



Nathan Ruybal

CONEJOS COUNTY CLERK & RECORDER

6683 COUNTY ROAD 13 PO BOX 127

CONEJOS, COLORADO 81129

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Minutes of the Board of County Commissioners Regular Meeting held on April 20th, 2023, at 9:00 am in the Commissioners Board Room, 6693 County Road 13, Conejos, CO 81129

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

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

Opening Prayer: Comm. Baroz gave the opening prayer.

Approval of Agenda:

- Add Moratorium of Minor Subdivisions action item.
- Add Executive Session

Motion to approve agenda as amended.

Comm. Baroz First Motion

Comm. Jarvies Second Motion

Comm. Garcia did not vote running late.

Motion Carries 2-0

Approval of Minutes:

- March 16th, 2023, Regular Meeting
 - Comm. Baroz makes motion to approve minutes as presented.
 - Comm. Jarvies seconds that motion.
 - Motion Carries 2-0
- March 28th, 2023, Special Meeting.
 - Comm. Baroz makes motion to approve minutes as presented.
 - Comm. Jarvies seconds that motion.
 - Motion Carries 2-0
- April 6th, 2023, Regular Meeting.
 - Comm. Baroz makes motion to approve minutes as presented.
 - Comm. Jarvies seconds that motion.
 - Motion Carries 2-0

Public Comment:

- No Public Comment.

Administrative Correspondence – Tressesa Martinez:

- No Admin. Correspondence

County Attorney – Nick Sarmiento:

- Attorney Sarmiento begins discussion with an explanation of Major and Minor Subdivision.
 - A. **Minor Subdivision.** The Land Use Administrator shall determine that Minor Subdivision Review is required if the subdivision will create 3 to 6 lots and is consistent with the County Comprehensive Plan and these Subdivision Regulations.

B. Major Subdivision. The Land Use Administrator shall determine that Major Subdivision Review is required if the Subdivision will create 7 or more lots.

- Major subdivision mandates that the owner/developer develop a water resource plan.
- Minor subdivision in the land use code, Conejos does not require a water resource plan.
- Attorney Sarmiento discusses how a developer can get around the Land Use Code thus the reason for the moratorium.
- Attorney Sarmiento encourages the BOCC to decide if we need to impose a Water Supply Plan for a Minor Subdivision.
- Attorney Sarmiento comments how do we continue developing Conejos County in an orderly fashion while protecting our water resources.
- Discussion continues regarding the correspondence between Attorney Sarmiento and The Division of Water Resources and the need for an applicant of a Minor Subdivision to obtain or not a Water Supply Plan as part of the Land Use Code.
- No decisions were made.

DSS Report – Nick Barela:

- Request approval of Program and Administration Expenditures for \$656,080.36
 - Comm. Baroz makes motion to approve expenditures as presented.
 - Comm. Garcia seconds that motion.
 - Motion Carries 3-0
- Request approval of Accounts Payable
 - Comm. Garcia makes motion to approve A/P as presented.
 - Comm. Baroz seconds motion.
 - Motion Carries 3-0
- Case Load Report

CONEJOS COUNTY DEPARTMENT OF SOCIAL SERVICES

ONGOING WORKLOAD SUMMARY REPORT

	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-2
APS		9										
Child Care	40	40	40									
Child Support	412	413	414									
Child Welfare		7										
Adult Financial	103	106	108									
Colorado Works	34	37	39									
Food Stamps/Food Assistance	847	863	873									
Medical Assistance	1983	1985	1991									

- HCPUC incentive funds for DSS Staff \$250 each.
- Tyler Tech. data transfer dated for 5/16/2023.

