
Minutes of the Board of County Commissioners Regular Meeting held
August 09, 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: Michell Jarvies- Chairman- Present
Steve McCarroll- Vice Chair- Present
Carlos Garcia- Vice Chair- Present
Tressesa Martinez- County Admn- Present

Also present were Nick Sarmiento-County Attorney, and AnnaBelle R Gomez, Deputy Clerk.

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

Prayer: Comm. McCarroll gave the opening prayer.

Approval of Agenda: Comm. McCarroll made a motion to approve the agenda as presented/Second: Comm. Garcia, all in favor.

3-0 Motion carried.

Approval of Minutes

Motion to approve the minutes of the July 16, 2019 Payroll Meeting:
Comm. Garcia/Second: Comm. McCarroll, all in favor.

3-0 Motion carried.

Motion to approve the July 29th Board of Equalization and Special Meeting as amended: Comm. McCarroll/Second: Comm. Garcia, 3-0 motion carried.

(On page 7 2nd paragraph it will be changed from 80 acres to 40 acres)

3-0 Motion carried.

Approval of Payroll and Accounts Payables

Motion to approve payroll and accounts payables as presented: Comm. McCarroll/Second: Comm. Garcia, all in favor.

3-0 Motion carried.

Public Comment: None

County Administrator's Correspondence

Conejos County Housing Authority

Motion to appoint Michelle Williams as board member of the Conejos County Housing Authority: Comm. McCarroll/Second: Comm. Garcia, all in favor.

3-0 Motion carried.

Conejos County Library District

Motion to appoint Celina Espinoza as board member of the Conejos County Library District: Comm. McCarroll/Second: Comm. Garcia all in favor.

3-0 Motion carried.

County Attorney- Ballot Issue 1A-Discussion 2.75% Conejos County Sales Tax

Nick Sarmiento-County Attorney presented Resolution C-2015-019 describing a proposal for the creation of a 2.75% (Which represents two point seven five cents on each dollar purchase) countywide sales tax to be deposited into the Conejos County General Fund to fund the political subdivision of Conejos County, State of Colorado.

Ballot Issue: SHALL CONEJOS COUNTY TAXES BE INCREASED BY \$1,095,985 ANNUALLY (ESTIMATED FIRST FISCAL YEAR DOLLAR INCREASE) AND BY WHATEVER ADDITIONAL AMOUNTS RAISED ANNUALLY THEREAFTER, BY THE IMPOSITION OF AN ADDITIONAL COUNTYWIDE SALES TAX AT A RATE OF 2.75% (WHICH REPRESENTS TWO POINT SEVEN FIVE CENTS ON EACH DOLLAR PURCHASE) BEGINNING JANUARY 1, 2020, WITH ALL REVENUES GENERATED FROM THE TAX, REGARDLESS OF AMOUNT AND THE COSTS OF COLLECTION, TO BE DEPOSITED INTO THE CONEJOS COUNTY GENERAL FUND FOR THE PURPOSE OF FUNDING GENERAL OPERATIONS OF CONEJOS COUNTY; AND SHALL CONEJOS COUNTY BE AUTHORIZED TO RECEIVE, RETAIN, AND SPEND IN THE YEAR 2020 AND EACH SUBSEQUENT YEAR, ALL REVENUES, INCLUDING INVESTMENT INCOME, IT RECEIVED FROM THIS SALES TAX AS A VOTER-APPROVED REVENUE CHANGE, AND AN EXCEPTION TO THE REVENUE AND SPENDING LIMITS OR ARTICLE X, SECTION 20 OF THE COLORADO

CONSTITUTION, OR ANY OTHER LAW; ALL PURSUANT TO AND AS FURTHER PROVIDED IN PROPOSAL AND RESOLUTION NO. C-25-19 OF THE BOARD OF COUNTY COMMISSIONERS OF CONEJOS COUNTY?

With YES OR NO boxes.

Motion to approve C-25-2019 as presented by Nick: Comm. Garcia/Second: Comm. McCarroll, all in favor.

3-0 Motion carried.

