
Minutes of the Board of County Commissioners Regular Meeting held on June 06, 2019 at 9:00 AM in the Commissioners Board Room, 6683 County Rd 13, Conejos, CO. 81129

Call the meeting to order

Chrmn. Jarvies called the meeting to order at 9:00 AM.

Roll Call: Mitchell Jarvies- Chrmn.- Present
Steve McCarroll-Vice Chair-Present
Carlos Garcia- Vice Chair-Present
Tressesa Martinez- County Admn.-Present

Also present were: Nick Sarmiento-County Attorney, Connie Ricci-HR, and AnnaBelle Gomez-Deputy Clerk & Recorder.

Pledge of Allegiance: Chrmn. Jarvies led everyone in the Pledge of Allegiance.

Prayer: Chrmn. Jarvies gave the opening prayer.

Approval of Agenda

Motion to approve the agenda as presented: Comm. McCarroll/Second: Comm. Garcia, all in favor.

3-0 Motion carried.

Approval of Minutes

Motion to approve the minutes of the May 15th, 2019 Payroll Meeting: Comm. McCarroll/Second: Comm. Garcia, all in favor.

3-0 Motion carried.

Approval of Payroll and Accounts Payables

Motion to approve Payroll and Accounts Payables: Comm. Garcia/Second: Comm. McCarroll, all in favor.

3-0 Motion carried unanimously.

Public Comment: None

Tressesa- County Administrator-Correspondence

Tressesa stated that they are working on the personnel manual, they need to do some updates and changes, she would like approval on changing the CAP on sick leave, before they had a cap of 480 hours, at one time it was approved as open ended and could build as much as they would want also they only pay out 120 when people leave that runs into an issue because right now people are only guaranteed their positions while they are out of Family Medical Leave; they have a lot of employees that are way up there, if they cap it at 480 that stops all those that are over the 480 from accruing, they don't want to pay out because they don't have the money, if they get in the FMLA and don't come back they can pay 120 hours over that; would like approval to cap at 480 at this point.

Comm. Garcia asked what does the 480 equate to in the number of days and is it different for everyone.

Tressesa stated that it is 120 hours payout on sick leave when an employee leaves, they will have more discussions on policy for vacation leave, and FMLA -if an employee is gone for 3 months then they have to hire someone else in the meantime.

Connie-HR stated that those that have over 480 hours they will not be able to accrue any more sick leave; those that don't have that many hours they will be able to accrue up to 480 hours.

Tressesa stated that when an employee leaves they will get paid 150 hours of vacation plus what they have accumulated this year and 120 hours of sick leave regardless of how many hours of sick leave they may have.

Comm. McCarroll asked if that is normal.

Tressesa stated that no it's not normal different companies have different rules, the payout is 150, talked about the fairness of someone that has been here 30 years versus someone that has been here 3 years the payout is the same, where is the fairness, the CAP is normal but the payout is different.

Connie-HR stated that everyone is going with the 480 because the employee is eligible for 12 weeks (480 hours) of FMLA, after that they have to make a decision to work with them to come back to work.

Tressesa stated that another thing that they are looking at on the manual is: supposing someone is out for the 3 months and they can't come back it is going to be at the discretion of the supervisor or elected official to extend it to give the opportunity to get well but the employees all have to be treated the same.

Tressesa talked about the annual days off, right now the manual states that the days are accrued from the day you start but you have to be with us 6 months before you can take that annual leave; she feels that needs to be changed once you accrue it after the first month you can take it, if they leave then they have to get paid their annual leave anyway; would like those changes approved now.

Motion to approve to CAP the sick leave at 480 hours per employee and to allow annual leave to be used as soon as it is accumulated: Comm. Garcia/Second: Comm. McCarroll, all in favor.

3-0 Motion carried unanimously.