CONEJOS COUNTY, COLORADO
Department of Social Services
PO Box 68, 12989 County Rd. G.6
Conejos, CO 81129
Phone: 719 376-5455
Fax: 719 376-2389
CONTRACT

Project: <u>Conservation Legacy</u>	Reference Date: _____
Source of Funds: <u>TANF</u>	
Contractor (Full Legal Corporate Name): <u>Conservation Legacy</u>	
Contractor Representative: <u>Anna Hendricks</u>	E-mail Address: <u>ahendricks@conservationlegacy.org</u>
Mailing Address: <u>701 E Highway 50, Salida CO 81201</u>	Telephone No.: <u>719-580-3272</u> Fax No.: _____
<input type="checkbox"/> If checked, this Contractor is a Personal Services Contractor and the Services must be performed by the Contractor Representative.	
County Representative: <u>Nicholas Barela</u>	Email Address: <u>Nicholas.Barela@state.co.us</u>
Mailing Address: <u>P.O. Box 68 12989 County Rd. G.6 Conejos, CO 81129</u>	
Telephone No.: <u>(719) 376-5455</u>	Fax No.: _____
Copy to: (name of attorney) <u>Ryan Dunn</u>	
Contract Price:	
<input checked="" type="checkbox"/> Non-to-Exceed Amount <u>\$37,500</u>	

- Conservation legacy and DSS \$37,500 paid via TANF.
- Comm. Baroz makes motion to allow Nick Barela and DSS to enter contract with Conservation Legacy as presented.
- SPECTRIO SERVICES AND HARDWARE AGREEMENT FOR BUSINESS ESTABLISHMENTS AT \$66 A MONTH.

OEM REPORT – Rodney King:

- Request to approve the Mutual Aid agreement as presented between Alamosa, Conejos, Costilla, Mineral, Rio Grande and Saguache Counties.
 - Comm. Garcia makes motion to approve Mutual Aid Agreement as presented.
 - Comm. Baorz seconds that motion.
 - Motion Carries 3-0
- 2022 – 23 EMPG-LEMS Grant Activities -- is as follows:
 - 2022 EMPG Final Awards Summary: -CONEJOS: \$35,678 (\$5678.00 increase) I received the last payment of \$9,493.57 which pays in full for the EMPG Fund. 2023 EMPG-LEMS Grant awarded \$37,585 – Costilla, Mineral & Saguache \$39,705
- 2023 – 2028 SLV Haz. Mitigation Plan – The County adopted (all SLV Counties)
- We have received the used Digital radios from Pueblo R&B to equip. our R&B. and other uses. Conejos R&B has 3 programmed radios (to be installed and tested ASAP to test usability and Service.)
- Conejos Road & Bridge (Don M) is applying for a permit to program the 50 CC R&B radios with channels they can use. Sheriff Crowther has approved R&B to use a few of their channels.

- Dams in Conejos County
 - Platoro Tabletop was held in person and August 10th AAR pending.
 - Summitville Emergency Action Plan (EAP) updated and received.
 - Terrace Reservoir Emergency Action Plan (EAP) updated and received.
 - Trujillo Meadows & La Jara Reservoir – CPW – not updated at this time.
- Bear Creek HOA has requested a Tabletop Exercise this spring.
- Will hold an ICE and Fire meeting May 12th 11:00 – 12:30 @ Red Bear
 - Water – possible flooding – Nathan Coombs
 - Fire – Prescribed Burns / Forest Conditions – Andrea Jones
 - TTX – Exercise – Evacuation Drill – Rodney King
- Cyber attach awareness discussion.
- Conejos County OEM hosted the SLV Emergency Managers (3 new EMS) Conejos EOC Visit and Familiarization March 1st, 2023.
- IPPW – SLV Micro Courses – Plans for Rural EOP held April 4th beta test.

Land Use Report – Linda DeHerrera: Glen Beechy

**CONEJOS COUNTY LAND USE STAFF REPORT
SPECIAL USE REVIEW**

Case No. CCTU 2023-0027

APPLICANT: Glen Beechy

BACKGROUND: An application for a Special Use Permit was filed with the Land Use Office on 02/09/2023. The property is owned by Glen & Marilyn Beechy. It is zoned Rural and is legally described as: 40 Acres – in the NE ¼ of the SW ¼ of Section 31, Township 33 North, Range 9 East, NMPAL, Conejos County Colorado. The common description of the property is the address – 4499 County Rd 12.5, Antonito. Parcel/Schedule #59873130012.

