

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

September 22, 2017

CALL TO ORDER

Board of County Commissioners met in regular session on September 22, 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 (absent)
Mike Apker-----Deputy Clerk to the Board

Also present: Dean Hiatt

PUBLIC HEARING: RESOLUTION ON ESTABLISHING A MORATORIUM ON FUTURE USE BY REVIEW APPLICATIONS FOR LAND INTENDED TO BE USED FOR COMMERCIAL MARIJUANA CULTIVATION

Board Chair Allumbaugh opened the public hearing on the proposed resolution to establish a moratorium on future use by review applications for land intended to be used for commercial marijuana retail cultivation. The hearing was opened at 8:30 a.m.

There were no written or oral comments to the proposed moratorium.

The public hearing was closed at 8:45 a.m.

RESOLUTION NO. 7270

APPROVAL RESOLUTION ON ESTABLISHMENT OF A MORATORIUM ON FUTURE USE BY REVIEW APPLICATIONS FOR LAND INTENDED TO BE USED FOR COMMERCIAL MARIJUANA RETAIL CULTIVATION

Motion by Grant, seconded by Allumbaugh to approve the following resolution following the public hearing:

A RESOLUTION ESTABLISHING A MORATORIUM ON FUTURE USE BY REVIEW APPLICATIONS FOR LAND INTENDED TO BE USED FOR COMMERCIAL MARIJUANA RETAIL CULTIVATION

WHEREAS, pursuant to the Colorado Constitution, Article XVIII, § 16(5)(f) and C.R.S. § 12-43.3-301 and § 12-43.4-301, the Board of County Commissioners of Crowley County, Colorado has the authority to enact such ordinances or regulations governing the time, place, manner, and number of marijuana establishments; and

WHEREAS, the Board has a concern of oversaturation of Use by Review Application for retail commercial marijuana cultivation; and

WHEREAS, the Board finds that the immediate temporary suspension on future Use by Review applications for land intended to be used for retail commercial marijuana cultivation is in the best interest of the public health, safety and welfare of the citizens of Crowley County; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Crowley County, Colorado that a temporary moratorium effective September 22, 2017 for any future Use by Review Applications intended for land to be used for retail commercial marijuana cultivation is hereby adopted and will remain in effect for a period of six months or until such time the board determines it best to rescind the moratorium.

Section 14 Definitions.

Unless otherwise defined herein, the terms in this Chapter shall have the same meaning as set forth in Sections 14 and 16 of Article XVIII of the Colorado Constitution, Article 43.3 and Article 43.4 of Title 12, C.R.S. and any rules promulgated pursuant thereto. The following words and phrases, when used in this Chapter, shall have the meanings respectively assigned to them:

“Use by Review” means that approval required and necessary under Title 6 of this Code to determine whether a licensing application can be accepted consistent with the terms of this Code.

Use by Review applications for land to be used for Retail Marijuana Cultivation will be accepted up to the effective date of this Resolution

The foregoing resolution was adopted unanimously by the Crowley County Board of County Commissioners on the 22nd day of September, 2017

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

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

RESOLUTION NO. 7271

APPROVAL SUPPLEMENTAL GENERAL FUND DISBURSEMENT, SEPTEMBER 20, 2017

Motion by Grant, seconded by Allumbaugh to approve the supplemental General Fund disbursements and authorize transfer of funds in the following amount:

General Fund \$61,858.16

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

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

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

ATTEST:

Lucile Nichols, County Clerk

Tobe Allumbaugh, Chairman