Chris Quintana and Brian Bechaver Shooting Range

Chris Quintana stated that they are trying to open up a shooting range, he had talked to Comm. McCarroll about using the old dump area. Brian has got a small range grant application. People are out there and leaving their trash, if we could make something where we can put a gate, figure out who can shut that gate at night and make it something that everybody can use. All the hunters stop and leave their trash. We can probably eliminate a lot of the dumping and have a controlled thing; that is why we are here to see if we can do any of that.

Brian stated that he and Chris have been talking about this for a couple of years. Chris came up with the idea and he started looking into it. There are federal funds available through the CPW, we don't get any state tax money, we are the only self-funded agency in the state besides Colorado Lottery but we do receive a very small percentage of excise taxes and they earmark this money for certain things and this is one of them it is used for gun safety and shooting ranges. There is a grant fund available which is a Small Grant for Shooting Ranges. We are not looking to build a big elaborate shooting range. The property is there and with small help from the county with dirt work we can get some money from the grant to build some simple targets for practice made out of railroad ties and possibility help from the community to help with that. We can have the place cleaned up. We would have maintainers out there periodically. The only thing that we would ask would be if they could give us an hour or two to help them clean, make some berms, move some dirt around until we can get things set up. We are not asking for electric gates or archery ranges or any of that fancy stuff. Capulin really needs this.

Comm. McCarroll stated that they will help out where they can. They would like to convey the property to a group in Capulin that has a 501 3 C. His concern would be the liability. I think it would be a wonderful thing for that property to be used by the people in Capulin.

Would like to know what liability they would have if they kept the property. If they would build the rink they would be glad to do some of the work out there. He would like to turn it over to them but they need to find out what they need to do.

Tressesa, County Admn. will check into the liability.

Brian mentioned that the grants are typically issued in maximum of 5000.00 allotments and I don't think we need that. The grant application is August 30th but we might not be able to do it this year because there is not an organized group in Capulin; they do require a 501 3 C.

Tressesa, County Admn. stated that there are two groups in Capulin, one is Julie Gomez and the other is Jose Inez Trujillo.

Chris stated that Jose Inez could make a little bit of money with the Bait and Tackle Shop if he decides to keep it, part of the town want to do something and the other half doesn't. There is enough land out there but we definitely need a gate and a restroom.

Brian stated that if they could get the county on board and get their approval they will be asking for equipment to do some dirt work and maybe a load of road base here and there.

Comm. Garcia stated that they support their idea and commended both of them. Mentioned that they would be willing to give them the land and do in kind services; suggested that they apply for the full \$5000 because the gate, bathroom, and targets will get expensive.

Brian stated that the agency would be able to contribute to it, bathrooms are 40,000 each. They do need to come up with an organization that is willing to back this up.

Chrmn. Jarvies stated that it is a great idea, it would be a good idea to have an organization in place. It might be a little late for this year but if people understand that we are willing to donate that land to a group that is willing to watch it but it would be good for a group to manage those grants.

Comm. McCarroll stated that they cannot disturb the property on the west side.

Brian mentioned that they would like to come up with a sketch or design to get an idea of some dirt work.

Comm. McCarroll stated to go to Donnie Martinez and tell him what they want, they can do dirt work and have it set up. If they don't get the grant this year, they can probably get it next year.

Brian stated that he would like to apply for the grant this year.

Chrmn. Jarvies mentioned that they used tires to build the berms. They can line the sides and back and then they are covered.

Brian talked about getting people to work on fences.

Comm. McCarroll said if they can get together and see what it will look like, we can meet with you and get things going by possibly the end of this month.

