



**Nathan Ruybal**  
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**Minutes of the Board of County Commissioners Regular Meeting held on February 1st, 2024, at 9:00 am in the Commissioners Board Room, 6693 County Road 13, Conejos, CO 81129**

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**Comm. Jarvies called the meeting to order at 9:00 am**

**Mitchell Jarvies – Chairperson – Present**  
**Carlos Garcia - Vice Chair – Present**  
**Joseph Baroz – Vice Chair – Present**

**Present:** Tressesa Martinez-County Administrator --- Nathan Ruybal-Clerk and Recorder – Connie Ricci – HR Manager - Nick Sarmiento – County Attorney

**Pledge of Allegiance:** Comm. Jarvies led everyone on the Pledge of Allegiance.

**Opening Prayer:** Comm. Baroz gave the opening prayer.

**Approval of Agenda:**

- Correct Regular to Special Meeting for minute approval for January 10<sup>th</sup>, 2024.
- Add DOT H.U.T signature sheet approval.
- Add Tyler discussion in open session before County Attorney.
  - Comm. Garcia makes motion to approve agenda as amended.
  - Comm. Baroz seconded that motion.
  - Motion carried 3-0

**Approval of Minutes:**

- January 10<sup>th</sup> Special Meeting
  - Comm. Garcia makes a motion to approve minutes as presented.
  - Comm. Baroz seconds that motion.
  - Motion Carries 3-0

**Public Comment:**

- No Public Comment

## **Administrative Correspondence – Tressesa Martinez:**

- K9 Secure Transportation Service License Approval extending to 2026.
  - Comm. Baroz makes a motion approving K9 secure trans. license until 2026 as presented.
  - Comm. Garcia seconds that motion.
  - Motion Carries 3-0
- Board Appointments
  - Cynthia Montez to be appointed to the Conejos County Housing Authority Board.
    - Comm. Baroz makes a motion to approve the appointment of Cynthia Montez to the Conejos County Housing Authority as presented.
    - Comm. Garcia seconds that motion.
    - Motion Carries 3-0
  - Angela Montoya to be appointed to the Conejos County Library Board.
    - Comm. Garcia makes a motion to approve the appointment of Angela Montoya to the Conejos County Library Board as presented.
    - Comm. Baroz seconds that motion.
    - Motion Carries 3-0
- District Attorney Letter received from DA Anne Kelly to BOCC.
  - DA Anne Kelly sent letter to the BOCC in the letter she describes that Conejos County funded more to the DA office than requested.
  - DA Anne Kelly is quoted to say “I committed to refunding the counties that funded at a higher percentage in 2023 to ensure that the Office received the total amount requested in the event that other counties did not make such a commitment.
  - Since the DA’s office has received adequate funding from all counties, the DA’s office will only draw \$290,765,000 instead of the \$325,000,00 Conejos County projected to provide.
- Letter from Chief Judge regarding office space for probation officer.
  - Mrs. Amanda Hopkins is requesting office space for probation, County Administrator has thought of using the library for the office space.
  - Discussion continues on how and where the office space may be located.
  - No decisions were made.
- Re-organization of Accounting Department.
  - Gary Gurule will retire in August.
  - Tressesa will not retire as planned in 2024.
  - Tressesa to reorganize to strategize the office succession plan.
- Alamosa River Estates
  - Block A Lot 30 will be advertised for sale to the public via newspaper and website.
    - Comm. Garcia makes a motion to have a minimum bid of \$4000 for Block A and Lot 30.
    - Comm. Baroz seconds that motion.
    - Motion Carries 3-0
- H.U.T Signature sheet from Colorado DOT.
  - BOCC and Donnie Martinez from Road and Bridge all sign the H.U.T sheet.
    - Comm. Baroz approves the H.U.T letter as presented.
    - Comm. Garcia seconds that motion.
    - Motion Carries 3-0

