Minutes of the Board of County Commissioners Payroll Meeting held on October 15, 2019 at 9:00 AM in the Commissioners 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 Connie Ricci-HR, and AnnaBelle Gomez, Deputy Clerk and Recorder.

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

Prayer: Chrmn. Jarvies gave the opening prayer.

Approval of Agenda

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

3-0 Motion carried.

Approval of Minutes

Motion to approve the Minutes of the October 03, 2019 Regular Meeting: Comm. Garcia/Second: Comm. McCarroll, all in favor.

3-0 Motion carried.

Approval of Payroll

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

3-0 Motion carried.

Public Comment: None
County Administrators Correspondence

Tressesa, County Admn. stated that Mack Crowther-Public Trustee is not present today; he is attending a conference. Tressesa went ahead and presented the Public Trustee’s quarterly report.

Motion to approve the Public Trustee’s report as presented: Comm. McCarrroll/Second: Comm. Garcia, all in favor.

3-0 Motion carried.

License to Operate Conejos County Ambulance

Tressesa presented a license to operate the county ambulance service which requires all the county commissioner’s signatures.

Comm. McCarrroll asked if this would obligate them to run the ambulance if they can’t afford to.

Tressesa stated that this states that the ambulance vehicles are up to par and meet certain standards.

Comm. Garcia asked if the license is with another agency.

Tressesa stated that it is just our agency.

Motion to approve the license to operate the Conejos County ambulance as presented: Comm. McCarrroll/Second: Comm. Garcia, all in favor.

Tressesa, County Admn. will check with Debra to see what Resolution C-09-2020 means; that is what was shown on the license.

Conejos County 2020 Preliminary Budget

Tressesa, County Admn. stated that by statute she has to present the 2020 Preliminary Budget.

Motion to accept the 2020 Preliminary Budget as presented by Tressesa, County Admn.: Comm. McCarrroll/Second: Comm. Garcia, all in favor.

3-0 Motion carried.

Tressesa stated that for the record it is very preliminary.
VA Officer-Resignation

Motion to accept Orlando Gallardo's Veterans Officer resignation effective December 21, 2019: Comm. Garcia/Second: Comm. McCarroll, all in favor.

3-0 Motion carried.

Connie-HR stated that today is the deadline for applications; asked if the board would like to sit on when she does the interviewing for the Veterans Officer position.

Chrmn. Jarvies stated that by statute they have to be recommended by the local VFW or American Legion Organization. He suggested that she work with Orlando and give him the list of names, have them do the interviews; then they can present to the board because they are the ones that have to recommend.

County Attorney - Nick Sarmiento was not present, there wasn't anything to present at this time.

Karla Rodriguez - County Rd Y-Issue

Ms. Rodriguez stated that she is here on the status on this road and to tell them a couple of things that have happened. She mentioned that she came here on August 09, 2019. Mentioned that on her letter that she presented today she has mentioned who was present and the end result they shook hands; Harlan was also here. Karla thanked Mr. Sarmiento, Donnie and Linda for the excellent work; Leon Montoya was there it was done and over. Conejos County owns County Rd Y. I don't know what else to do; except that there was something about a survey. Mr. Montoya was going to send that here. He needed one more thing so the next step could be taken. Her understanding of that was that just in case BLM's actual ownership went further than the border of County RD Y they would give all of County Rd Y to them forever. That was the only thing left to do. She had a cattle stampede; her neighbor was grazing cattle and they broke the fence. Karla explained where the fence was broken by County Rd Y. She called Joe McCann because she thought he was in charge of them. He put them back in to Mr. Hansen's property. There were 84 of them, they came in and chewed up all her land on the 10 acres. They lived in her golf park for 4 days; she paid a lot of money for that. She couldn't get over to fix the fence. She called Mr. Quintana and begged him and left nice messages to allow her access to fix the fence. There was no resolution. They landed up locking all 84 head all the way from County Rd Y passed FSR 225 all
the way to the Porco land. As she got there, there was Nick Sarmiento and Donnie Martinez. Donnie told her they would have a resolution. She has not been there to inspect her cabin or her trailer; she does not know how much damage the cattle did.

Comm. McC Carroll stated that he visited with Mr. Sarmiento this morning; he said if they say anything it might compromise what they are trying to do right now legally so it is better to just say they are working on it. They are waiting on BLM.

Karla asked if it would be in her best interest if she would go there herself; would that speed it up or is it too technical.

Chrmn. Jarvies stated that it got bigger than they expected. They are pushing it. Our attorney is really on top of it and he is trying to get a resolution as quickly as possible. Melissa from BLM reported that they are working on it. It is going to take a little longer than they hoped but they have not forgotten about her.

Karla thanked the board for working on that.

**Linda- Land Use Report**

Linda stated that they had approved the Alamosa River Science Campground which had the dedication and she asked them to change that. It has already been approved they just need the signature.

**Ortiz-Project**

Linda stated that she has gotten signatures on the Ortiz Project. She has the right-of-way survey. Dorothy conveyed the new right-of-way which was part of the agreement of 2015 which was recorded May 01, 2015 under reception 15000520 by Maria Clara Dorothy Salazar and Esteven Larry Salazar. The agreement was taken care of. Linda mentioned that they finally got the survey plat signed by Dorcthy. Nick reviewed everything. She needs the board's approval and signature.

