

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

December 11, 2017

CALL TO ORDER

Board of County Commissioners met in regular session on December 11, 2017. The meeting was called to order by Chairman T. E. Allumbaugh at 8:30 a.m. The following were present:

T. E. Allumbaugh-----Chairman
Frank Grant-----Vice Chairman
Gary Gibson-----Member
Mike Apker-----Deputy Clerk to the Board

Also present:

RESOLUTION NO. 7307

APPROVAL DISBURSEMENTS, DECEMBER 11, 2017

Motion by Grant, seconded by Gibson to approve the disbursements from December 11, 2017 and authorize transfer of funds in the following amounts:

General Fund	\$163,848.52
Road and Bridge Fund	\$ 12,900.02
EMS Fire Fund	\$ 5,743.54
Ambulance Fund	\$ 926.90
Water Fund	\$ 5,436.75
Total	\$188,855.73

CTF Fund \$ 182.69

E911 Fund \$ 148.21

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

Allumbaugh-----Aye
Gibson-----Aye
Grant-----Aye

RESOLUTION NO. 7308

APPROVAL DHS DISBURSEMENTS, DECEMBER 11, 2017

Motion by Gibson, seconded by Grant to approve the DHS disbursements for December 11, 2017 and authorize transfer of funds in the following amount:

DHS Fund	\$85,177.77
DHS Fund	\$ 930.32

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

Allumbaugh-----Aye
Gibson-----Aye
Grant-----Aye

RESOLUTION NO. 7309

APPROVAL NOVEMBER BOARD MINUTES

Motion by Grant, seconded by Gibson to approve the November board minutes.

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

Allumbaugh-----Aye
Gibson-----Aye
Grant-----Aye

PUBLIC HEARING PROPOSED CROWLEY COUNTY 2018 BUDGET

Chairman T. E. Allumbaugh opened the public hearing for comments on the proposed adoption of the 2018 Crowley County Budget and the Crowley County Department of Human Services Budget. The hearing was opened at 8:30 a.m.

Those present were:

Commissioners: Allumbaugh, Gibson and Grant
Others present: Mike Apker, Deputy Clerk to the Board

There were no objections from the public either in writing or verbal.

Chairman Allumbaugh closed the public hearing at 8:45 a.m.

The board went back into regular session

**RESOLUTION NO. 7310
APPROVAL CROWLEY COUNTY BUDGET 2018**

Motion by Grant, seconded by Gibson to approve the 2018 Crowley County Budget as prepared by the Crowley County Commissioners.

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

Allumbaugh-----Aye
Gibson-----Aye
Grant-----Aye

**RESOLUTION NO. 7311
APPROVAL CROWLEY COUNTY DHS BUDGET 2018**

Motion by Gibson, seconded by Grant to approve the 2018 Crowley County DHS Budget as prepared by the Crowley County Department of Human Services.

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

Allumbaugh-----Aye
Gibson-----Aye
Grant-----Aye

**RESOLUTION NO. 7312
APPROVAL RESOLUTION TO LEVY PROPERTY TAXES FOR 2018**

Motion by Grant, seconded by Gibson to adopt the following resolution:

A RESOLUTION LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2017 TO HELP DEFRAY THE COST OF GOVERNMENT FOR THE COUNTY OF CROWLEY, COLORADO, FOR THE 2018 BUDGET YEAR.

WHEREAS, the Board of County Commissioners of Crowley County has adopted the annual budget in accordance with the Local Government Budget Law, on December 11, 2017 and;

WHEREAS, the amount of money necessary to balance the budget for general operation purposes is \$1,957,334;

WHEREAS, the 2017 valuation of assessment for Crowley County as certified by the County Assessor is \$47,284,332;

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

Section 1. That for the purpose of meeting all general operating expenses of the County of Crowley during the 2018 budget year, there is hereby levied a tax of 41.395 mills upon each dollar of the total valuation for assessment of all taxable property within the County for the year 2017. This includes a abatement tax of .053 mills and a temporary tax credit of 0.739 mills.

