

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

DECEMBER 31, 2024

CALL TO ORDER

Board of County Commissioners met in regular session on December 31, 2024. The meeting was called to order by Chairman Roy Elliott at 8:30 a.m. Terry McMillian was absent. The following were present:

Roy Elliott, Chairman
Blaine Arbuthnot, Commissioner
LaShelle Benbow, Deputy Clerk to the Board

RESOLUTION NO. 2024-9118

APPROVE DHS DISBURSEMENTS, DECEMBER 26, 2024

Motion by Arbuthnot, seconded by Elliott to approve the DHS disbursements for December 26, 2024, and authorize transfer of funds in the following amount:

General Fund \$25.00
DHS Fund \$10,198.48

Total Disbursements: \$10,223.48

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

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

RESOLUTION NO. 2024-9119

APPROVE DECEMBER 2024 PAYROLL

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

General Fund \$94,256.25
Road and Bridge Fund \$26,122.45
EMS Fire Fund \$2,356.16
Ambulance Fund \$12,711.33
DHS Fund \$42,644.24

Total Disbursement \$178,090.43

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

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

RESOLUTION NO. 2024-9120

APPROVE PAYROLL BENEFIT DISBURSEMENTS, DECEMBER 31, 2024

Motion by Arbuthnot, seconded by Elliott to approve the payroll benefit disbursements for December 31, 2024, and authorize transfer of funds in the following amounts:

General Fund \$76,303.04
Road and Bridge Fund \$17,842.70
EMS Fire Fund \$2,811.77
Ambulance Fund \$7,449.29
DHS Fund \$34,890.73

Total Disbursement \$139,297.53

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

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

RESOLUTION NO. 2024-9121

APPROVE DISBURSEMENTS, DECEMBER 31, 2024

Motion by Arbuthnot, seconded by Elliott to approve the disbursements for December 31, 2024, and authorize transfer of funds in the following amounts:

General Fund \$139,608.00
Road and Bridge Fund \$3,306.70
EMS Fire Fund \$3,789.49
Ambulance Fund \$19,981.20
Water Fund \$418.05
DHS Fund \$5,643.92
Conservation Trust Fund \$833.33
SECOR Fund \$2,082.93

Total Disbursements \$175,663,66

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

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

RESOLUTION NO. 2024-9122

APPROVE SECRETAC DISBURSEMENTS, DECEMBER 31, 2024

Motion by Arbuthnot, seconded by Elliott to approve the SECRETAC disbursements for December 31, 2024, and authorize transfer of funds in the following amount:

SECRETAC Fund \$8,866.09

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

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

RESOLUTION NO. 2024-9123

APPROVE OEM DISBURSEMENTS, DECEMBER 31, 2024

Motion by Arbuthnot, seconded by Elliott to approve the OEM disbursements for December 31, 2024, and authorize transfer of funds in the following amount:

EMS Fund \$559.52

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

Arbuthnot-----Aye

Elliott-----Aye

McMillian-----Absent

RESOLUTION NO. 2024-9124

APPROVE BENT'S FORT WATER AUTHORITY ESTABLISHING CONTRACT

Motion by Arbuthnot, seconded by Elliott to approve the Bent's Fort Water Authority Establishing Contract.

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

Arbuthnot-----Aye

Elliott-----Aye

McMillian-----Absent

RESOLUTION NO. 2024-9125

APPROVE RESOLUTION APPROVING AN AGREEMENT BETWEEN CROWLEY COUNTY AND OTERO COUNTY, ESTABLISHING THE BENT'S FORT WATER AUTHORITY TO BE LOCATED IN OTERO COUNTY

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

APPROVING AN AGREEMENT BETWEEN CROWLEY COUNTY, COLORADO AND OTERO COUNTY, COLORADO, ESTABLISHING THE BENT'S FORT WATER AUTHORITY TO BE LOCATED IN OTERO COUNTY

WHEREAS, Crowley County and Otero County are each duly and regularly created, organized and existing political subdivisions and public bodies corporate of the State of Colorado; and

