

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

MARCH 29, 2024

CALL TO ORDER

Board of County Commissioners met in regular session on March 29, 2024. 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
Tony Hagans-----Audience

DISCUSSION WITH AUDIENCE

Tony Hagans attended the meeting to follow up on the Stellar Solar Farm. Today, an update on the solar project was due. Stellar Solar will be providing a written report to Matt Carter. Tony asked for a copy of the report when it is received.

Tony also discussed his concerns regarding the storm damage to the Texas solar farm. There are concerns that cadmium is leaking out of the panels into the ground and will require cleanup by the Environmental Protection Agency. This may be something the Commissioners would like to discuss with the companies installing local solar projects.

Concerns were also discussed about the Texas and Colorado fires that were caused by faulty equipment of Xcel Energy, and the pending lawsuits.

RESOLUTION NO. 2024-8856

APPROVE SPECIAL DISBURSEMENT, MARCH 25, 2024

Motion by Elliott, seconded by McMillian to approve the special disbursement for March 25, 2024, and authorize transfer of funds in the following amount:

Conservation Trust Fund \$1,300.00

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

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

RESOLUTION NO. 2024-8857

APPROVE MARCH 2024 PAYROLL

Motion by McMillian, seconded by Elliott to approve the disbursements for March 2024 payroll, and authorize transfer of funds in the following amounts:

General Fund \$90,012.01
Road and Bridge Fund \$23,749.31
EMS Fire Fund \$2,440.27
Ambulance Fund \$10,485.96
DHS Fund \$40,343.34

Total Disbursement \$167,030.89

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

Arbuthnot-----Aye

Elliott-----Aye

McMillian-----Aye

RESOLUTION NO. 2024-8858

APPROVE PAYROLL BENEFIT DISBURSEMENTS, MARCH 29, 2024

Motion by Elliott, seconded by McMillian to approve the payroll benefit disbursements for March 29, 2024, and authorize transfer of funds in the following amounts:

General Fund \$69,970.88

Road and Bridge Fund \$19,141.91

EMS Fire Fund \$2,636.97

Ambulance Fund \$6,164.56

DHS Fund \$34,993.95

Total Disbursement \$132,908.27

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

Arbuthnot-----Aye

Elliott-----Aye

McMillian-----Aye

RESOLUTION NO. 2024-8859

APPROVE DISBURSEMENTS, MARCH 29, 2024

Motion by McMillian, seconded by Elliott to approve the disbursements for March 29, 2024, and authorize transfer of funds in the following amounts:

General Fund \$56,101.88

Road and Bridge Fund \$2,551.78

EMS Fire Fund \$800.33

SERAHB Fund \$20.94

Ambulance Fund \$3,454.76

Water Fund \$5,007.03

DHS Fund \$851.73

Conservation Trust Fund \$833.33

E911 Fund \$909.00

SECOR Fund \$9,083.37

Total Disbursements \$79,614.15

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

Arbuthnot-----Aye

Elliott-----Aye

McMillian-----Aye

RESOLUTION NO. 2024-8860

APPROVE SECRETAC DISBURSEMENTS, MARCH 29, 2024

Motion by Elliott, seconded by McMillian to approve the SECRETAC disbursements for March 29, 2024, and authorize transfer of funds in the following amount:

SECRETAC Fund \$38,709.20

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

Arbuthnot-----Aye

Elliott-----Aye

McMillian-----Aye

RESOLUTION NO. 2024-8861

APPROVE RESOLUTION PROTECTING THE SECURITY AND QUALITY OF LIFE OF THE CITIZENS OF CROWLEY COUNTY

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

A RESOLUTION PROTECTING THE SECURITY AND QUALITY OF LIFE OF THE CITIZENS OF CROWLEY COUNTY

WHEREAS, the County of Crowley is not, and will not, become a Sanctuary County, and

WHEREAS, the Federal Government continues to fail to secure our southern border, resulting in millions of immigrants entering our country and putting catastrophic stress on services such as hospitals, schools, and housing in “sanctuary cities,” and

WHEREAS, The Crowley County Board of Commissioners firmly believes any person immigrating to the United States should do so in a legal manner, following all applicable laws, and

WHEREAS, Crowley County lacks the infrastructure and other resources necessary to accommodate any number of undocumented persons and/or illegal immigrants including sheltering, social services, public health, and public safety.

