

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

MARCH 17, 2025

CALL TO ORDER

Board of County Commissioners met in regular session on March 17, 2025. The meeting was called to order by Chairman Roy Elliott at 9:00 a.m. The following were present:

Roy Elliott, Chairman

Terry McMillian, Vice Chairman

Vicki Powell, Commissioner

LaShelle Benbow, Deputy Clerk to the Board

Audience: Gary Massey and Eric Roberts, Trustees for the Town of Sugar City; and Jim McCuiston.

RESOLUTION NO. 2025-9199

APPROVE LETTER OF SUPPORT FOR MATT HEIMERICH'S REAPPOINTMENT AS CROWLEY COUNTY REPRESENTATIVE ON THE SOUTHEAST COLORADO CONSERVANCY DISTRICT BOARD OF DIRECTORS

Motion by McMillian, seconded by Powell to approve a letter of support for Matt Heimerich's reappointment as Crowley County Representative on the Southeast Colorado conservancy District Board of Directors.

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

Elliott - Aye

McMillian - Aye

Powell - Aye

RESOLUTION NO. 2025-9200

APPROVE RETAIL LIQUOR LICENSE RENEWAL APPLICATION FOR CORNER POST LIQUOR, LLC

Motion by McMillian, seconded by Powell to approve the liquor license renewal for Corner Post Liquor, LLC. There have been no violations on this license in the past twelve months.

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

Elliott - Aye

McMillian - Aye

Powell - Aye

RESOLUTION NO. 2025-9201

APPROVE REVISED QUOTE WITH WYOIT, LLC

Motion by Powell, seconded by Elliott to approve the revised quote between WYOIT, LLC and Crowley County for information technology services. The initial quote of a 12-month period at a cost of \$1,143 monthly, and one-time costs of \$3,240, was strictly for the employees within the Annex/Administration building. This quote modifies the contract to cover all department and employees, except for the Sheriff's Office. The monthly recurring cost is \$5,141, and a one-time cost of \$3,240.

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

Elliott - Aye

McMillian - Against

Powell - Aye

RESOLUTION NO. 2025-9202

APPROVE SPECIAL DISBURSEMENTS, MARCH 13, 2025

Motion by Powell, seconded by McMillian to approve the special disbursement dated March 13, 2025, in the amount of \$3,333.33 (SECRETAC Fund). No funds are being requested from the Treasurer, because the original check #86494 was voided due to being lost in the mail and another check was issued in its place.

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

Elliott - Aye

McMillian - Aye

Powell - Aye

RESOLUTION NO. 2025-9203

APPROVE PURCHASE AND SALE AGREEMENT BETWEEN JTB FARM, LLC AND CROWLEY COUNTY TO PURCHASE 54 PAIRED SHARES OF WATER (LAKE MEREDITH AND COLORADO CANAL)

Motion by McMillian, seconded by Powell to approve the Purchase and Sale Agreement between JTB Farm, LLC and Crowley County for 54 paired water shares. The BOCC agrees to allow JTB Farm, LLC to use the 54 paired water shares for revegetation purposes for a 2-year period. JTB Farm, LLC will pay the assessments on the paired water shares for the years used.

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

Elliott - Aye

McMillian - Aye

Powell - Aye

RESOLUTION NO. 2025-9204

OTHER BUSINESS OR DISCUSSION - TOWN OF SUGAR CITY WATER LEAK

Gary Massey and Eric Roberts provided quotes to the commissioners. The estimate for fixing the leak on Highway 96 and Nebraska is approximately \$40,798 plus or minus \$5,000. Motion by McMillian, seconded by Powell to contribute \$25,000 to the Town of Sugar City for repairing this water leak. Upon receipt of an invoice from the Town of Sugar City, the proceeds will be expensed from marijuana cultivation fees (10.500.51816).

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

Elliott - Aye

McMillian - Aye

Powell - Aye

RESOLUTION NO. 2025-9205

OTHER BUSINESS OR DISCUSSION - JIM MCCUISTION

Jim McCuiston spoke to the commissioners about two topics. 96 Pipeline agreed to purchase 20 paired water shares for the amount of \$7,500 per paired share, for a total amount of \$150,000. He brought in a check. A purchase and sales agreement will be prepared and approved at the 03/24/25 BOCC meeting, and the original certificates will be delivered to the canal office for transfer of 20 paired water shares to 96 Pipeline.

Jim McCuiston also approached the Board about contributing \$5,000 to sponsor a rodeo. Motion by Powell, seconded by Elliott to contribute \$5,000 to the Fair board for the rodeo. Upon receipt of an invoice from the Fair board, the proceeds will be expensed from marijuana cultivation fees (10.500.51816).

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

Elliott - Aye

McMillian - Aye

Powell - Aye

RESOLUTION NO. 2025-9206**OTHER BUSINESS OR DISCUSSION - NEW FAX LINE**

Motion by McMillian, seconded by Powell to have Gobin's, Inc. install a board on our existing photocopier to allow it to operate as a fax machine as well. A new fax line will be obtained for the Coroner's office.

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

Elliott - Aye

McMillian - Aye

Powell - Aye

OTHER BUSINESS OR DISCUSSION - REVISED SCHEDULE AND DUTIES FOR THE COUNTY JANITOR

The Board discussed revising the duties and schedule for the County janitor. Safety issues such as strung cords or wet floors were discussed. Some of the new duties were discussed with the Janitor, to some of which he stated he would not do. Janitorial duties will be monitored by personnel and documented.

OTHER BUSINESS OR DISCUSSION - KEITH BENBOW

Keith Benbow, Operator for Crowley County Water Association, talked to the Board about PFAS. Crowley County tested positive for PFAS in its drinking water. According to the State this must be removed from the system. A granulated activated carbon system can remove it. Both CCWA and Crowley County are working with GMS, Inc. to apply for grants to provide funding for the preliminary engineering costs to determine the cost of changes to the system which will be necessary to meet PFAS requirements.

He also mentioned that he learned at a recent training that before groundbreaking can be started on new storage tanks the designs must be approved by the State. The commissioners will need to submit their storage tank designs to the State for approval.

OTHER BUSINESS OR DISCUSSION - Stellar Renewable Power

Garett Klone and Liam Gildea, with Stellar Renewable Power, dropped by to speak with Matt Carter and the commissioners to provide an update on the solar project and their desire to expand the project. They have been continuing their discussions with Xcel, and are now entering into the provisional large generator interconnections agreement. There have been some delays which have extended the operational date to April 2029. The construction phase would be the 2-3 years before this date. They are currently working to procure water for the construction period. They will need 100 acre foot of water during the construction process, and 5-10 acre feet of water after construction for panel washing. They are reaching out to commercial well owners, the Town of Sugar City, and the Town of Ordway to see if they can reach an agreement for water. The property due diligence has been completed.

They also discussed their desire to expand the project into a second phase, which will expand the solar panels into the remaining 2,570 acres which are to the south of the original project (which was approved up to 2,830 acres). Some discussion occurred whether or not this expansion will need to go through the Planning and Zoning Board and the Board or County Commissioners, or just the Board of County Commissioners. Advice will be obtained from legal council.

Matt Carter mentioned that there was an error in the location description in the original Use By Review request, which was approved under Resolution No. 2023-8552. A corrected description will be submitted to the BOCC at the next meeting for approval.

No further business appearing the meeting was recessed.

ATTEST:

Melinda Carter, County Clerk

Roy Elliott, Chairman