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Minutes of the Board of County Commissioners Regular Meeting held on August 15th, 2024, at 9:00 am 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 – absent and Joseph Baroz – Vice Chair – present, Nathan Ruybal - Clerk and Recorder, Connie Ricci – HR Manager, Tressesa Martinez, County Administrator - Nick Sarmiento – County Attorney - present

2) CALL TO ORDER

August 15th, 2024, a regular monthly meeting of the Conejos County Board of County Commissioners was called to order at 9:00 am beginning with the pledge of allegiance led by Comm. Jarvies and a prayer led by Comm. Garcia.

3) AGENDA ADDITIONS/APPROVAL

The agenda was reviewed. Tressesa would like to add Sales Tax discussion. A motion was made by Comm. Baroz to approve the agenda as amended. Second by Comm. Garcia, the MOTION CARRIED 3-0.

4) APPROVAL OF MINUTES

The Minutes of the Special Meeting on July 3rd, 2024, and Regular Meeting on July 18, 2024, were presented for review. A motion was made by Comm. Garcia to approve the minutes of the July 3rd special meeting, seconded by Comm. Baroz, the MOTION CARRIED 3-0. A motion was made by Comm. Baroz to approve the minutes for the July 18th Regular Meeting as presented, seconded by Comm. Garcia, the MOTION CARRIED 3-0.

5) PUBLIC COMMENT

Matthew Gallegos, who lives three miles east of the La Jara Trading post, whose address was not provided, is asking the BOCC to have Road and Bridge Crew work on his road. Comm. Baroz comments that he has discussed with Mr. Peterson from Road and Bridge to look into this road. The road is not actually a County Road, but Comm. Baroz and Mr. Peterson will lay some road base down and run a grader down that road.

6) ADMINISTRATORS' CORRESPONDENCE

Metro One Ambulance Service discussion, if an ambulance service makes less than 12 runs a year they do not need to be licensed by County. No decision was made because Metro One does not make less than 12 runs a year in Conejos County. Procurement policy review and approval discussion, The BOCC has reviewed the policy and is ready to make a decision. A motion was made by Comm. Garcia to approve the procurement policy, seconded by Comm. Baroz, the MOTION CARRIED 3-0. CSU MOU change discussion and approval, the BOCC have reviewed the changes and approve the MOU as presented. A motion was made by Comm. Baroz to approve the CSU MOU changes as presented, seconded by Comm. Baroz, the MOTION CARRIED 3-0.

7) DSS REPORT – NICK BARELA

Nick is asking for approval of administrative expenses of \$420,004.85, A motion was made by Comm. Garcia to approve DSS administrative expenses as presented, seconded by Comm. Baroz, the MOTION CARRIED 3-0. Nick is also asking for approval of A/P of \$16,492.07, A motion was made by Comm. Baroz to approve A/P as presented, seconded by Comm. Garcia, the MOTION CARRIED 3-0. Nick next presents DSS Case Load Report to the BOCC, Nick also presents a HCPF status report concerning the DSS incentive program. Nick is asking for review and approval of the Child Welfare Falsification policy, The BOCC has reviewed the policy and is ready to make a decision. A motion was made by Comm. Baroz to approve the policy as presented, seconded by Comm. Garcia, the MOTION CARRIED 3-0. Nick asks for approval for a SIPA grant for \$10,000, the BOCC has reviewed and discussed the grant, A motion was made by Comm. Garcia to approve the SIPA Grant as presented, seconded by Comm. Baroz, the MOTION CARRIED 3-0. Discussion regarding website ADA compliance for links and County internal documents such as BOCC minutes and County Forms. Nick Barela advises BOCC to have someone appointed to be an ADA compliant officer for county documents and website content.

8) ROAD and BRIDGE REPORT – DONNIE MARTINEZ

Donnie discusses that pavement work is complete for the year, however there is a small project for the Town of Manassa that is still to be completed. Donnie reports that County Road P has been maintained by adding material and grading the road. Donnie discusses that with material from our different gravel pits, R&B is making the best road material they have ever made. The new road material is great for fixing our dirt roads. Next R&B will be moving on to County Road R, S and Gun Barrel Road, also known as County Road 6, to lay road material down and to run a grader through to smooth the road. Mowing operations are currently in progress on all County Road shoulders. Grading roads are the next priority, with the rain it helps to cut down the wash boards. New road graders will be delivered soon, the features and benefits are very helpful to keep track of trouble codes, maintenance and problem alerts. Comm Garcia asks where the new fuel tank was installed at the Sheriff's Office grounds, Donnie explains that the tank is installed and ready for inspection. Comm. Baroz asks that Donnie respond to Excel letter and the concerns of County Roads regarding the 1041 Regulations.

