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Minutes of the Board of Conejos County Commissioners Regular Meeting held on April 15, 2021 at 9:00am in the Commissioners Board Room, 6693 County Road 13, Conejos, CO 81129

Comm. Jarvies called the meeting to order at 9:05am

Mitchell Jarvies – Chairman – Present

Carlos Garcia - Vice Chair – Present

Joseph Baroz – Vice Chair – Present

Tressesa Martinez – County Admin. – Present

Present: Nick Sarmiento-County Attorney, Connie Ricci-HR Director, and Nathan Ruybal Clerk and Recorder.

Pledge of Allegiance: Comm. Jarvies led everyone on the Pledge of Allegiance.

Prayer: Comm. Jarvies gave the opening prayer.

Approval of Agenda:

Motion to approve the agenda as presented

Comm. Baroz 1st motion - - Comm. Garcia 2nd Motion

3-0 Motion Carried

Approval of Minutes:

No Discussion or Corrections

Comm. Garcia 1st Motion - - Comm. Baroz 2nd Motion

3-0 Motion Carried

Public Comment:

No Public Comment

Administrators Correspondence:

Comm. Garcia commenting on April 9th meeting with State Land Board regarding public land and Western Rivers.

One main takeaway was, will Western Rivers be able to keep the land intact (45,000+ acres)?

- Answer from Western Rivers is NO!
- However, land will go into 3 different entities.
 - Parks and Wildlife
 - BLM
 - United States Forest Service
- In the middle of the 45,000 acres is a stretch of Protected Land, that Parks and Wildlife currently runs.
- Comm. Garcia thanked them for allowing Conejos County to be invited into the conversation about this land.
- Many of the Comm. Constituents may be affected by this land purchase, either with grazing permits or recreational use.
- Permanent Protective Stewardship was brought up by Western River, an explanation of this term needs to be brought to the citizens of the area.
- Western River's did not have a good explanation regarding community outreach.
- Comm. Garcia is willing to moderate a public forum regarding the land sale and what all this means to the county and surrounding areas.

Comm. Garcia asks the BOCC if he should continue with this and publicize a public meeting regarding the impact on the community in regards to this land sale.

Comm. Jarvies comments that it will be a great idea so that we can get a good idea on what the public thinks about this situation.

Attorney Sarmiento asks Comm. Garcia if they are just exploring the idea of selling the land, Comm. Garcia adds that the Motion was over 100 words long and it was approved 5-0 and they will go ahead with the sale of the land.

Clerk of the Board Ruybal asks for clarification on when this was first discussed in a BOCC meeting, Attorney Sarmiento says it was over a year ago when this sale of land was first brought to the attention of the BOCC. Most recently the BOCC heard more from the State land Board regarding this sale of land on the March 18th of 2021 meeting.

Willow Pit Discussion

Administrator Martinez asks BOCC when they should open up the willow for 2021, discussion includes the needs of the Community and the availability of staff and other resources.

Discussion goes on to include that Jared Garcia is ready to start when ever BOCC decides to open.

Determination to start on April 24th with the second opening on May 22nd and the last on June 26th.

Ruybalid Bridge Discussion/Update

AKA Peggy Bell Bridge

Bridge does not belong to the County nor the Forest Service; however, Conejos County will apply for Grant on behalf of the Peggy Bell group AKA Rocky Mountain Estates.

Conejos County will take on the task to apply for Grant and will pass the money over to the Rocky Mountain Estates, AKA Peggy Bell Group.

County Attorney Sarmiento mentions that he will email the Attorney representing the Peggy Bell Group, which will state that Conejos County will not be held responsible for the workmanship, ownership of the bridge. We are doing this as a service to the public and that's it...

Comm. Garcia wanted to make sure that the size of rocks that would be needed to be hauled to the bridge would not damage our trucks or trailers. Donnie from Road and Bridge will work with Robins Construction to make sure the job is completed.