### **Sheriff's Report – Garth Crowther:**

- Tyler payroll system is not friendly to the Sheriff's Office.
- OT is not being paid correctly.
- The Sheriff and Connie are working to fix the issues.
- Black and Gray Grant has been approved and signed.
- The sheriff's office will receive \$6500.
- The Sheriff's office has responded to several Search and Rescues this month.
- The Sheriff's office has filed over 207 cases.
- No stats on calls this meeting.
- Secure Rural School funds are being audited by the State, BOCC will be reimbursed for a trailer for the Snow Cat machine. The remainder of the funds will be used for Search and Rescue, invoices will be submitted to Tressesa and will be taken from R&B funds.
- State patrol will donate infrared cameras and drug testing equipment to the Sheriff's office.

### **Council Of Governments (COG) Update – Sarah Stoeber:**

**Staffing update:** Quick update: Alisha Todd is assuming the role of Interim Controller, Alliyah Garcia has been promoted to Accounts Manager, Cony Dominguez is managing the Business Loan Fund, Craig Barraclough is the Regional Grants Manager, & Tarah Chiles is helping with office administration and Enterprise Zone. Hew Hallock is on contract due to his retirement and continuing Transportation Planning Region for the DRG on part-time basis. We have 2 additional contractors assisting with the Business Loan Fund that are not on the Organizational Chart as they may be temporary.

**COG, 1041 Template & IGA for Region:** the SLVCOG raised \$100,000 for this project from local and state-wide foundations/partners. Attorneys with Sullivan Green Seavy are drafting the final agreements and resolutions to put this effort in place on a jurisdictional basis. Next steps: for now COG BOD will serve as the regional board for this effort, creation of by-laws, MOU if needed and governance.

**COG, Broadband:** project COMPLETED for the Region! Final contractors positioned us to apply for State funding for the next project.

**WHY?:** Only 42% of the residents in the SLV have adequate internet service. This is why we are taking ACTION on this project. It has 3 focus areas: higher education (ASU & TSC), local business infrastructure for POS (point of sales systems), and telehealth (doctor visit over the internet).

**Alliyah will present--COG mini grant application** submitted to DoLA; asked for \$50,000, **please consider setting aside matching funds (\$5,000)** for small cap improvement marketing on website, meeting facilitation, etc. projects for the County.

**COG, IIA-Infrastructure Investment Jobs Act-Update:** hired Regional Grants Navigator, Craig Barraclough a year ago. He is currently working on a railroad grant to eliminate and/or improve RR crossings in Rio Grande and Conejos counties. This grant is to determine cost of the work, then once funding cycle opens again, next grant may be applied for.

Other regional projects being discussed at this time include: water/waste water, E911 & GIS, workforce housing, road and bridge improvements, senior center(s)/community facility

improvements, and workforce development. THESE ARE REGIONAL COLLABORATIVE (all may participate) PROJECTS.

DRG, DoLA-Regional Access Partner AWARDED, but only at \$75K instead of \$100K. These funds will help the DRG pay a grant writer for the above-mentioned projects and more.

DRG, Application for CDBG RLF funds upcoming—these are funds the DRG uses to fund some of its loans for businesses in the Valley for either start-ups or expansion projects in all 6 counties. Many local businesses have benefitted from these funds. The purpose of these funds is to strengthen loan files and reduce risk to banks that we are able to partner with such as Del Norte Bank, SLV Federal and First Southwest to name a few. Overall benefit to the community is job creation.

### **Executive Session**

Motion to enter Executive Session 24-6-402 Sub Section B Conference with an Attorney to discuss Tyler Software, Public Land Purchase Price, Board of Health it is now 10:00 am  
Comm. Garcia first motion  
Comm. Baroz second motion  
Motion Carries 3-0

Comm. Jarvies - Let the record reflect that we are coming out of the Executive Session conference with an Attorney, no decisions were made, and it is 10:20 am.

Attorney Sarmiento – It is the opinion of the County Attorney that the discussion had an Executive Session constitute Attorney and Client privilege and therefore no record was kept.

