



Nathan Ruybal
CONEJOS COUNTY CLERK & RECORDER
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Minutes of the Board of County Commissioners Regular Meeting held on February 03, 2022, at 9:00 am in the Commissioners Board Room, 6693 County Road 13, Conejos, CO 81129

Comm. Jarvies called the meeting to order at 9:00 am

Mitchell Jarvies – Chairperson – Present
Carlos Garcia - Vice Chair – Present
Joseph Baroz – Vice Chair – Present

Present: Nathan Ruybal-Clerk and Recorder, Nick Sarmiento-County Attorney, Connie Ricci-HR Director, Tressesa Martinez-County Administrator - **ALL PRESENT**

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

Prayer: Comm. Garcia gave the opening prayer.

Approval of Agenda:

- Add Andy Yoder to Agenda under Land Use – Division of Land
- Add January 20th Minutes approval under Approval of Minutes.
- Add Grant Writer/Administrator discussion under Administrators Correspondence.
- Add Department of Treasury final rule under Administrators Correspondence.

Motion to approve agenda as amended

Comm. Baroz 1st Motion

Comm. Garcia 2nd Motion

Motion Carries 3-0

Approval of Minutes:

Motion made to approve the January 6th Minutes as presented

Comm. Garcia 1st Motion

Comm. Baroz 2nd Motion

Motion Carries 3-0

Motion made to approve the January 20th minutes as presented

Comm. Baroz 1st Motion

Comm. Garcia 2nd Motion

Motion Carries 3-0

PUBLIC COMMENT:

- Larry Zaragoza just wanted to attend meeting.

Administrative Correspondence – Tressesa Martinez:

- DOLA Money Discussion:
 - Kristi and Tress have been talking about Grant Money for the Ambulance HQ.
 - All we need a drawing and a cost to initiate the grant application.
 - Baroz continued discussion regarding the need to obtain the design and cost.
 - Hospital wants to enter into long term lease to purchase agreement.
- Grant Writer/Administrator:
 - Connie will work on a good job description for new position.
 - Compensation discussion – no decision was made.
 - Position could possibly be contract based.
 - Further discussion on Pay Range.
- US Treasury Final Decision:
 - Comm. Garcia presents some information about possible ways to help fund the Ambulance HQ.

Ed Goldbranson – Land Use Fee:

- Concerned citizens approach the BOCC on clarification on fees associated to the New Conejos County Use Tax.
- Attorney Sarmiento outlines taxed items so that everyone understands.
- Discussion is had about out of State building materials purchases.

Land Use Report – Linda DeHerrera:

CONEJOS COUNTY LAND USE STAFF REPORT SPECIAL USE REVIEW

Case No. CCLU 2021-0386 APPLICANT: Joe Schwartz

BACKGROUND: An application for a Special Use Permit was filed with the Land Use Office on 12/16/2021. The property is owned by Joe & Amanda Schwartz. It is zoned Rural and is legally described as: 10 acres Tract 1A-1 John Stutzman DOL located in the Southwest Quarter of the Northwest Quarter of Section 23, Township 34 North, Range 9 East, NMPM, Conejos County Colorado. The common description of the property is 12744 County Road 16, La Jara, CO 81140. Parcel #586723200249.

The property is east of Romeo on County Road 16 – north of Hwy 142 at the corner of County Rd 16 and County Rd P.

REQUEST: The applicant is requesting a Special Use Permit for a Truss Manufacturing Business.

ADJACENT ZONING: North, South, East and West are all Rural.

APPLICABLE ZONING ORDINANCE: - Article 4 Zoning, Division 4.2 Zone District Regulations AND Article 5 Permits, Division 5.4 Special Use Review.

PUBLIC NOTICE REQUIREMENTS: Notice requirements were met by sending notice to the surrounding landowners within 500' on 12/29/2021; notices to referral agencies on 12/21/2021; notice was published in VALLEY COURIER on 12/31/2021 & 01/18/2022; and Onsite posting was posted by Inspector, Chris, on the property on 1/4/2022.

PUBLIC HEARINGS:

PLANNING COMMISSION – The Planning Commission public hearing: 01/19/2022 at 6:15 PM. The PC made a recommendation to approve the application as presented. (M/S – Armando/Tom – motion carried unanimously.)

