

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

DECEMBER 29, 2023

CALL TO ORDER

Board of County Commissioners met in regular session on December 29, 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

RESOLUTION NO. 2023-8770

APPROVE SPECIAL DISBURSEMENT, DECEMBER 21, 2023

Motion by Elliott, seconded by McMillian to approve the special disbursement for December 21, 2023. The amount of the disbursement is \$676.37 from the DHS Fund 50. No amount is requested from the Treasurer because it is to replace a voided check in the same amount.

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

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

RESOLUTION NO. 2023-8771

APPROVE DISBURSEMENTS, DECEMBER 29, 2023

Motion by McMillian, seconded by Elliott to approve the disbursements for December 29, 2023, and authorize transfer of funds in the following amounts:

General Fund \$61,352.18
Road and Bridge Fund \$4,905.28
EMS Fire Fund \$3,211.60
Ambulance Fund \$3,053.77
DHS Fund \$2,903.99

Total Disbursements \$75,426.82

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

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

RESOLUTION NO. 2023-8772

APPROVE SECRETAC DISBURSEMENTS, DECEMBER 29, 2023

Motion by Elliott, seconded by McMillian to approve the SECRETAC disbursements for December 29, 2023, and authorize transfer of funds in the following amount:

SECRETAC Fund \$29,218.00

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

Arbuthnot-----Aye

Elliott-----Aye

McMillian-----Aye

RESOLUTION NO. 2023-8773

APPROVE AMBULANCE CHARGE OFFS FOR 2023

Motion by Elliott, seconded by McMillian to approve ambulance charge offs totaling \$493,924.84, and includes 523 accounts.

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

Arbuthnot-----Aye

Elliott-----Aye

McMillian-----Aye

RESOLUTION NO. 2023-8774

APPROVE PERSONNEL POLICY HANDBOOK & APPENDIX REVISIONS EFFECTIVE JANUARY 1, 2024

Motion by Elliott, seconded by McMillian to approve the Personnel Policy Handbook and Appendix revisions effective January 1, 2024.

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

Arbuthnot-----Aye

Elliott-----Aye

McMillian-----Aye

RESOLUTION NO. 2023-8775

APPROVE INTERGOVERNMENTAL AGREEMENT BETWEEN CROWLEY COUNTY AND THE SOUTHEAST REGION ALL HAZARDS BOARD

Motion by Elliott, seconded by McMillian to approve the Intergovernmental Agreement for the State Homeland Security Grant Program, between Crowley County and the Southeast Region All Hazards Board.

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

Arbuthnot-----Aye

Elliott-----Aye

McMillian-----Aye

RESOLUTION NO. 2023-8776

APPROVE MOU AMENDMENT #1 BETWEEN THE COLORADO DEPARTMENT OF EARLY CHILDHOOD AND CROWLEY COUNTY DEPARTMENT OF HUMAN SERVICES

Motion by McMillian, seconded by Elliott to approve the Memorandum of Understanding Amendment #1 between The Colorado Department of Early Childhood and Crowley County Department of Human Services. By signing the Agreement, both parties agree to reaffirm the MOU for another year from date of signature.

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

Arbuthnot-----Aye

Elliott-----Aye

McMillian-----Aye

RESOLUTION NO. 2023-8777

APPROVE CHILD SUPPORT LEGAL SERVICE CONTRACT

Motion by Elliott, seconded by McMillian to approve the Child Support Enforcement Purchase of Legal Services Agreement from January 1, 2024 to December 31, 2024. The estimated contract amount is \$12,000.

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

Arbuthnot-----Aye

Elliott-----Aye

McMillian-----Aye

RESOLUTION NO. 2023-8778

APPROVE MEMORANDUM OF UNDERSTANDING BETWEEN 16TH JUDICIAL DISTRICT ATTORNEY AND BENT COUNTY, CROWLEY COUNTY, AND OTERO COUNTY

Motion by McMillian, seconded by Elliott to approve the Memorandum of Understanding between the 16th Judicial District Attorney, Bent County, Crowley County and Otero County. The term is from January 1, 2024 to December 31, 2024. The yearly percentage owed by each County is as follows: Bent County 18.69%, Crowley County 18.69%, and Otero County 62.62%. The 2024 allocation is for a total of \$870,705.