### **Tyler Software Conversion Discussion – Mack Crowther:**

- Currently Mack does not have a Tax Roll mostly in part to Tyler not having converted data into Tyler software.
- Tyler will transfer data; however, data did not come over correct.
- Lien issues with Pueblo system to Tyler file conversions.
- Tyler is also having issues converting data from Avenue into Tyler system.
- Mack to remain working on current issues.

## **Board of Health – Public Hearing – Wayne Sidney Garcia vs. Board of Health**

Comm. Jarvies calls to order this Public Hearing today February 1<sup>st</sup>, 2024, for the Board of Health.

Roll Call – Comm. Garcia, Jarvies and Baroz were all present.

Attorney Sarmiento reads a letter he wrote to owners of the old School Building concerning the Public Health Nuisance the letter explains that it has been reported that the building shows evidence of Mold, Human Feces, Urine, Fowl Orders, Dangerous Electrical Connections, Playroom for children. Also, the building has been used as a quasi-hotel which creates even more violations.

Attorney Sarmiento outlines the hearing process and procedure, he states that the hearing will follow the order for testimony in the order of:

Annarae Smith – Conejos County Public Health  
Denise Jiron – Director of Public Health  
Rossi Duran - Town of Antonito Administrator  
Detective Amaya – Conejos County Sheriff's Dept.  
Deputy Moreno – Conejos County Sheriff's Dept.  
Comm. Garcia – Conejos County BOCC

After which the Chairman can open the meeting to Public Comment, Attorney Sarmiento states that the evidence presented from Public Comment must be perceived by the person with their own five senses. The public comment portion cannot be hearsay and again must be perceived by the presenter by their own five senses. Next the floor will be open to Wayne S. Garcia to present his case to the Board of Health.

Annarae Smith is first to present the photos and her findings from what she observed inside the building while conducting BOH investigation.

Photos presented by Annarae and Denise show many situations of urine and fecal matter in numerous locations, some of which is on the floor, inside non-operational toilets, inside buckets and jars. Photos also show electrical cords powering heaters and lights, with several of the power cords showing signs of electrical fires.

Comm. Garcia and Mrs. Smith explain that they witnessed at least five living quarters inside the old school building, including the offices of the principal, secretary and guidance counselor. Among several of the classrooms, on the doors of the rooms were written rules for each of the rooms and the occupant of the room. One of the rooms was also full of children's clothes, toys, milk formula and a pack and play crib.

The following is a report collectively completed by Denise Jiron and Mr. Gary Bruder.

*Investigation Report Old Antonito High School*

*Date of report 1/30/24*

*On 1/29/24 I was requested to complete a site investigation of the old Antonito High School by Conejos County Public Health Director Denise Jiron. She requested my agency do a site investigation of 620 Pine St in Antonito Colorado. She stated we have a structure in Antonito that has people residing in it without running water/ sewer. Conejos County SO Deputy's went in to serve warrants and found raw sewage on the floor, over filled toilets, etc. The Structure, the old high school in Antonito, is privately owned. It is not owned by the school district. There is concern about the living conditions. The County Attorney wants to know. Is this a high risk or hazardous to one's health and does this need to be addressed?*

*I met with Director Denise Jiron, Annarae Smith (Conejos Public Health), Commissioner Carlos Garcia and Deputy SGT Servando Moreno on Monday January 29<sup>th</sup> at approximately 1pm. We were allowed entry and were able to tour the rooms and make observations. Denise distracted Wayne Garcia (Site renter/Occupant Super), by separating him, allowing the group to freely make observations without distraction/ interruption. It must be known that Wayne was notified by the team in person on the previous Friday 1/26/24. That day we all met at the site and attempted to gain entry into the property but could not enter that day due to schedule conflicts, so we agreed to return the following Monday 1/29/24 to complete the site investigation walkthrough. I only want to make this known because this gave Wayne a weekend to prepare and get the site cleaned up before we could come in and perform the investigation. In most normal circumstances this would have been an unannounced visit, and the daily state of the property would have been undisturbed and presented naturally.*