REQUEST: The applicant is requesting a Special Use Permit for Home Occupation – Farrier Service.

ADJACENT ZONING: North, South, East and West are all Rural.

APPLICABLE ZONING ORDINANCE: - Article 4 Zoning, Division 4.2 Zone District Regulations AND Article 5 Permits, Division 5.4 Special Use Review.

PUBLIC NOTICE REQUIREMENTS: Notice requirements were met by sending notice to the surrounding landowners within 500’ on 03/17/2023; notices to referral agencies on 03/17/2023; notice was published in VALLEY COURIER on 03/18/2023 & 04/15/2023; Onsite posting was posted by Michelle Bradford on 03/20/23.

PUBLIC HEARINGS:

PLANNING COMMISSION – The public hearing was held on April 19, 2023, at 6:15 PM. A recommendation to approve the application as presented was made by Linda Johansen and Emily Lutringer.

BOARD OF CONEJOS COUNTY COMMISSIONERS – The hearing before the Board of County Commissioners is scheduled for Thursday, April 20, 2023, at 10:00 AM.

Land Use Report – Linda DeHerrera: Glen Beechy - continued

- Adequate public notice
 - Comm. Garcia makes motion to approve Special Use Permit and Home occupation.
 - Comm. Baroz seconds that motion.
 - Motion Carries 3-0
 - Resolution# 13

Land Use Report – Linda DeHerrera: Toby Detweiler

Conejos County Land Use Staff Report

NAME OF MINOR SUBDIVISION: Toby Detweiler Minor Subdivision

OWNERSHIP/SUBDIVIDER: Toby J Detweiler and Barbara R. Detweiler

CCLU Case #2023-0037 SURVEYOR: Reynolds Engineering

LOCATION/LEGAL DESCRIPTION: 35 acres + Located in a Fraction of the NE ¼ Section 24, Township 32 North, Range 8 East and a Fraction of the North Half of Section 19, Township 32 North, Range 9 East, N.M.P.M., Conejos County, Colorado. Physical address as 410 County Road B, Ortiz.

EXISTING ZONING: Rural ADJACENT ZONING: North, South, East, & West-RURAL – primarily Rural & Agricultural land with residential development.

REQUEST: The applicants are requesting to create three lots from one parcel.

SITE DESCRIPTION - SEWAGE/WATER/ACCESS/ROADS:

Lot 1 contains 5.409 acres + long term plans – School house/property.

Lot 2 contains 20.000 acres + – residence and SLP/Cabinet Shop

Lot 3 contains 9.591 acres + – rural land – to be conveyed to Aaron Hochstetler.

Existing Access to all lots is from the existing County Rd B.

Lot 1 will apply for an exempt commercial well after the school use is approved. Lot 2 has a domestic well. Lot 3 will be allowed to apply for a household use only permit. The applicants will apply for all Land Use permits when they begin development.

NOTICE REQUIREMENTS: Notice to surrounding landowners was mailed on 03/21/2023. Notice was published in the Valley Courier on 03/18/2023 & 04/15/2023. Onsite posting was completed 03/20/2023.

PLANNING COMMISSION (PC) REVIEW: The public hearing was held on Wednesday, April 19, 2023, at 6:45 PM. Armando/Linda Johansen motioned to approve the minor subdivision as presented. Unanimous vote.

BOARD OF COUNTY COMMISSIONERS REVIEW: Public hearing before the BOCC is scheduled for Thursday, April 20, 2023, at 10:15 AM.

