

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

**January 29, 2010**

**CALL TO ORDER**

Board of County Commissioners met in regular session on January 29, 2010. 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  
Matt Heimerich-----Member  
Mike Apker-----Deputy Clerk to the Board

Also present: Brandy DeLange

**RESOLUTION NO. 5560**

**APPROVAL EMPLOYEE JANUARY 2010 PAYROLL**

Motion by Heimerich, seconded by Grant to approve the January 2010 employee payroll and authorize transfer of funds in the following amounts:

General Fund	\$60,932.14
Road and Bridge Fund	\$23,622.25
EMS/Fire Fund	\$ 7,154.28
Water Fund	\$ 2,691.87
DHS Fund	\$27,053.42
Total	\$121,453.96

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

Allumbaugh-----Aye  
Grant-----Aye  
Heimerich-----Aye

**RESOLUTION NO. 5561**

**APPROVAL DISBURSEMENTS - JANUARY 29, 2010**

Motion by Grant, seconded by Heimerich to approve the January 29, 2010 disbursements and authorize transfer of funds in the following amounts:

General Fund	\$152,573.11
Road and Bridge Fund	\$111,777.57
EMS/Fire Fund	\$ 16,676.18
Water Fund	\$ 15,647.03
DHS Fund	\$ 22,033.87
Total	\$318,708.36

CTF Fund \$ 6,000.00

E911 Fund \$ 121.84

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

Allumbaugh-----Aye  
Grant-----Aye  
Heimerich-----Aye

**RESOLUTION NO. 5562**

**APPROVAL LOADER BID, CROWLEY COUNTY FAIRGROUNDS**

Motion by Heimerich, seconded by Grant to approve the purchase of a loader from Rusler Implement Company for \$4,900.00. The loader will be for the Crowley County Fairgrounds and paid by Conservation Trust Funds.

Rhino Model 1408TL Front Loader  
97" lift height at pivot pin  
1352# lift capacity  
Hose kit for use with tractor joystick  
skid steer quick attach plate for bucket  
72" material bucket; mounted on tractor

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

Allumbaugh-----Aye  
Grant-----Aye  
Heimerich-----Aye

**NOTIFICATION OF GRANT AGREEMENT - STATE OF COLORADO DEPT OF REGULATORY AGENCIES - 911 EQUIPMENT**

Mike Apker notified the board that the E911 Authority Board has received a grant from the State of Colorado, Department of Regulatory Agency for a 911 Grant Agreement. This grant will cover the local share (\$15,000) to allow mapping for Phase II calls received by the 911 Dispatch Center. The funds are from the Qwest CPAP Tier II Fund. The Chairman of the E911 Authority Board has signed the agreement and they have been forwarded on to the appropriate funding authority.

**REVOLVING LOAN FUND**

CC Economic Director, Mark Cloer was present to discuss the revolving loan fund from the USDA Rural Development Corporation. The amount of the grant is \$56,250.00 (cash). The board will contact County Attorney Mark MacDonnell and County Auditor, Ronny Farmer, to discuss the administration of the revolving loan fund, if the county accepts the grant.

**PLANNING AND ZONING HEARING**

The Chairman opened the public hearing for the referred items from the Planning and Zoning Commission. The meeting was opened at 10:00 a.m.

Those present: Commissioners Allumbaugh, Grant and Heimerich

Others present: Rick Ferrero, Brandy DeLange, Mike Apker, Marge Gardner

**RESOLUTION NO. 5563**

**SUBDIVISION EXEMPTION REQUEST - GERALD JORDAN (FILE 2010-01)**

Gerald Jordan has requested a subdivision exemption request to separate two acres by M & B from his 80 acre tract. The Planning and Zoning Commission has approved the request.

Motion by Heimerich, seconded by Grant to approve the exemption request (File No. 2010-01) for Gerald Jordan as approved by the Planning and Zoning Commission contingent upon approval by Otero County Health Department for the septic system.

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

Allumbaugh-----Aye  
Grant-----Aye  
Heimerich-----Aye

**RESOLUTION NO. 5564**

**SUBDIVISION EXEMPTION REQUEST - MARK AND JACQUELINE KULOW (FILE 2010-02)**

Mark and Jacqueline Kulow have requested to divide twelve (12) acres off the existing section for the placement of a cellular tower by Viaero wireless. The Planning and Zoning Commission has approved the request.

Motion by Heimerich, seconded by Grant to approve the recommendation of the Crowley County Planning and Zoning Commission to allow the subdivision exemption request from Mark and Jacqueline Kulow.

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

Allumbaugh-----Aye  
Grant-----Aye  
Heimerich-----Aye

**RESOLUTION NO. 5565**

**USE BY REVIEW - MARK AND JACQUELINE KULOW (FILE 2010-03)**

Mark and Jacqueline Kulow have requested a use by review to install a cellular tower (and support structure) on their property (part of the SE1/4 of the NE1/4 section 15; township 21 south range 77 west). This is to erect a permanent 195 foot cellular tower and install a temporary tower of 110 foot before the permanent tower is finished. Rick Bailey from Viaero wireless was present to answer any questions. Marge Gardner expressed her opinion that it would obstruct the view and they desired an alternate site.

The request has been approved by the Crowley County Planning and Zoning Commission at their regular meeting. No adjacent property owners filed any protest with the Planning

and Zoning Commission. Communications were mailed to all property owners on all sides of the proposed site.

Motion by Heimerich, seconded by Grant to approve the recommendation of the Crowley County Planning and Zoning Commission for the Use by Review with the condition that the tower will be no higher than 195 feet "guyed" tower. Any changes to this plan approved by the Planning and Zoning Commission will need to be reapproved by the Planning and Zoning Commission. The company has agreed to allow usage of the tower for emergency services if requested.

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

Allumbaugh-----Aye  
Grant-----Aye  
Heimerich-----Aye

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

ATTEST:

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Lucile Nichols, County Clerk

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Tobe Allumbaugh, Chairman