*The team and I did a room by room detailed site inspection. There were visible signs that a quick clean-up had been performed not only hours but even minutes before our arrival. In some of the old Locker-rooms the smell of cleaning chemicals saturated the air but did little to mask the lingering smell of sewage and long-term presence of fresh facies that remained. The in-use restrooms within the locker-rooms Lacked running water that had previously been provided via an unknown water source. This was obvious due to the observation of several Secondary plastic containers peppered around the locker room or various sizes that still had water in them to be used at next restroom opportunity. This is purely speculation. Even with this provided water. Every toilet we encountered remained unflushed and contained remnants of a previous bowel movement.*

*Also, it should be noted in these locker rooms the floors were damp and slick as if they had been urgently mopped just before our arrival. All around these in use and unused locker-rooms were also other containers of unknown liquids of various shades of browns and some even darker color that smelled of sewage and even had human feces remaining in them from previous use. I observed torn pieces of material that were on the floor areas around the plastic containers that I would speculate were used to wipe the users' lower extremities after the bowel movement due to the lack of toilet paper. As we progressed the locker rooms that were not visibly in use were in an abandoned state. We observed feces in areas on the floors and stains from dried urine. Also, more Containers of unknown Liquids that smelled of urine and torn up bits of paper and cloth. The smells were nauseating to inhale especially in these areas.*

*Throughout the facility No signs of any available handwashing or running water could be found. Most of the classrooms were littered with large amounts of harborage from hoarding everything from furniture, clothing, trash and appliances were observed. In one room we discovered an old household refrigerator that was without electricity. Upon further investigation we found the refrigerator full of Foods that require refrigeration and temperature control to be safe for human consumption. Namely foods like yogurt, cooked rice, raw Pork sausage, condiments, and other unnamed foods. Although we could not see any visible signs of mold on the foods within the fridge. The air inside the fridge gave*

*off the smell of spoilage that was so strong that it was literally staggering to inspector Smith and I. As a Food Scientist it is my professional opinion that if any of the foods inside the refrigerator are consumed. The person or persons eating them would become sick if not violently ill and cause possible severe Foodborne Illness. As we continued the Investigation, I observed signs of Rodent infestation in nearly every room we investigated, and signs of drug use were also found in some rooms.*

*We also observed electrical extension cords Spider webbed across most hallways and room walls and ceilings throughout the entire school. Speculation: the result of some type of electricity pirating operation. Inspector Smith was with me throughout the entire walkthrough investigation and has provided Pictures to corroborate my investigation. It is the professional Opinion of Alamosa Regional Environmental health Agency that the site located at 620 Pine St Antonito Co 81120 the old Antonito high School be considered an Imamate health threat to all who temporarily or permanently occupy the structure.*

*To be able to inhabit the structure. A series of improvements to the property need to take place.*

- 1. The Site will need running water accessible to inhabitants.*
- 2. All In Use Restroom areas with exposed Feces and Dried urine will need to be disinfected and thoroughly cleaned.*
- 3. Living areas with excessive harborage need to be cleaned Disinfected and harborage removed.*
- 4. A Rodent/Pest control plan needs to be in place and all signs/rodent droppings cleaned and removed.*
- 5. Food storage areas with refrigeration need to be kept cold and adhere to Colorado food code guidelines. Old Temperature abused food must be discarded.*
- 6. Electricity needs to be properly restored to building to provide Heat to occupants. If these major requirements are met this facility can be considered a generally safe Living environment.*

*Gary Bruder, 719-587-5206  
Regional Environmental Health Program Manager  
San Luis valley Public Health Partnership  
Alamosa County Public Health Dept  
8900 B Independence way  
Alamosa Co 81101*

Rossi Duran – Town of Antonito Administrator for over 14 years offers testimony regarding his personal experience with Mr. Garcia and the Old School Building.

