
Minutes of the Board of County Commissioners Regular Meeting held on August 06, 2020 at 9:00 AM in the Conejos County 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 and AnnaBelle Gomez, Deputy Clerk and Recorder.

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

Prayer: Comm. Jarvies gave the opening prayer.

Approval of Agenda

Motion to approve the agenda with the addition of the discussion concerning the National Popular Vote Referendum: Comm. McCarroll/Second: Comm. Garcia, all in favor.

3-0 Motion carried.

Approval of Minutes

Motion to approve the Minutes of the July 16, 2020 meeting as presented: Comm. Garcia/Second: Comm. McCarroll, all in favor.

3-0 Motion carried.

Payroll and Accounts Payables

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

3-0 Motion carried.

Public Comment: None

Abatement

AnnaBelle Gomez, Deputy Clerk and Recorder stated that the County Assessor had presented an abatement for Joshua Watters at the last meeting. The board approved it as presented. There was a request from the Assessor's Office to change it from the property schedule to a Mobile Home under Schedule/Parcel Number 400053 for 2019 in the amount of \$62.54 instead of \$42.96.

Chrmn. Jarvies stated that the abatement description had been changed.

Nick Sarmiento stated that they should approve it with the new schedule number; it will be effective the day it was approved.

County Administrators Correspondence

Care Act Funding

Tressesa-County Admn. talked about the Care Act Funding. She stated that they have been meeting every Tuesday. She mentioned that they cannot help the businesses for revenues lost; it is reimbursable grant; they have until December.

Nick Barela who is the chairman of the committee stated that they are trying to deliver what is eligible. A lot of what they have seen coming in the applications have been very sparse and not very articulated as to what they are requesting and why they are requesting. A lot of these people are requesting revenue loss which is one of the things that they cannot do through this, it is a reimbursement grant, they might be able to recover some of the cost.

Aaron from the Town of Antonito will meet today with his board to discuss the applications and Larry from the Town of La Jara got a couple of applications, the Town of Manassa is going to withdraw the bulk. They will let them know after they meet with their boards.

Tressesa stated that they are doing barriers. They are upgrading the system for Zoom meetings; some don't have the speakers and cameras. WSB is upgrading all the offices, they are working on the wiring and working with Garth at the Sheriff's Office. They might be able to get that reimbursed; that is something that is needed anyway.

Tressesa stated that they are working with the auditors. They will be doing mostly everything by e-mail they delivered boxes of information. Jessica stated that they are going to try not to come in from WSB.

Comm. Garcia asked about the municipalities-if someone was on unemployment and weren't able to pay for their water and sewer is this grant able to reimburse the municipalities for forgiving the water, sewer and trash for those residents.

Tressesa stated no because they would be giving the municipalities revenues lost. People that became unemployed qualified for unemployment insurance and they received \$600 a week for unemployment; there is a lot involved.

Nick Barela stated that they would have to do it in such a way where the municipality creates an emergency care relief fund and provide that to the people in their town. The people would have to apply for a mini grant and they would be asked those clarifying questions as to why they fell behind on their bill. They would turn in that to this committee to see what they can do.

Tressesa stated that they cannot back fill any revenues that the towns have lost; there are a lot of businesses that got those grants to cover for their employees; also mentioned that those will be audited pretty close.

Nick Sarmiento-County Attorney

(Bureau of Land Reclamation Mining and Safety)

Nick stated that Don-Road and Bridge Director submitted a letter to the Bureau of Land Reclamation Mining and Safety asking if we were to take potato rock from those circles where they are to make the pond is that considered mining. We got a letter back August 05, 2020 stating that they do consider that mining but they gave us an opportunity to petition to receive an exemption from permit requirements. We are going to petition to see if we can get that exemption.

National Popular Vote Discussion

Nick stated that they need to discuss the popular vote that was passed by the State of Colorado under the National Popular Vote Assembly which is SB 19042. What would end up happening is that our electoral vote would go to whoever won the national popular vote at the national level. Right now we are in compact with other various states. There is

a referendum on the ballot for the November election to get rid of this legislation and this resolution would show your support in favor of the referendum.

Chrmn. Jarvies asked what their feelings are.

Comm. Garcia stated that he would like to study it a little bit more.

Comm. McCarroll stated that his feeling is to go against what has been said otherwise we would be electing what California, New York and Florida want rather than what people in Colorado want. He suggests that they go with a resolution that we follow how it is outlined in the constitution and we continue to use the electoral college as it should be so that our voices are heard.

Chrmn. Jarvies stated that they should oppose anything that would change constitution which is an inspired document and that would be the only way to be equal throughout the states.

Nick Sarmiento will forward all the information to the board. He stated that they can do an action item on this at the next meeting; they can do it by resolution.

Variance Discussion

Comm. McCarroll asked if they should do a variance.