Linda stated that they will do the right-of-way permit first. Then they will follow with the vacation of right-of-way. Linda proceeded to point out on the map what was vacated. That was approved with the resolution. Donnie, Waldo and Larry went up there. They will put jersey barriers; it will not be entirely fenced.
Motion to accept the survey plat as presented based on the signatures from Dorothy and Larry Salazar as per the agreement they got back in 2015: Comm. Garcia/Second: Comm. McCarroll, all in favor.

3-0 Motion carried.

Linda stated that she will present her Land Use Report in the middle of the month instead of the 1st meeting of the month.

**Willow Pit**

Linda stated that the willow pit will be open this Saturday from 9:00 AM TO 2:00 PM.

**Nick Barela-DSS Report**

Nick stated that he has the agreement between La Plata and Conejos County which was signed.

Program and Administrative costs are in the amount of $251,334.19 and accounts payables in the amount of $29,816.68.

Motion to approve EBT expenditures and accounts payables as presented: Comm. McCarroll/Second: Comm. Garcia, all in favor.

3-0 Motion carried.

Case load for this month is as follows: Adult Financial-138 cases, Colorado Works-53 cases, Food Stamps-710 cases, Medical Assistance, 1,618 and Child Support-401 cases.

Nick stated that he did apply for a LEAP Outreach incentive grant this year in the amount of $26,000 - 100% funds and because it's a private program the intent is to increase the outreach of LEAP applications, not necessarily the increase of applications but to make sure that the LEAP applications that are submitted through the department to Good Will are submitted as complete and as whole as possible. That is helping the clients with completing the application, getting the needed verification that they need and then if we have the verification that we have a Social Services such as their ID and income information, we will send all that to outreach. He will be putting an advertisement in the paper for that position; he wants to do a contract position just with the consideration of November through February. Those are generally their LEAP heavy months and if he does a contract position if the work tapers down then he will be able to end
that contract at that point. His intent is to have them be as mobile as possible, that person can do home visits and they can take the lap top with them and take screen shots.

Child Protection Ombudsman- Nick stated that he sent them a letter of compliance concern. This was a finding of the Conejos County Department of Social Services. The information he sent was in three parts. One of them was the actual finding, the 2nd was their rebuttal of explanation of the finding, and the third was the letter from the state concurring what the finding was. It is based around two things, one of them was a lack of documentation on the case workers part and the other one was not transferring a case to the proper jurisdiction which was Alamosa. In these instances what we do is find our business process to make sure that we are touching base with two particular items of concern and moving forward from there. He did meet with his Child Welfare Supervisor to discuss this.

Comm. Garcia stated that in defending Conejos County and the department he made every attempt in finding the address. When people are not cooperating it is very difficult. He thought Mr. Barela defended it very well and on the change of jurisdiction to the other county how can you ask to be changed if you don’t know where they are living.

Nick stated that the caller in this case was the absent father and there were domestic violence issues that had occurred; that made the case worker more hesitant to reach out to the absent father which was noted on there. There is always room for improvement and his team is aware of that. Nick mentioned that if they go to the Ombudsman Website Montezuma had 67 counts of Child Welfare that they weren’t doing. Felt that the focus is going to be on small and medium rural size counties. He was discussing with Michelle that they should meet regionally and discuss strategies that if the focus is going to be on small counties especially in instances where we are short staffed what do we do to stay ahead of the curve to make the changes that we need to do. The good thing is that we did offer the position to an individual to our Child Welfare. He is going to start tomorrow. He does have some prior experience in Costilla County.

TANF MOE Relief- Nick stated that the State of Colorado met their work participation requirement for the last fiscal year and as a result they are able to offer counties in MOE Relief which basically reduces the amount of county costs that the counties have to pay. They do a reduction of our overall general county allocation for the Colorado Works Program. It was around $17,000; there is a cost savings for the
county. He will be accepting that MOE Relief with the consideration that we have always been a little bit underspent in our TANF allocation.

Core Services Program- They did get their Core Service Program approval letter. He sent the Core budget in July and they got this in September. The state fiscal year 2019-2020 Core Services Program funding was approved by the state.

Census- He stated that he and Tressesa, County Administrator have been participating in the local committee for the census. There have been a couple of things that they have been doing as part of their participation and that has been going to the on-going meetings with the COG to discuss ways on how to increase participation for our hard-to-count population. He went ahead and submitted two grants in order to help Conejos County. One of them was in the amount of $2,500 which is to purchase promotional items. He did get a call on Thursday stating that they did get approved for that one. They will be sending the approval letter. The second one was for $14,000 and that is the together we count grant committee. With that one they want to do some educational outreach and also an enrollment outreach in Conejos County. In one event they are going to do the education and hope they can go with the coalition of churches and maybe do a dinner for them and a presentation of the census before they do their event. The one in March will be their mobile outreach. He wants to send somebody to the different hard to reach populations in the valley which are the senior centers, the head start and probably provide a meal which will help clients enroll in the census for this year. Nick mentioned that he hasn’t heard on that one yet. The grant deadline was October 7th. They submitted that application as fiscal sponsor under CON-CEPTS which is a non-profit in Conejos County. It has to be a 501 3 C Organization.

Connie stated that she referred a girl but got a denial because she was in law enforcement.