Mr. Duran turned off water on November 8<sup>th</sup>, 2024, after the Sheriff's Office completed their search of the property from a criminal investigation, Rossi had to dig up the water line into the property so that they could not receive any more water. Mr. Duran explains that the property in question does not have any water, trash or electrical service, however the Town must keep sewage open due to the law and statute that the town must follow. Mr. Duran testifies that in June 2023 he had found bottles of Urine outside the building with also many used syringes.

Detective Amaya – Conejos County Sheriff's Dept. – Lead Investigator:

Detective Amaya explains several photos from the investigation that showed urine and feces in buckets, bottles and on the floor. Amaya also explains that a total of 18 people in total removed from the building after exercising the search warrant from the criminal case. Amaya also explains photos of meth and heroin paraphernalia found in all rooms, evidence of a hemp or marijuana grow operation inside the old cafeteria. Amaya found many dead birds inside the old cafeteria near the hemp/marijuana grow, many unsafe electrical wirings for heaters and lighting throughout the property. Detective Amaya did explain what she saw inside the old Chemistry lab where she witnessed a room with a very bad smell and formulas written on the whiteboards. Amaya explains that Sheriff Crowther closed the room for the investigation since they were not prepared with a Hazmat team.

Attorney Sarmiento asks the BOCC to include photos into evidence for this public hearing.

Deputy Moreno – Conejos County Sheriff's Office – 4 years with Conejos County Sheriff's Office.

Deputy Moreno is asked by Attorney Sarmiento asks for Moreno to explain the smells he encountered during the search warrant raid. Deputy Moreno explains that in his experience the smells are specific to Meth and Heroin use, the deputy explains that upon first entry into the building, the smell was very strong, and he caught people using drugs as he made his way through the building.

Comm. Carlos Garcia – Vice Chair – Conejos Board of County Commissioners

Comm. Garcia reads his personal report from the Board of Health investigation of the building and premises. Comm. Garcia explains that there was urine and feces everywhere. The conditions inside the building and the property are uninhabitable, the evidence outlines a major Public Health Nuisance, and the entire premises should be condemned.

Wayne S. Garcia – Owner of Old School Buildings

Mr. Garcia claims that there is no meter on the water entering the building, also that the Town of Antonito is at fault for the water situation. Mr. Garcia takes no responsibility for the Robbery at Lowe's Grocery Store. Mr. Garcia states that the people living inside his building would be kicked out on the streets because they have no other place to stay. Mr. Garcia states that he has evidence that the reason the rooms looked so messy was because of the deputy's throwing and flipping everything over. Mr. Garcia states that he has done nothing wrong but that he did his best. Mr. Garcia points blame at the Town and again takes no responsibility for the condition of the building. Mr. Garcia claims to always stay in his room and was not responsible for the robbery at the Lowe's Store.



Aaron Abeyta – 502 West 8<sup>th</sup> Ave. Antonito – Former Mayor of the Town of Antonito

Mr. Abeyta as Mayor of Antonito in 2018 asked Mr. Garcia if the Town of Antonio could potentially buy the property from Mr. Garcia to use as a Recreational Center. Mr. Abeyta approximately in March 2018 at that time the school was relatively clean. No more than three months later Derrick Garcia, son to Wayne, took Mr. Abeyta inside the building again but this time the school was already in disrepair. Mr. Abeyta witnessed ceiling tiles removed with copper pipe removed, clearly people living inside the building, restrooms were in disrepair, fecal and urine all over the building, standing water on the floor, and in a few rooms' extension cords running to classrooms that powered lights and heaters. The Town of Antonito at this point still wanted to buy the property.

Robert Pacheco – 217 Main Street, Antonito - owner of Pacheco Station formerly owned by Wayne Garcia

Mr. Pacheco states that seeing the pictures today is concurrent with what he had to deal with after buying the old gas station in February 2022 there Mr. Pacheco had to remove numerous bottles of urine and feces from the building, there was a bed in the office with extension cords powering lights and heaters just as in the same manner as the school.

