



Nathan Ruybal
CONEJOS COUNTY CLERK & RECORDER
6683 COUNTY ROAD 13 PO BOX 127
CONEJOS, COLORADO 81129
TELEPHONE: 719 376 5422 FAX 719 376 5997
nruybal@co.conejos.co.us

Minutes of the Board of County Commissioners Special Meeting held on August 14th, 2024, at 6:00 pm in the Commissioners Board Room, 6693 County Road 13, Conejos, CO 81129

1) ROLL CALL

Roll call reflected the attendance of Comm. Mitchell Jarvies – Chairperson - present, Carlos Garcia - Vice Chair – present and Joseph Baroz – Vice Chair – present, Nathan Ruybal - Clerk and Recorder, Tressesa Martinez, County Administrator - Nick Sarmiento – County Attorney - present

2) CALL TO ORDER

August 14th, 2024, a special meeting of the Conejos County Board of County Commissioners was called to order at 6:05 pm.

3) AGENDA ADDITIONS/APPROVAL

Agenda was not approved, Comm. Jarvies opened the meeting explaining that Attorney Sarmiento will go through the 1041 regulations and if any person has a comment to please announce who they are and their address before they comment or ask questions.

4) PUBLIC HEARING

Attorney Sarmiento begins the public hearing by reviewing and discussing exemptions under section 1.105. Martelle Faatz asks for clarification on determining Power Plants, Sarmiento replies determination depends on how much acres the plant sites on, anything over 5 acres or 10 megawatts or more. Attorney Sarmiento also reviews 1041 regarding **permit regulations, processing applications and waiver of submission requirements**. Attorney Sarmiento reads through 1041 with no questions or discussion from the public. Comm. Jarvies and Attorney Sarmiento move the discussion over to Excel and discussion of a letter that was received by Conejos County. Briana Crowther asks for a copy of the letter, Clerk Ruybal makes copies for the public. The letter is read in full by Attorney Sarmiento, after reading the floor is open to public comment.


Brett Shawcroft from 19049 County Road 17.2 comments that Excel is making choices that keep them from providing more work and analysis for the project. Martell Faatz is concerned about higher voltage overhead lines then asks about underground lines and the different size voltage lines and access boxes, whether or not there are three- or six-foot-deep power lines. Mr. Hendersen discusses that Excel's letter sounds like they will dispute anything that will be a higher cost, also comments that Excel is not notifying landowners if they plan to use their land on purposed route. Martell Faatz asks Attorney Sarmiento about Eminent Domain. Attorney Sarmiento clarifies that he cannot comment on any eminent domain questions. Mr. Jace Booth comments on the heated discussions between Excel and

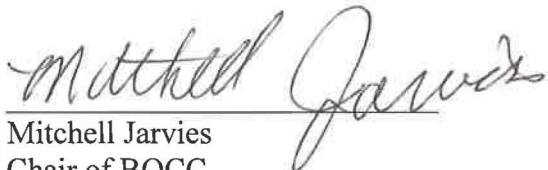
himself regarding the 75-foot easement that Excel is requesting. Comm. Garcia discusses visual impact assessment and Mr. Hendersen thinks that this visual impact should stay in the 1041 regulations. Attorney Sarmiento next discusses noise conditions, the question arises what the Public Utilities Commission requirement for decibel level acceptance. Attorney Sarmiento will research that because he does not know the answer to the noise conditions.

Comm. Baroz, comments on why Excel cannot use 100% of the existing transmission lines, Brandon Dunn who lives at 12008 County Rd S, claims that Excel has already completed soil sample holes on a County easement and that they have already staked out the easement on private land. Mr. Dunn also thanks the BOCC for standing up for the landowners to Excel by implementing these 1041 Regulations. Attorney Sarmiento asks that the BOCC not adopt the 1041 regulations at regular meeting on the 15th of August. Rodney Gibson, who lives at 18001 County Rd 15.25, is asking about the Excel letter concerning asking for R&B comments. Donnie will provide comments at tomorrow's BOCC meeting. BOCC discussion on underground vs. overhead transmission lines. BOCC also needs a study on fire mitigation on under and overhead transmission lines.

Hearing Adjourned at 8:35pm

ATTEST:


Nathan Ruybal
Clerk of the Board


Mitchell Jarvies
Chair of BOCC