



**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 November 21st, 2023, 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 – Absent**  
**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. Jarvies gave the opening prayer.

**Approval of Agenda:**

- Remove 1041 work session.
  - Comm. Baroz makes motion to approve agenda as amended.
  - Comm. Jarvies seconded that motion.
  - Motion carried 2-0

**Approval of Minutes:**

- No Minutes to Approve

**Public Comment:**

- NO PUBLIC COMMENT

**Administrative Correspondence – Tressesa Martinez:**

- Appointment of County Surveyor
  - Discussion of appointing Mr. Toby Crowther as acting Conejos County Surveyor.
    - Comm. Baroz makes motion to appoint Mr. Crowther as Conejos County Surveyor.
    - Comm. Jarvies seconds that motion.
    - Motion Carries 2-0
- RA+A insurance discussion.
  - Comm. Baroz makes motion to waive bond requirement for RA+A insurance.
  - Comm. Jarvies seconds that motion.
  - Motion Carries 2-0

**DSS Report – Nick Barela:**

- Mr. Barela asks the BOCC to approve Program Expenditures and Accounts Payable.
  - Program Expenditures for October are \$259,302.88.
    - Comm. Baroz makes motion to approve as presented.
    - Comm. Jarvies seconds that motion.
    - Motion Carries 2-0
  - Accounts Payable for October are \$28,069.69.
    - Comm. Baroz makes motion to approve as presented.
    - Comm. Jarvies seconds that 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-23
APS		9		9			9	10	5			4
Child Care	40	40	40	41	41	44	42	42	42	41	41	
Child Support	412	413	414	408	402	393	389	387	388	386	8	
Child Welfare		7		6			6	7	8		382	
Adult Financial	103	106	108	110	104	104	101	100	100	101	94	
Colorado Works	34	37	39	39	36	37	39	39	37	34	36	
Food Stamps/Food Assistance	847	863	873	878	873	854	881	850	849	873	863	
Medical Assistance	1983	1986	1991	2004	1990	1949	1901	1933	1776	1754	1584	

- CORE Services Approval Letter
  - State FY 23/24 Approval Letter for CORE SERVICES BUDGET that was submitted for Conejos County DSS.
  - CORE SERVICES REPORT illustrates use of the CORE program across the state and at the county level.
  - 2024 Merit System discussion and approval.
    - Requesting approval to submit 2024 Merit System for CCDSS. This annual agreement has now been changed to a bi-annual agreement and provides the requirements that must be met to follow the State such as: Recruitment, Compensation, Performance evaluations, etc.
      - Comm. Baroz makes motion to approve as presented.
      - Comm. Jarvies seconds that motion.
      - Motion Carries 2-0
- Community Solar Garden Agreement.
  - This agreement is between CCDSS & Antonito Solar which provides credits to CCDSS Xcel Bill in exchange for a monthly fee as determined by Xcel.
- IGA CBMS Computer Refresh.
  - IGA between county and state for CBMS Computer Refresh which allows the county to purchase computers for CBMS users. Allocation was provided at last month’s BOCC meeting.

### **Xcel Power Company Citizen Concern – Breanna Crowther:**

- Mrs. Crowther reads a prepared opposition letter to the BOCC concerning the proposed Power Line route that runs through Alamosa and Conejos County.
- Mrs. Crowther has submitted the letter for the record to Clerk Ruybal and will be available for review at any time at the Clerk and Recorder Offices.
- Mrs. Crowther opposes the proposed route of the Excel power lines that runs through her and her family's property.
- Mr. Jace Booth also comments in opposition to the proposed Excel Power line transmission.
- Mrs. Alesha Sowards comments that she feels that Xcel is harassing customer into signing contracts or agreements regarding utility easements for this project.

### **Road and Bridge Report – Donnie Martinez:**

- Mr. Martinez explains to the BOCC that the R&B crew are busy grading and shouldering roads before the snow hits.
- County Road W was in bad shape, crews were working on shoulder and grading the road to better improve travel down that road.
- County Road 28 bridge is complete, crew will cover bridge in asphalt this coming summer.
- County Road X bridge to be replaced in 2024.
- Donnie has ordered culverts for 2024.
- Donnie discusses the Fuel dilemma for 2024, bidding for fuel has become more of an issue but he will keep vigilant on prices and vendors to keep costs as low as possible.
- County jail sewer pump system is in use and operating well, Donnie is preparing for colder temperatures and will place heaters in pump house to keep from freezing.