Land Use Report – Linda DeHerrera: Toby Detweiler – continued

- Public Comment Portion of hearing open and closed with No Public Comment.
- No comments from referral agencies.
 - Comm. Baroz makes a motion to approve the Toby Detweiler Minor Subdivision as presented.
 - Comm. Garcia seconds that motion.
 - Motion Carries 3-0

Land Use Report – Linda DeHerrera: Lester Yoder

CONEJOS COUNTY LAND USE
CASE SUMMARY- REPORT

CASE NO: CCLU-2021-361

REQUEST: Division of Land

APPLICANT: Lester Yoder

SURVEY BY: Reynolds Engineering

ZONING: Rural

BACKGROUND: An application was filed with the Land Use office on 11/29/21, for a Division of Land (DOL.) The owners are Lester & Naomi Yoder. The property is approximately 57.43 acres ± situated in a fraction of the North Half of Section 19, and a fraction of the Southwest Quarter of Section 18, Township 32 North, Range 9 East, New Mexico Principal Meridian, Part of Tract 2 of the Partition of Property Survey case #2018CV3022 recorded on 01/20/21, reception #0583 in Conejos County Colorado.

The proposed survey reflects a division of 57.43 acres ± to create the following:

- Tract B1 containing 19.996 acres ±
- Tract B2 containing 35.103 acres ±
- Area of Dispute containing 2.332 acres ±
- No County Road ROW Dedication

Applicable Land Use Codes: Article 10 – Subdivision, Division 10.7 Subdivision Exemptions, Section 10.7 (1.) Division of Land

Purpose of Division: The applicants have requested a division of land on this property to convey 35.103 to Aaron Hochstetler. The 19.996 parcel will remain with Lester & Naomi. The area of dispute is 2.332 acres that is currently being resolved with the Duran Family. A Boundary Line Adjustment will be submitted to finalize the area of dispute. The access to these lots is from County Rd B across private roads. Tract B1 will access from the north side of Toby Detweiler, Tract B2 access will use the southern boundary of Toby Detweiler. There are two homes on Tract B2. All permits were obtained by Lester.

This application was initially a minor subdivision but was postponed as there was a property dispute. The parties have agreed to the area of dispute but are delayed per the settlement of the Jim Duran probate case.

LU Administrator approval: 04/06/2023

County Surveyor review/approval: n/a

Board of County Commissioners review/approval: 04/06/2023, The case was tabled to discuss this matter with Mr. Yoder and determine if a probate case has been filed with the Court.

04/20/2023 - The County Commissioners

- Reopen DOL for presentation from table motion from April 6th Regular Meeting.
- Russell Engineering and Reynolds Surveying will work together to make area of concern possession of the Duran's.
 - Comm. Garcia makes motion to approve DOL with amendments.
 - Comm. Baroz seconds that motion.
 - Motion Carries 3-0

VA Memorial on Hwy 285 – Robert Holman:

- Mr. Holman would like to ask the Conejos BOCC to help upgrade the lights for the memorial wall on Hwy 285 just north of the town of Romeo.
- Connie comments that the Class of 1986 has money that came from the Cookbook fundraiser and would be honored to help support the effort to replace the lights at the memorial.
- BOCC, Connie and Mr. Holman will be in contact to get the lighting project started and completed.

Public Health Report – Denise Jiron:

Samantha Escobedo is now the epidemiologist for the State of Colorado Public Health.

Communicable Disease Prevention, Investigation and Control

Environmental Health

All public health agencies are required to participate in the protection and improvement of air, water, land, and food quality by identifying, investigating, and responding to community environmental health concerns, reducing current and emerging environmental health risks, preventing communicable diseases, and sustaining the environment. These activities should be consistent with applicable laws and regulations, and coordinated with local, state, and federal agencies, industry, and the public.

1. Regional Health Inspector / Environmental Health Program in 2023
- 2 FT; 1 PT regional staff

Emergency Preparedness and Response

All public health agencies are required to prepare and respond to emergencies with a public health or environmental health implication in coordination with local, state and federal agencies and public and private sector partners.

- Regional Lead Linda Smith has applied for one of the CDPHE restructuring EPR District positions
- Plan B: SLVPHP will pool monies to support regional EPR

Prevention and Population Health

All public health agencies are required to develop, implement and evaluate strategies (policies and programs) to enhance and promote healthy living, quality of life and wellbeing while reducing the incidence of preventable (chronic and communicable) diseases, injuries, disabilities and other poor health outcomes across the lifespan.

