

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

AUGUST 31, 2023

CALL TO ORDER

Board of County Commissioners met in regular session on August 31, 2023. 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-----Commissioner
LaShelle Benbow-----Deputy Clerk to the Board

Audience: Penny and John Globoker

AUDIENCE COMMENT

Penny and John Globoker came in to speak their minds. The 2020 election fraud that occurred across the country involved Dominion Voting machines. There are very displeased with Crowley County that we renewed our contract with Dominion Voting. They believe the government is corrupt from the top down, and has committed treason. Citizens are entitled to free, honest and fair elections in our Country.

Arbuthnot stated that the County Clerk did a lot of research after news of election fraud occurred. The County Clerk was confident in the accuracy of the votes cash in the voting machine. Inquiries were made about going back to paper ballots, but the State will not allow this. There are other voting machines available but who is to say that they could not be compromised as well.

RESOLUTION NO. 2023-8670

APPROVE DHS DISBURSEMENTS, AUGUST 25, 2023

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

DHS Fund \$13,304.91

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

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

RESOLUTION NO. 2023-8671

APPROVE AUGUST 2023 PAYROLL

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

General Fund \$88,812.75
Road and Bridge Fund \$22,943.11
EMS Fire Fund \$2,381.02
Ambulance Fund \$9,249.74
DHS Fund \$43,230.05
Conservation Trust Fund \$336.27

Total Disbursement \$166,952.94

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

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

RESOLUTION NO. 2023-8672

APPROVE PAYROLL BENEFIT DISBURSEMENTS, AUGUST 31, 2023

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

General Fund \$66,199.99
Road and Bridge Fund \$17,590.24
EMS Fire Fund \$2,555.96
Ambulance Fund \$5,420.88
DHS Fund \$34,843.96
Conservation Trust Fund \$68.36

Total Disbursement \$126,679.39

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

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

RESOLUTION NO. 2023-8673

APPROVE DISBURSEMENTS, AUGUST 31, 2023

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

General Fund \$45,150.75
Road and Bridge Fund \$1,558.01
EMS Fire Fund \$112.07
Ambulance Fund \$6,469.65
Water Fund \$40.00
DHS Fund \$2,298.68
Conservation Trust Fund \$15.87
E911 Fund \$64.62

Total Disbursements \$55,709.65

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

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

RESOLUTION NO. 2023-8674

APPROVE SECRETAC DISBURSEMENTS, AUGUST 31, 2023

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

SECRETAC Fund \$14,531.03

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

Arbuthnot-----Aye

Elliott-----Absent

McMillian-----Aye

RESOLUTION NO. 2023-8675

APPROVE THE PUBLICATION OF NOTICE OF CONTINGENCY BUDGET

Motion by McMillian, seconded by Arbuthnot to approve the publication of the following Notice of Contingency Budget:

NOTICE OF CONTINGENCY BUDGET

(Pursuant to 29-1-106, C.R.S.)

NOTICE is hereby given that a proposed contingency budget has been submitted to the Crowley County Board of County Commissioners for the current fiscal year of 2023; a copy of such proposed contingency budget has been filed in the office of the Crowley County Board of County Commissioners, where the same is open for public inspection; such proposed contingency budget will be considered at a regular meeting of the Crowley County Board of County Commissioners to be held at the Courthouse Annex, Commissioners Meeting Room, on September 18, 2023 at 9:15 a.m.

Any interested elector of Crowley County may inspect the proposed contingency budget and file or register any objections thereto at any time prior to the final adoption of the contingency budget on September 18, 2023, at 9:15 a.m.

Summary of Contingency Budget:

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, our Conservation Trust Fund experienced several unanticipated expenditures which include sewer/septic tank issues at the fairgrounds, construction cost of the new fairground concession stand/restroom building, the need for a double check water valve at the recreation field, and agreeing to pay for part of an awning project at the public park;

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 surpluses.

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

Section 1. That the 2023 appropriation for the Conservation Trust Fund, line number 60.660.51002 Fairgrounds Operations/Maintenance is hereby increased from \$5,000 to \$11,700 including the contingency.

Section 2. That the 2023 appropriation for the Conservation Trust Fund, line number 60.660.51003 Fairgrounds – Capital Outlay is hereby increased from \$20,000 to \$104,304 including the contingency.

Section 3. That the 2023 appropriation for the Conservation Trust Fund, line number 60.660.51008 CC Recreation Field is hereby increased from \$2,800 to \$5,000 including the contingency.

Section 4. That the 2023 appropriation for the Conservation Trust Fund, line number 60.660.52525 Parks Maintenance is hereby increased from \$10,000 to \$12,600 including the contingency.

Crowley County Board of County Commissioners
Blaine Arbuthnot, Chairman
Roy Elliott
Terry McMillian

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

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

RESOLUTION NO. 2023-8676

APPROVE BEING THE FISCAL AGENT FOR THE SOUTHEAST REGION ALL HAZARDS BOARD

Motion by McMillian, seconded by Arbuthnot to approve being the Fiscal Agent for the Southeast Region All Hazards Board.

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

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

RESOLUTION NO. 2023-8677

VOICE VOTE TO OPT-IN TO PROPOSITION 123 - STATE AFFORDABLE HOUSING FUND

Motion by McMillian, seconded by Arbuthnot to vote to opt-in to Proposition 123 - State Affordable Housing Fund. A Resolution will be prepared and voted on at a future date.

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

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

RESOLUTION NO. 2023-8678

APPROVE CONTRACT CHANGE ORDER FOR THE ORDWAY EAST SUBDIVISION

Motion by McMillian, seconded by Arbuthnot to approve the Contract Change Order for the Ordway East Subdivision. The change order results in a decrease in contract by the sum of \$34,074.00.

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

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

OTHER DISCUSSION

On August 30, 2023, Crowley County submitted a letter of support for broadband in Crowley County.

Requests for Proposal for management of Crowley County's information technology services were due at 8:00 a.m. today. Only one proposal was received from Triad estimating \$2,000 per month. The BOCC will consider the proposal at the next scheduled meeting.

MONTHLY PLANNING & ZONING HEARING

The board conducted a planning and zoning hearing. Those present were:

Commissioners: Arbuthnot and McMillian. Elliott was absent.

Deputy Clerk to the Board: LaShelle Benbow

Planning & Zoning Administrator: Matt Carter

Audience: Sue Ann Lowery

RESOLUTION NO. 2023-8679

SUBDIVISION EXEMPTION REQUEST, KENNETH HOPKINS, FILE NO. 2023-09

Kenneth Hopkins wants to separate 20 acres from an existing 78-acre parcel to sell to Chelsea Powell. The parcel is located on the southeast corner of Lane 14 and Road J, in Ordway. The Crowley County Planning and Zoning Commission heard the request on August 28, 2023, and recommended approval by the Board, subject to a new survey being completed and recorded with the County Clerk. The resolution follows:

WHEREAS, Kenneth Hopkins 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 08/28/2023; 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 Kenneth Hopkins is hereby approved.
2. The real property which is the subject of this resolution is described as follows: Southeast corner of the intersections of County Road J and Lane 14 in Ordway, Colorado.

The property is also known as:

N1/2 NW ¼ Section 8, Township 21S, Range 57W Excluding 2 Acres (78 Ac.)

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 Arbuthnot to approve the subdivision exemption request by Kenneth Hopkins, File No. 2023-09, subject to the completion of a new survey and that survey being recorded with the Crowley County Clerk.

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.

ATTEST:

Melinda Carter, County Clerk

Blaine Arbuthnot, Chairman