### **Cumbres Subdivision Discussion – Derick Munson:**

- Mr. Munson presents to the BOCC the issues with the Subdivision; he reads from a prepared letter which has been submitted for the record and will be available for review at the Conejos County Clerk and Records Office.
- Mr. Munson explains that there are two inconsistencies with the current Plat.

1. The Cumbres Land Owners Association has moved multiple roads from their location on the Final Plat. This has cut back access points to National Forest. To our knowledge and per Association meeting minutes, they have not obtained a new survey or applied for a Plat Amendment with the County.
2. The Association claims to have passed covenant amendments that remove the 25' fishing easement and other public access easements. These easements are documented on the Final Plat as being "dedicated...to the use of the public forever."

Both issues affect the ability of some commercial lot owners in the Subdivision to carry out commercial activities which are already approved by the county. We respectfully request that any application for Plat Amendment that relates to these issues be declined, upholding the Final Plat as recorded with Conejos County.

- Mr. Munson also goes on to explain other issues with the Subdivision.
  1. The recent Declaration amendment purports to have authority to require “a wastewater treatment storage facility” for commercial lots (all of which are less than 2 acres in size.) As you know, septic system requirements are already regulated at the State and County level. We are concerned that this specific Subdivision requirement is contradictory to State and County regulations.
  2. The Subdivision has a locked gate at the entrance of the community which would impede emergency responders and law enforcement officers. The Subdivision should be required to apply for a Subdivision Plan amendment, so law enforcement officers and other first responders are aware of the locked gate and apprised of the access code.
  3. The Subdivision is claiming authority to regulate the buildings erected on commercial lots, when this authority was previously reserved for Conejos County Land Use.
- Comm. Jarvies explains that the County can only deal with the first two issues that Mr. Munson has brought up, Conejos BOCC and Land Use office does not have jurisdiction over the second set of issues that he has brought up.
- Linda DeHerrera also explains that the Land Use Office can investigate any Plat Amendments that may be presented to her office.
- Linda explains any Septic or Building requests need to be presented to Linda and her office, Linda will need to get legal counsel regarding the Board and Board members before she can offer any word on that subject.

### **OEM Report – Rodney King:**

- San Luis Valley Local Emergency Planning Committee (LEPC)  
I have been working on Emergency Plans for our Tier II Chemical Plants, after completing the CAMEO course in June. These Plans will be discussed and presented at the next SLV LEPC meeting December 13.
  - Crisis Track account is Operational for Conejos County  
Crisis Track is Disaster Management Software that The State of Colorado has adopted for all the Counties and Tribes in Colorado. It will help identify Disaster Costs and complete FEMA paperwork for faster disaster assistance in the event of a large-scale disaster in Colorado. The Conejos Team is designated as me as Lead, Naomi, Thomas, Linda and Connie. There are 3 training videos for us to watch and then an in-person training on November 8<sup>th</sup>.
- Conejos County - CRISIS TRACK Training held November 8<sup>th</sup>.
- Streamlines Colorado’s management of 100s of Applicants’ Data
  - Ease of use across variety of applicants’ resources and abilities
  - Auto-filled information saves time and improves accuracy while meeting compressed timelines.
  - Creates a comprehensive blueprint of the disaster with site-by-site locations, descriptions, photos, and cost estimates.
  - Each jurisdiction will have their own account.
  - Provides ultimate flexibility, supports local operational planning as-is.
  - Eliminates paper-based process, CO DHSEM can access info in real time.

- Cloud Based Disaster Management Application
  - Assessments, Emergency Protective Measures
- Shares Data in Real Time Between Mobile and Desktop
- Works in No/Limited Communication Environments
- GIS Based – Automatically Captures Entry Location Data, Field Users Can Modify (Geocode) Location In App
- Forms Aligned with Standard Disaster Field Observer Information Requirement
  - Scope and Extent (Survey)
  - Initial Damage Assessments (State and Federal Damage Assessment Data Requirements)
  - Damage Estimates (Including FEMA Public Assistance Project Management Data Requirements)
- Structure data obtained from local Tax Assessment records.

