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Minutes of the Board of County Commissioners Payroll Meeting held on May 21, 2020 at 9:00 AM in the Commissioners Board Room, 6683 County Rd 13, Conejos, CO. 81129

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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 and AnnaBelle Gomez, Connie- HR via telephone.

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

Prayer: Comm. McCarroll gave the opening prayer.

Approval of Agenda

Motion to approve the agenda with the addition of the Emergency Leave Policy: Comm. Garcia/Second: Comm. McCarroll, all in favor.

3-0 Motion carried.

Approval of Minutes

Motion to approve the minutes of the May 07, 2020 Regular Meeting: Comm. McCarroll/Second: Comm. Garcia, all in favor.

3-0 Motion carried.

Motion to approve the minutes of the May 12, 2020 Special Meeting: Comm. Garcia/Second: Comm. McCarroll, all in favor.

3-0 Motion carried.

Public Comment: None

Executive Session

Motion to go into executive session as per 24-6-402 (b) conference with the attorney: Comm. McCarroll/Second: Comm. Garcia, all in favor.

3-0 Motion carried.

The board came out of executive session and no decisions were made.

Nick Sarmiento: It is the opinion of the County Attorney that the discussion had an executive session constituted an attorney/client privilege therefore no record was kept.

**Administrator's Correspondence**

Tressesa presented the following:

**A Resolution Providing For The Transfer Of Money To Various County Funds.**

WHEREAS, the Conejos County Finance Officer has asserted to the Members of the Board of Commissioners that certain transfers of money should be made. Specifically, the Conejos County Finance Officer has requested that the following be made:

Budget transfer of \$100,000 from the Road and Bridge Cash Fund to the PILT Cash fund for payment in full for graders and scraper purchased in 2015 and

Budget transfer in the amount of \$20,000 from the PCP Cash Fund to the Nursing Fund and

A transfer in the amount of 1,200,000 from PILT Cash to the General Operating Fund; such transfer has been a budgeted amount;

NOW THEREFORE, in consideration of the foregoing recitations, BE IT RESOLVED that Mack Crowther, the duly elected Conejos County Treasurer, be and he is hereby directed and authorized to forthwith transfer the amounts as requested in this resolution.

Motion to Approve Resolution C-22-20 A Resolution Providing For The Transfer of Money to Various County Funds: Comm. McCarroll/Second: Comm. Garcia, all in favor.

3-0 Motion carried.

**Public Health Contract for \$21,068.00**

Tressesa stated that she needs approval for her to go ahead and sign the contract because right now the state wants to do electronic signature and she also needs approval of the grant.

Motion to ratify the decision that they made for Tressesa to be able to sign the contract and ratify that they entered into a contract with the Nursing Service: Comm. Garcia/Second: Comm. McCarroll, all in favor.

3-0 Motion carried.

Motion to allow Tressesa to be able to sign the contracts once she informs them that they have come in: Comm. McCarroll/Second: Comm. Garcia, all in favor.

3-0 Motion carried.

**VA Discussion**

Tressesa stated that they received a letter from Jack Rutter concerning to give the VA Officer more time to do outreach.

Chrmn. Jarvies stated that he would like to visit with Robert to see if he does need more time and if there is that much to do.

**Alamosa River Estate Estates- Discussion**

Tressesa stated that they have had 2 inquiries about purchasing some lots; one lady wants to buy 1 and another gentleman wants to purchase 2; the assessed value according to the Assessor are 3500 per lot.

Chrmn. Jarvies stated that they would probably have to advertise.

Nick Sarmiento-County Attorney stated that they might advertise for a realtor; sometimes it is better to hire a realtor to market and promote the property. They could ask for proposals on county held properties and see who would come with a lower rate; they could also do a one or three year contract.

There was a short discussion whether they could use the public auction website to sell property and what percent do they charge.

Connie-HR stated that she could inquire and find out.

The board will check on doing an RFP with a realtor.

