

Final Copy
Torrance County Board of Commissioners
Commission Meeting
January 28, 2015

Commissioners Present: **LeRoy Candelaria -Chair**
 Julia DuCharme-Member
 James Frost-Member

Others Present: **Joy Ansley-County Manager**
 Annette Ortiz- Deputy County Manager
 Dennis Wallin-County Attorney
 Michelle Jones -Clerical

Call Meeting to Order:

Chairman Candelaria calls the meeting to order at 9:00 am, he welcomes all those present to the meeting and leads us in the pledge. Commissioner Frost leads us in the prayer.

Approval of the Meeting Minutes:

Chairman Candelaria asks for a motion to approve the January 14, 2015 Regular Meeting Minutes. **ACTION TAKEN:** Madam Commissioner DuCharme makes a motion to approve the January 14, 2015 Regular Meeting Minutes. Commissioner Frost seconds the motion. No further discussion. The Commissioners vote; all in favor. **MOTION CARRIED.**

Approval of the Special Meeting Minutes:

Chairman Candelaria asks for a motion to approve the January 19, 2015 Special Meeting Minutes. **ACTION TAKEN:** Commissioner Frost makes a motion to approve the January 19, 2015 Special Meeting Minutes. Madam Commissioner DuCharme seconds the motion. Madam DuCharme states that on January 19, we had a special meeting to approve a resolution to approve a loan for the Estancia Valley Solid Waste Authority. The meeting was held on the Federal Holiday- Martin Luther King Jr. Day. The meeting was not recorded, the microphones were not turned on, and the Commissioners were not provided with the basic information needed to make a decision on the resolution. Nevertheless, the resolution was approved. Madam Commissioner DuCharme further states that she

objected to this meeting and voted no for the resolution and thinks that how this meeting was organized is not acceptable. The minutes of the meeting were done by Ms. Ansley, the County Manager, which Madam Commissioner DuCharme thought could be a conflict of interest because Ms. Ansley is on the Board of Directors of the EVSWA. Madam DuCharme read the minutes that Ms. Ansley prepared and states that she prepared them accurately. At this time, Michelle Jones (myself), Clerk of the Board, interjects that at this time we are only discussing whether the minutes are accurate, not the content of the meeting. Madam Commissioner DuCharme states that she does have corrections to the minutes. On page 2 of the draft minutes, the bottom paragraph states that, "Commissioner DuCharme reiterates her belief that the resolution was illegal and must be **considered** by the current commission." It should state "must be **cancelled** by the current commission." Also, Madam Commissioner DuCharme states that she asked Mr. Ellis about the amount of debt the Solid Waste Authority has and he responded that the Authority has \$1.25 million in debt. The minutes will be changed as requested by Madam Commissioner DuCharme. No further discussion. The Commissioners vote; all in favor. **MOTION CARRIED.**

Approval of the Meeting Agenda:

Chairman Candelaria asks for a motion to approve today's Meeting Agenda.

ACTION TAKEN: Madam Commissioner DuCharme makes a motion to approve today's Commission Meeting Agenda. Commissioner Frost seconds the motion.

No further discussion. The Commissioners vote; all in favor. **MOTION CARRIED.**

Approval of the Consent Agenda:

Chairman Candelaria asks for a motion to approve the Consent Agenda. **ACTION TAKEN:** Madam Commissioner DuCharme makes a motion to approve the Consent Agenda. Commissioner Frost seconds the motion. Madam Commissioner DuCharme asks about an item on the consent agenda; she questions invoice number 3412615 Final Payment, FY 2014 Audit, payment for audit services in the amount of \$11045.61. Ms. Tracy Sedillo, Comptroller, replies that Audit contract allows partial payment as the audit is progressing. They can bill us up to 69% and can only bill the final payment once the audit is in our hands and released to the public by the State Auditor. Madam Commissioner DuCharme asks what the total amount is for the audit. Ms. Sedillo replies that the amount of the audit is approximately \$36,000.00 plus GRT. Madam Commissioner DuCharme asks if we had an audit last year. Ms. Sedillo replies that we have an audit every year and that

the cost of last year's audit was very close to the cost of this years. Basically, the price of the audit is based on the size of the County, what type of grant funds we have; it depends on how complex of an entity we are to audit. Commissioner Frost asks about invoice #612015 Inmate Care, Inmate Medical Inv#12-2014 Acct #CCA/Torrance in the amount of \$43,900.00. He asks how much the County pays per day per inmate. Ms. Ansley replies that the County pays \$48.00 per day for males and \$52.00 per day for females. On average, there are approx. 35 inmates housed at any given time. No further discussion. The Commissioners vote; all in favor. **MOTION CARRIED.**

Public Requests: At the Discretion of the Commission Chair. For Information Only (**No Action Can Be Taken**). Comments are limited to three (3) minutes per person on any subject.