Wagon Wheel Liquor License Renewal

Clerk Ruybal spoke on behalf of Wagon Wheel; they are in good standing and there are no violations.

Comm. Baroz 1st Motion - - Comm. Garcia 2nd Motion

Motion Carries 3-0

DSS Report – Nick Barela

Contract w/ Southwest Conservation Core which is their Summer Youth Program has been postponed until May.

Request to Program and Admin. Costs which add up to \$527,877.74 and also Accounts Payable for \$28,680.19.

Motion to approve expenditures and A/P as presented.
Comm. Garcia 1st Motion - - Comm. Baroz 2nd Motion
Motion Carries 3-0

Tannif and Food Assistance will have increase of about \$95.00 per family, so totals will increase from now until the end of the year.

Case load report; APS 5 cases; Child Care 34 cases; Child Support 34 cases; Child Welfare 13 cases; Adult Financial 120; Colorado Works 37 cases; Food Stamps/Food Assistance 737 cases; Medical Assistance 1773 cases.

Barela discuss the decrease in Colorado works case work, partly because clients not complying. However, DSS usually hovers around the 40-50 mark, so Barela anticipates the number to increase again.

Annual EBT and Security Robbery Policy, a requirement per S.N.A.P Program which outlines what DSSS needs to do in case of their EBT cards happen to go missing or stolen. Policy outlines that Barela and law enforcement be notified immediately. Barela passes around signature sheet to make sure everyone has read the policy.

MOU between SLV Children's Advocacy Center and other SLV agencies, whenever they have allegations or findings or Child Abuse these children go through the Advocacy Center, the MOU is a signed agreement to make sure that the children will go through program.

Letter of Approval for Child Support Annual Plan which had been presented a few months ago to the commissioners, stating the plan was review and approved.

Contract with Rocky Mountain Counseling had to be renewed.

Barela asks the BOCC asks for approval for Resolution C-10-21 DSS Personal Policy Manuel Change
Comm. Baroz 1st Motion - - Comm. Garcia 2nd Motion
Motion Carries 3-0

Public Health – Denise Jiron

Commissioners Report;

- No Change from the past month
- Dept. is still fully staffed
- Baby and Me Tobacco Fee Grant was renewed - \$2000 which will only pay for small amount of supplies
- Personal Care Provider (PCP) – Clients 66 0 Hours worked in March 4594
- Commodity Supplement Food Program – 338 individuals for March
- Curbside Food Delivery is 2 days a week (Tu/Thurs)
- Home Deliveries serve 54 people
- Options for long term care still closed as of June 30,2020
- HCPF having issues with the purchase of 2 vehicles.

Motion made to enter into Public Health Meeting
Comm. Garcia 1st Motion - - Comm. Baroz 2nd Motion
Motion Carries 3-0

There has been a surge in SLV, there are non-confirmed cases of California Variant.

Vaccinations have a decreased interest; Public health is only administering shots only 2 days a week

J&J hold we cannot acquire or administer this vaccine, Public Health has not used this vaccine in the county.

Public Health is administering 40-50 shots per week of the Moderna and Pfizer

Discussion on Mask Mandates

- Discussion from Commissioners, Public Health, HR, County Attorney, Administrator all weigh in on the current climate and regulations for mask mandates.
- Several Counties are moving away from issuing any mandates.
- The State mandate expires in early May
- Retail business are to error on the side of caution on using masks both for customers and employees.
- Denise Jiron ask BOCC to encourage a mask mandate for County Employees as Public Servants.
- Discussion on the percentage of County Citizens currently Vaccinated – estimate is roughly 30 percent.
- Comm. Garcia asks if Public Health will run another mass vaccination clinic, Denise is working on a mobile clinic instead of a mass vaccination operation.
- Comm. Jarvies believes that those citizens that do not wear a mask will continue to do so and those that do wear a mask will continue to do so as well, by adding a mandate will not do any good.
- BOCC and Public Health decide to keep mask mandate in place for County Employees and public entering the Courthouse.
- BOCC has decided to have a work session regarding the mask mandate, however no specific time or date has been determined.
- Denise Jiron would visit with Dr. Vaughn Jackson to get his stance on the future of any mandates or Public Health Orders.