General Fund	30.581	mills
General Fund (abatement)	.053	mills
General Fund (temporary tax credit)	(0.739)	mills
Road and Bridge Fund	6.750	mills
EMS/Fire Fund	1.500	mills
Contingent Fund	.000	mills
Human Services Fund	3.250	mills
Total mill levy	41.395	mills

Section 2. That the Crowley County Board of County Commissioners is hereby authorized and directed to immediately certify the mill levies for the County of Crowley as herein after determined and set.

Adopted this 11th day of December, 2017.

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

Allumbaugh-----Aye
Gibson-----Aye
Grant-----Aye

RESOLUTION NO. 7313

APPROVAL RESOLUTION AUTHORIZING EXPENDITURES AND REVENUES FOR EACH FUND - CALENDAR YEAR 2018

Motion by Gibson, seconded by Grant to adopt the following resolution:

A RESOLUTION SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING A BUDGET FOR THE COUNTY OF CROWLEY, COLORADO FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY, 2018 AND ENDING ON THE LAST DAY OF DECEMBER 2018.

WHEREAS, the Board of County Commissioners of Crowley County has prepared and submitted a proposed budget for said governing body at the proper time and;

WHEREAS, the proposed budget for this governing body was submitted for public inspection on October 15, 2016 for its consideration, and;

WHEREAS, upon due and proper notice, published or posted in accordance with the law, said proposed budget was open for inspection by the public at a designated place, a public hearing was held on November 30, 2017 and interested taxpayers were given the opportunity to file or register any objections to said proposed budget, and;

WHEREAS, whatever increases may have been made in the expenditures, like increases were added to the revenues so that the budget remains in balance, as required by law.

NOW, THEREFORE, BE IT RESOLVED BY THE Board of County Commissioners of the County of Crowley, Colorado:

Section 1. That estimated expenditures for each fund are as follows:

General Fund	\$3,001,432
Road and Bridge Fund	\$1,657,446
EMS/Fire Fund	\$ 96,227
Ambulance Fund	\$ 356,421
Water Fund	\$ 181,849
Conservation Trust Fund	\$ 19,220
Contingent Fund	\$ 000
Dept Human Services Fund	\$1,360,696
E911 Fund	\$ 17,800
Revolving Loan Fund	\$ 000

Section 2: That estimated revenues for each fund are as follows:

General Fund	
Property Tax (net)	\$1,413,565
Revenue(non property tax)	\$1,998,871
Intergovernmental Revenues	\$ 614,309
Beginning Fund Balance	\$2,842,763
Total	\$6,869,508
Less Ending Fund Balance	\$3,868,076
Total General Revenue Available	\$3,001,432

Road and Bridge Fund	
Property Tax (net)	\$ 319,169
Revenue(non property tax)	\$ 531,550
Intergovernmental Revenues	\$ 721,336
Beginning Fund Balance	\$1,401,706
Total	\$2,973,761
Less Ending Fund Balance	\$1,316,315
Total Fund Revenue Available	\$1,657,446

EMS/Fire Fund	
Property Tax (net)	\$ 70,926
Revenue(non property tax)	\$ 39,385
Intergovernmental Revenues	\$ 16,000
Beginning Fund Balance	\$ 322,404
Total	\$ 448,715
Less Ending Fund Balance	\$ 352,488