Tressesa, County Admn. stated they can go on the census 2020 and apply. It takes a while because they do background checks. Concerning the grant that Nick talked about they thought if they got a meal for the Coalition of Churches they could get people to apply and know how important it is.

Nick stated that Debra Vance had called to see if he could do something independently with them to see if they could go ahead and participate in that event and he did contact Luis Alvarez to see if he
would be the one to do the presentation on that day since he is the regional representative. He needs to get permission because it falls on a Sunday; he will let them know.

Nick stated that the coalition of churches is at the Sanford High School. They generally change venues every year. The participation has been between 300-400 people. The board will have to give them approval to use their facility to provide the dinner. Hopefully they can secure someone locally to do that for them.

Tressesa stated that they had a meeting with the elected officials so they can get ideas from them; also mentioned that they would like to hire a part time individual that has ties with different groups of people but because they are running it through CON-CEPTS they don’t have Workman’s Compensation.

Nick stated that they will be getting a couple of lap tops and a couple of hot spots to do some outreach.

There was a short discussion on the Amish communities as to whether they have computers or if they have ever participated in the Coalition of Churches; they would want them to get counted.

Nick stated that he will be planning kind of a promotional event with their fatherhood class for the month of November in which they will be doing a dinner and a free parenting class and probably give out some turkeys for the Thanksgiving time. It is mostly to help out with the recruitment of the particular class but it will be a good thing if they can provide people with dinner that evening and let Ramon who is their fatherhood educator give a quick spill on what the class is. They will then partner with the Knights of Columbus and donate as many frozen turkeys as they can on that day.

**Samantha - Public Health/Board of Health**

Samantha presented her report as follows:

**Administration and Governance**

1. Personnel- current - Public Health Generalist- they did fill that position 30 hrs. a week- Marietta Clark came back.
2. Filled current office manager position.
3. Case Manager position- Vacant. They have to be honest about the position they don’t know the longevity or the program.
4. Case Manager is back from maternity leave.
5. Staff Retreat planned for October 24th. Continuing Education.

Facilities/Technology

1. Parking Lot- They cannot see the lines anymore.
2. Sign- They can't read what it says anymore; also need to change so it reads Public Health.

Assessment Planning and Communication

1. Continued work or regional plan and county specific goal.

Tobacco Grant

1. Safe Sleep Kits, Rodeo/Derby contestants.
2. Office of Behavioral Health Grant-Meeting on September 18th, OBH Grant; working on setting a meeting with the Superintendents with all the school districts in the county. Partners showed a lot of interest in this but it is a federal grant and being the fiscal agent is a lot of work. The grant could support coalition work and fund an in school program such as big brother/big sister programs.

Comm. Garcia asked if it would support the mentoring programs.

Samantha stated that it could, they choose two separate factors that are projected factors with the schools something to keep the coalition going and activities in the community. She is a little bit reserved because it is federal funded.

Comm. Garcia asked if she sees it as a one year federal fund.

Samantha stated that it is a 3 year; mentioned that Costilla has it right now then they contract the 9000 with us. Our partners are supposed to be engaged; sometimes the schools don't commit.

CDOT Grant- Traffic safety dance/event on September 20th they did a good job planning it but they didn't have a good turnout. They are going to try and re-try. Thanked EMS and Law Enforcement that showed up.

Child Fatality-Supplemental funding for CDOT YAPP program to pay youth stipend; nothing new on that.

Personal Care Provider (PCP Program)

1. Clients - 94
2. Hours worked - August 2688.5 (5 new referrals)
Electronic Visit Verification

2. The state applied for a good faith extension Granted deadline extended.
3. Will require every provider to clock in and clock out via app or phone lines (Some providers don’t have cell phones) (Connie HR stated that they wanted them to have their own emails) Samantha stated that they got that clarified with the state they are not doing a mobile app. She did a survey, asked the clients if they are okay clocking in and out of their phones; it seems everyone is okay with that.
4. Will plan on conducting slow roll-out and soft launch Jan-July.

Commodity Supplemental Food Program

1. 330 Total participation
2. New requirement for “choice” beginning in November; doesn’t make a big difference on the outside.

Options for Long Term Care Program

1. 334 in the District; Conejos 184
2. Regional Meeting with HCPF
3. Deferred Revenue for Fiscal Year 2018 due by October 31st. According to Gary it is in the amount of $98,191.58; they will have to send that back. They did have the audit come down on October 8th for Gary to complete. Previous deferred revenue amount and payment plan due Nov. 1st - May need to review Costilla’s deferred revenue as well.

Comm. Garcia asked who has notified Costilla County.

Samantha stated that they haven’t yet.

RFI- With rates released.

1. Proposed rates will equal substantial loss. She calculated them herself. Checked with Alamosa they were coming out short. The workload would be more because of the billing.
2. Sent question and response; have not heard back on rate finalization.

Audit- Desk Audit completed on October 8th, some open items pending.

Samantha stated that they have 3 issues going 1. A deferred revenue from this year, 2nd Deferred Revenue from 2018, and 3rd is this year’s audit.
Upcoming Travel

1. Required OEPR annual meeting October 29th-30th.

Personal Care Provider (PCP) Program

1. August - 94 clients
2. Hours Worked - August 2588.5 (Wages went from 9 to 12.00 an hour)

Communicable Disease Prevention, Investigation and Control

1. Immunizations - They had a compliance visit and there are things that they need to follow up.
2. Doing a catch up clinic in North Conejos; will serve as a pilot for other districts.
3. Doing vaccine for county staff on October 17th; ambulance and Oct. 22nd courthouse, the jail on October 23rd and walk-ins on Oct. 25th.
4. Possibility of South Conejos School District and Senior Citizens in November.
5. Met with jail staff to talk about HEP A vaccine. Coordinated response with the Sheriff’s Office - will offer at no cost to the jail staff on October 23rd; will prepare for isolation if they were to get a case.