(Briefly stated, previously the public comment section allowed comments limited to five minutes. Public comment is at the discretion of the Commission Chair. Chairman Candelaria suggests three minutes and asks for an opinion from his fellow Commissioners. Commissioner Frost states that three minutes is fine, it is traditionally what it has been and it is more than what it was a few years ago. Madam Commissioner DuCharme states that it is less than what it was just a few weeks ago. Reducing the public comment time is not better; this is the only time when people can speak. This is free information for the Commission. She would like public comment to stay at five minutes. Chairman Candelaria states that public comment will be limited to three minutes)

Lonnie Freyburger, resident and former Commission Chair, speaks. At the last Commission meeting, he asked the Commissioners who were involved in the alleged misappropriation of funds to resign. He believes that if any wrong doing is proven they are just as guilty as anyone else involved. He thinks these Commissioners should not have input on the situation either. Mr. Freyburger comments that Commissioner Frost stated that he had attended a BIPO (Better Informed Public Officials) meeting and had learned that Commissioners are primarily responsible for setting policy and should not be involved in the day to day activities of the County. Mr. Freyburger states that Commissioners also have the power for budgeting, taxing, issuing of bonds, zoning, and adopting other regulations by ordinance. Commissioners must also perform a large number of administrative functions; these duties include those specified by law, those necessary to follow through on implementation of the Board of County

Commissioners prior legislative action, and those administrative actions necessary to help the routine day to day operations of the County. He states that Commissioners Frost and Candelaria should know this and thus have a dereliction of duty. If Commissioners Frost and Candelaria will not resign, Mr. Freyburger asks them to recuse themselves from any actions that may be taken as far as the County Manager is concerned.

Michael Godey, resident, speaks. He attended the Special Meeting on Martin Luther King Jr. Day. He has a couple of questions: 1. Why? 2. What is the difference between a Special meeting and an Emergency meeting? At the last Commission meeting, Mr. Ellis stated that we had a few weeks in which to handle the EVSWA loan. Why a Special meeting if the Commission is going by the expediency of the loan?

Billie Mitchell, resident, speaks. She welcomes the new Commissioners. Recently, she has had correspondence with the County Manager regarding some issues. Ms. Mitchell states that she was informed by Ms. Ansley “very sarcastically” that she should attend Commission meetings. Ms. Mitchell has been unable to attend recently because of shoulder surgery. Ms. Mitchell states that she hopes to have full cooperation with Commissioner Frost regarding her edge of the County; the western edge of the County. She would like to see him become part of their Neighborhood Watch committee. She would like to see him keep them updated like former Commission Chairman Freyburger did. Several of her neighbors have called or emailed Commissioner Frost and have received no response. She would like to know why he is not trying to be a part of the people that put him into office.

Hank Van Es, resident, speaks. He was at the last Commission meeting and heard Commissioner Frost state that he had a vote of confidence in the County Manager, and Chairman Candelaria state that he had full trust in the County Manager. Mr. Van Es states that this indicates to him that Commissioners Frost and Candelaria have not read the State Auditor’s report because anyone who had read that report would have questions as to whether or not they could put trust in the County Manager. Mr. Van Es reiterates what he said at the last Commission meeting- you cannot delegate responsibility, you can only delegate authority. As he sees it right now, neither Commissioner Frost nor Candelaria is accepting any responsibility for what has occurred or what was stated in the State Auditor’s report.

Fred Sanchez, resident, speaks. He states that he is saddened by the fact the public comment time has now been reduced to 3 minutes. This is the only opportunity that we have to speak. He wants to remind the County Commission and everyone in attendance that this is a government by the people and for the people and we need to be given an opportunity to state our opinion.

Brent Myrick, resident, speaks. He states that we have allegations here and to clear them up he wants to ask Commissioner Candelaria straight forward on the record where is your primary residence? Chairman Candelaria answers that his primary residence is in Manzano but most of the time he is on the road because he works construction. Chairman Candelaria lists where he will be this week. Mr. Myrick asks if Chairman Candelaria lives in Manzano more than six months out of the year. Chairman Candelaria replies that he has to work for a living.