Total Fund Revenue Available	\$ 96,227
Ambulance Fund	
Intergovernmental Revenues	\$ 39,500
Fees for Services	\$ 246,500
Beginning Fund Balance	\$1,036,219
Total	\$1,322,219
Less Ending Fund Balance	\$ 965,798
Total Ambulance Fund	\$ 356,421
Water Fund	
Revenue(non property tax)	\$ 209,126
Intergovernmental Revenues	\$ 1,500
Miscellaneous Revenue	\$ 150
Beginning Fund Balance	\$2,306,276
Total	\$2,517,052
Less Ending Fund Balance	\$2,335,203
Total Fund Revenue Available	\$ 181,849
Conservation Trust Fund	
Revenue(non property tax)	\$ 38,000
Intergovernmental Revenues	\$ 2,000
Beginning Fund Balance	\$ 245,182
Total	\$ 285,182
Less Ending Fund Balance	\$ 265,962
Total Fund Revenue Available	\$ 19,220
Contingent Fund	
Property Tax (net)	\$ 000
Revenue(non property tax)	\$ 000
Intergovernmental Revenues	\$ 000
Beginning Fund Balance	\$ 29,350
Total	\$ 29,350
Less Ending Fund Balance	\$ 29,350
Total Revenue Funds Available	\$ 000
Department Human Services	
Property Tax (net)	\$ 153,674
Revenue(non property tax)	\$ 61,605
Intergovernmental Revenues	\$1,104,721
Beginning Fund Balance	\$ 528,511
Total	\$1,848,511
Less Ending Fund Balance	\$ 487,815
Total Fund Revenue Available	\$1,360,696
E911 Authority Board	
Revenue (Non Property Tax)	\$ 21,695
Other Revenue	\$ 000
Beginning Fund Balance	\$ 89,074
Total	\$ 110,769
Ending Fund Balance	\$ 92,969
Total Fund Revenue Available	\$ 17,880
Revolving Loan Fund	
Intergovernmental Revenue	\$ 000
Principal Revenues/Interest	\$ 000
Beginning Fund Balance	\$ 750
Total	\$ 750
Less Ending Fund Balance	\$ 750
Total Revolving Loan Fund Available	\$ 000

Section 3. That the budget as submitted, amended, and herein after summarized by fund, hereby is approved and adopted as the budget of the County of Crowley for the year stated above.

Section 4. That the budget hereby approved and adopted shall be signed by the Chairman of the Board of County Commissioners of the County of Crowley and made part of the public records of Crowley County.

Adopted this 11th day of December, 2017.

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

Allumbaugh-----Aye
Gibson-----Aye
Grant-----Aye

RESOLUTION NO. 7314

APPROVAL RESOLUTION APPROPRIATING SUMS TO VARIOUS FUNDS AND SPENDING AGENCIES - CALENDAR YEAR 2018

Motion by Grant, seconded by Gibson to adopt the following resolution:

A RESOLUTION APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS AND SPENDING AGENCIES, IN THE AMOUNT AND FOR THE PURPOSE AS SET FORTH BELOW, FOR THE COUNTY OF CROWLEY, COLORADO, FOR THE 2018 BUDGET YEAR.

WHEREAS, the Board of County Commissioners has adopted the annual budget in accordance with the Local Government Budget Law, on December 11th, 2017 and ;

WHEREAS, the Board of County Commissioners has made provision therein for revenues in an amount equal to or greater than the total proposed expenditures as set forth in said budget, and;

WHEREAS it is not only required by law, but also necessary to appropriate the revenues provided in the budget to and for the purposes described below, so as not to impair the operations of the County.

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

Section 1. That the following sums are hereby appropriated from the revenue of each fund, to each fund, for purposes stated;

General Fund		
General Government		\$771,003
Judicial		\$529,500
Public Safety		\$964,243
Health/Hospitals		\$ 22,597
Auxiliary Services		\$714,089
Total		\$3,001,432
Road and Bridge Fund		
Maintenance of Condition		\$1,189,108
Administration		\$ 88,338
Bridge Construction		\$ 380,000
Total		\$1,657,446
EMS/Fire Fund		
EMS Subsidy Expenditures	\$	000
EMS Coordinator Expenditures	\$	49,330
Fire Expenditures	\$	37,197
EMS Administration Exp	\$	9,700
Total	\$	96,227
Ambulance Fund		
Fund Expenditures	\$	356,421
Total	\$	356,421
Water Fund		
Maintenance/Operation	\$	181,849
Total	\$	181,849
Conservation Trust Fund		
Operations	\$	19,220
Total	\$	19,220
Contingent Fund	\$	000
Department of Human Services		
Administration	\$	1,187,523
Assistance Payments	\$	173,173
Total	\$	1,360,696
E911 Authority Board		
Operations	\$	17,800

Total	\$	17,800
Revolvi ng Loan Fund		
Operati ons	\$	000
Total	\$	000

Adopted this 11th day of December, 2017

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

Allumbaugh-----Aye
 Gibson-----Aye
 Grant-----Aye

**RESOLUTION NO. 7315
 APPROVAL 2018 LICENSE AND PERMIT, MED TRANS AMBULANCE SERVICE**

Motion by Gibson, seconded by Grant to approve the ambulance license and permit for 2018 for Southern Colorado Rural EMS dba Med Trans Ambulance Service.