#### Assessment Types

- Survey – Broad Information Requirements, Subjective Measures of Damage and Impact, Rapid Collection Across Broad Geographic Areas
- Assessment – Defined Information Requirements, Objective Measures of Damage and Impact, Time Sensitive Collection in Areas of Impact
- FEMA’S PDA Pocket Guide:  
[https://www.fema.gov/sites/default/files/documents/fema\\_2021-pda-pocket-guide.pdf](https://www.fema.gov/sites/default/files/documents/fema_2021-pda-pocket-guide.pdf)
- Estimation – Detailed Information Requirements, Objective Measurements of Damage, Impact, and Cost to Repair, Time Sensitive Collection at Damage Locations

• Special Project Grant from the Division of Homeland Security and Emergency Management  
 I have applied for a Regional Grant from funds at the DHSEM – Emergency Management Planning Grant. We were awarded a little over \$10,000. We will provide a 50% match from our SLV R EOC funds. \$10,255.83 (reimbursement - \$5,127.93). There will be some differences in the total cost because of current charges of items ordered some a little less and others more + shipping and handling charges. I anticipate the total to be around \$10,350. This grant is for some needed equipment to be used in the event of a large-scale disaster and will provide more resources for our mobile Emergency Operation Center, everything was submitted, and reimbursement is expected any day.

- The EMPG (Emergency Management Performance Grant) that funds 50% of our Office of Emergency Management is now open to start filling out the required forms that will be due on January 12, 2024. I am anticipating receiving reimbursement funds for 2024 of \$41,280. (1/2 of my proposed budget of \$82,560).

**Public Health – Denise Jiron:**

- Communicable Disease Prevention, Investigation and Control
- 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 illnesses, and other diseases that are transmitted person-to-person.
- Immunization Program
  - Providing Influenza, COVID 19 and childhood vaccines by appointment on Thursdays.
- 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.
- Battery backup program- AnnaRae Smith has successfully enrolled 27 residents to receive a free battery backup generator to use during power outages for their durable medical equipment such as Concentrator/oxygen machines, CPAPs, Dialysis, etc.
- This effort allows residents to have security in times of power outages without compromising their health.
- Personal Care Provider (PCP) Program
  - 1.October 2023
  - Clients: 51
  - Hour worked: 7,536.00.
  - Employing 28 Providers
  - Continue to have a vacancy for Assistant Supervisor.
  - Decline in clients served to Medicaid eligibility issues. A client must be active / approved to receive services. This impacts the client's as well as the employee's livelihood.
  - There have not been any client incidents this reporting period; all program reporting requirements are to update.


**Public Health – Denise Jiron:**


- We are currently taking individual appointments at our office for immunizations such as influenza and Covid. Please call us at 719-274-4307 to schedule yours today.
- COVID 19 Status:
  - Conejos County COVID-19 Community level has changed from low to medium. Rio Grande Inn, our long-term care facility (LTCF) is in outbreak status as they had more than 60 % of their residents and staff infected with COVID 19 spanning September into November.
- In October 2023 Conejos County had 48 reported cases and 1 death.
- As of 11/20/2023 we had 65 reported cases for November.

Conejos County Christmas Part will be held December 21<sup>st</sup> at 2pm

Meeting Adjourned at 11:05 am

ATTEST:

  
Nathan Ruybal  
Clerk of the Board

  
Mitchell Jarvies  
Chair of BOCC

November 1, 2023

Dear Conejos County Commissioners,

Many Conejos County private landowners, especially farmers and ranchers, are facing property loss due to Xcel Energy's recently proposed transmission line route. This will be detrimental to several families within our community. As our elected officials, we are calling upon you for action in defense of our community.

If Xcel's proposal is accepted, transmission lines and power poles would be placed in farmland that is currently in production. This land has been in production for many years and will continue to be farmed for years to come. This would greatly affect land under sprinkler pivots, flood irrigated acres and the potential for land improvements. As a community, we count on every acre to provide an income and a home for our families. Not only would these poles be an inconvenience, but more importantly cause a loss of income for generations to come. No amount of money can compensate for that loss. The goal of each farm operation is to increase production, not lessen it.

Agriculture has been the foundation of the San Luis Valley's economy for over 150 years. Across the United States, approximately 98% of farmland is family owned. In 2022 alone, the United States lost a total of 1.9 million acres of farmland. Many acres have been sold for urban expansion or to large corporations, and several have been taken by eminent domain. If the loss of farms continues, we will be forced to rely on imports and a few corporations to feed our entire nation. This puts us at risk for higher food prices and fewer choices. Are we so out of touch with reality that we have forgotten where our food comes from? When we finally figure it out, it may be too late.

There are consequences for allowing large corporations such as Xcel to overtake private property. When corporate interests are prioritized over community needs we become victims of eminent domain abuse. May we remind you of the many rights infringed upon during the COVID-19 pandemic? We may not suffer the consequences, but the future generations undoubtedly will.