Garth Crowther-Sheriff's Report

Sheriff Crowther gave his report as follows:

- Jail seems to be running smooth; got a new jail administrator.
- Working on policies, getting policies to protect the jail, they have 3 pregnant women in jail- can't always avoid keeping them; one was released on a PR Bond.
- Got about 640 calls last month, they are up about 100 more.
- Met with County Admn. Tressesa on ideas on a safety program to have over-time deputies it is based on safety, for Memorial Day they put an officer for 10 hours, the Sheriff's Office is by no means for financial they are doing it for safety, on the citations they want it for safety also, they are talking about 300.00 for that officer, total citations was \$4010.00 with the new fees it would be around \$6000.00, it would pay for itself, we are not a traffic division, they just want people to be safe.
- Talked about an application that he is working on.
- Chris went to an Under Sheriff's Conference and he attended the Sheriff's Conference, he is on two committees, he has been on the SLV Child Fatality and the other is School Safety, he doesn't know if they will get it to go, he has talked to one of the schools already, this will be an app that his deputies will have on their I Phone, computers, I Pads, there will be

- an amber alert, what sets it off if there is an active shooter the teacher will just press a button and it will go straight to the offices and alert them that there is a problem at the school-explained how it brings up all teachers in the school, will track that teacher and the students, if they are at the front or back door, it is .50 to 2.00 per phone per month.
- Water-Notified dispatch, they don't have anything life-threatening, there is property damage, the high water is supposed to be in 2 weeks, they are keeping a close eye on it.
- Need a signature on an MOU on our Victim's Advocate, there is a grant and Alamosa administers it for the whole valley, there is a bit of a glitch on the grant, there is a question on mileage, asked the previous person to get the mileage and put your calls together, she resigned; Alamosa has to cover them until they get the new person.
- Have ordered the pickups, Chris is working on different companies for equipment, radios, and markings, they got a grant for the radios on the last pickups, don't know if it's still available.
- Tressesa, County Admn. asked if there were any dollars for radios through 911.
- Chrnm. Jarvies stated that there is still some money available, they used a portion of what they allow for the ambulance service.
- Garth talked about holding some cash for transporting, they can document and keep receipts, the detention officers have to transport on Holidays or weekends, they can have money for meals.
- Tressesa asked if they have petty cash, Garth said yes but they can't get any on the weekends.
- Garth talked about the grants and the Black and Gray Marijuana grant which is looking good, the purchasing of the vests is looking good.
- Having problems with the fingerprints, the courts were getting on them because the fingerprints are not getting to the courts, one of the officers fixed some of the problems but there is problems with storage, WSB looked at it and nothing has been done to upgrade, it will cost around \$12,000 to set it up.
- Tressesa-County Admn. stated that they need a new server, they are looking at a grant but it has to be done by the 25th of June.

- Chris stated that the grant they are looking at is a technology grant-DOJ, it might fund the whole thing; it's a none matching grant.
- Tressesa- County Admn. stated that on the marijuana grant even though it's not matching you are still taking on the liability, if we were we mis-appropriate the dollars they can come back at us to pay that back, asked that all the grants be brought here to be approved on record, they want copies of the minutes where the grant was approved.
- Garth stated that they have taken the photos and the fingerprints but can't send out because the server was full and the courts are screaming.
- Chris-Undersheriff talked about the body cams.
- Nick Sarmiento-County Attorney talked about juvenile detentions, he will be meeting with everyone to try and hammer out a deal so they can get some funding from the state so they can transport the juveniles to Pueblo and cover some of those costs, you are talking one day with one deputy.
- Chris stated that sometimes they have to transport them to Colorado Springs or Denver.
- Garth stated that occasionally they get a juvenile, they are not taking people under the influence, they take them to the hospital and get a doctor's release that they can't go to jail, they might be taken to detox.
- Nick stated that the state has offered \$100,000 for the entire valley, they are looking at the grant to look like a reimbursement one county will pick it up as a fiscal agent, every county is responsible for the transport, after the transport they apply for a reimbursement or contract with one deputy who is off duty, that's what they are thinking right now.

