



Nathan Ruybal
CONEJOS COUNTY CLERK & RECORDER
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Minutes of the Board of County Commissioners Regular Meeting held on March 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. Jarvies gave the opening prayer.

Approval of Agenda:

- Add Exec. Session regarding County Road Y litigation.

Motion to approve agenda as amended

Comm. Garcia First Motion

Comm. Baroz Second Motion

Motion Carries 3-0

Approval of Minutes:

No Minutes to Approve

Public Comment:

- No Public Comment.

Administrative Correspondence – Tressesa Martinez:

- All Hazards Committee has changed names to Homeland Security Exec. Board.
- BOCC needs resolution to appoint Commissioner to board on an annual basis.
- BOCC must also appoint alternative member.

Motion made to appoint Comm. Jarvies to continue sitting on the Homeland Security Board and Comm. Baroz as the alternate.

Comm. Garcia first motion

Comm. Baroz second motion

Motion carries 3-0

BOCC Work Session

- Tress would like to schedule a work session to discuss use of Covid Dollars
- Session is scheduled for March 8th at 9am.

County Attorney – Nick Sarmiento:

- Nick asked for a work session regarding the commission for redistricting
 - March 30th at 6:00pm
 - Clerk Ruybal will invite Pete Magee to the meeting.
- Railroad litigation on Bankruptcy
- County Road Y Litigation
 - Motion made to enter Exec. Session
 - Comm. Baroz first motion
 - Comm. Garcia second motion
 - Motion carries 3-0
 - Back from Exec. Session 9:46am
 - Attorney Sarmiento will continue to monitor Railroad Bankruptcy litigation without dedicating too many resources.

Larry Brown – Extension – Conejos County Position Discussion

- 90 4-H members in Conejos County
- Can the county use TANIF or ARPA funds to pay for 4-H Coordinator?
- 1 out of 3 schools in Conejos are Title One
 - Only Title One schools qualify for ARPA Funds.
 - BOCC needs to find a way to fund 30 hour a week coordinator position.
- Motion to table discussion until next meeting or after Work Session for Covid Dollars.

**Land Use – Linda DeHerrera:
Viero Wireless/Industrial Towers – Special Use Permit
Sheep Creek/Community Chapel**



Conejos County

Permit No. _____

Land Use Office PO Box 197, Conejos, CO 81129
PHONE 719-376-2014 FAX 719-376-6769

Special Use & Administrative Review - Application

APPLICANT

Name: Mountain Tower & Land LLC w/ Industrial Tower West & Viero Wireless c/o Kyle DeNardo

Mailing Address: 2825 E Beaver Ave, Fort Morgan, CO 83701

Telephone: 970-487-7878 Fax: _____ City/State/Zip Code _____ Email: kyle.denardo@gmail.com

PROPERTY OWNER/S *(Owner consent is required if you are not the owner)*

Name: Conejos Canyon Community Chapel

Mailing Address: 20052 State Highway 17, Arbono, CO 81123

Telephone: 719-376-0390 Fax: _____ City/State/Zip Code _____ Email: chrs.wichita@gmail.com

LEGAL DESCRIPTION OF PROPERTY - Schedule/Parcel # E98109400015

SW4-SW4	9	33	5	Andrew Yates	1	
Quarter	Section	Township	Range	Subdivision	Lot	Block

SIZE OF PARCEL ~1.19 # OF ACRES TO BE USED FOR PERMIT ~15
Acres

CURRENT ZONING: Agricultural Rural Residential
 Community/Town-site Commercial Industrial

ADJACENT ZONING: North ^{NF} _____ South ^R _____ East ^R _____ West ^R _____

COMMON DESCRIPTION OF PROPERTY *(address or mileage from hwy, county road or landmarks)*
One lot west of existing church

DESCRIPTION OF EXISTING USE
Empty lot, part of church ingress/egress runs through th middle of the lot

DESCRIPTION OF PROPOSED USE
Proposing a 100' telecommunications facility with a 7' lighting rod
w/ roughly a 3000 sqft enclosed equipment area

WATER - Describe your current and proposed water use:
Not applicable

SEWAGE DISPOSAL - Describe current and proposed sewage disposal.
Not applicable

Land Use – Linda DeHerrera:

Viero Wireless/Industrial Towers – Special Use Permit
Sheep Creek/Community Chapel – continued

--- The following documents must also be attached/included with this application. ---

CERTIFICATION OF TAXES PAID - Attach County Treasurer's Certificate of Taxes Due. (The application can NOT be processed if property taxes are not paid.)

VICINITY MAP - 8 ½ x 11" copy of an aerial photo locating the section in the County in which the parcel is located.