Edwina Hewett, resident, speaks. She also attended the Special Meeting on Martin Luther King Day. She is very disappointed in Commissioners Frost and Candelaria again. She states that it was apparent that only Madam Commissioner DuCharme even bothered reviewing the resolution; she is the only one who asked any questions regarding it. Ms. Hewett further states, and “the commentary from the Manager- a former Commission already went through this so it’s all good? This is a brand new Commission.” She states that it was “appalling” to see what these two Commissioners did. She states, “You had pre-decided that at the January 14 meeting Mr. Candelaria. Because it was clearly discussed that there was a late February deadline for that loan. But no, you pushed it. The County Clerk’s office wasn’t here to record; there were no microphones. Today, you know you take another step backwards, limiting public input. You don’t provide public information prior to these meetings for any intelligent comment or input and now you want to take it away from the podium. Backward steps.” Ms. Hewett further states that Commissioners Frost and Candelaria have been Commissioners before and they are still doing the same horrible job that they did in the past. She agrees with Mr. Freyburger and asks them to resign or, “recuse yourself from any activity regarding this issue with the audit and the issues with the County Manager because the people in this County are not getting a fair shake from you”.

Linda Jaramillo, Torrance County Clerk, speaks. She states that she was not made aware of the Special meeting. She did not know about the meeting until she returned to work on Tuesday. She knows that the agenda was posted, but she would have appreciated a call because she would have covered this meeting or had it covered.

Action Items
Items to Be Considered and Acted Upon

***Commission Matters:**

1. Updates:

Tracey Master, DWI Coordinator, speaks. She informs the Commission that the Juvenile Justice Board met last evening regarding the RFPs that were discussed at the last Commission meeting. The JJB has someone in mind to serve in the capacity of Teen Court Coordinator/Prevention Specialist. They will soon be working with the County Attorney to start negotiations. Ms. Master is hoping to have more information for the Commission at our next meeting.

Ms. Master brings up another topic. She states that, as we know, when the weather is really bad the County can close the administrative offices and still pay the employees administrative leave; pay to stay home. Many employees must still work on these days: the Sheriff's Deputies, the Road Department employees, Dispatch, etc. Ms. Master states that she is aware we are not a wealthy County but requests that the Commission consider some way to make things equitable for these employees that do not get admin leave. Perhaps these employees could get an admin day on another day, or something comparable.

Mr. Dennis Wallin, County Attorney, speaks. He reports to the Commission that yesterday he received a call from Mr. Sanjay Bhakta, the Chief Deputy State Auditor, who informed him that Mr. Keller, State Auditor, sends his regrets, but he will not be able to attend today's meeting due to the Legislative Session. Mr. Keller does intend to come and visit and introduce himself to the full Commission when the Session concludes, most likely in late March.

Commissioner Frost comments that he heard from some other counties that occasionally they invite someone from the community to come and speak at a meeting; perhaps a business person, a teacher, or a coach, etc. He thinks this would be great for our County and would like to pursue this idea. It would be a good opportunity to hear about some of the good things that are going on in the County.

Madam Commissioner DuCharme talks about the recent Legislative Conference she attended. She felt very proud to be there. At the closing session, awards were given to different counties, and our County received an award for our Safety Program. She thanks Mr. Nick Sedillo for his leadership and thanks all who are on the Safety Committee and all the employees who participate in our Safety Program. It shows wonderful teamwork.

Chairman Candelaria states that he also attended the Association of Counties meetings. He was fortunate to have an opportunity to speak on behalf of our County on water issues. The Association of Counties had workshops where they were discussing water issues. There is a company or group out of New York that purchased land in the Magdalena area to drill wells and pump water into the Rio Grande so it can flow downstream. The people in that area are organizing to fight for their water. Chairman Candelaria shared with them what we are doing in the Estancia Basin to keep our water here. Chairman Candelaria also attended the Affiliate for the Commission and one of the speakers talked about the PILT money that the Federal Government pays to us. For example, Catron County relies on their PILT money that the Forest Service pays them because they cannot tax Federal lands. Last year, PILT was almost not passed by Congress which would be very detrimental to a county like ours. We need to stay informed about this situation. While in Grants yesterday, Chairman Candelaria talked with the assistant to the Safety Office of the DOT about our Safety program and they are interested in hearing more about it; we are getting recognized for our stellar Safety program.