Nick asked if the constituents have asked for anything.

Comm. McCarroll stated that he has not heard of any but has seen some things that tell him that it might be wise to have a variance but leave it up to individuals to take care of their own health rather than mandating some of the things.

Nick stated that he understands but wanted to know if he is asking for an exemption totally because right now certain restrictions are: for instance the restaurants, are we okay with those restrictions as they are now otherwise we would have to ask them what would be that variance or what they need or what does the school need, or a person dedicated to public auctions. We might want to ask our citizens what their needs are and what the variance request would be.

Chrmn. Jarvies stated he would not want to spend too much taxpayers dollars on the Sheriff's Department and Department of Health trying to

keep up; which I don't think we are. The other concern would be church services.

There was a short discussion as far as restaurants because they are seating a lot of the people outside.

Comm. McCarroll stated that he was making reference to a resolution from another state that stated that every person is responsible for their own health and they would support them either way; was wondering if we should give our people the same option.

Nick stated that at that point the governor would withdraw any funds including the Cares Act Grant.

Chrmn. Jarvies talked about the Protect Your Neighbor step as a region.

Comm. Garcia stated that Protect Your Neighbor gives us the right to make our own calls.

Chrmn. Jarvies stated that Denise explained that at the last meeting with the different colors and what they mean.

Nick Sarmiento stated that the schools are opening with certain restrictions but not with a population restriction; why wouldn't churches be allowed full capacity as long as they meet certain requirements.

Comm. Garcia stated that if they move the church service outside they could probably have 175 people attend such as a wedding that is held outside versus inside church services which is only 50%. He suggested surveying the businesses to see what they would want, or what the schools would want, our schools are working with our Department of Health.

Tressesa, County Admn. stated that maybe the Care Acts dollars could be used by the restaurants to enclose those sidewalks during the winter months.

Nick Barela stated that there are temporary modifications that they could do in regards to some of the restaurants but there are some limitations. They need to show that they are COVID related and not long term related modifications.

Tressesa mentioned that there are some rules that they ran across concerning the state highway.

Comm. McCarroll stated that a lot of that will be gone because a lot of the people up the canyon leave for the winter and also when the trains stops running most of the restaurants will go back to normal capacity; but he is in favor of whatever helps the businesses.

Naomi-County Assessor-Abatements

Sandra Deputy Assessor presented the following abatements.

Sandra stated that they are correcting the abatement for Joshua Watters which was presented at the last meeting it should be Schedule/Parcel # 400053 for the year 2019 in the amount of \$62.54.

SCHEDULE/PARCEL #	NAME	YEAR	AMOUNT
586733200181	La Jara Old Order Amish Church	2019	235.10
586530400020	Paul & Miranda L Garel	2019	90.32

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

3-0 Motion carried.

Motion to amend the July 16, 2020 approval of the Joshua Watters abatement for taxes with the new parcel number: Comm. Garcia/Second: Comm. McCarroll, all in favor.

3-0 Motion carried.

SLV Housing Coalition-Dee Kesler, Karen and Dawn Melgares

Karen Hinojos and Dee Kesler were present. Dawn Melgares did a Zoom meeting.

Karen-representing the Conejos County Housing Authority in La Jara presented the following:

- They have had a vision to bring in more affordable housing to Conejos County. There is a need for it and they want to start in La Jara.
- They have to do a housing study. They are working with Department of Housing and CHAFA, they all know that there is a housing

problem such as in Antonito. The study will include what the growth and the need is like. The study is going to be done as a whole and then look at individual cities.

- To do the study it is going to cost \$272,000. They negotiated a decrease from 12,000 to 10,000. They have raised \$140,000 that coming from Colo. Health Department and CHAFA which leaves them with 122,000 to do the study which will start in September. They have a waiting list; the study will tell them if they need more single family or what would fit the community. If they do a single study it would be 40,000 to 100,000 depending on the size of the area. By joining together they would bring the cost down to 13,000 per county or town, with the current donation they have it has reduced the cost to 6600. They continue to fund raise and do grant writing to reduce the cost even more. They want to focus on how they can help. With the \$122,000 to be helped by September they can always use financial donation. If they have a space that they can use for meetings or if they can have somebody represent Conejos County, come to their meetings, and help do surveys that would be appreciated. They can dedicate a person to attend their meetings.

Comm. Garcia asked if this involves the valley as a whole. Are you talking about Monte Vista or Del Norte.

Karen said not Monte Vista or Alamosa but Del Norte is on the list.

Dawn from the Coalition stated that they have been talking to DOLA. They can put a little bit of money and they can match, they can raise funds. DOLA could match up to \$20,000.

Chrmn. Jarvies asked if they have an amount today. He is on the SLV Coalition board and he works with Dawn. He would gladly go to the meetings if he is made aware of them. If they can come up with an amount and present because that is the way they do their budget.