9) LAND USE REPORT – LINDA DeHERRERA

COUNTY CASE NO: CCLU-2024-0031

REQUEST: Division of Land – One parcel creating two parcels

APPLICANT: James & Natalie Paine by Meagan & Omar Guerrero

OWNERS: James D. Paine and Natalie Jo Paine

ZONING: Rural

SURVEY BY: Reynolds Engineering

APPLICATION DATE: February 27, 2024

LAND DESCRIPTION: The property is legally described as 40 acres + located in the Northeast Quarter of Section 16, Township 33 North, Range 9 East of the New Mexico Principal Meridian, Conejos County, Colorado.

COUNTY PARCEL/SCHEDULE NUMBER: 598716100203

DESCRIPTION OF DIVISION: The proposal is to divide the Northeast Quarter of the Northeast Quarter (40 acres) into two parcels for residential development for Meagan & Omar. Tract 1 containing approximately 35.29 acres + and Tract 2 containing approximately 3.99 acres + and County Road 15 dedication of 0.74 acres +

COUNTY ROAD & PRIVATE ROAD DESCRIPTION: County Road 15 dedication of approximately 0.74 Acres +. There is also existing agricultural access. Maegan and Omar placed a home on the newly created lot.

PURPOSE OF DIVISION: The applicants are dividing the land for residential development.

APPLICABLE LAND USE CODES: Article 10 – Subdivision, Division 10.7 Subdivision

Exemptions, Section 10.7 (1.) Division of Land

LU ADMINISTRATOR APPROVAL: 08/15/2024

COUNTY SURVEYOR REVIEW/APPROVAL: 08/12/2024

BOARD OF COUNTY COMMISSIONERS REVIEW/APPROVAL: 08/15/2024

A motion was made by Comm. Garcia to approve the Paine DOL as presented, seconded by Comm. Baroz, the MOTION CARRIED 3-0, resolution C-14-24 is assigned to the case.

COUNTY CASE NO: CCLU-2024-0081

REQUEST: Division of Land – One parcel creating two parcels

APPLICANT: Cimmaron Muniz

OWNERS: Cimmaron Kane Muniz

ZONING: Rural

SURVEY BY: Tony Martin- Russell Surveyors & Associates

APPLICATION DATE: May 15, 2024

LAND DESCRIPTION: The property is legally described as 12 acres + located in the Southwest Quarter of Section 16, Township 33 North, Range 9 East of the New Mexico Principal Meridian, Conejos County, Colorado.

COUNTY PARCEL/SCHEDULE NUMBER: Not Provided

DESCRIPTION OF DIVISION: The proposal is to divide the 12.24 acres located in the Northwest Quarter and the Southwest Quarter into two parcels. Tract 1 contains approximately 8.26 acres + and Tract 2 contains approximately 3.98 acres +.

COUNTY ROAD & PRIVATE ROAD DESCRIPTION: County Road 8, there is no dedication as the property to the west includes the roadway, not this property. There is existing access to the tracts.

PURPOSE OF DIVISION: The applicant is dividing to sell Tract 1.

APPLICABLE LAND USE CODES: Article 10 – Subdivision, Division 10.7 Subdivision

Exemptions, Section 10.7 (1.) Division of Land

LU ADMINISTRATOR APPROVAL: 08/15/2024

COUNTY SURVEYOR REVIEW/APPROVAL: 08/12/2024

BOARD OF COUNTY COMMISSIONERS REVIEW/APPROVAL: 08/15/2024 the BOCC has reviewed and made a decision to approve the Muniz DOL, Comm. Jarvies has recused himself due to a relation to the applicants, a motion was made by Comm. Baroz to approve the Muniz Division of Land as presented, seconded by Comm. Baroz, the MOTION CARRIED 2-0. resolution number C-15-24 is assigned to case.

Comm. Jarvies reconvenes the 1041 public hearing, the major concerns from the Public Meeting were wind concerns and wildfires, decibel levels of transmission lines. Julie Stensel from Excel attending the BOCC meeting has agreed to present for Excel at the September 4th Public Work Session at 5:30pm. A motion was made by Comm. Garcia to continue public hearing until September 5th, seconded by Comm. Baroz, the MOTION CARRIED 3-0.

Comm. Jarvies now reopens regular the BOCC meeting as scheduled, Linda DeHerrera presents for review and approval IGA with Costilla County, utilizing Matt Beckner from Conejos Land Use for Costilla Counties building inspections. A motion was made by Comm. Garcia to approve the Intergovernmental Agreement as presented, seconded by Comm. Baroz, the MOTION CARRIED 3-0.

10) EXCEL DISCUSSION – DILLION SWANSON

Linda DeHerrera discusses easement on County property for powerline for new residence on Hwy 17 south of Antonito. BOCC will allow Nick Sarmiento to reach out to Mr. Swanson for further discussion and determination of County and Excel project work.