It has been reported that Xcel has solicited community responses in preparation for this proposed transmission line, but were alternatives considered? There have been cases where different techniques were used to build or replace existing transmission lines without added land or use of eminent domain. Have these been explored? At a recent community meeting with Xcel, it was mentioned there were alternatives, however they were "cost prohibitive" to Xcel.

Declining crop prices and elevated costs put our local economy at risk. The total costs paid by farmers to raise crops and care for livestock in our country rose to an all-time high this year of \$460 billion. Unfortunately, eminent domain is problematic for farmers nationwide. One of the biggest issues we face is defending, protecting and preserving our property rights. George Washington said, "Freedom and property rights are inseparable. You can't have one without the other." We have a real David and Goliath story happening right now in the San Luis Valley. Independent farmers, ranchers and other private landowners are being thrown to the wolves in favor of corporations. He who controls the land, controls the food. And he who controls the food, controls the people. Property rights - we either have them or we don't. We will not give up our land or our freedoms for some quick cash.

As our elected officials we look to you to be our voice. We are in favor of progress and know that the transmission line is needed; however, we ask that it be accomplished in a way that does not affect our livelihoods. Please be mindful of our concerns and recognize our needs. We ask that you align your voices with ours.

Sincerely,

Concerned Citizens of Conejos County



Shad Crout

Brianne Crowther

Alonna Crowther

~~Carla Crout~~

Nancy Louise Shewcroft

Brytt L. Shewcroft

Jane Booth

Open Mortensen

Ed Morten

Shauna Mortensen

Marglene Crowther

Jimmy Dunn

Judy Cuto

Bye Cuto

Michelle Cuto

Fry Russell

Melinda Russell

Alita Russell

Erin Russell

~~Michelle Cuto~~

Sandra Thomas

~~Michelle Cuto~~

~~Michelle Cuto~~

~~Michelle Cuto~~

Emily Faucette

Mark Smith

Quinn Smith

Adam Smith

~~Michelle Cuto~~

Jane McCarroll

Jane McCarroll

Denise Miller

Kay Miller

Colo Miller

Paul D.

~~Michelle Cuto~~

Korrey Jett

Douglas Jett

Michelle Cuto

Cheyenne Faucette

Kimberly Jett

Michelle Cuto

Michelle Cuto

Carolyn Faucette

David R. Faucette

Bob Baker

Cox Baker

~~Michelle Cuto~~

14. 20  
~~Sally Hill~~  
Jacelyn Butler

~~Bronnie Gomez~~  
~~Michelle K...~~

~~[Signature]~~

Jandi Cantey  
Dei Dunn

Brandon Punn  
Musty Dunn  
Clint R. Swartz m

Alisha [Signature]

~~[Signature]~~  
Amanda [Signature]