Andrea Jones-Forest Service Update

Andrea presented her report as follows:

- Forest Plan Revision Draft Decision came out last week- would like to know if they would like to schedule a meeting, and if they have any special requests for locations or times.
- She talked to Anna from Conejos Clean Water, she recommended the Parish Hall.
- Could also use the North Conejos School Board Room, have used the Antonito School in the past or do we want it in Manassa.
- Chrmn. Jarvies stated that the North Conejos School covers both sides.
- Andrea talked about the deadline for submitting the RAC projects Secure Rural Schools which is August 16th, there are 4 for Conejos County and at least 3 are related to trail maintenance. One is the center at Horca, they have been providing meeting spaces for the community, allowing kids to play pool, and games and take showers.
- Alamosa Bird Station- The roof got re-shingled, and also the barn; had volunteers from all over the county.
- Had a small prescribed fire by Big Horn, trying to expand their burn windows even in June.
- Thanked the county for the work, they had a lot of work on the Alamosa side, they had a big boulder last week and the Jasper wash out. They are getting some funding from their regional office.
- Comm. McCarroll mentioned that this spring when they went to work on culverts that were filled with rocks they sent 3 of

their fire guys and they had to cut a few places to get the ladies across the creek so we were glad they were there.

- Andrea stated that they have had a lot of cooperation from Conejos, Rio Grande and the Forest Service.
- Andrea mentioned that they hope they can enter into an agreement on the 250 road, it is such a relief when they can do some work, any level of help would be good.
- Comm. McCarroll stated that one of the biggest tourist place is the Platoro Reservoir. The road even though it's been maintained to Rocky Mountain Estate it has got a few more pot holes because of the rain.
- Andrea mentioned that she thinks Robins is doing work out there.
- Comm. McCarroll stated that one concern is that there is no material to drag from one side to the other to work the road.
- Chrmn. Jarvies stated that a crusher will get rid of a lot of those big rocks.
- Andrea stated that it would be good to get together with their engineers to see if they need more gravel, etc.
- Chrmn. Jarvies talked about Forest Service Road 240 going up to La Jara Reservoir there is a cattle guard over there and we need to know whose it is; that is what we are trying to figure out.
- Andrea stated that she believes it is BLM, it is below the forest service boundary; she will help them figure it out.
- Chrmn. Jarvies stated that they are willing to help but it seems like no one wants to mess with it now because if you go pull it and falls apart.
- Andrea stated that it has to be documented somewhere, mentioned that they are having a meeting on the Ruybalid Bridge.
- Comm. McCarroll stated that it either has to be BLM or the state.
- Chrmn. Jarvies stated that they are meeting right now; they will see what comes out of that meeting.

Linda Land Use- Division of Land- Zach Gonzales

Linda presented the following:

CASE NO. CCLU-2019-0100

REQUEST: Division of Land

APPLICANT: Zachary T Gonzales

ZONING: Rural

SURVEY BY: Southern Colorado Surveying/
Billy Vigil

BACKGROUND: An Application was filed with the Land Use Office on May 20, 2109 for a Division of Land/Subdivision Exemption. The real property is legally described as:

Tract 1A1 of the Derek Mortensen Division of Land No. 2 being 6.023 Acres in the South Half of Section 28, Twp. 34 N, Range 9 East, NMPM, Conejos County Colorado.

The Proposed Division of Land (6.020 acres) will create the following:

Tract #1A1-containing 4.020 acres more or less
Tract #1A2-containing 2.000 acres more or less
County Road M was previously dedicated under the Derek Mortensen Division of Land.

Purposing of Dividing the Land- Zachary is dividing the land to convey Tract 2 to his sister to build a home, the bank always requests the property be separated.

County Surveyor Reviewed and Approved on July 30th, 2019.

Motion to approve Resolution C-2019-026 Zachary Gonzales Division of Land: Comm. McCarroll/Second: Comm. Garcia, all in favor.

3-0 Motion carried.

Naomi-County Assessor-Abatement

Sandra Cordova presented Schedule # 557104300501 under the name of Larry R and L C Martz which was only a mineral royalty those are not picked up or assessed; it is not a mineral interest.

Motion to approve the abatement in the amount of .21 for the year 2017 and .21 for the year 2018 as presented: Comm. Garcia; Second: Comm. McCarroll, all in favor.

3-0 Motion carried.

PILT- Discussion

Comm. McCarroll asked if they ever did find out why the PILT was cut so much.