Chrmn. Jarvies asked Samantha about the Public Health Nurse position that is open.

Samantha stated that is open because they haven’t been able to get a Public Health Nurse for 2 years; mentioned that she has proposed a 10-12 hour in the budget at $27.00 an hour; mentioned that they had interviewed at one time for $25.00 and that didn’t come through.

Peggy Bell-Discussion

Comm. Garcia stated that he received a call from Peggy Bell before she left to Texas. He had invited her to the previous meeting and she declined to come. It looks like they were funded $14,000 and the contractors estimate is $27,000. Now the forest service has to do a study so they are looking at roughly $30,000. She wants to split it 3 ways which is the Estates, the Forest Service and the County. He told her that he would try to have a decision by next May when they return; whether Conejos County was going to participate or not. He wanted to know if they should put it on the agenda to be discussed maybe after the sales tax vote.

Tresesia, County Admn. stated that will be a discussion when they work on the Road and Bridge budget. Andrea has to tell them after they do
the study how much it's going to be, is the county going to commit to it or not. They have two years to complete it. She told Ms. Bell that they have a process that they have to go through; mentioned that Ms. Bell stated that there was a school bus that goes through there.

Chrmn. Jarvies stated that the Forest Service won’t claim the bridge yet they have to do a study before they can touch it, we need to have those discussions. Maybe we can offer our men and equipment; mentioned that they probably want to do a NEPA study.

Tressesa stated that they do need to have those discussions with the board concerning the budget. They have so many bridges that they don’t put any money into.

Comm. McCarroll stated that it is not benefiting us at all; but it does benefit the people that live on the other side of the river and the Forest Service.

Comm. Garcia stated that the most he could promise Ms. Bell was that he was hoping they could have a decision for her by May and they can put it on the agenda to discuss it.

Tressesa stated that she reminded Ms. Bell that they have two years.

Comm. McCarroll stated that if the residents do half and maybe we can do half of the other half that the Forest Service would do.

Comm. Garcia stated that Ms. Bell mentioned a school bus issue, but what about the outfitters; does the Forest Service get a license for outfitters; then they get the money for outfitters.

There being no further business to come before the board; Chrmn. Jarvies declared the meeting adjourned.

ATTEST:  
NATHAN RUYBAL  
CLERK OF THE BOARD

MITCHELL JARVIES  
CHRMN. BD OF COUNTY COMM.
Minutes of the Board of County Commissioners Special Meeting held on October 30, 2019 at 9:30 AM in the Commissioners Board Room, 6683 County Rd 13, Conejos, CO. 81129

Call the meeting to order.

Chrmn. Jarvies called the meeting to order at 9:30 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: County Attorney Nick Sarmiento, HR-Connie Ricci and Deputy Clerk-AnnaBelle Gomez.

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


Approval of Agenda

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

3-0 Motion carried.

Tressesa-County Administrator/Courthouse Discussion

Tressesa stated that they had a meeting with the organization that is going to do the master plan for the courthouse. She was not very comfortable with the plans that they had gone over including the Board of County Commissioners. She feels that they should have more discussions; they can extend the grant. She would like more discussions before they go with the drawings that they have. She would like to make sure that everybody is in the same page and that everybody is okay before they go forward with this plan.

Chrmn. Jarvies asked Tressesa if she has had feedback from people at the courthouse.
Tressesa mentioned that they kind of met but is not comfortable with the whole thing and what everybody talks about. She feels they need more details.

Naomi-County Assessor mentioned that concerning the heating; they get a blast of hot air and then it gets cold.

Tressesa stated that they should have more of an agreement that everybody is okay with it.

Nick Sarmiento-County Attorney stated that he did get some comments from staff employees who were present at the meeting and they would like to re-visit some of the things. He will look at the agreement and if it allows for another big meeting we will go ahead or we might need to do a phone conference that way there is more input.

Tressesa stated that it is her understanding that once we do this master plan and in 10 years or whenever they decide to go forward with the building or remodel that is what we are going to do.

Nick stated that it was his understanding that they would do a preliminary drawing and bring it back to us.

Chrmn. Jarvies stated to find out and before they meet with them in a meeting or a phone conference, maybe they should have a meeting within the courthouse. We can write down what we would like and what our concerns are but include everybody here.

Tressesa stated that concerning Naomi’s question about the heating they did bring heating and electrical engineers to look at the building; that is part of the plan.

Nick mentioned that in Alamosa they presented one view of the courthouse and after that they still had to go to bid. The more we can narrow it down the better.

Chrmn. Jarvies stated that they can get better clarification so we can get what we want.

**Nick Sarmiento-County Attorney - Railroad Discussion**

Nick stated that the railroad is in a receivership. There is litigation in the City of Chicago, State of Illinois and in the State of Colorado, involving one of our counties which is Rio Grande County.
Executive Session

Motion to go into executive session as per 24-6-402 (b) conference with the attorney: Comm. McCarroll/Second: Comm. Garcia, all in favor.