Motion to sign an MOU with Alamosa County and Conejos County with Victims Advocate and to allow Sheriff Crowther and Under Sheriff Chris Crown to look into a grant to fund a new server for the jail: Comm. McCarroll/Second: Comm. Garcia, all in favor.

3-0 motion carried.

John Manesiotis from WSB stated that the sheriff didn't have a dedicated server to take care of the increased storage for pictures, body cams, in order to satisfy security for CBI, it is really needed; they have a computer that they are still using.

Chrmn. Jarvies stated that they instructed them to move forward; they are looking for some money; appreciates him coming down.

Linda Land Use-Rueben Gingerich/Gingerich Land Holdings/La Jara Old Order Amish

Chrmn. Jarvies called the Public Hearing to order and turned the time over to Linda.

Linda presented the following report:

Case NO. CCLU-2019-0067

APPLICANT: Rueben Gingerich/Gingerich Land Holdings/La Jara Order Amish Church.

BACKGROUND: An application for a Special Use Review was filed with the Land Use Office on April 05, 2019. The property is zoned RURAL and is legally described as 4.9 acres located in the W1/2 of Sect. 33, TWP. 34 N R 9 East, Conejos, County, Colorado. A common description of the property is the physical address of 10629 US HWY 285. It is approximately .10 mile south of the sawmill entrance.

REQUEST: The applicant is requesting a Special Use Permit for a Reception/Meeting Hall for their Amish Community meetings, auction, funerals, weddings and fundraising suppers.

ADJACENT ZONING: North, South, East, and West are Rural, they have the Special Use Permit to the North for the sawmill, one for the cemetery grounds, Mr. Mast has the saddlery shop further in west and south and then they have the feed mill directly south of that.

APPLICABLE ZONING ORDINANCE: Article 4 Zoning, Div. 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 surrounding landowners within 500', notices to referral agencies, notice was published in the Valley Courier, and on site posting, 2nd notice published on May 24, 2019.

REFERRAL AGENCIES: Division of Water Resources has received application for an exempt commercial well. Mr. McDermott reports that he sees no problem with obtaining a permit. The Department of Transportation, Jo Heillien, reports that the access to the reception hall will be from the sawmill property access. Mr. Gingerich will provide a legal easement to the church.

PUBLIC HEARINGS: Planning Commission- the public hearing before the PC was held on May 1st at 7 PM, the Planning Commission made a recommendation for approval of the SUP as presented, Motion by Tom, second by Armando to approve- unanimous vote.

Linda stated that they opened up the hearing in May for public comment and there was no one for public comment.

Chrmn. Jarvies asked Linda if she did post.

Linda said yes.

Chrmn. Jarvies asked if there were any more public comments.

Linda said yes from CDOT, permit was taken care of, and didn't receive anything from the surrounding landowners.

Chrmn. Jarvies asked if there was anyone for or against, for or against, for or against, there being no one Chrmn. Jarvies closed the public hearing portion and asked Mr. Gingerich if he had anything to say.

Mr. Gingerich stated that he appreciates their patience with him from last time.

Motion to approve Resolution C-2019-015 Special Use Review for Rueben Gingerich/Gingerich Land Holdings/La Jara Old Order Amish Church as presented: Comm. Garcia/Second: Chrmn. Jarvies.

2-0 Motion carried.

Comm. McCarroll recused himself.

Linda-Land Use-Colorado Recycling Facility

Linda gave an update on the Colorado Recycling facilities with the SLV ECO Council, Comm. Tim Lobato, Comm. Helen Sigmond, Comm. Scott Lamb, John Stump, May Linguist, Christine Kanali, and Anna Lee Vargas, they went to Pagosa Springs then went to a facility in Canon City, which was a larger facility and saw what that entailed then in Colorado Springs where they sort, bundle and ship out by rail, they went to a transfer station and then to Divide to a transfer and recycling facility; SLV Eco Systems are exploring to see if we can get that done in the valley, one of the biggest obstacles is that we don't have volume and the market dictates everything, explained that aluminum is a good market, the cost behind sorting is just amazing, we can encourage people to minimize and re-use, don't know how we would do

that with tires they talked a lot about tire shreds; Ricky ReCycling Center is available.