Roman Marufo – Ex Police Chief of Manassa Police

Mr. Marufo explains that during his time as Manassa Chief of Police he was called by the Conejos County Sheriff's Department to assist in a Search Warrant on the property in question. Mr. Marufo explains that the smell from inside the building was sickening, the stench of Urine and Feces was very strong. The same unsafe condition of strung extension cords throughout the building were also present with standing water near the electrical devices.

Angela Montoya – 103 6<sup>th</sup> St, Antonito, CO

Miss. Montoya states that as a homeowner we all must pay our water bill our electrical bills, why is Mr. Garcia blaming the town and not taking responsibility? As responsible homeowners we all must pay our bills and keep sanitary living conditions in our homes.

Steve Salazar – representing the Salazar Estate - Estate is directly West of the property in question.

Mr. Salazar for the past four years has witnessed people walking and driving up to the school to purchase drugs at all hours of the day and night. Mr. Salazar's main concern is safety for the community regarding drug sales and drug users in and around the school.

Christy Duran – Antonito Resident

Mrs. Duran states that she was working for South Conejos School District when they agreed to sell the building to Mr. Wayne Garcia with the stipulation that the Garcia's would use it for manufacturing and was never intended to be used as a residence. Mrs. Duran states when visiting her aunt who lives near the school witnesses people in and out of the school with their back packs talking to themselves and yelling out vulgar or obscene phrases, due in part to using drugs, she will not let her kids play outside because she doesn't feel safe with those individuals frequently visiting the old school building.

Paul Duran – Antonito Resident - Fire Chief of Southern Conejos Fire Protection District

Mr. Duran talks to the pictures shown regarding the extension cords strung throughout the building, this is a major issue he explains, this is a fire hazard and could result in a total loss of the building and anyone possibly inside the building during a fire.

Rosanna Atencio – Antonito Resident

Mrs. Atencio asks the BOH why the school was raided and no other drug houses?  
Comm. Jarvies explains that the reason the building was raided was because of the criminal investigation, which led to the Board of Health stepping in because of the urine and feces everywhere. Mrs. Atencio states that she believes that all drug houses pose a significant Public Health Issue, also that if the school were to be closed and the people staying inside the building were run out and with no where to go would live on the streets that may just urinate and defecate in town and since they are at least in a semi-controlled environment inside the old school, what would Public Health do to deal with these individuals living out on the street.

Connie Ricci – Antonito Resident

Mrs. Ricci explains that the traffic in and out of the building is an issue, the people walking to or from the building create a hazard because many times they do not watch where they are walking and several times, they walk right in front of her and must slam on her brakes before she hits them with her car.

Cordelia Espinoza – Antonito Resident

Mrs. Espinoza explains that her Grandchildren and the main concern is for her grandchildren, her 5-year-old grandchild calls the building the Dope School.

Issabella Martinez – 801 River Street, Antonito

Mrs. Martinez explains that she has witnessed Mr. Wayne Garcia yelling and dancing in and around the school at all hours of the night. She has also caught someone living inside the building stealing water from her outside spigot.

Katherine Salazar – 107 Pine St, Antonito – Lives directly west of the school.

Mrs. Salazar explains that she has witnessed drug sales at all hours of the day and night, she explains that people inside the school sell drugs through a window in one of the bedrooms, they use it as a drive-up window. Mrs. Salazar also describes waking up in the middle of the night to bonfires in the middle of the school yard with no regard to those living near the school building.

Teonatzin Ruybal - Antonito Resident – Business Owner in Antonito

Mrs. Ruybal explains that she has witnessed foot and vehicle traffic in and out of the school.

Denise Jiron explains that the drug issue is something that every County in the State is struggling with, however the main issue today is dealing with the Public Health Nuisance inside the school building.