11) IGA with COSTILLA COUNTY BUIDLING INSPECTIONS

Linda presents an IGA for Conejos County to enter into an Intergovernmental Agreement that allows Matt Beckner to assist in Building Inspections for Costilla County. BOCC explains that they will allow Mr. Beckner to assist Costilla County but will need to monitor his time when he is working for Costilla County.

12) AMBULANCE REPORT – ERNEST ABEYTA

Mr. Abeyta reports to the BOCC that year to date the Conejos County Ambulance has responded to 750 calls. Ernest will submit a waiver to the State allowing more services by EMT's, Mr. Abeyta will report next time how this is working for Conejos County. Ernest reports that this year he will not hold a Fun with EMT this year, Mr. Abeyta explained that he is down one full time medic but will be looking to fill the position as soon as possible.

13) RAILROAD and DITCH COMPANY DISCUSSION – ROBERT HOLMAN

Mr. Holman discusses with the BOCC spraying on weeds in the County, Mr. Holman is concerned about two of the main areas are and have always been along County Roads, along ditches and railroad tracks. BOCC explains that they will look into asking Railroad, CDOT and Ditch Companies to help with spraying of weeds. Mr. Holman would like the BOCC to do more to have more involvement for weed control with the State, Railroad and Ditch Companies.

14) PUBLIC HEALTH REPORT – DENISE JIRON

Mrs. Jiron explains that all public health agencies are required to track the incidence and distribution of disease in the population and prevent and control vaccine-preventable diseases zoonotic, vector, air-borne, water-borne, and food-borne and food-borne illnesses and other diseases that are transmitted person-to-person. Mrs. Jiron is currently updating our emergency response plan, because these must be revised or updated every three years, Denise is seeking review and approval for the revised contract for FY 24/25. A motion was made by Comm. Baroz to approve the Intergovernmental Agreement as presented, seconded by Comm. Garcia, the MOTION CARRIED 3-0.

Denise next reports to the BOCC regarding the office providing harm reduction items to the community such as Narcan, Fentanyl test strips and condoms. The PCP program for July is fifty-nine clients, over eighteen hundred hours worked and employing 28 providers.

15) BOARD of HEALTH – DENISE JIRON

Denise Jiron, during the month of July CCPH is focusing on promoting health and other services provided by Public Health. She pushed out messaging regarding the core services of public health are immunization program and immunizations offered, communicable disease investigation as well as dog, cat and bat bites. Harm reduction services including the SHARP's program, PCP program, Everyday eats – adult supplemental food program, prevention programs including tobacco, emergency preparedness including items to pack in a emergency go kit. Additionally, CCPH disbursed information on all these programs at the Pioneer Day Parade, CCPH gave community members emergency whistles, flashlights, life cards (emergency cards), sanitizer and information on Tobacco free.

16) EMS REPORT – RODNEY KING

Rodney presents to the BOCC status on the Forest Service fuel burn that did not happen due to rain, Rodney also discusses SLV wildfire reports. Bear Creek landowners meeting regarding wildfire fuel being removed from the subdivision. Rodney also discusses the new smoke cameras that were placed throughout the Valley that can be monitored to detect fires in the Valley.

17) CANCELLATION OF TAXES – MACK CROWTHER

Mack begins by discussing Tax Lien sales and the problem of not being able to sell tax liens that have several years of unpaid taxes tacked onto them, Mack would like for the BOCC to cancel the taxes after the thirty-year time frame to make these tax sales more attractive to potential delinquent sales tax sales purchases. Mack would now like to discuss cancellation of taxes for mobile homes, Mack cannot sell, distraint or advertise Mobile Homes, many of the Mobile Homes cannot collect any sales tax. Mack is informing the BOCC that older Mobile Homes cannot be assessed as well, so no property tax can be collected. South Conejos School District paid for all the property taxes on the old school that they redeemed from ROG, Inc. Mack briefly discusses the County held investments and the future; Mack will come back in September to discuss investments in more detail.

18) COUNTY ATTORNEY – SB-24-131


Attorney Sarmiento explains that per Senate Bill 24-131, we need to exempt conceal carry at the Gun Range due to the nature of the location. However, the remainder of the County properties will remain gun free locations. Citizens per this house bill will need not allow guns to carry and the discussion ends with no decision made.


19) SALES TAX DISCUSSION – NATHAN RUYBAL

Clerk Ruybal discusses Sales and Use Tax regarding Off Road Vehicle which are not registered, Use and Sales Tax can only be collected for anything that requires vehicle registration such as Trailers and Vehicles. Clerk Ruybal needed to clarify when Conejos can collect sales and use tax, again that can only be when a citizen purchases a trailer or vehicle and not for Off Road Vehicles that do not get registration.

Meeting Adjourned 12:15 pm

ATTEST:


Nathan Ruybal
Clerk of the Board


Mitchell Jarvies
Chair of BOCC