

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

**JULY 18, 2022**

**CALL TO ORDER**

Board of County Commissioners met in regular session on July 18, 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-----Anne Boswell

**RESOLUTION NO. 2022-8388**

**APPROVE PUBLICATION OF CROWLEY COUNTY GROSS MONTHLY SALARIES FOR JUNE 2022**

Motion by Elliott, seconded by McMillian to approve the publication of the Crowley County Gross Monthly Salaries for June 2022.

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

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

**RESOLUTION NO. 2022-8389**

**APPROVE NOTICE TO BE DISTRIBUTED TO ALL EMPLOYEES REGARDING FORMAL DECLINATION OF PARTICIPATION IN FAML I**

Motion by McMillian, seconded by Elliott to approve the notice that will be distributed to all employees regarding the County's formal decision to decline participation in the FAML I Program.

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

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

**APPROVE SALE OF SURPLUS VEHICLES TO ROCK FORD POLICE DEPARTMENT FOR \$20,000**

The Rocky Ford Police Department backed out of the purchase. Crowley County will continue to sell the surplus vehicles. On August 1, 2022, they may be listed on an auction site with minimum bid amounts of \$20,000 and \$3,000.

**OTHER DISCUSSION - BIDS FOR ORDWAY WORKFORCE HOUSING INFRASTRUCTURE PROJECT**

Crowley County has not received bids for the Ordway workforce Housing Infrastructure project. The County did find out that a bid was sent to the Town of Ordway. We will follow up to see if they have received any others.

**PUBLIC HEARING TO DISCUSS TWO ORDINANCES RELATED TO MARIJUANA CULTIVATION AND SALES**

At 10:00 a.m. the Board opened the public hearing to discuss two ordinances related to marijuana cultivation and sales. Audience included: Anne Boswell, Craig Baylor, Keith Benbow, Jerry Barber, Jesus Hernandez, Jim McCuiston and Karen Gates. Arbuthnot provided a summary of the ordinances and asked if there was any discussion or comments. The board received no verbal or written comments from the public.

**RESOLUTION NO. 2022-8390**

**APPROVE SECOND READING OF PROPOSED ORDINANCE NO. 2022-01 - AN ORDINANCE MODIFYING THE CODE OF COLORADO REGULATIONS 1 CCR 212.3, 3-220, A. 5. C., REGARDING SECURITY ALARM SYSTEMS AND LOCK STANDARDS**

Motion by McMillian, seconded by Elliott to approve the second reading of proposed Ordinance No. 2022-01 as follows, which will become effective 30 days following the date of the second publication:

ORDINANCE 2022-01

AN ORDINANCE MODIFYING THE CODE OF COLORADO REGULATIONS 1 CCR 212.3, 3-220, A. 5. c., REGARDING SECURITY ALARM SYSTEMS AND LOCK STANDARDS

whereas, the Code of Colorado Regulations 1 CCR 212.3, 3-220, A.5.c. requires privacy screen on all outdoor grow security fences so that the Limited Access Area is not easily viewed from outside the fence; and

WHEREAS, the privacy screen is extremely costly and will not hold up during the extreme Southeastern Colorado winds; and

WHEREAS, the privacy screen material works like a sail, catching the wind and causing the fence posts to bend, requiring significant repairs to the posts, and attached fencing; and

WHEREAS, the privacy screens are extremely expensive and difficult to repair; and

WHEREAS, 98% of all the marijuana grown in Crowley County is grown in two sub-divisions, in a two square mile area. As such, everyone knows commercial marijuana is being grown in this area. The privacy fencing does not conceal the activity; and

WHEREAS, remnants of destroyed privacy screens have become a form of pollutant in Crowley County. They are unsightly and blow all over the county. They get stuck in our barbed wire fences and create barriers in our drainage ditches and irrigation canals, and

WHEREAS, the State of Colorado MED allows for waivers, with the consent of local governments; and

WHEREAS, copies of the relevant, above referenced regulations are available at the Crowley County Administration Office, 603 Main, Suite 2, Ordway, Colorado 81063.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF CROWLEY COUNTY COMMISSIONERS, to waive the requirement of privacy screens on all security fencing in the unincorporated areas of Crowley County.

INTRODUCED, READ, PASSED ON FIRST READING, AND ORDERED PUBLISHED this 27th day of June, 2022, UNDER RESOLUTION NO.: 2022-8374.

BOARD OF COUNTY COMMISSIONERS:  
Blaine Arbuthnot, Chairman  
Roy Elliott, Vice Chairman  
Terry McMillian, Commissioner

ATTEST:  
Melinda Carter, Crowley County Clerk & Recorder

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

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

**RESOLUTION NO. 2022-8391  
APPROVE SECOND READING OF PROPOSED ORDINANCE NO. 2022-02 - AN ORDINANCE ALLOWING  
FULFILLMENT CENTERS IN CROWLEY COUNTY**

Motion by Elliott, seconded by McMillian to approve the second reading of proposed Ordinance No. 2022-02 as follows, which will become effective 30 days following the date of the second publication:

**ORDINANCE 2022-02**

**AN ORDINANCE ALLOWING FULFILLMENT CENTERS IN CROWLEY COUNTY**

WHEREAS, Resolution 7061 dated September 6, 2016, contains Ordinance number 2016-03 prohibiting dispensaries and pot shops within the confines of the unincorporated areas of Crowley County, and specifically stating that Recreational Marijuana and Medical Marijuana cannot be sold within the confines of the unincorporated areas of Crowley County; and

WHEREAS, the Board of Commissioners is considering allowing FULFILLMENT CENTERS in Crowley County, which will allow marijuana products to be sold and delivered to individuals who do not live in Crowley County; and

WHEREAS, to obtain local approval for a FULFILLMENT CENTER, the proposed business owner must obtain the appropriate licenses for both a Commercial Retail Pot Shop and a Medical Marijuana Dispensary; and

WHEREAS, the approval and operation of a FULFILLMENT CENTER strictly prohibits the sale of marijuana products, of any kind, within the confines of Crowley County.

WHEREAS, wholesale purchases of marijuana products from Crowley County growers are authorized, this product must be stored in a safe and secure manner until delivered to a retail buyer in another county; and

WHEREAS, the county will be paid a 5% transaction fee on the sales price for each transaction; and

WHEREAS, copies of the relevant documents referenced above are available at the Crowley County Administration Office, 603 Main, Suite 2, Ordway, Colorado 81063.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF CROWLEY COUNTY COMMISSIONERS, to approve the operation of FULFILLMENT CENTERS in the unincorporated areas of Crowley County.

INTRODUCED, READ, PASSED ON FIRST READING, AND ORDERED PUBLISHED this 27th day of June, 2022, UNDER RESOLUTION NO.: 2022-8375.

BOARD OF COUNTY COMMISSIONERS:

Blaine Arbuthnot, Chairman

Roy Elliott, Vice Chairman

Terry McMillian, Commissioner

ATTEST:

Melinda Carter, Crowley County Clerk & Recorder

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:

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Melinda Carter, County Clerk

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Blaine Arbuthnot, Chairman