#### **Arena-Little Treasures- Discussion**

Tressesa-County Admn. stated that since they have finalized the sale with the Library she has contacted the Town of La Jara to find out what they are charging for their water and sewer; they are charging \$98.00 for water and 95 something for sewer; they could charge the library 48.00 for water. She talked with Maria and she is fine with that.

Little Treasures- they need to charge them for water as well. Her and Donnie have had discussions; the water is being sold by units and right now they are charging the Nursing Service almost 100.00 a month for water, her and Donnie thought \$48.00 would be fair for Little Treasures for now, if they want to put meters for water at a later date but that is about \$1000 per meter. She wants the board's approval to charge \$48.00 per entity for water.

Nick reviewed the contract and seems they should have their own insurances but they would need to make sure they have coverage before we would drop them from our insurance.

Nick stated that they have a preliminary agreement to sell the library, they did review the contract for Little Treasures; it expires in 2027, on the lease it states that they are to pay for utilities which is the water and sewer and that they are supposed to carry insurance, he would like the county to carry the insurance for a month.

Chrmn. Jarvies stated that maybe they could keep them under our insurance if they are willing to pay us; all the board members agreed.

#### **Road and Bridge Weed Spraying- County Roads**

Tressesa stated that Myron called about spraying of the roads.

Chrmn. Jarvies stated that last year was an exceptional wet year; our main roads were horrible and we didn't spray last year. He felt that if they can get at least the main roads and work on the shoulders, a combination of both would be most effective.

Tressesa said that there was an error on the budget; it should have been around \$18,000.

All commissioners were in agreement that the roads be sprayed.

Tressesa will go ahead and let Pat know.

Comm. McCarroll mentioned that they have one rancher that calves on one field and he doesn't want that patch sprayed; the willows are on his property but on our right of way; what do we do in a case like that.

Nick stated that if it's on our right of way we can get rid of the noxious weeds.

Comm. Garcia wondered if they could tell Pat where he should and should not spray.

#### **COVID-19**

Nick, County Attorney stated the policy is fine, the question is how do we bring that person back to work after there has been a COVID positive or systems, do we get 1 or 2 negative tests, do we require them to be at home for 20 or 30 days.

Connie-HR stated that right now it is not outlined anywhere, there is no statute on how you bring them back but we need to be really cautious on how we do that. The recommendations that Nick has from CDC is that they have 2 negative tests which might be pretty difficult to do. She spoke to Samantha and they basically said it is hard to get those tests, it is up to the Commissioners on what you want to do, do we get that negative test, get their declaration or take their word for it or they stay out for 20-30 days; there are different alternatives.

Denise-Public Health Director stated that as far as testing is after they test negative we can provide a letter that says they are negative and are released to work but that is the extent for them; if the commissioners want another test then it's your call.

Connie-HR felt that they should have a negative test before returning to work.

The board felt one negative test should be okay; that could be added to the policy.

Nick stated that there are two CDC guidelines for the return of health

care workers that have had a positive. If it is only system based the CDC guidelines are that the person should be excluded from work for at least 3 days which is defined with no fever without medications, or at least 10 days have passed since symptoms have appeared. Those are no positive tests but you feel bad. There is also the test based strategy which is if they have a negative they get to come back to work even if they have the symptoms. If someone has been confirmed positive how do we get them back, there is a time based strategy, since 10 days have passed since the first day of their diagnostic test and assuming that they are not positive after those 10 days; so it is going to require a negative test.

There was a short discussion on how they get tested whether they go through their primary health provider or who do they go through.

Connie- HR stated that the governor stated that there is testing for all first responders, she felt they should have a negative test.

Chrmn. Jarvies stated that he likes the idea of following the guidelines that are already in place.

Denise stated that she agrees with following the CDC guideline.

Comm. Garcia also agreed.

Nick stated that our policy has to say that we follow CDC guidelines, and follow the first responders and health workers guidelines and apply to our employees generally and see what happens in about 3 weeks; supervisors should be updated. If an employee can get a test that will be good but they should not have symptoms.