Closing of the public health meeting and continue to normal BOCC meeting.

Land Use – Chris DeHerrera

CASE NO: C-06-21

REQUEST: Boundary Line Adjustment-Division of Land

APPLICANT: Amber Caldwell - Toni Caldwell, Veronica Howell, and Valerie Gurule Duran (Caldwell Sisters.) Other involved: Jimmy Caldwell, Robert Lockwood & Teotenantzin Ruybal. (Title is LRGHC - initial of last names.)

ZONING: Rural

SURVEY BY: Tony Martin - Russell Surveyors & Associates

BACKGROUND: An application was filed with the Land Use office on March 1, 2021 for a boundary line adjustment (BLA) and Division of Land (DOL.) The property is legally described as a Fraction of the Northeast Quarter of Section 32, Township 33 North, Range 8 East, New Mexico Principal Meridian, Conejos County Colorado.

Purpose of Adjustment: Jimmy Caldwell a brother to the Caldwell sisters owned land with a conflicting legal description and sold it to Robert & Teotenantzin Lockwood. The Caldwell Sisters, Toni, Veronica, and Valerie requested a boundary line adjustment to correct the legal description and divide a parcel for Toni's daughter Amber. Amber and her husband plan to place a new home on the newly created parcel.

This proposal will result in the following acreage summary:

- Tract 1 = 3.28 acres± Owned-Lockwood & Ruybal - vacant rural land
- Tract 2 = 1.49 acres± Owned-Caldwell sisters - home occupied by Jimmy Caldewell.
- Tract 3 = 6.60 acres± Owned- Caldwell sisters - newer residence with ag land.
- Tract 4 = 1.54 acres± New lot to be conveyed to Mathew Mascarenas/Amber Caldwell.

Applicable Codes Used: CCLUC - Article 10 - Division 10.7 Subdivision Exemptions, A. 1 - Division of Land and A. 2. - Boundary Line Adjustment and Lot Line Revision, Correction.

Land Use Administrator review/approval: 04/15/2021

County Surveyor review/approval: 03/23/2021 - copy in file.

Board of County Commissioners review/approval: 04/01/2021- Cancelled by LU Office and rescheduled to 04/15/2021.

Motion is made to approve Boundary Line Adjustment
Comm. Garcia 1st Motion - - Comm. Baroz 2nd
Motion Carries 3-0

CASE NO: C-09-21 **REQUEST: Boundary Line Adjustment**

APPLICANT: Chris B. Ruybal

ZONING: Rural **SURVEY BY: Russell Surveyors, Tony Martin**

BACKGROUND:

An application was filed with the Land Use Office on March 9, 2021 for a Boundary Line Adjustment. The real property is legally described as 11 Acres located in the Southwest Quarter (SW ¼) of Section 28, Township 33 North, Range 8 East of the New Mexico Principal Meridian, Conejos County, Colorado. Being a Boundary Line Adjustment of Tract 3 of the Christobal & Eloyda Ruybal Division of Land and Tract 1 of the Sally & Rica Ruybal Boundary Line Adjustment.

The property is zoned Rural. The use is primarily Rural/Residential uses.

The proposed Boundary Line Adjustment:

- Tract A Containing 11.36 Acres ±
- Tract B Containing 2.28 Acres ±

The landowners are adjusting the property boundaries to join the frontage lot with the rear lot belonging to Chris Ruybal. The east lot is owned by Chris Ruybal's sisters, Sally & Rica. This adjustment makes Chris' lot larger and Sally & Rica's lot smaller. They are siblings and are in agreement with this adjustment.