LEGAL DESCRIPTION - Consent/Authorization - Ownership:

SURROUNDING LAND OWNERS WITHIN 500 FEET OF THE SUBJECT PROPERTY -

SITE PLAN -

SURVEYED PLAT -

OTHER INFORMATION

SLOPE/TOPOGRAPHIC MAP

ARCHAEOLOGICAL, CULTURAL AND HISTORICAL RESOURCES

WILDFIRE MITIGATION PLAN

OTHER PERMITS - Copies of necessary permits from governmental agencies may be required.

CDOT Access Permit

Army Corps of Engineers - Section 404 of the Federal Water Pollution Control Act, 33 USC 1334.

Water Supply Plan from Colorado Division of Water Resources

Colorado Department of Public Health & Environment - Air Quality Permit

Colorado Department of Public Health & Environment - Storm Water Discharge Permit

Other Permits Required: _____

IMPACT ANALYSIS - The application must include an impact analysis per the Land Use Code Special Uses in Section 5.500 - STANDARDS OF APPROVAL. Please attach a complete description of how the applicant will ensure that impacts will be mitigated and standards will be satisfied.

ADDITIONAL MATERIALS - The Land Use Administrator requests the following additional materials:

IF THE PROPOSED USE IS ANY OF THE FOLLOWING, ADDITIONAL APPLICATION MATERIAL IS REQUIRED:

Wireless Communication Facilities Mining Major Electrical & Natural Gas Facilities

FEES:

Non-refundable fees at the time of filing the application is payable to: CONEJOS COUNTY TREASURER.

Administrative Review \$300.00/\$600.00 General Use \$500.00/\$1000.00

Home Occupation \$300.00/\$600.00 Industrial Uses \$1000.00/\$2000.00

Mining Operation (110) \$1000.00/\$2000.00 Mining Operation (112) \$2500.00/\$5000.00

Oil and Gas \$5000.00/\$10,000

Fees are doubled for Uses that have started prior to obtaining a Special Use Permit.

Plus postage, publication and professional fees; to be paid prior to final public hearing.

I have thoroughly read and understand the aforementioned document and by signing below I acknowledge the truth of its contents and my additions.

Kyle DeWardo
Applicant Signature

01/22/2022
Date

Land Use – Linda DeHerrera:

*Viero Wireless/Industrial Towers – Special Use Permit
Sheep Creek/Community Chapel – continued*



Viero Wireless Proposed Wireless Telecommunications Facility
Sheep Creek, CO

Mitigation & Adverse Impacts

Industrial Tower West conducted a thorough search in efforts to acquire a location that would be the most beneficial to our subscribers, while also limiting the adverse visual impacts to the existing area. In this instance, the proposed tower location was chosen as the existing and newly proposed vegetation and terrain provide a minimal natural covering for the bottom equipment building area.

The site location is roughly 150' from the edge of highway 17 asphalt, however with the terrain, neighboring input and federal lands, the proposed location is at the furthest location from visual impact as possible. Due to the aesthetic impact this may cause, Industrial Tower has proposed to paint the tower dark/forest green and provide a cedar side fencing to blend in better with the natural landscape. Industrial Tower also plans to replace some of the existing aspens that may be brought down during construction.



Public Hearing:

- Kyle Denardo from Viero speaks on his employer's behalf.
- Comm. Jarvies opens hearing for Public Comment.
- No Public comment either for or against.
- Comm. Jarvies closes hearing to public comment.
- Comm. Garcia makes motion to approve Special Use Permit as presented.
- Comm. Baroz seconds that motion
- Motion carries 3-0

Sheriff's Report – Garth Crowther:

- Vehicle lease situation is progressing forward.
- Purchased trailer for Snow Cat
- Sheriff is updating department policies
 - Jail policy
 - Patrol policy
- Jail Visitation are opened gain.

Alonzo Payne – DA's Office:

- Comm. Garcia makes motion to enter Exec. Session at 10:28am
- Comm. Baroz second's motion
- Motion carries 3-0

Assessors Abatements – Sandra Cordova:

- Six Abatements

#1

Section II: Assessor's Recommendation (For Assessor's Use Only)						
	Tax Year <u>2020</u>			Tax Year <u>2021</u>		
	<u>Actual</u>	<u>Assessed</u>	<u>Tax</u>	<u>Actual</u>	<u>Assessed</u>	<u>Tax</u>
Original	30,000	8,700	777.48	30,000	8,700	754.82
Corrected	67	19	1.70	69	20	1.74
Abate/Refund	29,933	8,681	775.78	29,931	8,680	752.88

Assessor recommends approval as outlined above.

If the request for abatement is based upon the grounds of overvaluation, no abatement or refund of taxes shall be made if an objection or protest to such valuation has been filed and a Notice of Determination has been mailed to the taxpayer, § 39-10-114(1)(a)(ii)(D), C.R.S.

Tax year: 2020 Protest? No Yes (if a protest was filed, please attach a copy of the NOD.)