2. State of NM Office of the State Auditor Torrance County Examination Report from January 1, 2007 through April 30, 2012 Chairman Candelaria states that we did receive this but we also took time and answered some of the questions that were asked of us and we submitted it to the State Auditor. They are going to look at our answers and figure out what action they are going to take or what recommendations they are going to make to us about what we can change or

do better. We have already started some things in that direction. It is their call, we have to hear from them about what is going to go on.

Mr. Wallin comments that he and Chairman Candelaria met with the State Auditor's office last Thursday; they met with State Auditor Keller and Deputy State Auditor Bhakta and Chief Legal Counsel for the State Auditor. He states that they had a very positive meeting. Mr. Wallin presented the County's response to the audit. We had already sent a letter to the State Auditor's Office regarding the changes that our Purchasing Office has made at the direction of the County Commission over the past three years, including the hiring of the Purchasing Director as well as review of our 15 year old purchasing regulations. Mr. Wallin reiterates that the meeting was positive; we were well received and we indicated our willingness to work with the State Auditor's Office to address any issues that they have and they indicated their willingness to work with Torrance County.

Madam DuCharme speaks. This is the second time we are discussing this matter. At the last Commission meeting when Mr. Wallin stated that he was preparing a response to the State Auditor, Madam Commissioner DuCharme states that she thought it would be Mr. Wallin's response as the County Attorney. She states that it turns out that he wrote that response for the Commissioners. Mr. Wallin replies that he worked with the County Purchasing Office to obtain information that was responsive to the audit and that it was a joint effort between the Purchasing Office and himself to provide the State Auditor with information that they apparently did not have. Madam Commissioner DuCharme asks who requested that Mr. Wallin make and write this kind of response. Mr. Wallin answers that this Commission did at the last Commission meeting. Madam Commissioner DuCharme replies that Mr. Wallin was already working on a response before the Jan. 14 meeting. Mr. Wallin states that he felt, as the County Attorney, that there should be a response because he felt that the public had been deprived of some very pertinent information because of the way the Attorney General's office, as well as the Office of the State Auditor, were both investigating and it caused some conflict and some lack of information. He felt a response was necessary; he brought it up to this Commission and on January 14th indicated that they were working on the response and he thought he had the tacit approval of this Commission to go forward. Mr. Wallin states that it was his understanding that the Commissioners knew he would be sending the response to the State Auditor. He emailed a copy of the response to each Commissioner and asked for comment before he sent it to the Auditor. He received comment from Commissioner Frost and Chairman Candelaria. He received no response from Madam Commissioner DuCharme. She states that she believed there would be discussion at today's meeting and thinks

that Mr. Wallin should have signed off on the legal portion of the response and that the Commissioners should have had an opportunity to sign off on their portion before it was sent to the Auditor. Mr. Wallin agrees and apologizes for any confusion. After further discussion, Madam Commissioner DuCharme states that Mr. Wallin's response does not represent her views and that she will write her own response to the State Auditor's Office. Finally, Mr. Wallin replies that he did not ever intended to express any individual Commissioners views; he represents the County as a whole. Lastly, Chairman Candelaria reminds all that this is not over. The State Auditor will review the County response and will most likely have a response to that. Mr. Keller has expressed a desire to come here to meet with the Commission and there will likely be opportunity for further questions and answers at that time. **NO ACTION TAKEN, DISCUSSION ONLY**

3. 2013-2014 Fiscal Year Torrance County Audit Report Ms. Ansley speaks. Per the letter dated December 29, 2014 to County Manager Ansley, from then State Auditor Hector Balderas, the 2014 annual Audit has to be presented to the agency to a quorum of the agency's governing authority at a public meeting, for approval. Chairman Candelaria informs all that once this audit is approved by the Commission, it will become a public document available for viewing and will be on the Torrance County website. All documentation hereto attached. **ACTION TAKEN:** Commissioner Frost makes a motion to accept/approve the 2013-2014 Fiscal Year Torrance County Audit Report. Madam Commissioner DuCharme seconds the motion. No further discussion. All in favor, none opposed. **MOTION CARRIED.**