Comm. Jarvies gives Mr. Wayne S Garcia a chance to rebut the comments made today, Mr. Garcia states that he is not to blame for any of this and that he wants help for the drug addicted people in Antonito.

Attorney Sarmiento asks the BOCC if they have been presented enough evidence to declare the school being a Public Health Nuisance?

Comm. Garcia states that the condition of the building as presented does constitute a public health nuisance.

Comm. Baroz explains that he has nothing against the people staying inside the building, but the main concern is the health and safety issues that may occur in the building and the conditions do need to be abated.

Comm. Garcia explains that the Board of Health does not have the jurisdiction to close the building, but the board can determine if the conditions are a public health issue and can declare action to have the building cleaned adequately after posing a public health issue.

Comm. Jarvies explains that he would like to thank all those that completed this investigation, putting their own lives at risk, the BOCC appreciates all that was done to complete this investigation process.

Motion to enact the Public Health Nuisance Resolution as presented.

Comm. Baroz makes the first motion.

Comm. Garcia makes the second motion.

Motion Carries 3-0

BEFORE THE BOARD OF HEALTH OF CONEJOS COUNTY

RESOLUTION NO: 2024-PH-1

RE: RESOLUTION FINDING NUISANCE, SOURCE OF FILTH, OR CAUSE OF SICKNESS AND ORDERING THE ABATEMENT OF CERTAIN PROPERTY LOCATED IN ANTONITO, COUNTY OF CONEJOS, STATE OF COLORADO, LEGALLY DESCRIBED BELOW AND REFERRED TO AS THE "OLD HIGH SCHOOL COMPLEX."

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WHEREAS on January 26, 2024, the Conejos County Attorney, accompanied with the Conejos County Public Health Director and the Conejos County Sheriff's Office served Notice of Public Health Violation on Mr. Sidney Wayne Garcia and posted the same on the following property:

Will be referred to as the "Old High School Complex", Antonito, Colorado 81120, and it is legally described as the following property located in Conejos County, Colorado: ALL OF THE SCHOOL BLOCK AS SUCH IS SHOWN AND DESIGNATED ON THE PLAT OF FRANK'S ADDITION TO THE TOWN OF ANTONITO, COLORADO RECORDED IN THE OFFICE OF THE CONEJOS COUNTY CLERK AND RECORDER. LOTS SEVEN (7), EIGHT (8), NINE (9), TEN (10), ELEVEN (11), AND TWELVE (12) OF BLOCK "H" OF THE ORIGINAL TOWNSITE OF ANTONITO, COLORADO, AS SHOWN ON THE PLAT THEREOF, RECORDED IN THE OFFICE OF THE CONEJOS COUNTY CLERK AND RECORDER. LOTS TEN (10), ELEVEN (11), AND TWELVE (12) IN BLOCK ONE (1) OF FRANK'S ADDITION TO THE TOWN OF ANTONITO, COLORADO AS SHOWN ON THE PLAT THEREOF RECORDED IN THE OFFICE OF THE CONEJOS COUNTY CLERK AND RECORDER.

The Notice of Public Health Violation notified the owner and occupants of the Old High School Complex that conditions existed at the Old High School Complex that may constitute a nuisance, source of filth, or source of sickness in violation of C.R.S. § 25-1-518. The Notice further notified the owner and occupants that the Conejos County Board of Public Health would hold a hearing on the nuisance at the Old High School Complex on February 1, 2024, at 11:00 a.m. at the Conejos County Commissioner's Room; and

WHEREAS, On January 29, 2024, a Member of the Conejos County Board of Public Health, the Conejos County Director of Public Health, an Assistant of the Director of Public Health, the Regional Environmental Health Program Manager for the San Luis valley Public Health Partnership, and a Deputy with the

6. Drugs and drug paraphernalia, including used needles and other tools used for drug use shall be discarded and removed;
7. All fire hazards shall be addressed, including locked escape doors, heating, and dangerous electrical connections. Fire hazards and the electrical shall be inspected by the proper authorities or shall be prevented from operating to prevent a fire that may cause the loss of property and human life; and
8. No children shall be allowed to be present in these conditions;

**BE IT FURTHER RESOLVED**, that the Board of Health does hereby ORDER the owner of record or occupants of said property to remove the same within twenty-four hours of issuance of this order.