Tax year: 2021 Protest? No Yes (if a protest was filed, please attach a copy of the NOD.)

Assessor recommends denial for the following reason(s):

[Signature]
Assessor's or Deputy Assessor's Signature

#2

Section II: Assessor's Recommendation (For Assessor's Use Only)			
	Tax Year <u>2021</u>		
	<u>Actual</u>	<u>Assessed</u>	<u>Tax</u>
Original	184,447	53,490	3,942.16
Corrected	150,496	43,644	3,216.52
Abate/Refund	33,951	9,846	725.64

Assessor recommends approval as outlined above.

If the request for abatement is based upon the grounds of overvaluation, no abatement or refund of taxes shall be made if an objection or protest to such valuation has been filed and a Notice of Determination has been mailed to the taxpayer, § 39-10-114(1)(a)(ii)(D), C.R.S.

Tax year: 2021 Protest? No Yes (if a protest was filed, please attach a copy of the NOD.)

Assessor recommends denial for the following reason(s):

[Signature]
Assessor's or Deputy Assessor's Signature

#3

Section II: Assessor's Recommendation
(For Assessor's Use Only)

Tax Year 2021

	<u>Actual</u>	<u>Assessed</u>	<u>Tax</u>
Original	6,477	1,878	140.28
Corrected	340	99	7.40
Abate/Refund	6,137	1,799	132.88

Assessor recommends approval as outlined above.

If the request for abatement is based upon the grounds of overvaluation, no abatement or refund of taxes shall be made if an objection or protest to such valuation has been filed and a Notice of Determination has been mailed to the taxpayer, § 39-10-114(1)(a)(i)(D), C.R.S.

Tax year: 2021 Protest? No Yes (If a protest was filed, please attach a copy of the NOD.)

Assessor recommends denial for the following reason(s):

Sandra L. Cordova
Assessor's or Deputy Assessor's Signature

#4

Section II: Assessor's Recommendation
(For Assessor's Use Only)

Tax Year 2021

	<u>Actual</u>	<u>Assessed</u>	<u>Tax</u>
Original	13,000	3,770	281.58
Corrected	74	21	1.68
Abate/Refund	12,926	3,749	280.00

Assessor recommends approval as outlined above.

If the request for abatement is based upon the grounds of overvaluation, no abatement or refund of taxes shall be made if an objection or protest to such valuation has been filed and a Notice of Determination has been mailed to the taxpayer, § 39-10-114(1)(a)(i)(D), C.R.S.

Tax year: 2021 Protest? No Yes (If a protest was filed, please attach a copy of the NOD.)

Assessor recommends denial for the following reason(s):

Sandra L. Cordova
Assessor's or Deputy Assessor's Signature

#5

Section II: Assessor's Recommendation
(For Assessor's Use Only)

Tax Year 2021


	<u>Actual</u>	<u>Assessed</u>	<u>Tax</u>
Original	42,108	12,211	912.04
Corrected	23,740	6,885	514.24
Abate/Refund	18,368	5,326	397.80

Assessor recommends approval as outlined above.

If the request for abatement is based upon the grounds of overvaluation, no abatement or refund of taxes shall be made if an objection or protest to such valuation has been filed and a Notice of Determination has been mailed to the taxpayer, § 39-10-114(1)(a)(i)(D), C.R.S.

Tax year: 2021 Protest? No Yes (If a protest was filed, please attach a copy of the NOD.)

Assessor recommends denial for the following reason(s):


Assessor's or Deputy Assessor's Signature

#6

Section II: Assessor's Recommendation
(For Assessor's Use Only)

Tax Year 2021


	<u>Actual</u>	<u>Assessed</u>	<u>Tax</u>
Original	559,983	162,396	12,794.86
Corrected	433,776	125,796	9,911.14
Abate/Refund	126,207	36,601	2,883.72

Assessor recommends approval as outlined above.

If the request for abatement is based upon the grounds of overvaluation, no abatement or refund of taxes shall be made if an objection or protest to such valuation has been filed and a Notice of Determination has been mailed to the taxpayer, § 39-10-114(1)(a)(i)(D), C.R.S.

Tax year: 2021 Protest? No Yes (If a protest was filed, please attach a copy of the NOD.)

Assessor recommends denial for the following reason(s):



Assessor's or Deputy Assessor's Signature

Comm Baroz makes motion to approve all Six Abatements
Comm. Garcia seconds motion
Motion carries 3-0

Road and Bridge Report – Donnie Martinez:

- Donnie discusses the changes and improvements that he has made to the Gas Usage policy.
- This new policy allows the County to always get the best price.
- Policy also has cut down on usage.
- Donnie will continue monitoring the gas usage so that the County can save money.

Meeting Adjourned 11:30am

ATTEST: 
Nathan Ruybal
Clerk of the Board


Mitchell Jarvies
Chair of BOCC