4. Consent Agenda Procedures At the last Commission meeting, Madam Commissioner DuCharme stated that she noticed that the money on the consent agenda had already been spent and the Commission was approving it afterwards. She stated that she thinks, by statute, that the Commission should approve the consent agenda first and then allow the money to be spent. The Commission decided to put this issue on the agenda for discussion or action. Today, Chairman Candelaria starts the discussion by stating that he agrees with Madam Commissioner DuCharme that the Consent Agenda approval procedures should be reviewed. He agrees that the Commission should be reviewing the Consent Agenda BEFORE the bills listed on it are paid. Madam Commissioner DuCharme states that she is glad Chairman Candelaria agrees with her. It is one of the controls the Commission has. After some discussion the Commission decides to create a committee to look closely at this issue and come up with recommendations for the

Commission on how to better handle the Consent Agenda. The committee will be consist of Ms. Tracy Sedillo- Comptroller, Ms. Leslie Olivas- Purchasing Director, Madam Commissioner DuCharme, and a representative from the Treasurer's office. In the meantime, the Commission will designate a Commissioner to review the Consent Agenda prior to the bills being paid and hold back any items that may require closer review by the entire Commission. **NO ACTION TAKEN, DISCUSSION ONLY**

5. Designate Commissioner to Review Check Register Chairman Candelaria volunteers to be the Commissioner to review the Consent Agenda while the committee reviews the Consent Agenda procedures. All documentation hereto attached. **ACTION TAKEN.** Commissioner Frost makes a motion to appoint or allow Chairman Candelaria to review the Consent Agenda weekly as the payments are made. Madam Commissioner DuCharme seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED.**

At this time the Commission takes a short break.

6. Consider Evening Commission Meetings Commissioner Frost comments that personally, he would not mind coming to an evening meeting, but there are a few things to consider:

1. For the County, it is expensive.
2. In the winter, the heat is turned off in the building; same with the cooler in the summer.
3. Staff has to be paid to stay into the evening.
4. Evening travel in the winter is more hazardous.
5. People will come to a meeting, evening or day, if they have an Interest in an item being discussed.

Madam Commissioner DuCharme states that she supports this idea:

1. We have to give people as many options as we can to participate.
2. She has heard from many people that they work in the day time and can only attend in the evening.
3. Our meetings only has approx. 2-3 hours.
4. Possibly if employees need to stay for the meeting, they can come in a few hours later on that day.

Chairman Candelaria states that his opinion is similar to Commissioner Frost.

1. We have a lot of questions for different departments and it's nice to have staff from every department available here during their working hours.
2. We are not denying anyone access

3. Commissioners who held evening meetings expressed to Chairman Candelaria that the people who attended the evening meetings were the same people who attended the day meeting.

Chairman Candelaria would like to keep the meetings as they are now. Madam DuCharme comments that municipalities, (Moriarty, Estancia, and Mountainair) provide this kind of service to their constituents. All documentation hereto attached. **ACTION TAKEN.** Madam Commissioner DuCharme makes a motion to have evening Commission meetings also year round. There is no second. **THE MOTION DIES.**

7. Appointment of Representative to MRCOG RTPO This is the Mid-Region Council of Governments Rural Transportation Planning Organization. Commissioner Frost expresses interest in participating as the County's representative in this organization. All documentation hereto attached. **ACTION TAKEN** Chairman Candelaria makes a motion appoint Commissioner Frost as Representative to MRCOG RTPO. Commissioner Frost seconds the motion. No further discussion. The Commissioners vote. Two in favor. Madam Commissioner DuCharme abstains. **MOTION CARRIED.**

8. Appointment of Representative to MRCOG Full Board Madam Commissioner DuCharme expresses interest in representing the County on this Board. All documentation hereto attached. **ACTION TAKEN** Commissioner Frost makes a motion nominate Madam Commissioner DuCharme as Representative to the MRCOG Full Board. Chairman Candelaria seconds the motion. Ms. Ansley informs the Commission that an alternate needs to be appointed as well. Chairman Candelaria suggests Ms. Ansley, as she has been an alternate in the past. Commissioner Frost amends his motion – He makes the motion to appoint Madam Commissioner DuCharme as Representative to the MRCOG Full Board and Ms. Ansley as the alternate. Madam Commissioner DuCharme states that she opposes the appointment of Ms. Ansley as the alternate to this Board. No further discussion. The Commissioners vote. Two in favor, one opposed. **MOTION CARRIED.**