- Provided Fentanyl Tests stirps and Kloxxidao to CCSO
- CCPH has requested additional supplies from CDPHE
- Xylazine – street name "Tranq"

No Mask and Testing Requirements

Commodity Supplemental Food Program

Participation has slightly decreased during the month of March 2023.

1. 418 Individuals total participation
2. Home deliveries to the homebound 2 days monthly; 48 people
3. 292 Households (including TFAP)
4. Curbside delivery continues 2 (T/Th) days weekly

CONEJOS COUNTY
BOARD OF HEALTH REPORT
4/20/2023

Xylazine

What is xylazine? Xylazine is a non-opioid agent that FDA originally approved in 1972 as a sedative and analgesic for use in veterinary medicine. Xylazine is similar to levamisole, clonidine, and tizanidine and may share some clinical effects. Xylazine is not approved for use in humans.

- Cases of overdoses involving a new illicit street drug that mixes opioids (typically fentanyl) with xylazine (a veterinary tranquilizer) are being reported in Colorado. This drug combination is commonly referred to as "Tranq". According to national public reports, Tranq has recently been linked to multiple deaths. In the past 14 months, there have been four drug overdose deaths in the Denver metro-area that involved xylazine in some form
- Common symptoms of xylazine-laced drug overdoses include unresponsiveness and decreased responsiveness, low blood pressure (hypotension), slow heart rate (bradycardia), constricted pupils (miosis), and reduced or slow breathing
- Because xylazine (a non-opioid) is often combined with an opioid, naloxone (Narcan) may not be effective in treatment of a "Tranq" overdose. Still, health care providers are encouraged to administer naloxone and manage the patient's symptoms supportively with a heightened awareness in management of the patient's airway and breathing
- Xylazine has been known to cause severe wounds and necrosis that could lead to amputation. Wounds can occur at a site of injection as well as other locations, even when xylazine is smoked or snorted.

Kloxxado and Fentanyl Test strips

CCPH provided Fentanyl test strips and Kloxxado to CCSD due to the increase of opioid use and potential of overdose in our community.

What is Kloxxado (naloxone HCl) nasal spray 8 mg?

Kloxxado® can help save a life from opioid overdose

Kloxxado® is a nasally-administered form of naloxone, trusted by healthcare providers for reversing the effects of opioid overdose as a bridge to emergency medical care.¹

Since an opioid overdose can happen anywhere, Kloxxado® is designed to be used by anyone, in any situation – with no medical training required beyond the [Instructions for Use](#).¹

Who should carry Kloxxado™?

Kloxxado™ nasal spray was developed for first responders, as well as family, friends, and caregivers of individuals who might be at risk for an opioid overdose.

Respiratory illnesses

-continue to be prevalent, especially in children.

- Please take precautions for adults and children
- Wash your hands
- Cover your cough
- Be considerate of others
- Stay home if sick, don't go to school or work
- Seek medical care
- Pick up free COVID test kits to rule out illness
- Ask your medical profession about what OTC medications to have at home

Pertussis/ Whooping Cough

- CCPH has been made aware of 2 cases in the last 3 weeks in children

Conejos County information on COVID-19 as of 3/19/23:

- 1 reported active cases



365 Health

CCPH along with 365 Health (formerly 9 Health) will host a Health Fair on Saturday May 13th, at the Centauri Junior High Gym. This will be a health and resources fair. For 43 Years, 365 Health has provided critical health screenings through thousands of health fairs. Now, we're moving beyond annual health fairs to provide online services, tools, and resources that help you stay healthy 365 days a year.

What's a health fair?

Get access to affordable, high-quality health screenings of your choice. You will also have access to free preventive health screenings (varies by location), free vaccinations, a chance to talk to a medical professional one-on-one, and an opportunity to get more information on a range of health topics.

Road and Bridge Report – Donnie Martinez:

- County Road 28 bridge update discussion.
- County Road V Bridge update discussion.
- Jail sewer connection to Town of Antonito project update.
- Equipment Purchases.
 - Street Sweeper.
 - Pothole Machine.
 - Water Tanker Truck.
 - Brush Mower.
- Private and County Road maintenance discussion.
- Roof Bid discussion.