Connie-HR will send the board the draft policy and will work with Nick.

Nick stated that they can adopt the provisions to the paid sick time because those are in statute; stated that they do need to adopt the return back to work policy.

### Rocky Mountain Estates Bridge

Comm. Garcia stated that the last letter was from July 25, 2019 that he received from Ms. Bell. He told her that they would have a decision whether they were going to help her with any funding or in kind by the time she returned in June; that is not the county's bridge. To actually fund any improvements for that bridge other subdivisions

would come to the county wanting funding also; the same thing with in-kind.

Both Comm. McCarroll and Chrmn. Jarvies felt the same way.

Nick Sarmiento will write Ms. Bell a letter stating of their decision.

Tressesa-County Admn. stated that she has been contacting her also. They did apply for a grant and gathered some money but wanted the county to fund a quarter and the forest a quarter of it; her request was around \$4000.00.

Comm. Garcia mentioned that they have to catch up the road grading because of the number of calls that he has been getting.

#### Courthouse Security Grant

Nick Sarmiento stated that he spoke to Christina Gallegos- 12<sup>th</sup> Judicial District Admn. and Tom Franklin from the State of Colorado who is in charge of the infrastructure of buildings. The discussion that they had with Ted the architect they are going through a restructuring because of COVID 19 so they want to back out from the contract. Ted wants to continue; they will probably enter into a new contract with Ted Halzie, they will stay under the contract that was initially set and he will have to stay under what was paid to his firm. This is part of a grant so we do need to get this in place; the courthouse has to be restructured for space.

The board agreed to give Nick authority to proceed with negotiations which he will present to the board for approval.

#### Nick Barela-DSS Report

Nick Barela stated that he would like to discuss a letter he got from a previous employee.

Nick Sarmiento stated that it can be discussed in executive session.

Nick presented his report as follows:

- Program and Admn. costs in the amount of \$267,487.23 and Accounts Payables in the amount of \$20,296.18.

Motion to approve EBT expenditures and Accounts Payables as presented:  
Comm. Garcia/Second: Comm. McCarroll, all in favor.

3-0 Motion carried.

- **Case Load Report:** Child Support-398 cases, Adult Financial-123 Colorado Works-49 Cases, Food Assistance 812, and Medical Assistance 1,644 Cases.
- **Family Foundations Contract-** Chrmn. Jarvies recused himself due to conflict of interest. The first contract is for mentoring in the amount of \$80,000 paid via CORE Funds, the second is for Intensive In Home in the amount of \$12,000 paid out of CORE Funds and the Youth To Work Program for a total of \$80,000 which is split between TANF which is \$33,500 and CORE Funds in the amount of \$46,500.

Comm. McCarroll asked for a motion for approval on the contracts.

Motion to approve the renewal of contracts for Family Foundations as presented by Nick: Comm. Garcia/Second: Comm. McCarroll, all in favor.

2-0 Motion carried.

Nick-DSS stated that he did advertise in the Valley Courier and did not receive any responses.

Chrmn. Jarvies asked Nick about the Youth to Work. He was wondering if he was still trying fill that program.

Nick stated that he is trying to recruit kids. The time frame for this year has changed they will start in June through July. It has been hard because of everything that is going on with the schools.

- **2020 Census-** Monies received from Department of Labor was \$2000, they have spent \$1,940 which has been on promotional material. His report shows all the activities that they did. The \$59.95 that they had left over will have to go back to the Dept. of Labor. Census responses are at around 23%; they will be bringing a van from Boys & Girls Club and setting up shop at the Water Park in Antonito and offering grocery bags for people that fill out their census next week; enumerators should go out as well.
- **Annual Child Support Plan-** This was presented before and is just the letter stating it was approved for the calendar 2020.
- **Conejos County DSS Scholarships-** He gave the board a list of the letters that they did receive. There were 5 that were awarded in



the amount of \$1000 each via TANF; mentioned the schools that participated.