Tressesa, County Admn. stated that they had said if you pass the funds over to the school they don't cut you on the PILT side, they shouldn't

have cut us. Cathy Garcia is following up on it. She will also talk to Nick Sarmiento County Attorney about that.

Comm. McCarroll stated that there are things to be done but it has to be done on Forest Service property to get that money.

Tressesa stated that you need to have a project to present; you need to know what it's going to cost and request the dollars.

Samantha-OLTC- CDOT Application

Samantha stated that last year in April of 2018 they applied for a grant through CDOT for youth motor vehicle accident prevention and their agency was chosen. It is a 3 year grant; they must put an application every year. The first year they participated with their HR to develop protocols. They handed out 100 applications, got a few back, did some interviews; they landed up with some from South Conejos and Sanford Schools. They have four youth ambassadors. They went to a conference in Keystone, they entered the IGDL. They are working on a safe dance in September with a fund 911 event, next year they will continue a prevention coalition. They went on a trip and met with CDOT, also met with a trauma surgeon. She got an email stating that they represented our county real well.

Comm. Garcia asked if there would have been more student applicants could they have funded more.

Samantha stated that these are federal funds actually passing through Costilla so Colorado Public Health Department gave them funds to stipend 3 or 4 students.

Chrmn. Jarvies asked if they are taking this information back to the schools and sharing that information.

Samantha stated that it is not really through the school they join a group called SAD. We can't be planning activities for our youth if we don't have their perspective on what they do.

Comm. McCarroll asked if there was a reason why we didn't get an applicant from North Conejos School.

Samantha stated that they did go to their job fair to recruit, she would like to continue to recruit. Part of the project is that they get their own budget, they are pretty impressive and maybe next year we can do a documentary.

Samantha stated that they have lost Marietta Clark but she will stay with this project only as long as she can.

Motion to approve the CDOT application in the amount of \$20,000: Comm. McCarroll/Second: Comm. Garcia, all in favor.

3-0 Motion carried.

Samantha mentioned that OLTC wants to meet in Alamosa to talk about their conflict free case management for about an hour, she thought it would be better if possibly Nick can join her, this will be on August 21 st ,2019.

Chrmn. Jarvies asked Samantha to get with Nick and if he can't attend maybe one of the commissioners can attend.

Foster Carr-Cattle Guard Discussion

Foster Carr stated that they were here about 2 years ago concerning the cattle guard up in the mountains. He mentioned that nobody has been there to clean them out, he met with the guys and they claim that BLM and Forest Service don't have any money and nobody has any money. The culverts are full of dirt. The place belongs to his son who lives in Westminster. I don't know what to do to have them cleaned out.

Chrmn. Jarvies stated that they don't know whose it is, in the past the county has helped and we are always willing to do that but we need to have an understanding in place that doesn't obligate or yes it is our obligation. If we send our guys there to clean and they pull the cattle guard and it falls apart then who is going to rebuild it and we have to protect the interest of the county that is why we are meeting with the State Land Board, BLM, and we talked to Andrea from the Forest Service who was just here earlier. We will be working something out to help; we have to manage our resources.

Foster stated that before they get to his place there is a new road; the guy that owned it never got an easement or a Class A jurisdiction. Mike Lujan did a survey but never any right-of-way.

Foster stated that his dad put that cattle guard in, about 5-6 years ago he went to the state and they had an agreement where he would put the fence to the North and the State to the South and they never did put the fence in. He put some other gates there, mentioned that it is a very well-traveled road.

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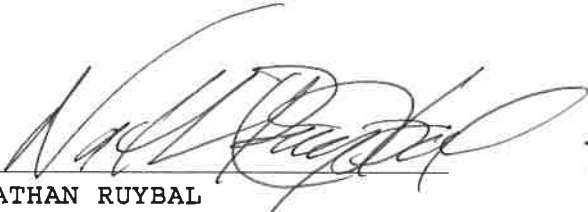
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Chrmn. Jarvies stated that they will continue to look at it and they are willing to help. Thanked Foster for coming in and meeting with Nick and the other guys.

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.