The Board of County Commissioners of the County of Crowley finds that Southern Colorado Rural EMS ambulance service staff, vehicles, equipment and location comply with the requirements of Crowley County Resolution No. 417A, reaffirmed by Resolution No. 2260, concerning the ambulance services; the ambulance vehicles and ambulance technicians to be employed are duly licensed in accordance with the provisions of said resolution, and that the applicant has in all respects complied with the requirements of said resolution.

Therefore, this license is issued this 11th day of December, 2017 and shall be valid for twelve months thereafter unless sooner revoked expiring on December 31, 2018.

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

Allumbaugh-----Aye
 Gibson-----Aye
 Grant-----Aye

**RESOLUTION NO. 7316
 APPROVAL 2018 CROWLEY COUNTY CALENDAR**

Motion by Grant, seconded by Gibson to approve the 2018 Crowley County calendar.

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

Allumbaugh-----Aye
 Gibson-----Aye
 Grant-----Aye

**RESOLUTION NO. 7317
 APPROVAL CDOT BRIDGE REPLACEMENT AMENDMENTS**

Motion by Gibson, seconded by Grant to approve the amendements from the Colorado Department of Transportation for the Bridge Replacement Agreement.

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

Allumbaugh-----Aye
 Gibson-----Aye
 Grant-----Aye

PLANNING AND ZONING HEARING

The board conducted the Planning and Zoning Hearing. The hearing was called to order by Chairman Allumbaugh at 10:00 a.m.

Those present were:

Commi ssi oners:	Allumbaugh, Gibson and Grant
Land Use Admi ni strator:	Matt Carter
Audi ence:	Jim Reeves, Amanda and Virginia Terrones, Dean Hi att, James Wel don,
	Matt Heimerich, Sue Ann and Jim Maucher, Kris Oldsen, Corey
Gai nes	Avraham Fasi ck, El eanor Schi ro

The following addressed the board regarding the cultivation of commerical marijuana: Virginia and Amanda Terrones, Kris Oldsen, Eleanor Schiro

Commissioner Allumbaugh and Gibson answered their concerns.

RESOLUTION NO. 7318

NOLAN WELBORN, USE BY REVIEW, FILE NO 2017-20

Nolan Welborn made application for a marijuana cultivation and processing facility at 6273 Co Lane 14.5; Ordway, Colorado. The plan included ten greenhouses, a non chemical processing facility and a potential residence. The Planning and Zoning Commission heard the request and denied it on their hearing date of December 4, 2017.

Sue Ann Maucher expressed her opposition to the application. Corey Gaines spoke about their request and suggested remedies.

Motion by Grant, seconded by Gibson to deny the request.

RESOLUTION NO. 7319

CROWLEY COUNTY IMPROVEMENT CO LLC, USE BY REVIEW, FILE NO. 2017-21

Dean Hiatt for Crowley County Improvement, LLC has made application for a use by review for the rest of tract no 1 and all of tract no 2 for marijuana cultivation facilities. Crowley County Planning and Zoning Commission heard the request on December 4, 2017 and approved the request and recommended approval by the Board of County Commissioners.

Motion by Gibson, seconded by Grant to approve the request of allowing the commercial marijuana grow in the balance of tract no. 2; legal description the east 63.5 acres of the NE 1/4 lying north of the railroad right of way in Section 18, Township 21 South, Range 56 West; and all of tract no 1 identified as the West 1/2; NE 1/4 of Section 18, Township 21 South, Range 56 West as documented by the accompanying survey plat.