- JBC Cuts-There have been quite a few things that have been cut this year. The ones that will have an impact are Family First which is with Child Welfare, they stopped funding for the STEP Program- that contract has been terminated; State Ending Navigator has ended. There was discussion about potentially ending the CHC Plus Program but that has been rejected. They are expecting an increase in Medicaid numbers because of COVID; they are trying to re-direct some funds to higher state staff to process the influx of new applications. There is a push back on that because they are getting unqualified people to process those applications which is opening up the market for some of their workers to leave for higher wages.
- Conservation Legacy Letter- Youth to Work Program. They had to change their original contract because of COVID. They did have to hire an additional staff member. Cost went down from \$36,000 to \$28,800. He is requesting approval to update those contracts. The first contract is for May 1<sup>st</sup> through June 30 in the amount of \$24,480 paid via TANF Funds and the second from July 1<sup>st</sup> through July 3<sup>rd</sup> in the amount of \$4,320.

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

3-0 Motion carried.

### Veteran's Office

Robert wanted to know if he could get a lap top for his office.

Robert gave his report as follows:

- Did send an e-mail on how he is handling the office. He has been coming in 2 days a week to take care of the paperwork he had started. The State of Colorado VA is working remotely so that has not been a reliable source for him to contact.
- Flags were replaced at the Memorial in Romeo so he gave those to Jimmy Duran, he will need to purchase more flags.
- National Conference was cancelled so he could get his national accreditation. There is a remote training. They might do a ZOOM training. He cannot do anything with the veteran unless they are sitting in the office at the national level; hope he doesn't have to wait until September.
- Needs to figure out how to do his job without having face to face contact. His office might be too small for a shield but it would

help. Would like his own box labeled Veterans Affairs so the vets can slip their paperwork.

- If we do go by appointment only, what is the response to the lack of PPE; do we have a supply. He has a contact where they could order by bulk. He did give that information to Connie.
- Denise stated that she gave the last PPE's to the Sheriff's Dept. They are trying to obtain more.
- WSB provided a quote on e-faxing- he could share with Connie-HR as well. (Chrmn. Jarvies asked to check with Tressesa-County Admn.)
- All placards are out at Veteran's Boulevard. Orlando is applying for a grant to assist him on that. He is going to start working on applying for a \$100,000 grant to provide mortgage assistance, gas cards, energy assistance for veterans.
- Mentioned that Valdino and Frances Gallegos lost their home. He was able to acquire a storage container at no cost to them; mentioned all that had helped them with money that was raised, La Puente was also able to help them. Frank Muniz was also going to help them.
- Would like to get a certificate of appreciation for Chuck for helping out a veteran in Conejos County. Would like to get it in the newspaper.

Comm. McCarroll asked Robert if he was able to carry on all his responsibilities or does he need more hours.

Robert stated that he would be putting more than 20 hours a week; he is trying to speed up the process.

Comm. McCarroll asked Robert to work with Tressesa-County Admn.

Tressesa, County Admn stated that she will get with Jarrett and Donnie to get a drop off box.

#### Naomi-County Assessor-Abatements

Naomi presented a couple of abatements for approval; explained the reason.

Motion to approve the following abatements: Comm. McCarroll/Second: Comm. Garcia, all in favor.

Schedule #	NAME	YEAR	AMOUNT
572332200204	James Ryan & Kimberly Mortensen	2019	415.58
571908100003	Shannon L Muniz	2019	558.39

3-0 Motion carried.

**Denise Jiron- Public Health Director**

Denise stated that she e-mailed her report and the only update is that the valley numbers have increased which she will talk about in her Board of Health report.

