

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

OCTOBER 31, 2023

CALL TO ORDER

Board of County Commissioners met in regular session on October 31, 2023. The meeting was called to order by Chairman Blaine Arbuthnot at 9:00 a.m. The following were present:

Blaine Arbuthnot-----Chairman
Roy Elliott-----Vice Chairman
Terry McMillian-----Commissioner
LaShelle Benbow-----Deputy Clerk to the Board

RESOLUTION NO. 2023-8718

APPROVE DHS DISBURSEMENT, OCTOBER 25, 2023

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

DHS Fund \$6,184.59

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

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

RESOLUTION NO. 2023-8719

APPROVE OCTOBER 2023 PAYROLL

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

General Fund \$84,206.49
Road and Bridge Fund \$24,355.91
EMS Fire Fund \$2,381.02
Ambulance Fund \$10,333.80
DHS Fund \$40,829.33
Conservation Trust Fund \$43.02

Total Disbursement \$162,149.57

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

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

RESOLUTION NO. 2023-8720

APPROVE PAYROLL BENEFIT DISBURSEMENTS, OCTOBER 31, 2023

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

General Fund \$64,882.64
Road and Bridge Fund \$18,419.80
EMS Fire Fund \$2,555.96
Ambulance Fund \$5,718.42
DHS Fund \$32,819.84
Conservation Trust Fund \$8.64

Total Disbursement \$124,405.30

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

Arbuthnot-----Aye

Elliott-----Aye

McMillian-----Aye

RESOLUTION NO. 2023-8721

APPROVE DISBURSEMENTS, OCTOBER 31, 2023

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

General Fund \$44,845.57
Road and Bridge Fund \$278,595.76
EMS Fire Fund \$1,581.59
Ambulance Fund \$9,370.18
Water Fund \$74,430.31
DHS Fund \$525.50
E911 Fund \$2,490.00

Total Disbursements \$411,838.91

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

Arbuthnot-----Aye

Elliott-----Aye

McMillian-----Aye

RESOLUTION NO. 2023-8722

APPROVE SECRETAC DISBURSEMENTS, OCTOBER 31, 2023

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

SECRETAC Fund \$11,575.38

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

Arbuthnot-----Aye

Elliott-----Aye

McMillian-----Aye

RESOLUTION NO. 2023-8723

APPROVE PUBLICATION OF NOTICE OF BUDGETARY TRANSFER AND SUPPLEMENTAL BUDGET

Motion by Elliott, seconded by McMillian to approve the publication of the following notice:

NOTICE OF BUDGETARY TRANSFER AND SUPPLEMENTAL BUDGET

(Pursuant to 29-1-109, C.R.S.)

NOTICE is hereby given that a proposed budgetary transfer and supplemental budget has been submitted to the Crowley County Board of County Commissioners for the current fiscal year of 2023; a copy of such proposed budgetary transfer and supplemental 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 supplemental 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 November 27, 2023 at 8:30 a.m.

Any interested elector of Crowley County may inspect the proposed budgetary transfer and supplemental budget and file or register any objections thereto at any time prior to the final adoption of the supplemental budget, November 27, 2023, at 8:30 a.m.

Summary of Budgetary Transfer:

RESOLUTION FOR BUDGETARY TRANSFER

(Pursuant to Section 29-1-109, 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, there is a need to transfer budgeted and appropriated moneys from one fund to another fund.

WHEREAS, on August 31, 2023, under Resolution No. 2023-8676, Crowley County approved being the Fiscal Agent for the Southeast Region All Hazards Board. Projects and activities of this Board are funded by the State Homeland Security Program. Expenditures are paid up front and reimbursements are then requested from the State.

WHEREAS, no budget may show expenditures in excess of available revenues plus beginning fund balances (Section 29-1-103(2), C.R.S.). To avoid a violation of statute, funds are going to be transferred from General Fund to SE Region All Hazards Board Fund.

AND WHEREAS, when Crowley County ceases to be the Fiscal Agent for the Southeast Region All Hazards Board, the same amount of funds will be paid back (returned) to the Crowley County General Fund.

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

Section 1. That the sum of \$50,000 is hereby transferred from the General Fund 10, account 10.100.13063 Due From Other Fund to the SE Region All Hazards Board Fund 32, account 32.200.21900 Due to Other Funds.

Section 2. That the 2023 appropriation for the SE Region All Hazards Board Fund 32, is hereby increased from \$0.00 amount to \$50,000 for the following purpose: to provide initial funds to be able to purchase project expenditures.

Summary of Supplemental Budget:

RESOLUTION FOR SUPPLEMENTAL BUDGET AND APPROPRIATION

(Pursuant to Section 29-1-109, 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, on August 31, 2023, under Resolution No. 2023-8676, the Board of County Commissioners approved Crowley County to be the Fiscal Agent for the Southeast Region All Hazards Board. The receipt of the grant revenues as Fiscal Agent was not assured at the time of the adoption of the budget.

AND WHEREAS, Crowley County has been awarded \$236,887 in grant proceeds from the 2023 State Homeland Security Program.

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

Section 1. That the 2023 appropriation for the SE Region All Hazards Board Fund, 23SHS24SER Grant Funds, line number 32.803.2027 is hereby increased from \$0 to \$236,887 for the following purpose: to record any grant funds which have been paid to us for eligible purchases made under the grant.

Section 2. That the 2023 appropriation for the SE Region All Hazards Board Fund, 23SHS24SER Grant, line number 32.803.51881 M & A Services is hereby increased from \$0 to \$11,844 for the following purpose: to cover any cost incurred on or after the approval date of the corresponding grant, for any eligible management and administration costs.

Section 3. That the 2023 appropriation for the SE Region All Hazards Board Fund, 23SHS24SER Grant, line number 32.803.52011 Equipment is hereby increased from \$0 to \$225,043 for the following purpose: to cover any cost incurred on or after the approval date of the corresponding grant, for any eligible project equipment.

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

Elliott mentioned that the contract has been signed for construction of homes in the Ordway East area.

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

RESOLUTION NO. 2023-8724

APPROVE SUBDIVISION EXEMPTION REQUEST, RITA CONDIS AND KATHRYN M. LORDINO, FILE NO. 2023-11

Rita Condis and Kathryn M. Lordino are requesting the creation of a 6-acre m/l parcel from an existing 166-acre parcel. The proposed 6-acre parcel is located at 8531 County Lane 14, Ordway, Colorado and will be the home of Rita Condis. The remaining 160 acres will be sold to a neighbor for grazing. The Crowley County Planning and Zoning Commission heard the request on October 30, 2023, and recommended approval by the Board, subject to a new survey being completed and recorded with the County Clerk, all placing culverts in easements if required by the County, observing all existing easements and right of ways, and paying all applicable future taxes and fees. The resolution follows:

WHEREAS, Rita Condis and Kathryn M. Lordino have 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 10/30/2023; 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 Rita Condis and Kathryn M. Lordino 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:

NE1/4, Part of the N1/4 SE1/4 Section 7, Township 21S, Range 57W (166.33 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 Elliott, seconded by McMillian to approve the subdivision exemption request by Rita Condis and Kathryn M. Lordino, File No. 2023-11, subject to the completion of a new survey, recording the new survey, all placing culverts in easements if required by the County, observing all existing easements and right of ways, and paying all applicable future taxes and fees.

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