9. Appointment of Representative to MRCOG Executive Board Chairman Candelaria expresses interest in being appointed as the County representative on the MRCOG Executive Board. All documentation hereto attached. **ACTION TAKEN** Commissioner Frost makes a motion to appoint Chairman Candelaria as

Representative to the MRCOG Executive Board. Chairman Candelaria seconds the motion. No further discussion. The Commissioners vote. Two in favor, Madam Commissioner DuCharme abstains. **MOTION CARRIED.**

10. Appointment of Representative to EVEDA Board All documentation hereto attached. **ACTION TAKEN.** Chairman Candelaria makes a motion to appoint Commissioner Frost as the Representative to the EVEDA Board. Commissioner Frost seconds the motion. No further discussion. The Commissioners vote. Two in favor, Madam Commissioner DuCharme abstains. **MOTION CARRIED.**

11. Appointment of Representative to NMAC Workers Compensation Board Chairman Candelaria expresses interest in representing the County on the NMAC Workers Compensation Board. All documentation hereto attached. **ACTION TAKEN.** Commissioner Frost makes a motion to appoint Chairman Candelaria as Representative to the NMAC Workers Compensation Board. Chairman Candelaria seconds the motion. No further discussion. The Commissioners vote. Two in favor, Madam Commissioner DuCharme abstains. **MOTION CARRIED.**

12. Appointment of Representative to NM Multi-Line Board Madam Commissioner DuCharme expresses interest in representing the County on the NM Multi-Line Board. All documentation hereto attached. **ACTION TAKEN.** Commissioner Frost makes a motion to appoint Madam Commissioner DuCharme as Representative to the NM Multi Line Board. Chairman Candelaria seconds the motion. No further discussion. The Commissioners vote. All in favor, none opposed. **MOTION CARRIED.**

13. Professional Services Agreement between Torrance County and County Medical Director- Jason Trumbull, Fire Chief Fire Chief Trumbull speaks. He is here to answer any questions the Commission may have about this agreement. Ms. Ansley reminds all that this item was on the last Commission agenda and was tabled. Madam Commissioner DuCharme asks of this contract has been reviewed by Mr. Wallin, County Attorney, and Fire Chief Trumbull. Fire Chief Trumbull answers yes, he has reviewed the agreement. Mr. Wallin replies that he has reviewed the agreement and it is legally sufficient. All documentation hereto attached. **ACTION TAKEN** Commissioner Frost makes a motion to approve the Professional Services Agreement between Torrance County and the County Medical Director. Madam Commissioner DuCharme seconds the motion. No

further discussion. The Commissioners vote. All in favor none opposed. **MOTION CARRIED.**

14. Transfer Surveillance Equipment to EVSWA All documentation hereto attached. **ACTION TAKEN** Commissioner Frost makes a motion to transfer surveillance equipment that we have in storage to the EVSWA. Madam Commissioner DuCharme seconds the motion. Madam Commissioner DuCharme asks Ms. Ansley if she put this item on the agenda. Ms. Ansley replies yes she did. It was part of her update at the last Commission meeting and at that item it was decided that this item would be put on the agenda as an action item. Madam Commissioner DuCharme would like to look at all options available to the Commission with respect to this equipment. Rather than simply donate the equipment to the EVSWA, perhaps we could dispose of some or all of the equipment in a way that would financially benefit the County. After much discussion, the Commission asks Ms. Ansley to try to contact two separate security companies to come and look at the equipment and give an opinion about its worth. This will hopefully give the Commission an idea as to whether it would be worthwhile to the County to try to sell the equipment or not. This item will be tabled. Commissioner Frost rescinds his prior motion and makes the motion to table this item. Madam Commissioner DuCharme seconds the motion. No further discussion. The Commissioners vote. All in favor none opposed. **ITEM TABLED.**

15. Request Approval for AT&T to Buy Out Lease from Plateau for Tower Rental- Dorothy Rivera, EMS Director Ben Daugherty, Torrance County 911 Supervisor, speaks. They need a final signature of approval on switching out a lessee name on a tenant that is renting space on their tower. Plateau Communications is selling their assets to AT&T. It's the exact same lease agreement, just a different lessee. Mr. Wallin comments. He advised Dispatch to bring this before the Commission for approval. AT&T is buying out the assets of Plateau. Plateau has a lease agreement to put their equipment on the antenna at Dispatch in McIntosh. This is an amendment that would allow an assignment of that lease from Plateau to AT&T. If AT&T wants to make any changes to the equipment or the lease, they must notify the County first. All documentation hereto attached. **ACTION TAKEN** Commissioner Frost makes a motion to approve the request for AT&T to Buy Out the Lease from Plateau for Tower Rental. Madam Commissioner DuCharme seconds the motion. No further discussion. The Commissioners vote. All in favor none opposed. **MOTION CARRIED.**

