

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

NOVEMBER 30, 2023

**CALL TO ORDER**

Board of County Commissioners met in regular session on November 30, 2023. The meeting was called to order by Vice Chairman Roy Elliott at 8:30 a.m. Blaine Arbuthnot was absent. The following were present:

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

**RESOLUTION NO. 2023-8748**

**APPROVE DISBURSEMENTS, NOVEMBER 30, 2023**

Motion by McMillian, seconded by Elliott to approve the disbursements for November 30, 2023, and authorize transfer of funds in the following amounts:

General Fund \$196,736.56  
Road and Bridge Fund \$3,799.14  
EMS Fire Fund \$2,773.65  
Ambulance Fund \$6,416.04  
Water Fund \$648.80  
Conservation Trust Fund \$4,200.00

Total Disbursements \$214,574.19

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

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

**RESOLUTION NO. 2023-8749**

**APPROVE SECRETAC DISBURSEMENTS, NOVEMBER 30, 2023**

Motion by McMillian, seconded by Elliott to approve the SECRETAC disbursements for November 30, 2023, and authorize transfer of funds in the following amount:

SECRETAC Fund \$16,576.38

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

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

**OTHER BUSINESS OR DISCUSSION**

Ann Boswell and Jon Saunders, with SECOM, met with the commissioners. There are three pools of funding available for broadband; two are federal grants and one is a state grant. SECOM and SCEDD have submitted an application for funding. They should receive an answer within the next several weeks. If they are not awarded the funding, they will apply again.

The telecom industry has experienced challenges with Colorado Department of Transportation (CDOT). CDOT is wanting to charge fees for right-of-way access when they typically issue a waiver for other utility providers. There will likely be some legislation come out that will give waivers to telecom providers.

The Affordable Connectivity Program is a U.S. government program that helps many households pay for broadband service and internet-connected devices. For eligible households, it will pay \$30 per month towards internet service, and a one-time discount up to \$100 towards the purchase of a laptop, desktop computer, or tablet. More information can be obtained from <https://secom.net/affordable-connectivity-program/>.

## **PLANNING & ZONING HEARING**

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

Commissioners: Elliott and McMillian. Blaine Arbuthnot was absent.

Deputy Clerk to the Board: LaShelle Benbow

Planning & Zoning Administrator: Matt Carter was absent.

Audience: Sue Ann Lowery and Mike Cannon

## **RESOLUTION NO. 2023-8750**

### **SUBDIVISION EXEMPTION REQUEST, CAROL TUTTLE, FILE NO. 2023-10**

Carol Tuttle wishes to separate 8-9 acres m/l from an existing 40-acre parcel. The proposed parcel is where Carol currently resides. The parcel is located at 4380 County Lane 3, Olney Springs, CO 81062. The remaining 31 acres are to be put back in the Cannon family ranch. The Crowley County Planning and Zoning Commission heard the request on November 27, 2023, and recommended approval by the Board, subject to a new survey, the recording of the new survey, observing all existing easements and right of ways, and paying all applicable future taxes and fees. The resolution follows:

#### **RESOLUTION**

(APPROVING SUBDIVISION EXEMPTION)

CROWLEY COUNTY FILE NO. 2023-10

WHEREAS, Carol Tuttle 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 11/27/2023; 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 Carol Tuttle is hereby approved.
2. The real property which is the subject of this resolution is described as follows: 4380 County Lane 3, Olney Springs, CO 81062.

The property is also known as:

NW1/4, SW1/4 40 acres split from 11000026 Section 33, Township 21S, Range 59W (40Ac.)

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 Elliott to approve the subdivision exemption request by Carol Tuttle, File No. 2023-10, subject to the completion of a new survey, the recording of the new survey, 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-----Absent

Elliott-----Aye

McMillian-----Aye

#### **RESOLUTION NO. 2023-8751**

#### **SUBDIVISION EXEMPTION REQUEST, RANDY HARRIS, FILE NO. 2023-12**

Randy Harris wishes to exempt 2 acres from an existing 35-acre parcel near his residence at 3259 County Road B.5 in Fowler, Colorado. He plans on selling the new lot for a friend to build a home. A water meter has been secured from the Town of Fowler. There is a current meter remaining on the 33 acres for his own residence. SECPA will provide power to the location. The Crowley County Planning and Zoning Commission heard the request on November 27, 2023, and recommended approval by the Board, subject to a new survey, the recording of the new survey, observing all existing easements and right of ways, and paying all applicable future taxes and fees. Septic and Building permits will also be required for any future construction. The resolution follows:

#### **RESOLUTION**

(APPROVING SUBDIVISION EXEMPTION)

CROWLEY COUNTY FILE NO. 2023-12

WHEREAS, Randy Harris 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 11/27/2023; 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 Randy Harris is hereby approved.

2. The real property which is the subject of this resolution is described as follows: located at, or about, 2620 Hwy 167, Fowler, CO 81039.

The property is also known as:

Section 9, Township 22S, Range 59W: NW1/4 SW1/4 NW1/4, E1/2 SW1/4 NW1/4, N1/2 S W1/4 SW1/4 NW1/4.

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 Elliott to approve the subdivision exemption request by Randy Harris, File No. 2023-12, subject to the completion of a new survey, the recording of the new survey, observing all existing easements and right of ways, paying all applicable future taxes and fees, and obtaining the necessary septic an building permits for future construction. Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

Arbuthnot-----Absent

Elliott-----Aye

McMillian-----Aye

No further business appearing the meeting was recessed.

ATTEST:

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Melinda Carter, County Clerk

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Blaine Arbuthnot, Chairman