

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

**June 30, 2010**

**CALL TO ORDER**

Board of County Commissioners met in regular session on June 30, 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. 5688**

**APPROVAL DISBURSEMENTS, JUNE 30, 2010**

Motion by Heimerich, seconded by Grant to approve the disbursements for June 30, 2010 and authorize transfer of funds in the following amounts:

General Fund	\$86,455.28
Road and Bridge Fund	\$14,817.09
EMS/Fire Fund	\$ 8,782.18
Water Fund	\$ 2,364.84
DHS Fund	\$18,163.99
Total	\$130,583.38

CTF Fund \$ 1,533.39

E911 Fund \$ 2,500.00

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

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

**RESOLUTION NO. 5689**

**APPROVAL RESOLUTION IN SUPPORT OF SUBMITTING QUESTION TO VOTERS TO ELIMINATE TERM LIMITS FOR DISTRICT ATTORNEY**

Motion by Grant, seconded by Heimerich to approve the following resolution in support of supporting of submitting to the voters a question to eliminate term limits for the Sixteenth Judicial District Attorney.

A RESOLUTION REFERRING TO THE VOTERS OF CROWLEY COUNTY THE QUESTION OF WHETHER TERM LIMITS FOR THE DISTRICT ATTORNEY FOR THE 16TH JUDICIAL DISTRICT SHOULD BE ELIMINATED

WHEREAS, Article XVIII, Section 11, of the Colorado Constitution limits elected state and local officials to two consecutive terms of office, and

WHEREAS, Article XVIII, Section 11, of the Colorado Constitution also allows the voters of any political subdivision of the state to eliminate the limitations on the number of consecutive terms of office which may be served by any individual, and

WHEREAS, the District Attorney of the 16th Judicial District is limited to two consecutive terms of office, and

WHEREAS, a proper request has been filed with the Boards of the County Commissioners of the counties comprising that Judicial District to refer the question of term limits to the voters of the respective counties, and

WHEREAS, it is desirable that the voters of Crowley County have the opportunity to express their will on this matter.

NOW BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CROWLEY COUNTY, COLORADO:

1. The following question is hereby certified to the Crowley County Clerk and Recorder to be presented to the registered electors of Crowley County at the General Election to be held on November 2, 2010:

"COUNTY REFERRED MEASURE- ELIMINATING TERM LIMITS FOR THE OFFICE OF DISTRICT ATTORNEY SHALL TERMS LIMITS FOR THE OFFICE OF DISTRICT ATTORNEY FOR THE 16TH JUDICIAL DISTRICT BE ELIMINATED?"

2. The Crowley County Clerk and Recorder is hereby designated the Election Official for the referred question.

DATED this 30th day of June, 2010.

Crowley County Board of County Commissioners

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

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

**RESOLUTION NO. 5690**

**APPROVAL EMPLOYEE NOTIFICATION REGARDING USE OF PERSONAL VEHICLES FOR COUNTY PURPOSES**

Motion by Heimerich, seconded by Grant to for all employees to read and sign the form that use their own personal vehicles for county business.

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

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

**RESOLUTION NO. 5691**

**APPROVAL CCI JUNIOR LIVESTOCK SALE**

Motion by Grant, seconded by Heimerich to approve participation in the annual CCI Junior Livestock Sale in amount of \$100.00

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

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

**RESOLUTION NO. 5692**

**AMBULANCE REPORT**

Stephanie Meyer was present to discuss the monthly ambulance report. Motion by Heimerich, seconded by to right off to VCC \$3,361.00 and to charge off \$44.00 to bad debt.

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

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

**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, Mike Apker, Brandy DeLange, Monie Stites, Richard and John Hajar

**RESOLUTION NO. 5693**

**SUBDIVISION EXEMPTION REQUEST - ANDREW MARTINEZ (TRI COUNTY HOUSING) FILE NOT 2010-07**

A subdivision exemption request has been filed by Andrew Martinez (Tri County Housing) to subdivide three acres. The Legal description is 4664 County Lane 9, Olney Springs, Colorado. The correspondence from Christy Bowman, Environmental Health Director was reviewed and the board had issue regarding the address correction as well as the quarterly testing of the well water on the site. Crowley County Planning and Zoning Commission has approved the request.

Motion by Heimerich, seconded by Grant to approve application contingent upon the correction of the address on her correspondence and reports of quarterly testing of water

submitted to Otero County Health Department. Ms. Bowman needs to clarify the review process of the water tests.

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

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

**RESOLUTION NO. 5694**

**SUBDIVISION EXEMPTION REQUEST - JOHN HIJAR FILE NO. 2010-08**

A subdivision exemption request has been filed by John Hjar for dividing his property (180' x 300'). The water for the property will be supplied by Sugar City Pipeline Company. The legal description is 1.5 acres in the S1/2 of NW 1/4 in the SW 1/4 of Section 14; township 24s, range 56 w. Crowley County Planning and Zoning Commission has approved the request pending survey and septic requirements.

The board requested a letter from Sugar City Pipeline assuring a water tap and two copies of a survey.

Motion by Grant, seconded by Heimerich to approve the request contingent upon the requested information (guarantee letter from Sugar City Pipeline and the plot survey).

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:

\_\_\_\_\_  
Lucile Nichols, County Clerk

\_\_\_\_\_  
Tobe Allumbaugh, Chairman