**BE IT FURTHER RESOLVED**, that if the owner or occupant does not have the ability to remove the nuisance, source of filth, or cause of sickness from the property, but permits access to said property, the Conejos County Public Health is hereby authorized to abate said nuisance at the expense of the owner or occupant pursuant to §25-1-516(3) C.R.S. and to seek court action for the same.

**BE IT FURTHER RESOLVED**, that if the owner or occupant fails to remove said nuisance, source of filth, or cause of sickness, AND fails to grant admittance to the premises the Conejos County Public Health is hereby authorized as designee for the Board of Health to request a warrant for the admittance and abatement of said nuisance, source of filth, or cause of sickness with the Conejos County Court, pursuant to §25-1-516 C.R.S.

APPROVED AND ORDERED UNANIMOUSLY ON THIS 1<sup>st</sup> DAY OF FEBRUARY, 2024.



ATTEST

*Nathan Ruybal*  
 Nathan Ruybal, Clerk of the Board  
 Clerk and Recorder

BOARD OF COUNTY COMMISSIONERS  
 ACTING AS THE BOARD OF HEALTH

By *Mitchell Jarvies*  
 Mitchell Jarvies

Close BOH Meeting at 1:36 pm  
 Re-enter the BOCC Meeting  
 Meeting Adjourned at 1:38 pm

*Carlos Garcia*

Vice Chair of BOCC

ATTEST:

*Nathan Ruybal*  
 Nathan Ruybal  
 Clerk of the Board

*Absent 3-21-24*  
 Mitchell Jarvies  
 Chair of BOCC

Conejos County Sheriff's Office entered, with consent, the "Old High School Complex", Antonito, Colorado 81120; and

**WHEREAS**, the Conejos County Board of Health (BOH) met at a public meeting held on February 1, 2024 and considered information presented by the team that entered the Old High School Complex on January 29, 2024, and also comments by Mr. Sidney Wayne Garcia, and the public, to determine if the conditions at the Old High School Complex constituted a nuisance, source of filth, or cause of sickness which may be injurious to the inhabitants of Conejos County; and

**WHEREAS**, §25-1-518(1) C.R.S., authorizes Conejos County to "destroy, remove, or prevent the nuisance, source of filth, or cause of sickness" as may be required for the health and welfare of its citizens; and

**WHEREAS**, "whenever any nuisance, source of filth, or cause of sickness is found on private property, the county or district board of health shall order the owner or occupant or the person who has caused or permitted such nuisance, at his or her own expense, to remove the same within twenty-four hours." §25-1-518(4) C.R.S., (emphasis added); and

**WHEREAS**, "If the owner or occupant does not comply with an order of the county or district board of health, the board may cause the nuisance, source of filth, or cause of sickness to be removed, and all expense incurred thereby shall be paid by the owner or occupant or by such other person who has caused or permitted the nuisance, source of filth, or cause of sickness." §25-1-518(5); and

**NOW, THEREFORE, BE IT RESOLVED**, that it is the opinion of the Board of Health that the following conditions do hereby constitute a nuisance, source of filth, or cause of sickness and that for the preservation of the health of the inhabitants of Conejos County said property should be abated. The Conditions to be abated are the following:

1. Shall allow inspection by State officials to determine if drug manufacturing or other type of airborne diseases are present in the Old High School Complex; and
2. Shall stop operating as a quasi-hotel, shelter, or homeless shelter; and
3. All feces, urine and/or human excrement shall be removed, cleaned, and all surfaces shall be sanitized; and
4. All trash and dirty clothes shall be disposed of to prevent disease and further hazards to human life; and
5. All mold shall be removed, cleaned and sanitized;