**Board of Health Report**

Denise stated that they have completed 115 tests, 6 of those are still pending, with 109 negative and one positive. She would like to clarify that we do not have a current standing order. We are following the governors stay at home, if he changes the number in gatherings and that nature so do we. EOC has cut down to meeting once a week or as needed which includes Rodney King. The biggest change as far as Public Health changes is that we did open up our immunization clinic which was on the 13<sup>TH</sup>. Melissa Caldon will be assisting with that by appointment only on Wednesdays only between 1 and 5. They continue to work with different regional partners and businesses in towns and with schools that are trying to plan summer activities; has met with representatives from Centauri and South Conejos which seem to be going okay. Right now the biggest focus is the Cumbres and Toltec and the Forest Service when they open up camps May 28th.

Chrmn. Jarvies mentioned that they received a call from Dr. Vaughn Jackson who is the Medical Director. They will get him on the line; he is concerned on the process that they are doing things in the county.

Chrmn. Jarvies called Dr. Jackson and explained who is present at the meeting; mentioned that Denise is on the phone.

Dr. Jackson stated that on the matter of isolation, quarantine or disease transmission or communicable disease our public health impacts it is their responsibility to talk to him about it which no one has talked to him at all. If they are making decisions affecting Public Health. He needs protocols- they need to speak to him especially if there is an emergency like this pandemic that we have now and no one has talked to him about anything. There was a letter sent out a month and half ago which was signed by someone else; he never did sign anything. They need to have an understanding if someone is going to start making decisions about Public Health or questions about vaccine or quarantines it puts him in a liable situation because this is what he is supposed to be doing and it puts him at fault which puts him in a liable situation. He has the agreement with the County Commissioners it makes the county more liable so we need to make sure we don't have this problem.

Chrmn. Jarvies stated that they understand his concern and stated that they do need to have a process in place.

Denise stated that she didn't read the contract until now. She left Dr. Jackson a message; but they can move forward from this point.

Dr. Jackson stated that he wasn't aware of any phone call but will go ahead and give her his cell phone number.

Nick Sarmiento-County Attorney stated that under the contract it seems to him that he is the medical director and when it comes to issuing quarantines he is in charge of that but in consultation with the Public Health Director. The contract contemplates that there be two people both the Public Health Director and the Medical Director making those decisions together.

Chrmn. Jarvies stated that from now on if there are any letters going out or e-mails they will be copied to him.

Dr. Jackson stated that he will say they are okay or what has to be changed and then sent to the commissioners, they okay it and sign it as well.

There was a short discussion as to what has to be okayed by Dr. Jackson such as any letter advising such as moving back in and going to visit, the numbers are posted by the SLV.

Denise stated that she could have used Dr. Jackson's guidance; Denise will e-mail him what she has to and then sent him a text.

Nick Sarmiento stated that a lot of these decisions are made here at the Commissioners Meeting.

Chrmn. Jarvies asked if they could call Dr. Jackson when having to make a decision at their meeting.

Dr. Jackson stated that they could call him or he could attend the meeting.

Dr. Jackson stated that he had been asked about opening up the county. He feels that if you have a group of family they can sit together but keep them 6 feet away from others, the people that are working in the restaurants have to wear a mask, the people should also wear a mask and just take it off when they are going to eat, but would limit the numbers so that they have the social distancing, people need to get outside because they need the Vitamin D which helps the immune system and not be afraid of being outside.

Chrmn. Jarvies asked if they work on a variance is he willing to work on that as well as Denise.

Dr. Jackson stated that he would be glad to do it; they are not talking about that many places here in the county.

Comm. Garcia stated that there is a proposed restaurant guide lines that could be coming out by the governor or the state and they are going to have disposable menus, clean the rest rooms every half hour, and they recommend 8 foot apart on the tables at the restaurant which is inside dining and also talked about outside dining.

Dr. Jackson stated that they ought to go 6 feet between chairs; but this is not the law it has not been passed.

Chrmn. Jarvies stated that one item of discussion that they had was to talk about a variance. Comm. McCarroll was in his best interest. They were going to do it for graduation but they had changed their parameters. They thought if they were going to seek a variance they would do it for everything in the county.

Denise stated that's what Dr. Jackson just referenced and she has been able to review is supposed to come out next week such as the 6 feet between tables, the capacity, that is already in the plan; if they want to apply for a variance that is up to the board.

