

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

JANUARY 31, 2023

CALL TO ORDER

Board of County Commissioners met in regular session on January 31, 2023. 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. 2023-8523

APPROVE DHS DISBURSEMENTS, JANUARY 25, 2023

Motion by Elliott, seconded by McMillian to approve the DHS disbursements for January 25, 2023, and authorize transfer of funds in the following amount:

DHS Fund \$ 13,732.43

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

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

RESOLUTION NO. 2023-8524

APPROVE JANUARY 2023 PAYROLL

Motion by McMillian, seconded by Elliott to approve the disbursements for January 2023 payroll, and authorize transfer of funds in the following amounts:

General Fund \$ 95,956.72
Road and Bridge Fund \$ 22,843.15
EMS Fire Fund \$ 2,449.06
Ambulance Fund \$ 8,365.85
DHS Fund \$ 42,888.68

Total \$172,503.46

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

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

RESOLUTION NO. 2023-8525

APPROVE PAYROLL BENEFIT DISBURSEMENTS, JANUARY 31, 2023

Motion by Elliott, seconded by McMillian to approve the payroll benefit disbursements for January 31, 2023, and authorize transfer of funds in the following amounts:

| | |
|----------------------|--------------|
| General Fund | \$ 64,568.15 |
| Road and Bridge Fund | \$ 16,336.25 |
| EMS Fire Fund | \$ 2,414.79 |
| Ambulance Fund | \$ 4,535.53 |
| DHS Fund | \$ 33,142.79 |

Total \$120,997.51

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

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

RESOLUTION NO. 2023-8526

APPROVE DISBURSEMENTS, JANUARY 31, 2023

Motion by McMillian, seconded by Elliott to approve the disbursements for January 31, 2023, and authorize transfer of funds in the following amounts:

| | |
|----------------------|--------------|
| General Fund | \$ 19,140.76 |
| Road and Bridge Fund | \$ 3,863.88 |
| EMS Fire Fund | \$ 564.02 |
| Ambulance Fund | \$ 2,823.94 |
| DHS Fund | \$ 198.46 |

Total Disbursements \$ 26,591.06

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

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

RESOLUTION NO. 2023-8527

APPROVE SECRETAC DISBURSEMENTS, JANUARY 31, 2023

Motion by Elliott, seconded by McMillian to approve the SECRETAC disbursements for January 31, 2023, and authorize transfer of funds in the following amount:

SECRETAC Fund \$ 10,855.57

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

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

RESOLUTION NO. 2023-8528

APPROVE ANNUAL DISBURSEMENTS, JANUARY 31, 2023

Motion by McMillian, seconded by Elliott to approve the annual disbursements for January 31, 2023, and authorize transfer of funds in the following amounts:

| | |
|-------------------------|--------------|
| General Fund | \$ 60,473.00 |
| Ambulance Fund | \$ 6,441.00 |
| Conservation Trust Fund | \$ 6,000.00 |
| | |
| Total Disbursements | \$ 72,914.00 |

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

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

RESOLUTION NO. 2023-8529

APPROVE BACKDATE DISBURSEMENTS, JANUARY 31, 2023

Motion by McMillian, seconded by Elliott to approve the backdate disbursements for January 31, 2023, and authorize transfer of funds in the following amounts:

| | |
|----------------------|--------------|
| General Fund | \$ 46,398.31 |
| Road and Bridge Fund | \$ 1,313.93 |
| EMS Fire Fund | \$ 190.77 |
| Ambulance Fund | \$ 1,829.12 |
| Water Fund | \$ 993.00 |
| | |
| Total Disbursements | \$ 50,725.13 |

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

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

RESOLUTION NO. 2023-8530

APPROVE TREASURER'S SEMI-ANNUAL REPORT AS OF DECEMBER 31, 2022

Motion by Elliott, seconded by McMillian to approve the Treasurer's semi-annual report as of December 31, 2022.

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

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

RESOLUTION NO. 2023-8531

APPROVE CERTIFICATION OF LOCAL GOVERNMENT APPROVAL FOR NONPROFIT ORGANIZATIONS RECEIVING ESG FUNDS FROM STATE SUBRECIPIENTS

Motion by Elliott, seconded by McMillian to approve the Certification of Local Government Approval for Nonprofit Organizations Receiving ESG Funds from State Subrecipients.

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

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

RESOLUTION NO. 2023-8532

APPROVE RESOLUTION FOR LOCAL GOVERNMENT DESIGNATED AGENT INFORMATION FOR NOTICE OF CLAIM C.R.S. 24-32-116

Motion by McMillian, seconded by Elliott to approve the Resolution for Local Government appointing Melinda Carter as the Designate Agent for notice of claim.

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

Michal Yerman, with My Rural Planner, reviewed the bid received for the Ordway Infrastructure Housing project. \$133,000 in tap costs were not included in the original budget, but with savings in other areas we are almost \$7,000 over our estimated budget. He recommended that the Commissioner's email Tara Marshall to find out what steps are necessary to ensure that we can use the contingency amount in our budget. If we can use this amount, then we should move forward and approve the bid. A decision on the bid will not be made until we receive approval from DOLA regarding use of contingency funds.

PLANNING & 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 Lowery, Shirley Ager, Matt Heimerich, Toni Hughes, Dianne Buford, Amanda Terrones, and Pamela Baker.

RESOLUTION NO. 2023-8533

USE BY REVIEW, H-O DEVELOPMENT LLC/JIM REEVES, FILE NO. 2021-27, PREVIOUSLY APPROVED ON 01/31/2022 UNDER RESOLUTION NO. 2022-8289

On January 31, 2022, the Board of County Commissioners approved a Use by Review request for H-o Development, LLC (Jim Reeves) to build a marijuana processing plant. A list of ten stipulations were required to be met within 12-months time. These stipulations have not been met. Arbuthnot asked the public if they had anything to say.

Sue Ann Lowrey said on behalf of the group that they object to any renewal or extension of his permit, and would request that it be revoked.

Motion by Elliott, seconded by McMillian to revoke the Use by Review approval for H-O Development, LLC (Jim Reeves), File No. 2021-27. Should he wish to pursue this project Jim Reeves must wait twelve months before reapplying.

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.

ATTEST:

Melinda Carter, County Clerk

Blaine Arbuthnot, Chairman