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Minutes of the Board of Conejos County Commissioners Regular Meeting held on August 19, 2021, 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 – Chairman – Present

Carlos Garcia - Vice Chair – Present

Joseph Baroz – Vice Chair – Present

Present: Tressesa Martinez – County Admin, Nick Sarmiento-County Attorney, Connie Ricci-HR Director, and Nathan Ruybal Clerk and Recorder all present.

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

Prayer: Comm. Garcia gave the opening prayer.

Approval of Agenda:

- Clerk Ruybal need to delete approval on minutes from the 8-5-2021 BOCC Meeting on Agenda.
- Attorney Sarmiento under County Attorney portion the Board Member discussion is under Admin. Correspondence, to discuss the legal authority to do so will be under Executive Session.
- Need Executive Session with Nick Barela DSS Director, about what insurance will and will not cover.

Comm. Baroz makes motion to approve agenda with amendments above.

Comm. Garcia 2nd Motion

Motion Carries 3-0

9:06 am

Comm. Baroz makes motion to enter Executive Session to discuss Board Member Appointment.

Comm. Garcia 2nd Motion

Motion Carries

9:25 Back from Executive Session.

Administrators Correspondence

- SLV Fair Board asking about removing a board member from the board.
 - Comm. Jarvies was approached by a board member wanting the BOCC to remove a sitting SLV fair board member.
 - Comm. Jarvies states that it is not the role of the BOCC to remove a sitting board member without clear disregard for the law.
 - Attorney Sarmiento mentions that it is not the job of the BOCC to remove a board member from any board as they are suggesting the BOCC to do.
 - Discussion to allow Attorney Sarmiento to email the SLV Fair Board to explain that they as a board will need review their by-laws and to act if allowed to remove this board member and if that is accomplished then the BOCC can appoint another board member.

DSS Report and Payables – Nick Barela

Program and Administrative cost for the month of July are \$591,740.55

Comm. Baroz makes motion to approve DSS monthly expenditures as presented.

Comm. Garcia 2nd Motion

Motion Carries 3-0

Discussion on why the expenditure amount is higher than normal.

Requesting approval of Accounts Payable in the amount of \$11,031.52 for July.

Comm. Garcia makes motion to approve A/P for July for \$11,031.52.

Comm. Baroz 2nd Motion

Motion Carries 3-0

- Discussion regarding case load for July.
- Backpack give away planned for August.
- Conejos/Costilla/Alamosa County Workforce Center Job Fair
- CGIS/CBI audit has been completed regarding job retention.
- Grant for Health Care Financing for approximately \$18,000, used for the following.
 - Training for staff
 - Cyber Security
 - Risk Assessment
 - Best Practices
- Received \$32,287.42 enhanced funding
- Received \$515.70 non-enhanced funding.
- MOU w/Dept. Human Services

Public Health – Denise Jiron

- School Immunizations are being done at all school districts.
- EPR Training
- Tobacco Grant continues
- Baby Safe Grant continues
- CDOT Grant will ending in October 2021
- RCORP/HRSA will be ending in February 2022
- Discussion on July numbers for PCP Program.

Board of Health – Denise Jiron

CONEJOS COUNTY BOARD OF HEALTH REPORT 8/19/21

SLV Regional information on COVID-19 as of 8/19/2021:

There are currently 88 known active cases of COVID-19 in the San Luis Valley.

- Alamosa County - 15
- Conejos County - 7
- Costilla County -4
- Mineral County - 1
- Rio Grande County - 47
- Saguache County – 8

Conejos County as of 8/18/21:

- 7 active cases
- 774 positives confirmed to date
- 59 hospitalized to date
- 27 Deaths among cases
- 13 deaths Due to COVID
- 8 Outbreaks
- Current positivity rate for Conejos County is 5.34% (from 8/11/21-8/17/21)
Up from 5.16% at this time last month

Regionally as of 8/17/2021

- 4,459 Cases
- 309 Hospitalized
- 17,639 tested
- 100 deaths among cases
- 47 Due to COVID 19
- 107 Outbreaks

Outbreaks

- Zero (0) at this time

- Discussion on Moderna Booster Shot will be available in Conejos
- Discussion on demographics of deaths from Covid since vaccine was offered.
- Interest Form posted to Public Health Facebook Page.
- Discussion on talk between Comm. Garcia and Dr. Jackson about Covid issues.