BOARD OF CONEJOS COUNTY COMMISSIONERS – The Board of County Commissioners hearing: 02/03/2022 at 10:00 AM

Definitions: Industrial Facility or Activity. Manufacturing, fabrication, machining, industrial storage, processing, and shipping facilities; mineral processing; concrete or asphalt batch plants and similar activities or uses and commonly known as industrial in nature.

Manufacturing is the processing of raw materials or parts into finished goods using tools, human labor, and machinery.

Roofing Truss: A roof truss is best described as a structural framework of timbers that's designed to provide support for a roof. They're also used to bridge the space above a room. ... For trusses, the triangular webbing of structural pieces not only provide support for the roof, but they also tie the outside walls of the home together.

I consider this use as a light industrial use as it is more manufacturing of a raw material. It is a family operated business – Whole Sale products – trusses.

COMMENTS:

Office of Archaeology & Historic Preservation- No response to phone calls. No issues.

Division of Water Resources – Written comment provided.

Colorado Department of Transportation – No comment.

Adjacent Landowners: No comments received.

Land Use Report – Joe Swartz SUP – Continued

Motion to approve Special Use Permit as presented.

Comm. Garcia 1st Motion

Comm. Baroz 2nd Motion

Motion Carries 3-0

RES C-05-22

Sheriff's Report – Garth Crowther:

- Catalytic Converter stolen from County Vehicle.
- Cameras were not working in that area while the parts were stolen.
- Sheriff asking to make sure all cameras are working moving forward.
- Run Away juveniles can become an issue because of certain laws.
- Sheriff cannot detain a juvenile from another county.
- Thus, an MOU between Sheriff and DSS needs to be created to help deal with Juvenile.
- Blake Crowther will lease 3 cruisers from Enterprise.

- **Motion to enter a MOU with Alamosa County for a deputy victim advocate**
 - **Comm. Baroz 1st motion**
 - **Comm. Garcia 2nd motion**
 - **Motion Carries 3-0**

Land Use Report – Linda DeHerrera:

**CONEJOS COUNTY LAND USE
CASE SUMMARY/STAFF REPORT**

CASE NO: CCLU-2021-0348 **REQUEST:** Boundary Line Adjustment

APPLICANT: Bagwell Family – Jessie, Tyson, and Brenda Bagwell

ZONING: Rural **SURVEY BY:** Reynolds Engineering Company

BACKGROUND: An application was filed with the Land Use Office on November 16, 2021, for a Boundary Line Adjustment and property survey. The real property is zoned Rural with agriculture and residential use. It is legally described as:

154.693 Acres in a portion of the Southeast Quarter and a portion of Northeast Quarter and a portion of the Northwest Quarter of Section 32, Township 34 North, Range 10 East of the New Mexico Principal Meridian, Conejos County, Colorado.

The proposed Boundary Line Adjustment and Property Survey of the property will create the following:

- Tract 4A Containing 16.972 Acres + Ag/Residential – Jessie Bagwell
- Tract A Containing 73.296 Acres + Ag Land – Tyson & Brenda Bagwell
- Tract B Containing 64.425 Acres + Ag Land – Jessie Bagwell

The landowners are adjusting the property boundaries for a property settlement agreement. Tract 4A is an adjustment of the existing property homesite of Tanner & Jessie Bagwell. The size of that parcel was increased in size. The remaining agricultural land is owned by Tanner, Jessie, Tyson, and Brenda Bagwell. They included the larger agricultural Tracts as they are creating new legal descriptions. The larger Tracts A & B are not subject to the same process as they are larger than 35 acres. A county process is not required for parcels larger than 35 acres.

Land Use Administrator Review/Approval: February 3, 2022

County Surveyor Review/Approval: N/A

Board of County Commissioners Review/Approval: February 3, 2022

Comm. Jarvies recuses himself from voting, since he is related to the Bagwell's

Comm. Garcia makes motion to approve Boundary Line Adjustment as presented.

Comm. Baroz 2nd Motion

Motion Carries 2-0

Land Use Report – Continued:

CONEJOS COUNTY LAND USE
CASE SUMMARY- REPORT

CASE NO: CCLU-2022-003

REQUEST: Division of Land

APPLICANT: Andy & Millie Yoder

ZONING: Rural

SURVEY BY: Reynolds Engineering

BACKGROUND: An application was filed with the Land Use office on January 3, 2022, for a Division of Land (DOL.) The owners are Andy & Millie Yoder. The property is 40 acres legally described as the North Half of the North Half of the Southwest Quarter of Section 2, Township 33 North, Range 9 East, New Mexico Principal Meridian, Conejos County Colorado.