National Crime Victims' Rights Week – Nadia Flores:

National Crime Victims' Rights Week

April 23-29, 2023

Whereas the term "victim" is more than just a label and has a legal standing and protections that go along with it;

Whereas crime victims' rights acts passed here in Colorado and at the federal level guarantee victims the right to meaningfully participate and use their voice in the criminal justice process;

Whereas victim service providers, advocates, law enforcement officers, attorneys, and other allied professionals can help survivors find their justice by enforcing these rights;

Whereas the right to provide an impact statement ensures that victims' voices are considered in court during the sentencing and, when applicable, restitution processes;

Whereas including and elevating the voices of survivors makes certain they are heard and seen and creates a path to forging and sustaining community trust;

Whereas engaging survivors creates responses and services that are credible, meaningful, and centered on individual needs;

Whereas survivors' lived experience can serve as a catalyst for implementing innovative programs, shifting existing programs in new directions, and changing policies or practices that prevent survivors from accessing services or pursuing justice;

Whereas National Crime Victims' Rights Week provides an opportunity to recommit to listening to crime survivors in every space where decisions are made that could impact them; and

Whereas Conejos County Sheriff's Office and the Conejos County Victim Response Unit is hereby dedicated to amplifying the voices of survivors and creating an environment where survivors have the confidence that they will be heard, believed, and supported.

Now, therefore, we, as the Board of Commissioners of Conejos County,
do hereby proclaim the week of April 23-29, 2023 as

Crime Victims' Rights Week

reaffirming Conejos County's commitment to creating a victim service and criminal justice response that assists all victims of crime during Crime Victims' Rights Week and throughout the year, and expressing our sincere gratitude and appreciation for those community members, victim service providers, and criminal justice professionals who are committed to improving our response to all victims of crime so that they may find relevant assistance, support, justice, and peace.

Signed this 29th day of April, 2023


Mitchell Jivryes


Joseph Baroz


Carlos Garcia

Survivor Voices: Elevate. Engage. Effect Change.

- Comm. Baroz makes motion to make the week of April 23-29 National Crime Victims' Rights Week in Conejos.
- Comm. Garcia seconds that motion.
- Motion Carries 3-0
- Resolution # 16

Motion to enter Executive Session 24-6-402 Sub Section B Conference with an Attorney to Discuss Personnel discussion under Legal Counsel.

Comm. Baroz first motion

Comm. Garcia second motion

Motion Carries 3-0

Comm. Jarvies - Let the record reflect that we are coming out of Executive Session conference with an Attorney, no decisions were made, and it is 11:45 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.

Motion to enter Executive Session 24-6-402 Sub Section B Conference with an Attorney to Discuss Personnel discussion under Legal Counsel.

Comm. Baroz first motion

Comm. Garcia second motion

Motion Carries 3-0

Comm. Jarvies - Let the record reflect that we are coming out of Executive Session conference with an Attorney, no decisions were made, and it is 11:45 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.

Motion to enter Executive Session 24-6-402 Sub Section B Conference with an Attorney to Discuss DSS and Excel Power Company under Legal Counsel.

Comm. Baroz first motion

Comm. Garcia second motion

Motion Carries 3-0

Comm. Jarvies - Let the record reflect that we are coming out of Executive Session conference with an Attorney, no decisions were made, and it is 11:57 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.

Meeting Adjourned at 12:05 pm

Meeting reconvenes to approve moratorium for Minor Subdivision.

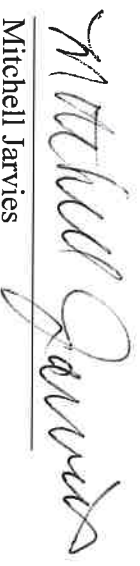
- Comm. Baroz makes motion to approve Minor Subdivision until October 6, 2023.
- Comm. Garcia seconds that motion.
- Motion Carries 3-0
- Resolution# 17

Meeting Adjourn at 12:15 pm

ATTEST:



Nathan Ruybal
Clerk of the Board



Mitchell Jarvies
Chair of BOCC