disbursements for June 24, 2022, and authorize transfer of funds in the following amount:

DHS Fund                                 \$ 10,383.08

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

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

**RESOLUTION NO. 2022-8377**

**APPROVE JUNE 2022 PAYROLL**

Motion by Elliott, seconded by McMillian to approve the disbursements for June 2022 payroll, and authorize transfer of funds in the following amounts:

General Fund                             \$ 74,337.51  
Road and Bridge Fund                 \$ 23,098.93  
EMS Fire Fund                         \$ 2,422.11  
Ambulance Fund                       \$ 6,881.21  
DHS Fund                                \$ 31,973.12  
Conservation Trust Fund               \$ 942.54  
  
Total                                     \$139,655.42

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

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

**RESOLUTION NO. 2022-8378**

**APPROVE PAYROLL BENEFIT DISBURSEMENTS, JUNE 30, 2022**

Motion by Elliott, seconded by McMillian to approve the payroll benefit disbursements for June 30, 2022, and authorize transfer of funds in the following amounts:

General Fund                             \$ 57,227.09  
Road and Bridge Fund                 \$ 19,004.45  
EMS Fire Fund                         \$ 2,489.43  
Ambulance Fund                       \$ 4,907.34  
DHS Fund                                \$ 27,991.59  
Conservation Trust Fund               \$ 367.84  
  
Total                                     \$111,987.74

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

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

**RESOLUTION NO. 2022-8379**

**APPROVE DISBURSEMENTS, JUNE 30, 2022**

Motion by McMillian, seconded by Elliott to approve the disbursements for June 30, 2022, and authorize transfer of funds in the following amounts:

General Fund	\$ 85,131.65
Road and Bridge Fund	\$ 2,343.97
EMS Fire Fund	\$ 1,937.83
Ambulance Fund	\$ 4,096.34
Water Fund	\$ 6,384.54
DHS Fund	\$ 160.00
Conservation Trust Fund	\$ 10,099.20
Secretac Fund	\$ 14,365.36
Total	\$124,518.89

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

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

**PUBLIC HEARING - PROPOSED RESOLUTION FOR BUDGET CONTINGENCY**

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

**RESOLUTION NO. 2022-8380**

**APPROVE A RESOLUTION FOR BUDGET CONTINGENCY**

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

RESOLUTION FOR BUDGET CONTINGENCY  
(Pursuant to Section 29-1-111, C.R.S.)

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

WHEREAS, the estimated 2022 inflation rate at the time of the adoption of the budget was 3.65%, and in March 2022 the inflation rate was 7.00%; and

WHEREAS, the energy index jumped 15.00% in February and March of 2022 due to higher prices for gasoline and electricity; and

WHEREAS, the County provides funding for the volunteer fire departments which have been significantly impacted by the rising cost of gasoline; and

WHEREAS, this contingency could not have been reasonably foreseen at the time of the adoption of the budget;

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

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

Section 1. That the 2022 appropriation for the EMS/Fire Fund, line number 30.631.50132 Utilities is hereby increased from \$2,350 to \$5,650 including the contingency.

Section 2. That the 2022 appropriation for the EMS/Fire Fund, line number 30.631.51410 Miscellaneous is hereby increased from \$0 to \$5,000 including the contingency.

Section 3. That the 2022 appropriation for the EMS/Fire Fund, line number 30.632.50132 Utilities is hereby increased from \$1,000 to \$3,000 including the contingency.

ADOPTED, this 30th day of June 2022.

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

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

**OTHER BUSINESS OR DISCUSSION**

A 3% raise will be given to all full-time personnel, effective July 1, 2022. All other personnel pay will be reviewed on a case-by-case basis.

The commissioners met with the HOC Committee on the affordable housing project. Concrete is to be poured next week in the Olney Springs development. The project is currently under budget. Matt Carter will be hired to do the building inspections for the housing projects in Walsh, Springfield, and Lamar.

Next week, installation of a metal roof on the new fairground building should start. Windows and doors still need to be purchased.

Stan Pickerill, the Memorial Complex groundskeeper, is to be paid the remaining part of his salary in monthly payments beginning in July and ending in December. July - October payments will be \$1,666.67 per month, and the November and December payments will be \$1,666.66 per month.

**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  
Planning & Zoning Administrator: Matt Carter  
Audience: Sue Ann Lowrey and Shirley Ager

**RESOLUTION NO. 2022-8381**

**COMMERCIAL SUBDIVISION EXEMPTION REQUEST, LORI AND PATRICK HILLS, SANS DOULEUR FARM, FILE NO. 2022-13**

Lori and Patrick Hills of Sans Doleur Farm wish to split their commercial marijuana lot into two separate lots. The current lot is located at 20427 Sherman Lane, Ordway. It is 5 acres in size so it will be split into two, 2.5 acre lots. One lot will be used by them for their grow, and they will sell the other lot to someone for another grow. The Crowley County Planning and Zoning Commission heard the request on June 27, 2022, and recommended approval by the Board.

WHEREAS, Lori and Patrick Hills, Sans Douleur Farm, has filed a request for Commercial Subdivision 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 06/27/2022; 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 Commercial Subdivision request of Lori and Patrick Hills, Sans Douleur Farm, is hereby approved.
2. The real property which is the subject of this resolution is described as follows:  
20427 Sherman Lane, Ordway, CO 81063

The property is also known as:

Lot 17 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 Elliott, seconded by McMillian to approve the commercial subdivision exemption request Lori and Patrick Hills, Sans Doleur Farm, File No. 2022-13, with the stipulation that a survey be completed and recorded, required culvers be installed, utilities and septic be installed, and all applicable taxes and fees be paid.

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

Arbuthnot-----Aye

Elliott-----Aye

McMillian-----Aye

**RESOLUTION NO. 2022-8382**

**SUBDIVISION EXEMPTION REQUEST, JOY WELLS, FILE NO. 2022-15**

Joy Wells wants to create a new 10 acre exemption for an existing 170 acre parcel. The new parcel will be located on Road H, west of Lane 14, Ordway. It will be adjacent to the previously approved 10-acre parcel. This new parcel will be sold once it is created. The Crowley County Planning and Zoning Commission heard the request on June 27, 2022, and recommended approval by the Board.

WHEREAS, Joy Wells, 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 06/27/2022; 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 Joy wells is hereby approved.
2. The real property which is the subject of this resolution is described as follows:

The property is also known as:

Section 8, Township 21, Range 57, Lot 1 NE1/4 NW1/4, NW1/4, NE1/4, NE1/4, NE1/4, SE1/4 NE1/4 180 acres.

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 Elliott to approve the subdivision exemption request Joy Wells, File No. 2022-15, with the stipulation that all easements be recorded with the County Clerk's office.

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

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

**PUBLIC DISCUSSION**

Shirley Ager inquired about the status of a resolution which incorporates some of the public's requested wording which will limit marijuana grows to a specific area within the County. Arbuthnot mentioned that the County Attorney is reviewing the information. It may be possible to restrict the grows to a location because they are tied to water requirements. The Attorney will develop a resolution or ordinance for the Commissioners to review. The public group will be updated on the status of the document. She also inquired about what can be done regarding processing plants being built outside of the current grow area. Arbuthnot mentioned that this is more difficult because it is not tied to water. Elliott mentioned that we cannot hinder people's property rights.

Sue Ann Lowrey inquired about a 1041 status concept; what is it? Arbuthnot said that Crowley County does not have 1041 powers, and they have not been looked into.

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

ATTEST:

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Melinda Carter, County Clerk

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Blaine Arbuthnot, Chairman