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

Arbuthnot-----Aye

Elliott-----Aye

McMillian-----Aye

RESOLUTION NO. 2023-8779

APPROVE RESOLUTION TO ENTER INTO THE 2024 MOU WITH THE 16TH JUDICIAL DISTRICT ATTORNEY

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

WHEREAS, pursuant to C.R.S. 20-1-302, the District Attorneys of each judicial district in the State of Colorado are entitled to collect and receive of and from the respective counties in the District Attorney's judicial district the cost of the necessary expenses of maintaining an office for the transaction of official business; and

WHEREAS, the counties located in the Sixteenth Judicial District are Bent County, Crowley County, and Otero County; and

WHEREAS, the counties in the Sixteenth Judicial District have agreed to a cost-sharing formula; and

WHEREAS, the Counties are desirous of maintaining the same cost-sharing formula until the 2030 Census.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Crowley, Colorado, that:

1. Crowley County is hereby authorized to enter into the 2024 Memorandum of Understanding pertaining and/or relating to the 16th Judicial District Attorney among Otero County, Colorado, Bent County, Colorado, Crowley County, Colorado, and the 16th Judicial District Attorney with regard to the 2024 budget.
2. That the Chairman of the Board of County Commissioners of Crowley County, State of Colorado, and the Crowley County Clerk and Recorder are hereby authorized to sign the MOU referenced above together with any ancillary documents necessary to effectuate the MOU.

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

Arbuthnot-----Aye

Elliott-----Aye

McMillian-----Aye

RESOLUTION NO. 2023-8780

APPROVE LETTER OF ACCEPTANCE FOR THE 2022 STATE HOMELAND SECURITY PROGRAM GRANT

Motion by Elliott, seconded by McMillian to approve the Letter of Acceptance for the 2022 State Homeland Security Program Grant in the amount of \$212,630, for a term from December 12, 2023 to August 31, 2025.

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

Arbuthnot-----Aye

Elliott-----Aye

McMillian-----Aye

RESOLUTION NO. 2023-8781

APPROVE LETTER OF ACCEPTANCE FOR THE 2021 STATE HOMELAND SECURITY PROGRAM GRANT

Motion by McMillian, seconded by Elliott to approve the Letter of Acceptance for the 2021 State Homeland Security Program Grant in the amount of \$109,147.18, for a term from December 12, 2023 to August 31, 2024.

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

Arbuthnot-----Aye

Elliott-----Aye

McMillian-----Aye

PLANNING AND 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. 2023-8782

SUBDIVISION EXEMPTION REQUEST, MICHAEL MARRIOTT (REPRESENTATIVE FOR CHARLIE AND DOROTHY MARRIOTT ESTATE), FILE NO. 2023-13

Mike Marriott wishes to separate 4.91 acres m/l from an existing 240-acre parcel. This will separate the residence from ranchland so it can be purchased to live in or sell at a later time. The address is: 4985 County Road R, Olney Springs, CO 81062. The remaining land will remain as the family ranch. The Crowley County Planning and Zoning Commission heard the request on December 26, 2023, and recommended approval by the Board, subject to the recording of the new survey, observing all existing easements and right of ways, and paying all future taxes and fees. The resolution follows:

RESOLUTION

(APPROVING SUBDIVISION EXEMPTION)

CROWLEY COUNTY FILE NO. 2023-13

WHEREAS, Michael Marriott, Representative for Charlie and Dorothy Marriott Estate, 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 12/26/2023; 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 Michael Marriott, Representative for Charlie and Dorothy Marriott Estate, is hereby approved.
2. The real property which is the subject of this resolution is described as follows: 4985 County Road R, Olney Springs, CO 81062.

The property is also known as:

Section: 3 Township: 20 Range: 59W SE1/4, E ½ SW1/4 (240 Acres) Parcel Number 10900356 Crowley County, Colorado

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 Michael Marriott, Representative for Charlie and Dorothy Marriott Estate, File No. 2023-13, subject to the recording of the new survey, observing all existing easements and right of ways, and paying all 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