3-0 Motion carried.

The board came out of executive session at 10:37 AM conference with the attorney and no decisions were made.

Nick Sarmiento: It is the opinion of the County Attorney that the discussion held had a county attorney/client privilege therefore no record was kept.

Chrmn. Jarvies asked Nick to look for more avenues of what we can do as far as receivership and what our options are and report back to the board.

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

ATTEST:  
NATHAN RUYBAL  
CLERK OF THE BOARD  

MITCHELL JARVIES  
CHRMN. BD OF COUNTY COMM.
Minutes of the Board of County Commissioners Regular Meeting held on
November 07, 2019 at 9:00 AM in the Commissioners 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 Connie Ricci-HR, 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. Garcia gave the opening prayer.

Approval of Agenda

Motion to approve the agenda with the addition of call the meeting to
order after 9:00 am and add Donnie to the Sheriff’s report: Comm.

3-0 motion carried.

Approval of Minutes

Motion to approve the minutes of October 15, 2019 Payroll Meeting with
the correction on page 12 to show NEPA instead of NIPPA Comm. Garcia/
Second: Comm. McCarroll, all in favor.

3-0 Motion carried.

Motion to approve the minutes of the October 30, 2019 Special Meeting:

3-0 Motion carried.

Approval of Payroll
Motion to approve payroll as presented: Comm. McCarroll/Second: Comm. Garcia, all in favor.

3-0 Motion carried.

**Public Comment**: None.

**Appointment of VA Officer**

Chrmn. Jarvies stated that they have an appointment of a VA Officer to replace Mr. Gallardo. They did receive an email showing the recommendation of who they would like to appoint.

Comm. Garcia stated that it was signed by three people who are Joe Chavez, Jimmy Duran and Steve Salazar.

Joe Chavez stated that he thinks he will make a good VSO and would like to thank Orlando for the job he has done; it was mentioned that the new officer will need a new computer.

Chrmn. Jarvies stated that Orlando has served them well, he has done a good job and he will help the new officer coming in.

Connie-HR stated that just for the record she would like to read the following: To the Conejos County Board of Commissioners: We the commanders of the Local VFW, American Legion, and DAV Veterans Organizations recommend Robert Lockwood for the vacancy of the Conejos County Veterans Service Officer, respectfully, signed by them.

Motion to accept the recommendation of the VSO and appoint Robert Lockwood to replace Mr. Gallardo: Comm. McCarroll/Second: Comm. Garcia, all in favor.

3-0 Motion carried.

Chrmn. Jarvies asked if they have a date when Mr. Lockwood will begin.

Mr. Gallardo stated that he had asked Robert to come in and he would pretty much take over the end of December, he will need to know how to work the computer and file claims; it is a lengthy process. He will have assistance from the state.

Mr. Gallardo stated that Robert will need some assistance but once he leaves he will not be able to look at any HIPPA type records.
Motion was amended to include the hiring date for Robert Lockwood to be November 15, 2019, all were in favor.

3-0 Motion carried.

**Administrator’s Correspondence**

**2020-Legal Holidays**

Tressesa, County Admin. stated that she sent the board a copy of the legal holidays for 2020.


3-0 Motion carried.

**Dates of Meetings for 2020**

Tressesa presented the dates of the meeting for 2020. She stated that they are not necessarily going to have a Payroll Meeting that they call on the 15th of every month; since salaries have been approved prior when they approve their budgets they approve all salaries for the year she doesn’t feel it is necessary to have a payroll meeting. They decided to have their regular meetings on the first Thursday of the month and the 3rd Thursday of every month. If there are any changes on payroll they will bring it up to the board.

Motion to approve the meeting dates for the year 2020 as presented: Comm. McCarroll/Second: Comm. Garcia, all in favor.

3-0 Motion carried.

**MOA-License of Ambulance Service**

Tressesa presented the MOA between all the counties for licensing service for the ambulance service so that they are able to operate in all the counties.

Chrmn. Jarvies stated that this was discussed in the SLV Commissioner’s Meeting and all were willing to work together. If they need help in a different county they are legally and able to do that.
Motion to enter into an MOA with the SLV Commissioners: Comm. Garcia, Second: Comm. McCarroll, all in favor.
3-0 Motion carried.

Letter to the Board/Recommendations

Tressesa, County Admn. stated that she did put on the agenda that she did submit a letter to the Board of County Commissioners with her recommendations and asked for a special work session to talk about the effects of the sales tax that was defeated on the November 5th election; would like to request a work session tomorrow around 9:30 AM. Her recommendation to the board was that she felt or we all feel that the voters of Conejos County sent us a loud and clear message to Conejos County Government. They felt that it was unimportant to support Conejos County services of elected officials and staff. As it was stated on the flyer that was mailed to the voters of our county, if the sales tax does not pass the citizens of Conejos County may see a reduction in services including but not limited to: Ambulance Service, Conejos Sheriff’s Department, Road Deputies, Conejos County Courthouse hours, Senior Programs, Youth Programs such as 4H, Weed Control and other projects and services. Because of the financial emergency that we find ourselves in at this time, I feel the time is here and my recommendations are as follows: We are holding approximately $65,000 worth of SLV Projects in 2019 whether we fund them or not, I would like a discussion on this. The next one is her recommendation is not to fund those SLV projects for 2020 for the exception of the DA’s office and perhaps Hazmat which is something that we need really need to fund throughout the valley. Those are her recommendations and requesting a work session so they may discuss this and move forward. The first item of discussion would be the ambulance service and the future of what that will look like.