▲ **CONEJOS COUNTY LAND USE STAFF REPORT
SPECIAL USE REVIEW**

Case No. CCLU 2021-0181

APPLICANT: Mose Girod

BACKGROUND: An application for a Special Use Permit was filed with the Land Use Office on 07/12/2021. The property is owned by Mose and Clara Giord and Freeman Gingerich. It is zoned Rural and is legally described as: 4.85 Acres located in a fraction of the Southeast Quarter of Section 33, Township 34 North, Range 9 East, NMPM, Conejos County Colorado. The common description of the property is 10680 US Hwy 285, Antonito CO 81120. Parcel #586733300182. The name of the business is Precision Machining & Hardware.

REQUEST: The applicant is requesting a Special Use Permit for a Retail Business – Hardware Store & Machine Shop.

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 09/19/2021; notices to referral agencies on 07/19/2021; notice was published in VALLEY COURIER on 7/21/21 & 08/04/21; and Onsite posting was posted by Inspector, Chris, on the property on 7/21/2021.

PUBLIC HEARINGS:

PLANNING COMMISSION – The Planning Commission public hearing was held on 08/18/2019 at 6:15 PM. The Planning Commission made a recommendation to the BOCC for approval as presented. (Linda Johansen/Armando Valdez – unanimous vote.)

BOARD OF CONEJOS COUNTY COMMISSIONERS – The application was presented to the BOCC on 08/19/2021 at 10:15 AM. The BOCC heard the case and approved the SUP as presented. Same standards as all cases. No additional conditions set. Approved – Motion by: Commissioner Carlos Garcia, second by Commissioner Joseph Baroz.

Planning Commission did give their approval for this SUP

Public Comment

Referral Agencies-K. Boyle from Water Resources did specify that the Water Well on this property cannot be used for commercial Use.

CDOT – No Issues at this point

No Other Public Comment – Public Comment Portion is closed.

Comm. Garcia makes motion to approve Girod SUP as presented

Comm. Baroz 2nd Motion

Motion Carries 3-0

CONEJOS COUNTY LAND USE
Land Use Administrator Report

Conejos County Land Use Case – 2021-0186

LANDOWNERS: Theodore and Nancy Hand, 10839 West Vista View Drive, Littleton CO 80127

REQUEST: Subdivision Amendment to remove the non-development area on Lot 31C.

LEGAL DESCRIPTION OF PROPERTY: Conejos County Schedule #598127101031 – Bear Creek Subdivision Amended Phase 1 – Vacation Plat Lot 31C located in entirety in Segregated Tracts 48 & 49 in Sections 22 & 23 and 26 & 27 Township 33 North, Range 6 East, NMPM, Conejos County, Colorado. Physical Address 21 East Peregrine, Antonito CO 81120 (Community: Conejos Canyon-Bear Creek.)

ZONING: Lot 31C is in a Residential Zone District. It allows for one single family residential structure. Any use other than single family dwelling will require a separate County Use Permit. The Setback Requirements are 25' front, 25' back, and 8' sides. The Lot Coverage - The total lot coverage of all buildings shall not occupy more than 20% of the lot area; Height Requirements: The maximum height for residential uses shall not exceed more than 35'.

SUBDIVISION APPROVAL & AMENDMENTS:

The original Amended Plat Phase 1 Bear Creek reflects a Non-Development/Non-Construction Zone for lots 15, 16, 17, 19, 20, 30, 31, 32, 33, 34, 35, 36, and 37. Mr. & Mrs. Hand hired a professional to conduct a Wetland Study by Muukui-Ci Cultural & Environmental Services, LLC and submitted to the US Army Corps of Engineering (USACE.) The USACE granted a jurisdictional determination approving an access road and homesite on June 27, 2005. The determination was granted approval for a five-year period. The access road was built as proposed and a septic system was installed and approved by Conejos County. There has been no other development on the property since that time. The USACE provided a second letter dated May 18, 2021, approving the homesite as proposed in the Wetland Study by Muukui-Ci Cultural & Environmental Services LLC. The Engineer/Surveyor, Scott Johnson of Summit Engineering provided a letter on June 6, 2021, with information concerning the 100-year flood plain and non-development area identified in the original Subdivision Plat.