Jeanne Reed  
Romey Michon  
Audrey Gibson

~~[Signature]~~  
Clay Cobb

Mandy Crowther  
Sara Miller  
Mitchell Crowther

Colby Crowther

+

Jenni Miller

West 1072

Donna Jarvis

Julia Mortensen

William Paul Mortensen

St. Mark

Christina Thomas

Erasta M. Mabbutt

Heather Huffaker

Nalia J. Guerrero

April J. Juen

Tracy J. Juen

Bleke Art

Robert Jackson

Walter Reddy

Leann Cartell

Hannah Cenz

Chy Jackson

Mandy Mooten

Kristie Suran

Lawonna Miller

John

Christina Gullone  
Melissa Jones

all in

Shelby Cordon

Pamela Lee

Tanya Miller

Brandi Sillward

~~Brandon Gullone~~

Brandon Gullone

Koch Crewther

Greg Mortensen

Nicole Mortensen

Shawn Mortensen

~~Janis Mortensen~~

Carol S Kriebel

Tracy Kriebel

Adriana Livingston

Ky Smith

Chris Smith

Sharon DePriest

Jan M. Dant

Kathleen Hancock

Kurt Anderson

Walter M. Ross

Mark Anderson

Elizabeth Anderson

Joe Fox

Shelly Sawyer

Kimberly Muller

Hillier

Jennifer Price

Shanna Dwyer

Alex Hefner

Lamera Smith

April Robin

Carla K Shawcraft

Stuart Smith

Lilli McGinnis

Keely McGinnis

Cterina McGinnis

~~\_\_\_\_\_~~

~~\_\_\_\_\_~~

Annale McInis

Gene Christensen

Roy Dixon

~~\_\_\_\_\_~~

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Melody Gylling

Evel Sims

N. Scott Kreps by Jurdie Gylling

Sarah Kreps by Jurdie Gylling

Jurdie Kreps Gylling

Faith Livingstone

Mary A. Livingstone

Don Jo Rogers

Michelle Richardson

Mahi Richardson

Michelle Richardson

Hannah Lundberg

Anyanette Anderson

Maguire R. Reed

Stuart P. Pagan

Jaimie Servant

Jeremy Sowards

Lynela Bagwell

Joyles Bagwell

Candace Johnson

Martine Joffe

Kelly Henderson

Blair

Margie DeFuria

Carol DeFuria

Sammy Cavetka

Wayne H. Coats

Karen Jerome

Joseph Volz

Robert Murray

Sue A. Jackson

Michelle Dukes

~~Theresa~~

Alyssa Romero

Harvey Bell

Gaye Elaine Lausette

Dianne Hostetter

Thomas M. Walker  
Melissa Housmon  
~~Justin~~  
~~Roy~~  
James Sowards  
Melanie Sowards  
Kendyn Nite  
Mae Nite  
Candace Bayman  
Bobby Cortez  
Cay Cordova  
Muel Ro  
B. Strud  
B. Suth  
Jennifer Pacheco  
Morrison  
Delna Hoover  
Verna Ware  
Lisa Sowards  
Dora Larson  
Larry Hooper  
Billy W. Hooper  
Marian Reynolds  
Steven Reynolds  
Ric Reynolds

Stephanie Gidelbranson  
Isabel Velazquez  
Breanne Korman  
Lisa Mann  
K. Lee Bagwell  
Grace Bagwell  
Delrae Sowards  
Candace Dennis  
Duth C. Gutter  
Elin Suth  
Angel Gylling  
Maysan Gylling  
Paul Sowards



Mary Baynton

Tom A. Baynton

John A. Baynton

Barrow Owens

Nina Baynton

Laura Baynton

Benjamin Franklin

Thomas Jefferson

Samuel Johnson

Benjamin Franklin

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Tuesday, November, 21, 2023

Good morning Commissioners,

We would like to express our appreciation for the opportunity to be on the agenda of this meeting and our appreciation for the opportunity to live in Conejos county.

We would like to make you aware of issues in the Cumbres Subdivision that are contradictory to the Final Plat as recorded with Conejos County. These include at least two inconsistencies with the current Plat:

1. The Cumbres Land Owners Association has moved multiple roads from their location on the Final Plat. This has cut back access points to National Forest. To our knowledge and per Association meeting minutes, they have not obtained a new survey or applied for a Plat Amendment with the County.
2. The Association claims to have passed covenant amendments that remove the 25' fishing easement and other public access easements. These easements are documented on the Final Plat as being "dedicated...to the use of the public forever."

Both issues affect the ability of some commercial lot owners in the Subdivision to carry out commercial activities which are already approved by the county. We respectfully request that any application for Plat Amendment that relates to these issues be declined, upholding the Final Plat as recorded with Conejos County.

In addition to the Subdivision's inconsistencies with the Plat, the Association also seems to be claiming authority to regulate items already enforced by Conejos County in at least the following three ways:

1. The recent Declaration amendment purports to have authority to require "a wastewater treatment storage facility" for commercial lots (all of which are less than 2 acres in size.) As you know, septic system requirements are already regulated at the State and County level. We are concerned that this specific Subdivision requirement is contradictory to State and County regulations.
2. The Subdivision has a locked gate at the entrance of the community which would impede emergency responders and law enforcement officers. The Subdivision should be required to apply for a Subdivision Plan amendment, so law enforcement officers and other first responders are aware of the locked gate and apprised of the access code.
3. The Subdivision is claiming authority to regulate the buildings erected on commercial lots, when this authority was previously reserved for Conejos County Land Use.

As a final note, our legal counsel has advised that none of the officers of the Cumbres Land Owners Association have been properly elected. Therefore, we feel that anyone attempting to apply for a Final Plat Amendment, apply for a Subdivision Plan Amendment, or certify and record Covenant changes is not an officer, but a member at best and may not be authorized to do so. We will continue working with our attorney to address this part of the situation.

Thank you for your time this morning and please consider the points above as important issues in our county. We truly appreciate your efforts in our community.

Signed,

A handwritten signature in black ink, appearing to read "Derick and Meigan Munson". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Derick and Meigan Munson  
Cumbres Cabins, Ltd.