Dawn stated that every municipality is not going to put in the same amount. We would need to raise additional funds to meet the \$20,000.

Karen stated that she needs to meet with Larry Zaragoza from La Jara; he is committed to helping them out and is very on board to bringing affordable homes.

Comm. McCarroll stated that they need to figure what they could use.

Chrmn. Jarvies asked if they could put a packet together and email it to Tressesa. He stated that Dawn has always been working to get money and getting a lot of grants to get the study.

Tressesa, County Admn. asked that they put an amount on their packet because they are starting to work on budgets.

Dee Kessler stated that they are asking for specific amounts on the \$20,000 so it's a hard thing to say. Do they say the whole \$20,000; or do they say they need \$10,000 minimum.

Dawn stated that if they raise 5,000 they will match that.

Dee stated that lack of housing affects health care dramatically.

Sheriff Crowther-Sheriff's Report

Sheriff Crowther stated he e-mailed the reports. The calls have doubled, almost tripled and most are on the serious side; they have had bigger things to investigate. Meals have gone up. They did do a multi-jurisdictional operation. Sheriff Crowther mentioned that the printer on the finger print machine went down.

Nick Sarmiento-County Attorney stated that the board will do a jail visit.

Sheriff Crowther stated that they are welcome anytime.

Sheriff Crowther had a short discussion on sealing records when they are already in the newspaper. He will check with the courts for more guidance.

Donnie-Road and Bridge Report

Donnie presented the following:

- He has made some changes they have different crews. Transition is hard for some but they have been grading an average of one mile per hour. They have more graders on the road now. They are trying to get more quality rather than not so much work.
- They have converted 3 bridges to culverts; are looking at doing 3 more in district 1; they have several bridges to re-build.
- Fuel consumption is going down. They are ordering fuel every two weeks instead of every week.
- Will be ordering a laser level for the culverts.
- Are doing things off the calendar.
- He is setting the bridges as a priority, they still having paving that they need to do. We are not in a paving partnership with Alamosa currently, but we may try partnering with them again in the future. Been consistently working on the water at the arena and the jail.

- The change at the arena concerning the ambulance- they fell under the scale of being a community system by being short 2 people. We don't have anybody there full time. They have Little Treasures in the morning and then in the afternoon. The library is back and forth and at the arena they drink the water for a few hours and everybody is gone. Now that they have the ambulance there it will change the rating completely. It will change the sampling to about \$1200 more a year; they have to sample every month. The water is treated and is good.

Chrmn. Jarvies asked if he could do the sample every month.

Donnie said that he could start sampling every month.

Nick Sarmiento-County Attorney suggested that they get the process started.

Donnie stated that he will take a good look at it.

- Donnie stated that they were having sprinkler problems at the library. They got that resolved; he will do some changes this fall or early spring next year.

Tressesa, County Admn. stated that there was water damage at Little Treasures so she turned it in to their insurance. She has talked to Wendy and mentioned that will increase our insurance but at some point Little Treasures will have to pay for insurance for those buildings.

- Donnie stated that concerning the School Project they wanted to use the route between the library to the back of the school. He let them know that the asphalt there is in pretty bad shape. If there is a lot of traffic maybe they could help; but it turned out to be very minimal so if it stays that way they are not going to worry about it, they won't have any problems. He mentioned to them that if they are going to have cements trucks or large equipment sitting there and it slows down the ambulance then that would be a problem.
- Jail project- they have not connected to the Town of Antonito. The problem is that they can't get the valves or the meter hopefully they can get them by next week. They got the pipe that they needed last week. They can put the meter anytime.
- Donnie stated that they might want to hire some of the guys that retired to help them out part time; they have the skills and would probably save them money.

Comm. Garcia asked how they are doing with the pot holing crew.

Donnie stated that they don't have a pot holing crew. They have a crew that does some patching. The plant was shut down so they couldn't get asphalt but they will get back to doing pot holes. They did a little bit of patching.

Comm. Garcia stated that he has gotten several calls asking if they can have a free load of dirt for their driveway. He was told that they were not giving out any dirt and they do have a mining permit; that material is only for Conejos County roads. He stated that they might put something on the web site and include a rationale why they can't give dirt out anymore. Someone had mentioned that they had done that at one of the districts.

Donnie stated that when they do a new access for a customer it benefits the county to make sure that what is on our side of the fence is level and right for our road. They have taken a load or two to someone with a new access and maybe that is where that is coming from. All of the supervisors should be on the same page and that shouldn't happen. If they hear of anything it will be addressed.

Chrmn. Jarvis stated that it is a good idea to put it on the website.

Comm. Garcia stated that he tells the people that it takes away from private contractors; then we hear it from private contractors we are here to support them not take away from them.