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

1. Crowley County is NOT a sanctuary county and will not open shelters or provide services to illegal immigrants that arrive in Crowley County.
2. Crowley County will continue to place the needs of our local citizens first above requests for emergency or long-term assistance from non-citizens.
3. The Board of Commissioners affirms remaining a Non-Sanctuary County and asserts it will not spend taxpayer dollars on services related to this crisis.

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

Arbuthnot-----Aye

Elliott-----Aye

McMillian-----Aye

OTHER BUSINESS - 10:00 AM

Liam Gildea, the project manager for Stellar Renewable Power, stopped by to give an update on the Colt Creek (Rouse property) project. Those in attendance include: Jordan Bunch (via telephone), Mary Beth Tucker, Pete Aragon Jr., Sue Ann Lowery, Tobe Allumbaugh, Blaine Arbuthnot, Roy Elliott, Terry McMillian, Matt Carter, and LaShelle Benbow.

The Colt Creek project has been making a lot of progress. The progress update has been divided into sections; they are real estate, permitting, interconnection, contracting, and construction. The following is the update provided by Liam.

Real Estate - the right of way has been negotiated with Xcel Energy (a.k.a P.S. Co.).

Permitting - due diligence has been completed for the entire property. The wetland delineation indicated that there is no impact to water. The threatened and endangered species study indicated that there are no endangered or threatened species in the location.

Interconnection - Stellar is on the backup bid list for Xcel's RFP. They will be included in the cluster studies which will occur in 2025.

Construction - Stellar has selected McCarthy as their EPC partner. Matt Carter asked why they were selected as the preferred partner. Liam said that there were a lot of factors that came into play, but their experience, size, capabilities within the region, and price were important. They have also selected major equipment partners for the RFP. They are currently negotiating agreements with these companies.

Blaine asked if they propose an expansion, will there be battery storage. Liam replied yes.

Next steps forward are noted below.

Real Estate - they are working on mineral rights
Permitting - looking to expand CUP to include additional 400 MW.
Interconnection - pending results of the cluster studies.
Contracting - contract for 400+ KW.
Construction - procuring the long lead items (2 years out).

Pete Aragon asked if the project was adjacent to the Xcel Energy line. Liam replied yes.

Roy Elliott mentioned that Tony Hagans brought up a concern regarding cadmium in the panels, and potential damage resulting in leakage into the ground. Liam was not sure if the panels contain cadmium or not. He will look into the specifications and let the commissioners know.

Pete Aragon asked if soil conservation and erosion discussions have occurred. Liam said that the Geotech company is working on the maintenance and decommission plan which would address that.

Blaine Arbuthnot asked if Stellar has any completed projects that can be visited. Liam mentioned that Stellar does not have any "built" projects, but they do have properties under their operation and maintenance program. One such property is located in Nevada.

Sue Ann Lowery asked if there would be any delays related to the decommissioning of the project site. Liam explained that most of the materials can be recycled or reused in future projects. They are confident that they would not run into equipment removal delays while decommissioning the site.

Pete Aragon asked what the timeframe is. Liam said we are looking at second quarter in 2027.

Tobe Allumbaugh asked if the power was being provided to Crowley County as there is a shortage of power. Explained that Xcel serves Denver and other areas, but not Crowley County. Other power providers, like Black Hills, will receive benefit of the line.

No further business appearing the meeting was recessed.

ATTEST:

Melinda Carter, County Clerk

Blaine Arbuthnot, Chairman