

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

OCTOBER 10, 2023

CALL TO ORDER

Board of County Commissioners met in regular session on October 10, 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-----Commissioner
LaShelle Benbow-----Deputy Clerk to the Board

PUBLIC HEARING - PROPOSED RESOLUTION FOR BUDGET CONTINGENCY

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

RESOLUTION NO. 2023-8701

APPROVE 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 Ordway Volunteer Fire Department has applied for a grant over the past two years to purchase a water tanker; and

WHEREAS, the grant was not approved yet the need for the tanker still existed; and

WHEREAS, Crowley County Commissioners found a water tanker in good condition that would meet the need; 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 surpluses.

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

Section 1. That the 2023 appropriation for the EMS/Fire Fund, line number 30.631.52000 Capital Outlay is hereby increased from \$0 to \$40,000 including the contingency.

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

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

RESOLUTION NO. 2023-8702

APPROVE SEPTEMBER 2023 BOCC MINUTES

Motion by Elliott, seconded by McMillian to approve the September 2023 board minutes.

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

Arbuthnot-----Aye

Elliott-----Aye

McMillian-----Aye

RESOLUTION NO. 2023-8703

APPROVE DHS DISBURSEMENTS, OCTOBER 10, 2023

Motion by Elliott, seconded by McMillian to approve the DHS disbursements for October 10, 2023, and authorize transfer of funds in the following amount:

DHS Fund \$22,765.67

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

Arbuthnot-----Aye

Elliott-----Aye

McMillian-----Aye

RESOLUTION NO. 2023-8704

APPROVE DISBURSEMENTS, OCTOBER 10, 2023

Motion by McMillian, seconded by Elliott to approve the disbursements for October 10, 2023, and authorize transfer of funds in the following amounts:

General Fund \$52,773.55

Road and Bridge Fund \$37,072.97

EMS Fire Fund \$1,665.36

Ambulance Fund \$3,808.36

Water Fund \$18,240.98

Conservation Trust Fund \$833.33

E911 Fund \$1,570.70

Total Disbursements \$115,965.25

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

Arbuthnot-----Aye

Elliott-----Aye

McMillian-----Aye

RESOLUTION NO. 2023-8705

APPROVE SECRETAC DISBURSEMENTS, OCTOBER 10, 2023

Motion by Elliott, seconded by McMillian to approve the SECRETAC disbursements for October 10, 2023, and authorize transfer of funds in the following amount:

SECRETAC Fund \$3,714.00

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

Arbuthnot-----Aye

Elliott-----Aye

McMillian-----Aye

RESOLUTION NO. 2023-8706

APPROVE CONTRACTS WITH LAVAAA FOR SENIOR CENTER FUNDING FOR THE SFY 2024

Motion by Elliott, seconded by McMillian to approve the contracts with LAVAAA for senior center funding for the SFY 2024. The contract period is from July 1, 2023 to June 30, 2024. Award amounts are \$3,750.00 in State funds and \$11,250.00 in III-B funds.

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

Arbuthnot-----Aye

Elliott-----Aye

McMillian-----Aye

RESOLUTION NO. 2023-8707

APPROVE PROPOSED BUDGET FOR 2024 AND NOTICE OF BUDGET PUBLICATION

Motion by McMillian, seconded by Elliott to approve the proposed budget for 2024 and the following notice of budget publication:

NOTICE OF BUDGET

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

Notice is hereby given that a proposed budget has been submitted to the Board of Crowley County Commissioners for the ensuing year of 2024; a copy of such proposed budget has been filed in the office of the Crowley County Commissioners, where the same is open for public inspection; such proposed budget will be considered at a regular meeting of the Board of Crowley County Commissioners to be held at the Courthouse Annex, 603 Main Street, Ordway, Colorado on December 11, 2023, at 8:30 a.m.

Any interested elector of Crowley County may inspect the proposed budget and file or register any objections thereto at any time prior to the final adoption of the budget.

Crowley County Board of County Commissioners

Blaine Arbuthnot, Chairman

Roy Elliott

Terry McMillian

Published Ordway New Era, October ____, 2023

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

Arbuthnot-----Aye

Elliott-----Aye

McMillian-----Aye

RESOLUTION NO. 2023-8708

APPROVE A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CROWLEY COUNTY, COLORADO, OPTING INTO PROPOSITION 123

Motion by Elliott, seconded by McMillian to approve the following Resolution:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CROWLEY COUNTY, COLORADO, OPTING INTO PROPOSITION 123

WHEREAS, the voters of Colorado approved Proposition 123 in 2022 creating the State Affordable Housing Fund to make certain funds available to local governments as defined by CRS-29-32-104; and

WHEREAS, Crowley County, Colorado is a Statutory County duly and regularly organized and validly existing as a body corporate and politic under and by virtue of the Constitution and laws of the state of Colorado and is eligible for Proposition 123 funding and programming; and

WHEREAS, the Board of County Commissioners authorizes the County staff to opt-in and set a baseline for the development of affordable housing as defined by Proposition 123; and

WHEREAS, with technical funding assistance from the Colorado Department of Local Affairs the County will begin the formal process to review its Zoning code for the possible adoption of the "Qualified Strategy" for "fast track review" for affordable housing applications to comply with Proposition 123.