Amended Plat Phase 1 Bear Creek Lots 31, 32, and 33 was approved by Conejos County on May 8, 1992, under County Reception Number 203118 per the application request of Theodore & Nancy Hand to consolidate Lots 31, 32, and 33 into one large. The Vacation of Lot Lines between Lots 31 and 32 and 32 and 33 to create one larger lot now legally identified as Lot 31C is of public record identified on the Vacation Plat recorded under County Reception number 5001527 and County Resolution #C-05-24 under County Reception #2001528 recorded on August 18, 2005.

PERMITS: Land Use Septic Permit 2006-036 was issued on June 27, 2006. It was installed, inspected, and then closed on September 07, 2007. Building/construction permits have not yet been issued by Conejos County. The landowners of the subject property are required to obtain all County Building & Construction permits and any other permit required by any other agency

when needed for residential development. The HOA Architectural approval is also required to be provided during the application process.

ADJACENT ZONING: North, South, East and West are all Residential – all Bear Creek Subdivision.

APPLICABLE ZONING ORDINANCE: Article 10 – Subdivision – Division 10.4 Major Subdivisions, Subdivision Amendment – Section 10.440 Other Changes. Preliminary Review process was not followed as all evidence was presented to conduct a final review.

PUBLIC NOTICE REQUIREMENTS: Notice mailed to Adjacent Landowners on 07/19/2021, Notice Published in the Valley Courier on 7/21/2021 and 8/04/2021; Onsite Posting: 07/20/2021.

PLANNING COMMISSION HEARING: The Public Hearing before the Planning Commission was held on Wednesday, August 18, 2021, at 6:45 PM. The PC made a commendation for approval as presented. The motion carried by unanimous vote.

BOARD OF COUNTY COMMISSIONERS HEARING: The Public Hearing before the Board of County Commissioners is scheduled for Thursday, August 19, 2021, at 10:30 AM.

- Comm. Jarvies opens public comment portion
- HOA send letter of approval
- No Public Comment
- Comm. Jarvies closes public comment portion.
- All exhibits entered as evidence for this care are available at Land Use Office.

Comm. Garcia makes motion to approve Hand Subdivision Amendment as presented.
Comm. Baroz 2nd Motion
Motion Carries 3-0

Special Use Liquor License – Nathan Ruybal

**BOARD OF COUNTY COMMISSIONERS
CONEJOS COUNTY
RESOLUTION NO 32**

A RESOLUTION AUTHORIZING THE ISSUANCE OF SPECIAL EVENTS LIQUOR PERMITS PURSUANT TO ARTICLE 48 OF TITLE 12 OF THE COLORADO REVISED STATUTES AND ELECTION TO NOT NOTIFY THE STATE LICENSING AUTHORITY

WHEREAS, the Board of Commissioners for Conejos County, State of Colorado acting in its capacity as the “local licensing authority” is authorized to issue Special Events Permits to organizations, whether or not presently licensed under articles 46 and 47 of title 12 of the Colorado Revised Statutes when said organizations have been incorporated under the laws of this state for purposes of a social, fraternal, patriotic, political, or athletic nature, and not for pecuniary gain, and;

WHEREAS, an application has been filed by the “San Luis Valley Foods Coalition” for a special entertainment event to be held at 6174 Oniya Lane La Jara, Co 81140 on August 22, 2021 from 3:00 p.m., until 7:00 p.m., and;

Clerk Ruybal presents Resolution for Special Use Liquor License for SLV Foods Coalition as presented above.

Motion to approve Special Use Liquor License as presented
Comm. Baroz 1st Motion
Comm. Garcia 2nd Motion
Motion Carries 3-0

Assessor Abatements – Sandra Cordova

Parcel # 586724140010
Transferred to USDA June 2019 and is tax exempt.
2019 Abated Pro Rated Amount \$345.82
2020 Abated Amount 615.16

Motion to approve Abatement as presented
Comm. Baroz 1st Motion
Comm. Garcia 2nd Motion
Motion Carries 3-0

ATTEST: 
Nathan Ruybal
Clerk of the Board


Mitchell Jarvies
Chair of BOCC