The proposed survey reflects a division of 40.165 ac± to create the following:

Tract A containing 9.708 acres ± existing home

Tract 2 containing 30.00 acres ± agricultural land (future home site.)

County Road 16 dedication - 0.457 acres ±.

Applicable Land Use Codes: Article 10 - Subdivision, Division 10.7 Subdivision Exemptions, Section 10.7 (1.) Division of Land

Purpose of Division: The applicants requested a division of land to separate 10 acres where the existing home and improvements are located. The remaining land will be sold to a family for residential development.

LU Administrator approval: 02/03/2022 **County Surveyor review/approval:** n/a

Board of County Commissioners review/approval: 02/03/2022

Motion made to approve Division of Land as presented.

Comm. Baroz 1st Motion

Comm. Garcia 2nd Motion

Motion Carries 3-0

Assessor's Abatements – Sandra Cordova:

Section IV: Decision of the County Commissioners
 (Must be completed if Section III does not apply)

WHEREAS, the County Commissioners of Conejos County, State of Colorado, at a duly and lawfully called regular meeting held on / / , at which meeting there were present the following members:
Month Day Year

with notice of such meeting and an opportunity to be present having been given to the Petitioner and the Assessor of said County and Assessor Naomi Martinez-Keys (*being present--not present*) and
Name
 Petitioner Scott G & Susan Marie Miller (*being present--not present*), and WHEREAS, the said
Name
 County Commissioners have carefully considered the within petition, and are fully advised in relation thereto,
 NOW BE IT RESOLVED that the Board (~~agrees--does not agree~~) with the recommendation of the Assessor,
 and that the petition be (~~approved--approved in part--denied~~) with an abatement/refund as follows:

Year	Assessed Value	Taxes Abate/Refund
2021	9,344	613.18

Mitchell Jarwick
 Chairperson of the Board of County Commissioners' Signature

I, Nathan Ruybal County Clerk and Ex-Officio Clerk of the Board of County Commissioners in and for the aforementioned county, do hereby certify that the above and foregoing order is truly copied from the record of the proceedings of the Board of County Commissioners.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County
 this 3rd day of February, 2022
Month Year

Nathan Ruybal
 County Clerk's or Deputy County Clerk's Signature

Note: Abatements greater than \$10,000 per schedule, per year, must be submitted in duplicate to the Property Tax Administrator for review.

Section IV: Decision of the County Commissioners
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WHEREAS, the County Commissioners of Conejos County, State of Colorado, at a duly and lawfully called regular meeting held on / / , at which meeting there were present the following members:
Month Day Year

with notice of such meeting and an opportunity to be present having been given to the Petitioner and the Assessor of said County and Assessor Naomi Martinez-Keys (*being present--not present*) and
Name
 Petitioner Thomas Ingram (*being present--not present*), and WHEREAS, the said
Name
 County Commissioners have carefully considered the within petition, and are fully advised in relation thereto,
 NOW BE IT RESOLVED that the Board (~~agrees--does not agree~~) with the recommendation of the Assessor,
 and that the petition be (~~approved--approved in part--denied~~) with an abatement/refund as follows:

Year	Assessed Value	Taxes Abate/Refund
2021	3,893	249.72

Mitchell Jarwick
 Chairperson of the Board of County Commissioners' Signature

I, Nathan Ruybal County Clerk and Ex-Officio Clerk of the Board of County Commissioners in and for the aforementioned county, do hereby certify that the above and foregoing order is truly copied from the record of the proceedings of the Board of County Commissioners.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County
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County Attorney – Nick Sarmiento:

- Redistricting
- Will create resolution for the next BOCC meeting to continue with a commission to undertake redistricting for 2023 Year Election Cycle.

- Lazaro Bridge
 - Motion made to approve project as presented
 - Comm. Baroz 1st Motion
 - Comm. Garcia 2nd Motion
 - Comm. Jarvies recuses himself.
 - Motion Carries 2-0

- Motion made to enter Executive Session
 - Discussion regarding email received from Citizen.
 - DA Question and Discussion
 - Comm. Garcia 1st Motion
 - Comm. Baroz 2nd Motion
 - Motion Carries 3-0
 - 11:22am
 - Back from Executive Session 11:39am
 - Meeting Adjourned

ATTEST:


Nathan Ruybal
Clerk of the Board


Mitchell Jarvies
Chair of BOCC