Linda stated that people try to recycle but you need to learn how to recycle, how to prep that material, people need help; plastic bags are the biggest problem.

Comm. McCarroll asked what are other counties doing with tires.

Linda said they are shipping them to other facilities mostly on the front range, there is money available and contacts available, they need to keep exploring that; the shredders are very pricey.

Chrmn. Jarvies stated that when Manassa had their cleanup day they chopped tires one day and it's a lot of work, they talked about making a deal with Ace in the Pocket.

Linda stated that there is a high turnover in employment they can't keep employees, the one in Colorado Springs works with the department of corrections, also the equipment is very expensive; it will be a good presentation at their Commissioner's Meeting.

Friends of the Cumbres and Toltec Scenic Railroad Inc.

Mr. Ed Beaudette from the Cumbres and Toltec Scenic RR was present for the hearing for the Special Events Permit, he stated that the events will take place on June 29, 2019 from 4 PM -10PM wedding train and a wine tasting even on July 12, 2019 from 6PM -10PM.

Chrmn. Jarvies asked AnnaBelle-Deputy Clerk if there was anything else to add.

AnnaBelle stated that the only thing is that the new fee for the Local County Fee is now \$100.00.

Mr. Beaudette will bring in the difference when he picks up the Special Events Permit.

Motion to approve Resolution C-2019-16 authorizing the issuance of the Special Events Liquor Permit Pursuant to Article 48 of Title 12 of the Colorado Revised Statutes and Election to Not Notify the State Licensing Authority for "Friends of the Cumbres & Toltec Scenic Railroad Inc": Comm. McCarroll/Second: Comm. Garcia, all in favor.

3-0 Motion carried.

Bid Openings for RFP-Court House Master Plan

Nick Sarmiento-County Attorney stated that they received two bids on May 29th 2019, the bids have not been opened, both firms were at the meeting in May, for the record the committee is comprised of the Board of County Commissioners, Christina Gallegos-District Judicial Administrator, Tom Franklin-Judicial Facilities Administrator for the State of Colorado State Court Administrative Office, and Felix Gallegos who is the Court Clerk in Conejos County.

Chrmn. Jarvies stated that they are doing a proposal/study to update the courthouse facility that is the reason for the architectural designs.

Nick-County Attorney stated that they are hoping that they can give them a study, tell us what our needs are, and in the future get the renovations going.

Chrmn. Jarvies proceeded to open the packets which included the cost proposals, he distributed the booklets; the bids are from Anderson/Hallis Architects and SEH Building a Better World.

Nick Sarmiento stated that the board will review and decide at the June 14th meeting if they will conduct interviews for the applicants or if they want to decide; they have both options.

Donnie-Road and Bridge

Donnie came in and stated that they lost another culvert on Rd 18, they are out of signs so he got ahold of Alamosa, visited with CDOT to see if they can get some signs from them, mentioned that the river is running high, Iggy has roads flooded everywhere; Alamosa can help them out.

Chrmn. Jarvies suggested putting the electric signs out so that they say something like "standing water do not drive through".

Executive Session


Motion to go into executive session as per 24-6-402 (f) personnel:
Comm. McCarroll/Second: Comm. Garcia, all in favor.


3-0 Motion carried.

The board came out of executive session where they discussed personnel and no decisions were made.

There being no further business to come before the board; Chrmn. Jarvies declared the meeting adjourned.

ATTEST:


NATHAN RUYBAL
CLERK OF THE BOARD


MITCHELL JARVIES
CHRMN. BD OF COUNTY COMM.