The board agreed on tomorrow’s work session.

Schedule A Discussion

Tressesa, County Admn. turned the time over to Comm. Garcia since he requested that to be put on the agenda.

Comm. Garcia stated that he was in the office on Tuesday and he has been discussing this with Donnie and then with Tressesa. He wanted to discuss this with the board and look at the whole idea of maintaining Rd FSR 250 up to Platoro. He would like to start those discussions with the Forest Service. They have been invited to take a tour with Andrea Jones. They did crush some material which has been one of the
problems and that is the reason his predecessor stopped doing the maintenance around 4 years ago. Our department has indicated that there was no material to use on that road so it made it almost impossible in some areas to try and grade the road to keep it in a fair condition so with this material I can only see the county going forward if we decide to open this up again and getting dollars for it especially now with the sales tax not passing. This falls into a category call Schedule A payment for our services. Since it is in District 1 he would like to open up those discussions to see if it is cost effective; since we are taking more of an approach of Conejos County Road and Bridge and not looking at just individual districts. If they are going to have to run dump trucks to move so many tons of material we would get paid for that. This will create extra work so that might keep the crew up there an extra week.

Comm. McCarroll stated that he doesn’t have a problem with that, it has been necessary for the last 4 years to do something. He was totally supporting that decision because there was nothing to pull across the road and the road just keeps getting wider and wider because the cars going around and making another rough spot.

Chrmn. Jarvies stated that he has always worked with the Forest Service but they could never get much help financially from the Forest Service or anyone else.

Comm. Garcia stated that they will start setting that up with Andrea Jones. He will keep them updated and if they want to make that tour to go see what they crushed.

County Attorney-Nick Sarmiento

Nick stated that they will discuss Elk Ridge Estates. They have held on to a number of parcels at the Elk Ridge Subdivision, he does not know how many are county owned. Elk Ridge Estates was subdivided in the 60’s and there are a lot of issues with the subdivision such as do they have legal access from a public road, are some of those lots buildable, are the roads where they are supposed to be at; there are a lot of problems with the subdivision. Initially the county was buying those lots in an effort to protect breeding grounds for mule deer and the hope was that we would purchase all the lots from the private owners and then do a swap with the Division of Wildlife. We have not been able to procure all the lots and at this point I don’t think we should even attempt to exercise our power of eminent domain with the remaining lots; feels it would be beneficial to have those lots on the tax roll and start selling them.
Chrmn. Jarvis asked if they start to sell them who is going to establish the legal access.

Nick stated that we would sell them as is and we would give them the information that legal access does not exist.

Chrmn. Jarvis asked if we can take the expense to make a legal access and then sell them.

Naomi-County Assessor stated that they were already surveyed.

Mack-County Treasurer agreed and mentioned that was done in 1997.

Nick asked: the first thing is do you want to sell them and second how do we make it marketable.

Comm. Garcia asked if there was no legal access after the survey.

Mack-County Treasurer stated that all the owners go through the BLM; they have looked at this through many angles, they are about 1500 acres.

Naomi-County Assessor stated that Linda from Land Use has not issued any building permits.

Chrmn. Jarvis asked if they would be buildable lots if they sold them.

Nick stated that they have been denying building permits because there is no legal access. They could attempt to fix that by going to court and obtaining easements over those roads in order to make legal use of them. Every piece of property needs legal access that is doctrine in the law. It won’t be the best legal access but you can obtain a necessary easement over adjoining property to get to your property if there is no legal access. They would have to name all those people who own pieces of that road as defendants. We are not trying to take away their property we are just trying to get an easement through that road that already exists to the property that we own but we have to go to court.

Mack-County Treasurer asked if that is a county road.

Nick said no it isn't a county road.
Naomi-County Assessor stated the county road ends at the cemetery.

Comm. Garcia asked did he understand that the county has 260 of the lots; if they were to go through all this; can we get the legal access and then just sell them as a big parcel.

Nick stated that they would have to consolidate some of the parcels but some of the parcels are a little bit separated.

Naomi-County Assessor stated that they might want to do 40 acre tracts.

Comm. McCarroll mentioned that when they obtained some of that property they said that they would try to make it an open space or something of that nature if we don’t do that would we be accountable of how we acquired them.

Nick stated that if there is a restriction on the deeds we would have to make sure that we follow any restrictions but if there are no restrictions on the deed one of the promises that were made in the past was that we come to the impossibility of that; so we are not bound by any of those promises just the restrictions on the deeds.

Nick mentioned that the wording on the letter that was sent out to the landowners was this is attempting what we are trying to do, unless there are deed restrictions then things change.

Naomi-County Assessor stated that 260 lots are not paying taxes. If we are not doing anything with them let’s get them back on the tax roll; but then how much would it cost to go to court.

Nick stated that unless they challenge the survey that is where the cost is going to be, we can prove necessity by showing that there is no easement. One of the issues that we would run up against is that there is a Forest Service Road that abuts on the west side so the judge may say you do have legal access it might not be a perfectly legal access but it is there through that road; we would have to get a legal determination where the legal access is at.