Comm. Garcia stated that he got a call from Harvey Spross from Horca. When he, Donnie, and Rick met with Andrea Jones concerning the Platoro Road they told them about the gift shop at Horca. When it rains the material comes down. He was told by Harvey that the county had gone there one time and dug a ditch and right now he had talked to Andrea. Andrea had told him to call him and we would have to get a permit but he didn't think the Forest Service would issue us a permit to dig that ditch because there is caution that whole mountain is going to come down the more you toy with it. If we helped them then Bear Creek and Sheep Creek would want them to do something for them and we can't go into the National Forest without a permit. He said he was willing to facilitate a meeting between NRCS and National Forest maybe there is something they can do. He didn't commit the county to anything.

Chrmn. Jarvis stated that Joe Pacheco came before the board. They had everything designed as to what they wanted done. We didn't do anything besides put the culvert. That was a project where the Forest Service came to us to ask for help.

Comm. McCarroll stated that past Horca there is a lot of material that can be drug across the road and get it smoothed out but if it rains more there will be bigger rocks that might come down; and there will be a bigger problem.

Donnie stated that there was a complaint by Robert Taylor on the cemetery road. He talked to the supervisors about that and will send a grader out so the road is in good shape.

Comm. Garcia stated that Andrea got ahold of him. He told her that Harvey was supposed to get ahold of all the agencies. Andrea stated that Kelly Garcia from the Forest Service had talked about it and the Archuleta Association of cattle people had a similar type of land side and they are using straw bales and steel posts.

Comm. McCarroll stated that always happens with those heavy rains.

LLC-Ken Mortensen-Special Use Permit-Highland Cabinets-Cabinet Shop

Chrmn. Jarvies opened up the public hearing for Kent Mortensen doing business as Highland Cabinets-Cabinet Shop.

Michelle from Land Use presented the following:

CASE: CCLU 2020-0123 **APPLICANT:** HIGHLAND CABINETS LLC-Kent Mortensen

BACKGROUND: An application for a Special Use Review was filed with the Land Use Office on June 17,2020. The property is zone rural and is legally described as: 8 acres Lot 3 of the Replat Arroyo Minor Subdivision located in a fraction of the East Half of Section 15, Twp 35 North, Range 9 East, NMPM, Conejos County, Colorado. A common description is 15749 County Rd W, La Jara directly west of the Vet Clinic.

REQUEST: The applicant is requesting a Special Use Permit for a business to manufacture cabinets and counter tops manufacturing and flooring storage.

ADJACENT ZONING: North, South, East and West are all rural. The property to the direct east is Elk Creek Veterinary Clinic. Further East is Town of La Jara.

PUBLIC NOTICE REQUIREMENTS: Notice requirements were met by sending notice to the surrounding landowners within 500'; notices to referral agencies; notice was published in VALLEY COURIER and onsite posting was posted on the property (5/22/20).

PUBLIC HEARINGS: The public hearing before the PC was held on 7/15/2020 at 6:15 PM. The Planning Commission made a recommendation to the BOCC to approve as presented. Tom Stewart/Armando- Unanimous vote.

Chrmn. Jarvies stated for the record that Kent is his first cousin. He will run the hearing but will abstain from voting on anything.

Chrmn. Jarvies asked if they did have adequate notice.

Michelle said yes.

The applicant was not present to present anything to the board.

Michelle stated that the applicant has a permit from them to start construction.

Chrmn. Jarvies stated that right now Kent has been using the access where the vet clinic is located; does he have a different access?

Michelle stated that they have not received any kind of comment from CDOT yet; she is not sure that he applied for a separate access.

Chrmn. Jarvies called Linda-Land Use Administrator to verify the access.

Linda stated she believes that he did apply for his own access; stated that Donnie-R&B Admn. can verify that. He already got his address to that access point.

Donnie stated that yes he did apply for an access.

Michelle stated that she did the address where the access is going to be.

Chrmn. Jarvies opened up the public hearing portion. Asked Michelle if they received any comments for or against in writing, e-mail or phone calls.

Michelle stated that they didn't receive any whatsoever.

Chrmn. Jarvies called for anybody for or against, for or against, for or against.

There being none; Chrmn. Jarvies closed the public portion of the hearing; asked the board if they had anything to discuss.


The board didn't have anything at this time.

Motion to approve Resolution C-29-2020 Special Use Permit for Kent Mortensen/Highland Cabinets LLC: Comm. McCarroll/Second: Comm. Garcia, all in favor.

2-0 Motion carried.

There being no further business to come before the board, Chrmn. Javies declared the meeting adjourned.

ATTEST:


NATHAN RUYBAL
CLERK OF THE BOARD


MITCHELL JARVIES
CHRMN. BD OF COUNTY COMM.