Land Use Administrator Review/Approval: 04/15/2021

County Surveyor Review/Approval: 04/07/2021

Board of County Commissioners Review/Approval: 04/15/2021

Motion to approve Boundary Line Adjustment
Comm. Baroz 1st Motion - - Comm. Garcia 2nd Motion
Motion Carries 3-0

Road and Bridge – Donnie Martinez

Policy and Procedure Manual – 1st Draft has been completed

- No Discussion
- Can adopt more and or redact

Interviews have been done for 3 spots and possibly a 4th spot
Applicants had a normal interview and a field test

Comm. Garcia asks if the cleaning of Culverts should be part of the Manuel.
Attorney Sarmiento wants to make sure that we are specific how the County will help those citizens that are elderly and or unable to remove snow from their driveways and private roads.

Attorney Sarmiento mentions that it is the duty of the County to clear Culverts, although it is import for Ditch Owners and Ditch Companies to do their part to keep the ditches clean of debris that will clog up culverts.

Assessor's Abatements – Naomi Keys

Joe and Annabelle Rael – Schedule # 598525100006
Motion to approve Abatement as presented
Comm. Garcia 1st Motion - - Comm. Baroz 2nd Motion
Motion Carries 3-0

Assessor Keys discussion on County owned property that can be sold and added back on to the tax roll.

Attorney Sarmiento believes that we have a market now that we can sell these properties, many are possibly roads and a few that are smaller than 1 acre. Work will need to be done with all offices to make sure we can sell these County Owned Properties.

Treasurer's Report - Mack Crowther

PT Report

1st Quarter 2021 – No Foreclosures

Comm. Jarvis adds that the Foreclosure Protection is still active until June 30th – so that's the reason for no foreclosures, after June there may be many more.

Treasurer Crowther does not know what things may look like after June, there may be many or none.

Motion made to approve PT report as presented

Comm. Baroz 1st Motion - - Comm. Garcia 2nd Motion

Motion Carries 3-0

Treasurer Crowther on a good note – collections are up from 2020 and 2019 – On a bad note General Fund is down from previous year.

Emergency Management Report - Rodney King

2021 EMPG-LEMS Grant Activities — 1st Qtr. work Report – attached

Colorado Emergency Preparedness Assessment (CEPA) – TED Talk

The Colorado Emergency Preparedness Assessment Guide will review all Core Capabilities for Conejos County.

2021 Completion - Postponed until after July

2021 Training and Exercise Plan (TEP)

Completed the US Army Corps of Engineers – 2021 Snow melt Runoff & After the Wildfire Tools and Training Updates – (Reservoirs) March 24th @ 0900-1030

Completed the FEMA Webinars – Flood after Fire and the Wildfire Prevention & Recovery.

COVID – 19 After Action Report attached

5-year Hazard Mitigation Assistance Plan for Conejos County (2021-2022)

This is an individual Conejos County Plan, but we will work on it as a Regional Plan to hire a consultant to put it together. The County signed the Funding Match, Letter of Intent & latest MOU.

SLV R ECC funding invoices for agreed on amounts have been received, except for Mineral and Rio Grande Counties. We will activate the Track Apps for the 6 Emergency Managers

EMPG 3rd Special Project Grant available for approx. \$17,000 (50% match)

Motion to break into Executive Session 11:15am

Comm. Baroz 1st Motion - - Comm. Garcia 2nd Motion

Motion Carries 3-0

End of Executive Session 11:33am


County Road Y Survey

Attorney Sarmiento makes motion as follows "Authorize the County Attorney to 1) Obtain an easement with BLM as to County Road Y 2) To File a Declaratory Judgement action and or Quiet Title or any other actions necessary to assert that County Road Y is a public right of way."

Comm. Baroz 1st Motion - - Comm. Garcia 2nd Motion
Motion Carries 3-0

Comm. Jarvies adjourns the BOCC Meeting

ATTEST:


Nathan Ruybal
Clerk of the Board


Mitchell Jarvies
Chair of BOCC