

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

February 10, 2017

CALL TO ORDER

Board of County Commissioners met in regular session on January 31, 2017. The meeting was called to order by Chairman T. E. Allumbaugh at 8:30 a.m. with the following present:

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

Audience: None

**RESOLUTION NO. 7149
APPROVAL SPECIAL DHS DISBURSEMENT, FEBRUARY 2, 2017**

Motion by Grant, seconded by Gibson to approve the special DHS disbursement for February 2, 2017 and authorize transfer of funds in the following amount:

DHS Fund	\$230.83
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Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

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

**RESOLUTION NO. 7150
APPROVAL DISBURSEMENTS, FEBRUARY 10, 2017**

Motion by Gibson, seconded by Grant to approve the disbursements for February 10, 2017 and authorize transfer of funds in the following amounts:

General Fund	\$67,385.03
Road and Bridge Fund	\$11,940.65
EMS Fire Fund	\$ 1,019.31
Ambulance Fund	\$ 1,713.62
Water Fund	\$ 2,159.55
DHS Fund	\$ 130.00
Total	\$84,348.16

E 911 Fund	\$ 149.06
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Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

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

**RESOLUTION NO. 7151
APPROVAL DHS DISBURSEMENTS, FEBRUARY 10, 2017**

Motion by Grant, seconded by Gibson to approve the DHS disbursements for February 10, 2017 and authorize transfer of funds in the following amounts

DHS Fund (Admin)	\$9,277.68
DHS Fund (Medicaid Transportation)	\$5,080.98

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

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

**RESOLUTION NO. 7152
APPROVAL BOARD MINUTES**

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

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

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

**RESOLUTION NO. 7153
APPROVAL INTERGOVERNMENTAL AGREEMENT/ CROWLEY - OTERO COUNTY - ECONOMIC DIRECTOR**

Motion by Grant, seconded by Gibson to approve the Intergovernmental Agreement between Crowley and Otero County Commissioners for economic development services.

INTERGOVERNMENTAL AGREEMENT

THIS INTERGOVERNMENTAL AGREEMENT is entered into by and between the BOARD OF COUNTY COMMISSIONERS OF OTERO COUNTY, COLORADO, hereinafter referred to as "Otero County", and the BOARD OF COUNTY COMMISSIONERS OF CROWLEY COUNTY, COLORADO, hereinafter referred to as "Crowley County",

W I T N E S S E T H :

WHEREAS, C.R.S. 29-1-203 authorizes and encourages intergovernmental agreements and contracts for the purpose of governmental entities to cooperate and contract to provide a function, service, or a facility; and

WHEREAS, Colorado law governing intergovernmental agreements further provides that the contracting governments shall enter into a contract which sets forth fully the purposes, powers, rights, obligations, and responsibilities of the contracting parties; and

WHEREAS, Colorado law dealing with intergovernmental agreements provides that the contracts between the governing entities must be authorized by the approval of the legislative body of the entities; and

WHEREAS, Otero County employs (has on staff) an Economic Development Coordinator; and

WHEREAS, Crowley County desires to obtain services from Otero County's Economic Development Coordinator; and

WHEREAS, Otero County desires to share the services of its Economic Development Coordinator on certain terms and conditions; and

WHEREAS, the parties desire to reduce those terms and conditions to writing;

NOW, THEREFORE, based upon good and valuable consideration, the receipt of which is acknowledged, the parties hereby agree as follows:

1. Otero County is the employer of record and by such all duties, responsibilities and tasks for Otero County economic development will be prioritized over requests made by Crowley County.
2. Crowley County will communicate its requirements/needs to the Otero County Economic Development Coordinator.
3. The Economic Development Coordinator will schedule with Crowley County all work requested.
4. Crowley County will be responsible for all costs of the Economic Development Coordinator for services provided to Crowley County as follows:
 - a. Consulting/Administrative: \$40.79/hour, said rate to be reviewed on an annual basis;
 - b. Incidental/Miscellaneous Expenses, such as lodging and meals, shall be billed at cost, with the Economic Development Coordinator providing receipts for said expenses;
 - c. Mileage at the current county (Otero County) standard allowable rate;
5. Otero County will invoice Crowley County for said services and/or costs and Crowley County will reimburse Otero County within 60 days of receipt of said invoice.

6. The parties agree that the Economic Development Coordinator shall at all times remain the employee of Otero County and said Economic Development Coordinator shall at all times be bound by all personnel policies of Otero County and shall be entitled to receive benefits as an Otero County employee as set forth in that certain Employment Agreement entered into between the Economic Development Coordinator and Otero County.

7. Crowley County will not pay or withhold on behalf of the Economic Development Coordinator any sums for income tax, unemployment insurance, Social Security, Workmen's compensation insurance or any other withholding tax or insurance pursuant to any law or requirement of any governmental body. Otero County agrees that all such payments and withholdings, if any, are the sole responsibility of Otero County.

8. Either party may terminate this Agreement without cause with thirty days' written notice to the other party.

In the event of termination of this Agreement, Crowley County agrees to pay Otero County for the services provided and/or for costs incurred by the Economic Development Coordinator for Crowley County through the date of such termination.

9. The terms of this Agreement may be modified or changed at any time by further written agreement of the parties.

10. Neither party may assign its rights or delegate its obligations hereunder without the prior written approval of the other party.

11. This IGA and its application shall be construed in accordance with the laws of the State of Colorado.

IN WITNESS WHEREOF, the parties have executed this Agreement this 10th day of February, 2017.

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

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

**RESOLUTION NO. 7154
APPROVAL RESOLUTION OF PARTICIPATION, AREA AGENCY ON THE AGING**

Motion by Gibson, seconded by Grant to approve the resolution of participation in the Lower Arkansas Valley Area Agency on Aging for fiscal year 2017 and authorize payment of per capita membership fees.

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

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

**RESOLUTION NO. 7155
APPROVAL REQUEST TO ACCESS PRIVATE PROPERTY**

Motion by Grant, seconded by Gibson to approve the request from the US Department of Interior to access private property on Crowley County District 1 gravel pit property.

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