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

Crowley County hereby elects to opt-in to Proposition 123 setting its baseline of 78 units with the goal to increase the County's affordable housing units by three (3) units a year or annualized goal of eight (8) units over 3 years.

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

Arbuthnot-----Aye

Elliott-----Aye

McMillian-----Aye

RESOLUTION NO. 2023-8709

APPROVE PROPERTY EASEMENT AGREEMENT BETWEEN CROWLEY COUNTY AND WILD WEED, LLC

Motion by Elliott, seconded by McMillian to approve the Property Easement Agreement between Crowley County and Wild Weed, LLC.

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

Arbuthnot-----Aye

Elliott-----Aye

McMillian-----Aye

RESOLUTION NO. 2023-8710

RATIFY LETTER OF AGREEMENT BETWEEN J. ANDREW GREEN & ASSOC., INC. AND BENT AND CROWLEY COUNTIES

Motion by McMillian, seconded by Elliott to approve the Letter of Agreement between J. Andrew Green & Assoc., Inc. and Bent and Crowley Counties. The term of the agreement begins on October 1, 2023 and ends September 30, 2024. The fee for services is \$48,000 which is split in half between Bent and Crowley County.

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

Arbuthnot-----Aye

Elliott-----Aye

McMillian-----Aye

RESOLUTION NO. 2023-8711

APPROVE A RESOLUTION OPPOSING A CHANGE TO THE SOUTH CENTRAL AND SOUTHEASTERN TRANSPORTATION PLANNING REGION BOUNDARIES

Motion by Elliott, seconded by McMillian to approve the following Resolution:

A RESOLUTION OPPOSING A CHANGE TO THE SOUTH CENTRAL AND SOUTHEASTERN TRANSPORTATION PLANNING REGION BOUNDARIES.

WHEREAS, the Crowley County Commissioners responsibilities include the health, safety, and welfare of the residents of Crowley County; and

WHEREAS, Crowley County is a member of the Southeastern Transportation Planning Region (TPR); and

WHEREAS the Colorado Department of Transportation initiated legislation for the 2023 General Assembly to review the TPR boundaries; and

WHEREAS, the legislation passed creating a process for reviewing the TPR boundaries; and,

WHEREAS, 2 CCR 601-22 Section 2.02.1 specifically identifies the conditions which must be met for requesting changes to TPR boundaries; and

WHEREAS, Section 2.02.1.3 states “A statement of justification for the change considering transportation commonalities;” and

WHEREAS, Section 2.02.1.4 states “A copy of the resolution stating the concurrence of the affected Regional Planning Commission;” and

WHEREAS, The Crowley County Commissioners feel that any change to the TPR boundary for the Southeastern and South Central TPRs will be detrimental to the planning process that has been in place for over 25 years; and

WHEREAS, there appears to be no benefit to the Southeastern and South Central TPRs in support of combining while another area of the State gains a vote on the Statewide Transportation Advisory Committee; and

WHEREAS, repeated objections from representatives from both South Central and Southeastern TPRs have been voiced to the CDOT representatives regarding the proposed boundary changes.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Crowley County Colorado that the proposed change in boundaries of the Southeastern TPR is hereby opposed.

BE IT FURTHER RESOLVED by the Board of County Commissioners that copies of this resolution be sent to the Transportation Commission, CDOT Headquarters, and the Governor of the State of Colorado.

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

Arbuthnot-----Aye

Elliott-----Aye

McMillian-----Aye

RESOLUTION NO. 2023-8712

APPROVE OPTION LETTER #1 TO GRANT EIAF 9516 - CROWLEY COUNTY WORKFORCE HOUSING PUBLIC IMPROVEMENTS

Motion by McMillian, seconded by Elliott to approve Option Letter #1 to the EIAF 9516 Crowley County Workforce Housing Public Improvements grant. This option extends the grant from October 31, 2023 to October 31, 2024 to allow completion of the infrastructure project.

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

On 10/23/2023 SECOR will make its decision if it would like Crowley County to be it's new Fiscal Agent. If so, contracts will be required with SECOR and the lawyer.

No further business appearing the meeting was recessed.

ATTEST:

Melinda Carter, County Clerk

Blaine Arbuthnot, Chairman