16. Commission Approval for Payment of Invoice for Tow- Marty Rivera, Undersheriff Undersheriff Rivera speaks. The Sheriff's Department had a vehicle that broke down, had a catastrophic failure, on the Holiday. He did not have the number to call Ms. Olivas, Purchasing Director, to get an approval. He had the vehicle towed and is now requesting payment of the invoice. **ACTION TAKEN** Madam Commissioner DuCharme makes a motion to approve payment of the invoice for tow. Commissioner Frost seconds the motion. No further discussion. The Commissioners vote. All in favor none opposed. **MOTION CARRIED.**

17. Update

Ms. Ansley presents the following update to the Commission:

Manager's Report
January 28, 2015

1. I received a letter from the Moriarty-Edgewood School District, thanking the Sheriff Deputies and the Road crews for their help during inclement weather situations in early January. It's always nice to receive positive recognition and comments for our departments, so I extend my thanks as well to those guys.
2. I was copied on a letter from the fair board, to the Town of Estancia, regarding the pig barn at the fairgrounds. The fair board wants to have the building demolished and reconstructed. Once they receive approval from the Town, they will approach the County for assistance in accomplishing this task. Rather than paying somebody to tear the building down, I believe we should somehow bid the demolition of the building and in return, the bidder can keep the material.
3. At last weeks' conference, a representative from Coast2Coast RX came to the manager's affiliate and discussed their program. They offer a free prescription discount card program, similar to the cards NACO handed out several years ago. The program offers up to 75% savings on prescriptions for dental, vision, hearing, veterinary, diabetic supplies, lab and imaging services for citizens. There is no cost or obligation to the County, but if we sign an agreement with them to provide services, they'll come into the County and distribute the cards and notify residents, and they'll pay the County \$1.25 for each prescription that's filled with their program. This money can be used however the County sees fit. There are no restrictions; everybody qualifies, even inmates. If the Commission is interested, I can

either share the sample agreement with you, or ask the rep to come to a meeting and give a presentation.

(The Commission asks Ms. Ansley to ask the Rep to come and give a presentation on the program)

Chairman Candelaria comments that he read in the paper that there would be a public hearing today to get public input on the CDBG grant. The Public Hearing will take place today after the Commission meeting. Ms. Ansley states that the Public Hearing dates for the CDBG program were published in the newspaper approx. two weeks ago. They held a Public Hearing in Moriarty on Monday night, in Willard last night, and now in Estancia today.

EXECUTIVE SESSION

As Per Motion and Roll Call Vote, Pursuant to New Mexico State Statute Section 10-15-1, the Following Matters Will Be Discussed in Closed Session:

- a. Personnel Matters: Pursuant to Section 10-15-1 (H) (2), discuss Limited Personnel Matters regarding the County Manager

ACTION TAKEN: Madam Commissioner DuCharme makes a motion to go into Executive Session. Commissioner Frost seconds the motion. Roll Call Vote: District 1 Yes, District 2 Yes, District 3 Yes. **MOTION CARRIED.** Executive session starts at 11:50 am.

***Reconvene from Executive Session**

- b. Consider and act upon personnel matters regarding the County Manager, if necessary.

Reconvened at 12:12 pm

ACTION TAKEN: Commissioner Frost makes a motion to reconvene from Executive Session. Madam Commissioner DuCharme seconds the motion. No further discussion, all in favor. **MOTION CARRIED.** Chairman Candelaria


states that no action was taken and no other items were discussed in Executive Session.

ACTION TAKEN: Madam Commissioner DuCharme makes a motion to terminate Ms. Ansley as Torrance County Manager. There is no second. **THE MOTION DIES**

***Adjourn**

ACTION TAKEN: Commissioner Frost makes a motion to adjourn the January 28, 2015 Commission Meeting. Chairman Candelaria seconds the motion. No further discussion. The Commissioners vote. All in favor none opposed. **MOTION CARRIED.** Meeting adjourned at 12:14pm


Chairman Candelaria


Michelle Jones, Clerical

2/11/15
Date