WHEREAS, Crowley County and Otero County are authorized by the provisions of Colo. Const. Art. XIV, §18, and C.R.S. 29-1-201, et seq., to enter into contracts with other political subdivisions of the State of Colorado; and

WHEREAS, Crowley County and Otero County are authorized by the provision of C.R.S. §29-1-204.2 to establish a water authority to be used to effect the development of water resources, systems and facilities, in whole or in part, for the benefit of the inhabitants and service users of the contracting parties or others at the discretion of the board of directors of the authority; and

WHEREAS, in order for the Bent's Fort Water Company to obtain federal grants and low interest rate loans from the Colorado Water Resources and Power Development Authority, Bent's Fort Water Company is required to be organized as a local government for state law purposes; and

WHEREAS, in order to become organized as a local government, Bent's Fort Water Company approached Crowley County and Otero County requesting that they form a water authority pursuant to their statutory powers to better serve the residents and rate payers of the Bent's Fort Water Company system; and

WHEREAS, there has been presented to the Boards of County Commissioners of Crowley County and Otero County (the "Board") the form of Establishing Contract for the Bent's Fort Water Authority; and

WHEREAS, Crowley County and Otero County have determined it is in the best interests of their constituents and service users to establish a water authority to be known as the Bent's Fort Water Authority to provide water service within portions of Otero County; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CROWLEY COUNTY, COLORADO (THE "BOARD"):

Section 1) Approval of Establishing Contract and Ratification and Approval of Prior Actions. The Board of County Commissioners hereby approves the Bent's Fort Water Authority Establishing Contract in the form presented at this meeting. All action heretofore taken (not inconsistent with the provisions of this resolution) by the Board, or the officers or agents of the Board or the County, relating to the formation of the Bent's Fort Water Authority is hereby ratified, approved and confirmed.

Section 2) Findings Relating to the Bent's Fort Water Authority. The Board hereby finds and determines that pursuant to Section 29-1-204.2, C.R.S., the creation of the Bent's Fort Water Authority is necessary for the development of water resources, systems, or facilities or of drainage facilities in whole or in part for the benefit of the inhabitants of Crowley County and Otero County.

Section 3) Finding of Best Interests. The Board hereby finds and determines the creation of the Bent's Fort Water Authority is necessary, convenient and in furtherance of the County's purposes and is in the best interests of the inhabitants of the County; and the Board hereby authorizes and approves such creation.

Section 4) Authorization to Execute Collateral Documents. Any member of the Board of County Commissioners, the County Manager, or other appropriate officials or agents of the Board or the County, are hereby authorized to execute and deliver for and on behalf of the County any and all additional certificates, documents, instruments and other papers, and to perform all other acts that they may deem necessary or appropriate, in order to implement and carry out the transactions and other matters authorized by this resolution, including but not limited to the execution of the Bent's Fort Water Authority Establishing Contract and such other documents, certificates and affidavits as may be necessary. The execution of any instrument by the aforementioned officers or members of the Board shall be conclusive evidence of the approval by the Board of such instrument in accordance with the terms hereof and thereof.

Section 5) Repealer. All bylaws, orders and resolutions of the Board, or parts thereof, inconsistent with this resolution or with the Bent's Fort Water Authority Establishing Contract hereby approved, are hereby repealed only to the extent of such inconsistency. This repealer shall not be construed as reviving any bylaw, order or resolution of the Board, or part thereof, heretofore repealed.

Section 6) Effective Date. This resolution shall be in full force and effect upon its passage and adoption.

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

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

RESOLUTION NO. 2024-9126

APPROVE REVISED LETTER TERMINATING OUR FISCAL AGENT AGREEMENT WITH THE SOUTHEAST REGION ALL HAZARD BOARD

Motion by Arbuthnot, seconded by Elliott to approve a revised letter terminating our Fiscal Agent Agreement with 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-----Absent

No further business appearing, the meeting was recessed.

ATTEST:

Melinda Carter, County Clerk

Roy Elliott, Chairman