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Minutes of the Board of Conejos County Commissioners Regular Meeting held on May 20, 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 via Zoom

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. Garcia 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:

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

3-0 Motion Carried

Public Comment:

No Public Comment

Administrators Correspondence:

Resolution C-13-21 – A resolution providing for the transfer of money to the B.C.B.S County Fund
Comm. Baroz 1st Motion – Comm. Garcia 2nd Motion
Motion Carries 3-0

COVID-19 Virus Relief Fund

Town of Antonito Covid Funds \$44,305.43 for the Guadalupe Parish Catholic Church
Motion made to transfer \$44,305.43 to the town of Antonito on the behalf of the Guadalupe Parish Church.
Comm. Garcia 1st Motion – Comm. Baroz 2nd Motion
Motion Carries 3-0

From the American Rescue Plan

- Will require Conejos to register with the Treasury Dept.
- There will be plenty of time to obligate funds
- Anything Pandemic related will be covered under this relief fund
- Small Businesses, Non-Profits, Pay for Essential Workers, Infrastructure
- County lead Broadband, Water and Sewer

Horca Project/Rubalid Bridge

- Grant application is more involved than initially thought
- Grant application will be processed by Tress
- Conejos will have to engage in a agreement w/ Forest Service
- Must ask for bids for the job before job is awarded
- Will have to front the money and will be reimbursed
- Tress would like to have an agreement that we have the shared money be in place before we start the work.

Fox Creek Store LLC – Temporary Liquor License

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

DSS Reports – Nick Barela

\$432,447.49 EBT Expenditures
\$25,395.49 – Accounts Payable

Motion to approve DSS expenditures
Comm, Garcia 1st Motion – Comm. Baroz 2nd Motion
Motion Carries 3-0

Family Foundations – Barela seeking approval to enter into 4 contracts with said provider

- Comm. Jarvies exits room since director of program is his brother
- Permissive use of DSS School Bus to transport kids
- School to Work Program – Total amount of \$70k
- Intensive in home - \$12k
- Mentoring Contract \$70k

Motion to approve DSS contracts

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

Motion Carries 2-0

Conservation Legacy – Barela seeking approval to enter into contract for 2 years

- Summer Youth Work Program - \$33K May 2021
- Next Fiscal Year \$38,800.80
- Both paid via TANIF Funds

Motion to approve DSS contracts

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

Motion carries 3-0

Rocky Mountain Counseling – Barela seeking approval to enter into contract

- Total Amount of the Contract \$33,420 – Paid w/ CORE and TANIF

Motion to approve contract

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

Motion carries 3-0

Scholarship Opportunity – Tanif Funds

- 3 Students applied
- All 3 from Sanford High School
- \$1000 were awarded to all 3

LAND USE – Linda Deherrera

NUNC PRO TUNC

CONEJOS COUNTY RESOLUTION NUMBER C-008-2018

A RESOLUTION FOR A SPECIAL USE PERMIT

Alamosa County

112 Permit - MINING/EXTRACTION

WHEREAS Rachel Baird on behalf of Alamosa County (Applicant) heretofore applied for a Special Use Permit for a 112 Permit Extraction Gravel and Sand Mining Permit on the real property hereinafter more particularly described as follows:

80 acres located in the South Half of the Southeast Quarter of Section 4; Township 36 North; Range 8 East, NMPM; Conejos County, Colorado. Property ownership: Colorado State Board of Land Commissioners, Lease #3439.

WHEREAS, Alamosa County has currently operated a 110 Permit – Extraction Gravel and Sand Operation on this property with an approved “Conditional Use Permit” for an Extractive Operation under Conejos County Resolution C-01-10, and

WHEREAS, pursuant to the Conejos County Land Use Code, (CCLUC) Article 3 Administration and General Application and Review Procedures, and Article 5 Land Use Permits, the applicant submitted for a Land Use Permit – Special Use Review to convert from a 110 Permit to a 112 Permit Extraction Gravel and Sand Mining Permit, and

WHEREAS the term for mining is defined in CCLUC Article 2 as follows:

Mining. The development or extraction of a mineral from its natural occurrences on affected land. The term includes but is not limited to open mining and surface operation and the disposal of refuse from underground and in situ mining. The term includes any of the following operations on affected lands: Transportation; concentrating; milling (crushing); evaporation; or other processing as allowed by State law. The term does not include: The exploration and extraction of natural petroleum in a liquid or gaseous state by means of wells or pipe; the extraction of geothermal resources; smelting, refining cleaning, preparation, transportation, and other off-site operations not conducted on affected land. Exceptions to this use include excavations below finished grade for basements and footings of a building, retaining wall or other structures authorized by a valid building permit, or authorized by a grading permit.