Chrmn. Jarvies stated that we need to move forward with this. We are no better than the developer if we just sell those lots that nobody can do anything with.

Nick stated that what he will do now is prepare a complaint for a quiet title to make a necessary easement and present it to the board.
for approval. We can identify who we can name as the defendants on that road and we can then establish a legal access which would be the first step. The second step would be what do we consolidate or what do we leave as a 5 acre lot, we would then go through Land Use. The problem is if we sell them as lots the person who buys them is going to sell them as lots and some of those lots are buildable.

Mack, County Treasurer stated that there are 3 or 4 that are delinquent and every year there are a few more but there is interest and people do buy them.

**Model Traffic Code**

Nick stated that the 2020 traffic model code is out there now and they can adopt it. His question is should they adopt the same fine schedule or go at least 20% above what the state assesses in fines.

Sheriff Crowther suggested staying with the same fines.

Chrmn. Jarvies stated that they should go with the sheriff's recommendations; Comm. Garcia agreed.

Nick stated that he doesn’t anticipate too many changes other than changing the wording to make sure that it’s applicable to the county court and the next process will be to get the approval from the state; first reading, publication, public hearing and then they adopt. Nick felt that the fines have not changed much from 2015.

**Railroad Discussion**

Nick stated that for the public’s information the railroad is in a receivership in Chicago and a bankruptcy on the railroad that is being filed in the Denver District Court; right now there is motion for reconsideration before the receivership in the Chicago Federal Court. Right now there are a few counties that are looking to join in the litigation or figure out a way that our liens are protected.

**Garth-Sheriff’s Report**

Sheriff Crowther stated that he e-mailed the commissioners his report.

Sheriff Crowther gave his report as follows:

Garth stated that the calls are about the same.
The meals are up a little bit due to the shelves getting kind of bare, he asked that they do not store too much meat that is frozen; they are buying in bulk which is cheaper.

Talked about the fire investigation, fire investigators were down on Tuesday who assisted them.

Comm. Garcia mentioned that he had a call from a citizen who mentioned that he had lost 50 plus round bales; wanted to know if there is anything that is set up where citizens can start reporting what they lost in that fire and who do they go to.

Sheriff Crowther stated that they did address some that showed up at the meeting in the Opera House. The citizens have to report to the Sheriff’s Office. They will need to make an inventory of what they lost and bring it to the Sheriff’s Office; they recommend that they take photos. A lot of them need case number or investing number to turn in to their insurance.

Sheriff Crowther stated that he worked a couple of weekends by himself so that he may give his deputies some time off; also mentioned that he has gotten several calls but they forget to leave their cell phone numbers and most people are not listed in the phone book anymore.

Comm. Garcia will let that person know. That person mentioned that he didn’t have insurance; asked if any costs would be covered by FEMA.

Sheriff Crowther stated that they get the facts and turned it over to the DA; it is too early to see if they are going to charge or not; he doesn’t know what they are going to do with it.

Chrmn. Jarvies mentioned that he has been in a couple of meetings and everyone is amazed at how everything went and how everybody came together and thanked Sheriff Crowther.

Sheriff Crowther stated that it was a coordinated effort.

Sheriff Crowther talked about the staffing; They look at the wages and it is terrible, they met with Tressessa and Connie to see if they can come up with some numbers and look at the neighboring wages; the ones that are leaving is because of the wage. The investigator is leaving because of wages; also talked about having to cover for the municipalities.

Chrmn. Jarvies asked if the municipalities could pay your department.
Sheriff Crowther wanted to mention that what Ernest from the ambulance service posted was very classy he was very impressed.

Chrmn. Jarvies stated that they did present at the 911 Board to get them money for radios.

**Naomi Keys-County Assessor- Abatements**

Naomi County Assessor presented a couple of abatements.

Motion to approve the following abatements as presented by Naomi:

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<th>Schedule #</th>
<th>Name</th>
<th>Year</th>
<th>Amount</th>
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<tr>
<td>50971</td>
<td>Richard Thomas/Kenneth Wade Hughes</td>
<td>2018</td>
<td>90.26</td>
</tr>
<tr>
<td>53879</td>
<td>Tom and Bernice Vigil</td>
<td>2018</td>
<td>12.78</td>
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3-0 Motion carried.

**Land Use Report-Smith Division of Land**

Chris from Land Use presented the following:

**CASE NO:** CCLU-2019-199  
REQUEST: DIVISION OF LAND  
APPLICANT: Cindy Smith, Ruth Sutter, Sharon Fackrell, and Judy Medina  
ZONING: Rural  
SURVEY BY: Reynolds Engineering Company  
BACKGROUND: An application was filed with the Land Use Office on 9/11/2019 for a Division of Land/Subdivision Exemption. The real property is legally described as:

79 Acres located in a fraction of the W1/2 of the SW ¼ in Section 25, Twp. 34 North, Range 9 East, NMPM, Conejos County Colorado.

The proposed Division of Land (78.7521 acres) will create the following:

- Tract # 1 containing 19.012 acres more or less
- Tract # 2 containing 57.036 acres more or less
- County Road 17 and County Road M ROW 2.704 more or less

Purpose of Dividing the Land- Dividing the property per the Estate of their father, Robert Gail Smith. Mr. Smith left the property to his
daughters. One daughter wanted to keep a parcel (Tract 1) the other
daughters want to sell the remaining.