Chrmn. Jarvies asked if they are set and will come up for sure?

Denise stated that it has been proposed but not set until the governor releases it. It is being reviewed; the next press conference is the 25<sup>th</sup> or 26<sup>th</sup>.

Chrmn. Jarvies asked if that is just for restaurants because they do have a fitness center in La Jara.

Denise stated that she could have small group instruction.

There was a short discussion on house of worship which are still under 10 people in separate rooms.

Denise stated that when the governor does open things up then the county has to go back and re-adjust their orders to be in sync with the governor.

Nick Sarmiento stated that if we apply for the variance it is a variance to the governor which he has in place right now. If the governor goes ahead with a different order presumably the variance is still valid but there will probably be some points in that variance

that are no longer subject to a variance. They will have to go day by day week by week on this one. Right now we don't have a standing order we just follow whatever the governor dictates.

Comm. Garcia suggested applying for a variance now and hope the governor comes up with a more relaxed order; would like to start the process now.

Comm. McCarroll talked about the other counties that applied for the commissioners to have the authority over and kind of let them govern what is going on and let those that are in Denver govern themselves; they don't know what's going on in rural Colorado; our businesses are losing out on tourism dollars.

Nick Sarmiento stated that they can for the "us decide what's best" and give a variance for restaurants and places of worship and can be discussed in executive session.

Denise stated that she will go with what the board wants.

#### **Executive Session**

Motion to go into executive session as per 24-6-402 (b) conference with the attorney: Comm. McCarroll/Second: Comm. Garcia, all in favor.

3-0 Motion carried.

The board came out of executive session at 11:58 AM and no decisions were made.

Nick Sarmiento: It is the opinion of the County Attorney that the discussion had an attorney/client privilege therefore no record was kept.

Denise stated that there are a few options such as applying for a variance or applying for an exemption and asked if they would want to discuss their feeling on that.

Comm. McCarroll stated that he was just wondering if they should try what Garfield is trying to do to bring back local control to start our businesses back and ask Nick to take this on and maybe look at Garfield and what they are requesting and see where we can go with that.

Comm. Garcia stated that it would be something like asking for an exemption and if that's not granted then get a variance. We would have parameters in there like the social distancing, what a group size

would look like and look at what type of businesses we are trying to open back up.

Chrmn. Jarvies mentioned that every county is different and one concern that we have is that they allow us to make a decision if we want to be more strict; but they won't let us make a decision if we want to be more lenient. We do understand if we get an exemption it would be quite a bit more work on our part because we would have to monitor and make those decisions but we could make those decisions a lot more quicker but if we needed to change we could do that.

Denise stated that her thought is that she doesn't have the capacity to do that work and doesn't know how much she would have to rely on regional support.

Chrmn. Jarvies asked what kind of monitoring would she be looking at.

Denise stated that she would have to comply with the state and questions about testing and trying to get PPE's; it's bigger than what people understand. She is also dealing with closing out OLTC, also talked about what if there is a surge; those are things that have to be taken into consideration.

Chrmn. Jarvies stated that they can look at those concerns; they want to be able to make those decisions. As a board they can request exemptions and if we don't get it then we can get the variance; if we get an exemption and we don't have the resources we can all sit down and look at it.

Denise stated that's what we want to do; but she does need to take some time off.

Nick Sarmiento stated that they can look at Garfield's on asking for an exemption.

Tressesa, County Admn. stated that she will call Garfield and if they like that they can copy and paste and go from there.

Nick Sarmiento, County Attorney will work on the exemption and have Vaughn Jackson sign off on that.


Denise stated that Costilla is trying to pursue the OLTC contract and they were wondering if they could borrow 2 lap taps computers.


Nick Sarmiento stated the auditors might say it is improper use of equipment.

Denise will let Costilla know that it is not an option.

County Admn. Tressesa stated that she had Donnie look at the cars so they can put a value; they are fairly new so she would like to see if they can acquire them as a county.

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.