WHEREAS a public hearing was held on February 7, 2018 before the Conejos County Planning Commission per CCLU, Article 3, Section 3.230 Public Hearing Procedures, and

WHEREAS the Planning Commission made a recommendation to the Board of County Commissioners (BOCC) for approval of the proposed Application for a 112 Permit Extraction of Gravel and Sand Mining Permit as presented, and

WHEREAS a public hearing was held on February 15, 2018 before the BOCC per CCLUC, Article 3, Section 3.230 Public Hearing Procedures, and

WHEREAS the members of the BOCC concluded that the Special Use Permit for a 112 Permit Extraction of Gravel and Sand be approved, now therefore, be it.

RESOLVED, the real property, which is subject to this Special Use Permit 112 Permit Extraction of Gravel and Sand, is legally described as follows:

80 acres located in the South Half of the Southeast Quarter of Section 4; Township 36 North; Range 8 East, NMPM; Conejos County, Colorado. Property ownership: Colorado State Board of Land Commissioners, Lease #3439.

RESOLVED, that the Special Use Permit for a 112 Permit Extraction of Gravel and Sand is hereby granted with the following conditions:

1. The applicant shall comply with all Standards for Approval identified in CCLUC, Article 5, Division 5.5.

2. The subject Special Use Permit for a 112 Permit Extraction of Gravel and Sand shall comply with the Permit Conditions set forth in the CCLUC, Article 5, Permits - Division 5.2 Land Use Permits – Section 5.520 Permit Conditions.
 - a. **Validity of Permit.** A Land Use Permit shall remain valid for the time period specified by the decision-making body at the time of issuance of the permit, or if no time period is specified, for the life of the use. THE PERMIT SHALL BE VALID FOR THE LIFE OF THE USE.
 - b. **Term of Permit** - Commencement of the approved land use must begin and proceed in compliance with conditions of the permit within three (3) years of the date of issuance. The permit shall be deemed to have lapsed if there is no conduct of the approved land use for a continuous 12-month period.
 - c. **Extension of Permit Term.** An extension of the term of the permit may be requested by the applicant. A request for extension of permit term requires public hearing and recommendation by the Planning Commission and review and public hearing by the BOCC. The term of a permit may only be extended (1) as a condition of initial approval, or (2) within the final 18 months of the approved term of the permit.
 - d. **Violation of Conditions of Permit.** Failure to comply with permit conditions shall cause the permit to be revoked by the BOCC, pursuant to the procedures set forth in Article 16.
 - e. **Transfer of Ownership.** Any permit for Land Use and construction approved in compliance with the CCLUC shall be binding upon and run with the land. The transfer of any permit to a new owner may occur only after a statement has been filed with the Land Use Office by the transferee indicating that he/she will comply with the terms and conditions of the permit.
 - f. **Change in Conditions of Permit.** Unless otherwise provided in this code, any proposal to change the permit conditions shall require a new Land Use Permit.
 - g. **Other Regulations.** The permit is subject to any and all requirements now in effect or which County, State or Federal laws may establish.
3. Alamosa County shall provide for dust mitigation when more than ten trucks are used for hauling material and will provide periodic road maintenance.
4. The Land Use Administrator shall annually review this case for compliance with the conditions set at the time of its approval. The review shall take place each year in the month (February) during which the permit was originally approved.

APPROVED on Motion of Commissioner Steve McCarroll, Second by Commissioner Mitchell Jarvies, and passed on a vote of 3 for and 0 against on the 15th day of February 15, 2018.

THIS RESOLUTION WAS CONSIDERED, DISCUSSED AND RATIFIED NUNC PRO TUNC ON THE 20TH DAY OF MAY 2021 AT A MEETING OF THE BOARD OF CONEJOS COUNTY COMMISSIONERS.

Motion made to approve Resolution C-08-18
Comm. Garcia 1st Motion – Comm. Barox 2nd Motion
Motion carries 3-0

OEM Report – Rodney King


- 2021 1st Quarter EMPGLAN Grant Reimbursement was been submitted
- Colorado Emergency Preparedness Assessment
 - Operational debrief will be July 21st Via Zoom
- Prescribed burn near Osier, approx. 600 acres

Motion to enter into Executive Session
Comm. Garcia 1st Motion – Comm. Baroz 2nd Motion
Motion carries 3-0

Enter back from Exec. Session
Meeting Adjourned 11:00am

ATTEST:


Nathan Ruybal
Clerk of the Board


Mitchell Jarvies
Chair of BOCC