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

Allumbaugh-----Aye
Gibson-----Aye
Grant-----Aye

RESOLUTION NO. 7320

CROWLEY DEVELOPMENT USE BY REVIEW/SUBDIVISION EXEMPTION REQUEST, FILE NO. 2017-22

Application for the tract of land located on the east half of the east half of Section 7 in Crowley County, Colorado. The property is known as Maverick Acres. The plan is to add to the current ten 5 acre plots and add eighteen more. The plan would include a use by review on remainder of Maverick property. All 155 acres and twenty eight lots will be for marijuana production. Crowley County Planning and Zoning approved the dual applications of a subdivision exemption request and use by review application.

RESOLUTION NO. 7321

H-0 DEVELOPMENT, USE BY REVIEW APPLICATION, FILE NO. 2017-23

H-0 Development LLC has made application to add 4.5 acres for commercial marijuana production. They had previously been approved for 1.25 acres on the same property located at 9292 Highway 96; Olney Springs, CO. Crowley County Planning and Zoning approved the application and recommended final approval by the Board of County Commissioners.

Matt Heimerich addressed the board regarding some questions he had regarding following the rules and regulations concerning local growing operations.

Motion by Gibson, seconded by Grant to approve the use by review application as submitted.

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

Allumbaugh-----Aye
Gibson-----Aye
Grant-----Aye

RESOLUTION NO. 7322

H-0 DEVELOPMENT, USE BY REVIEW APPLICATION, FILE NO. 2017-24

H-0 Development LLC has made application for a use by review for approximately 100 acres on a tract of land situated at 9264 Highway 96, Olney Springs, CO 81062. Their plan is to expand their marijuana operation from their existing operation to the proposed 100 acres. Crowley County Planning and Zoning Commission denied the application and recommended similar action by the Board of County Commissioners.

Jim Reeves spoke to the board regarding his effort at reducing the size and number of greenhouses he proposes. He suggested to modify his request to fifteen acres primarily to the west.

Motion by Gibson, seconded by Grant to deny the application as recommended by the Planning and Zoning Commission.

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

Allumbaugh-----Aye
Gibson-----Aye
Grant-----Aye

RESOLUTION NO. 7323

JAMES WELDON TRUST, USE BY REVIEW APPLICATION, FILE NO. 2017-25

James W Weldon Trust has made application for a retail commercial marijuana growing operation on the south sixty acres of the N 1/2; NW 1/4 of Section 8, Township 21 South, Range 56 West of the 6th PM in Crowley County, Colorado. Crowley County Planning and Zoning Commission approved the request and recommended approval by the Board of County Commissioners.

Motion by Grant, seconded by Gibson to approve the application as approved by the Crowley County Planning and Zoning Commission.

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

Allumbaugh-----Aye
Gibson-----Aye
Grant-----Aye

RESOLUTION NO. 7324

APPROVAL PROJECT AWARD REGIONAL WAYFINDING SOUTHEAST COLORADO

Motion by Grant, seconded by Gibson to approve the award for phase two of the Regional Wayfinding Project no 19698 to MS & S, Mass Service and Supply, general contractors of Pueblo, Colorado for \$82,600. This will complete the construction and installation for the regional wayfinding kiosks.

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

Allumbaugh-----Aye
Gibson-----Aye
Grant-----Aye

RESOLUTION NO. 7325

APPROVAL DHS CSE LEGAL SERVICES CONTRACT

Motion by Gibson, seconded by Grant to approve the 2018 purchase of legal services between Crowley County DHS and Phillip Malouff for child support enforcement services in the amount of \$12,000

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

Allumbaugh-----Aye
Gibson-----Aye
Grant-----Aye

RESOLUTION NO. 7326

APPROVAL 2018 CROWLEY COUNTY CONTRACT PUBLIC HEALTH NURSING

Motion by Grant, seconded by Gibson to approve the 2018 Public Health contract between Crowley County and the Otero County Health Department. The term of the contract ends on December 31, 2018 and the contracted amount is \$16,197.00

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

Allumbaugh-----Aye
Gibson-----Aye
Grant-----Aye

No further business appearing the meeting was recessed.
Minutes taken by Mike Apker.

ATTEST:

Lucile Nichols, County Clerk

Tobe Allumbaugh, Chairman