Land Use Administrator Review/Approval: 11/07/2019

Comm. Garcia had a question, what does it mean on Tract 3 County Rd 17
of County Rd M R.O.W 2.7.

Chrmn. Jarvies stated that they just have to show that to show that it
is an established Right Of Way.

Nick stated that they have to identify the right of way and they are
also doing a public dedication, Tract 3 is not a separate tract.

Motion to approve Resolution C-2019-037 Smith Division of Land: Comm.

3-0 Motion carried.

Discussion-Manufactured Homes

Chrmn. Jarvies stated that he received a phone call from someone who
set up a mobile home and they called the state plumbing inspector and
he went out and said I can't inspect it until it has a tag from a
certified inspector stating that it is set up correct, we do not do
that but the state says it has to be done. They talked to Chris and
Linda about maybe Chris getting certified but for now can they refer
them to an inspector.

Chris stated that there is one that is on the east side of the state.
He would charge mileage going back and forth plus he would charge his
fee which $350 plus he has to pay $60.00 for the stamp.

Tressesa, County Admn. stated that they had a discussion about having
Chris getting certified and then giving people the option.

Nick Sarmiento stated that it is not pursuant to our Land Use Code, it
is a state requirement. If we were to start a program it would be just
to get Chris certified and offer it to the public at a certain rate.
They don't have to use us they can use some other clsc on a private
entity. We looked into it yesterday. Linda was asking if we provide
the certified inspections do we essentially take over the program, and
he said no we don't take over the program, that is a state program.
They don't have to use us but it would generate some money for us.
Chris stated that the state program started in 2001 and they never enforced it. Now they are enforcing it with the electrical and plumbing inspectors saying if you don’t have that tag on it you cannot do inspection for the water, electrical and gas. They have talked to the lady that is in charge at the state, they would not take over the program they would just participate.

Chrmn. Jarvies stated that right now they have a place where they can refer them to.

Chris stated that since the trailer has already been installed they have to work with the state.

Chris stated that the test is done all on line; it doesn’t cost anything to do the testing if you are doing it for the county. If it’s just an individual it costs 450 every 3 years to maintain it plus 60 for the tag. The only thing that they would have to do is send a report every three months and pay the $60.00 just like they do with the septics.

Chris stated that the Planning Commission felt that we need to get it done; they talked about the rates; each inspection takes about 4 hours.

Comm. Garcia asked how much it would impact his current workload.

Chris felt that it wouldn’t impact him too much; mentioned that people are sneaking those mobile homes in, in the long run it will help them keep track of them.

Chrmn. Jarvies stated that they should look at the rates; appreciates Chris willing to do the training.

County Admin. Tressesa stated that Linda will get ahold of Ginger in Alamosa to see how they did their program.

**Executive Session**

Nick, County Attorney stated that they are going into executive session to discuss engaging an attorney for the receivership in Chicago and also the bankruptcy that is pending in the State of Colorado on the railroad to protect our tax liens.

Motion to go into executive session as per 24-6-402(b): Comm. Garcia/Second: Comm. McCarrol, all in favor.
3-0 motion carried.

The board came out of executive session conference with the attorney at 10:50 AM and no decisions were made.

Nick Sarmiento: It is the opinion of the county attorney that the discussion had an executive session constituted an attorney/client privilege therefore no record was kept.

**Donnie Martinez-Discussion on Septic**

Donnie mentioned that the pump system that they will be using is going to be more expensive than what they had. It will be put above ground, the mount on the top will be heated, they will be doing away with the 4 septic tanks that they have now which will eliminate the problems that they are having. There is nothing set in stone but the numbers are around $120,000, one of the reasons in spike is that on the 3 phase they would have to clean it out. He would like to get together with Rossi to see what kind of work exchange they can do.

Nick asked if they would want to re-open the paving agreement to offset some of the costs.

Donnie said yes they might be able to trade work for work.

Comm. Garcia stated that Amanda had said she would have the final estimate to them by the 14th board meeting. The pump is 12 to 14 weeks out for them just to make it, the grinder was 4-6 weeks out; the consensus was to get the work done and try to dig that trench, lay the pipe and when those other pieces come in it might not be done until February.

Donnie said if they can get the pipe in the ground and get everything set up to where they need it then they can set that septic tank.

Chrmn. Jarvies stated that the run from the jail to the first manhole is so far do they need to put another manhole.

Donnie stated that they can’t because it is pressure made. Donnie talked about the uphill or downhill flow into the manhole; with the grinder they should just be pushing the water; depending on the grade they should be going uphill so they might come in a little bit high; he will ask about the monitoring.
Comm. Garcia asked if there is an alarm that would go off since it is an overhead pump for a freezing type thing; that would let you know that you are almost to the freezing mode; mentioned that the pipes will be fused every 500 feet, also mentioned that you could have Valley Lock set up all that but they do pay a monthly fee for that which wouldn’t be that much.

Donnie stated that they could use that HDPE pipe, he called a couple of distributors and they said they could get that for $2.00 a foot which is really a good buy; thinks Robins Construction has the equipment to do that.

There being no further business to come before the Board, Chrmn. Jarvies declared the meeting adjourned.

ATTEST:  
NATHAN RUYBAL  
CLERK OF THE BOARD

MITCHELL JARVIES  
CHRMN. BD OF COUNTY COMM.