

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

**Commissioners Present:**      **LeRoy Candelaria -Chair  
James Frost-Member  
Julia DuCharme-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 October 28, 2015 meeting to order at 9:00 am. He welcomes all those present to the meeting and leads us in the pledge. Commissioner Frost gives the invocation.

**Approval of the Meeting Minutes:**

Chairman Candelaria asks for a motion to approve the October 14, 2015 Regular Meeting Minutes. **ACTION TAKEN:** Madam Commissioner DuCharme makes a motion to approve the October 14, 2015 Regular Meeting Minutes. Commissioner Frost seconds the motion. The Commissioners vote; all in favor, none opposed. **MOTION CARRIED.**

**Approval of the Meeting Agenda:**

Chairman Candelaria asks for a motion to approve today's agenda. **ACTION TAKEN:** Commissioner Frost makes a motion to approve today's Commission Meeting Agenda. Chairman Candelaria seconds the motion. Madam Commissioner DuCharme states that she has concerns about agenda item #12. She states that she asked to put this item on the agenda as Publishing Public Notices in both local Newspapers. She states that agenda item #12 as written- '**Discussion of Using Multiple Newspapers as Legal Paper of Publication**', is almost completely

different. She states that she would like to change this item and have it written as she requested. She notes again that she did not write "Multiple Newspapers", she wrote, 'both local newspapers'. Ms. Annette Ortiz, Deputy County Manager, states that she apologizes, this is her error. She explains that the County Manager also put in a request for discussion about notices being put in more than one local newspaper. More than one, both, multiple- she did not think the wording would be an issue. She assumed that as long as it was on the agenda it would be discussed. Chairman Candelaria states that when item #12 is discussed, The Independent and the Mountain View Telegraph will be mentioned. Madam Commissioner DuCharme is concerned that because it is listed as a discussion item, no vote can be taken. Chairman Candelaria comments that the item can be discussed and direction can still be given to the Managers Office based on the discussion. The Commissioners vote; two in favor, Madam Commissioner DuCharme abstains. **MOTION CARRIED.**

#### **Approval of the Consent Agenda:**

Chairman Candelaria asks for a motion to approve the Consent Agenda, approval of warrants and indigent claims. **ACTION TAKEN:** Commissioner Frost makes a motion to approve the Consent Agenda. Madam Commissioner DuCharme seconds the motion. Madam Commissioner DuCharme asks about some items on the consent agenda. She asks about invoice #40101915- Annual Fire Alarm Inspection in the amount of \$968.06 to Sound and Signal Systems of NM Inc. Ms. Ansley explains this is for the annual inspection of all of our facilities; it's part of a contract. Madam Commissioner DuCharme asks about invoice # 62101915 for PO Box Yearly Fee in the amount of \$114.00. Madam Commission DuCharme asks if we have a PO Box in McIntosh and if we need it. Ms. Ansley replies that Dispatch and the Animal shelter does. Ms. Cindy Sullivan from the Shelter comments that yes, we need the boxes. Madam Commissioner DuCharme asks about invoice # 48102615 NM Regulations & Licensing Dept. Animal Sheltering Board- Stipulated Settlement Payment in the amount of \$500.00. Ms. Ansley states that they can discuss this in closed session if necessary, as this cannot be discussed in open session. The Commissioners vote; all in favor, none opposed **MOTION CARRIED.**

## **Approval of Indigent Claims:**

Ms. Ortiz informs the Commission that the amount for Indigent Claims for this consent agenda is \$4,211.66. **ACTION TAKEN:** Commissioner Frost makes a motion to approve the Indigent Claims. Chairman Candelaria seconds the motion. The Commissioners vote; all in favor, none opposed **MOTION CARRIED.**

### **\*Action Items\***

#### ***Items to Be Considered and Acted Upon***

#### **\*Department Requests/Reports:**

**1. Resolution 2015-44 Designating the Polling Place of Each Precinct in Torrance County- Linda Jaramillo, Clerk Ms. Michelle Jones speaks. Ms. Jaramillo is unavailable this morning. Ms. Jones reads the following letter to the Commission:**

Re: October 28, 2015  
Commission Meeting Agenda Item  
Resolution Designating Polling Places in Torrance County

As per statutes 1-3-2 and 1-3-7-C the resolution presented today designates the polling places of each precinct in Torrance County and also reflects the new polling location for Precinct 7. I presented this precinct relocation to the Commission on 7/22/2015. You will see in the resolution that both precinct 7 and precinct 14 have the same location.

The precincts will remain separate precincts, with separate poll workers, separate entrances and separate rooms. The polling location for precinct 7 was previously a community center and was easily accessible but now is the location for the KXNM radio station and a place of business. As per statute 1-3-7-C I found a more suitable place, which is the most convenient and appropriate for our voters.

All the voters in precinct 7 will be sent a new voter ID card along with the letter attached which includes a map which Ruben Gastelum helped me create. Signs will be put up at the radio station in case voters show up there on Election Day, signs will be up at both entrances at the McIntosh Senior Center to designate both precincts and also a sign on HWY 41 designating the road to the new polling place.

As per statute 1-3-8-A upon adoption of this resolution which changes a designated polling place the board of County Commissioners shall send a copy of the resolution to the Secretary of State and to the county chairman of each of the major political parties in our county. 1-3-8-B also requires that this resolution be published once in a local news paper. I will do this following the adoption of the resolution.

Linda Jaramillo  
Torrance County Clerk

All documentation hereto attached. **ACTION TAKEN.** Commissioner Frost makes a motion to approve Resolution 2015-44 designating the Polling Place of each Precinct in Torrance County. Madam Commissioner DuCharme seconds the motion. Madam Commissioner DuCharme states that some of the senior citizens who frequent the McIntosh Senior Center are concerned about damages that may be incurred by the center on Election Day. They are wondering who will pay for damages, if there are any. They also wonder who will pay the electric bill for that day and who will clean the center before and after the election. Ms. Ansley comments that the building is a County building; the County will take care of any damages. The seniors have been told before that they are responsible for the utilities as they pay no rent. Ms. Jones states that she will forward these concerns on to Ms. Jaramillo. Madam Commissioner DuCharme thanks Ms. Jaramillo for her thoroughness with this item. No further discussion. The Commissioners vote; all in favor, none opposed. **MOTION CARRIED**

## 2. Updates

**Dan DeCosta, Code Enforcement,** speaks. He is here to notify the Commission that on November 25<sup>th</sup> there will be an appeal coming before the Commission regarding a mobile home. The County has an ordinance that does not allow mobile homes, 1976 or older, to be placed in the County. Some residents brought one in and were told that it could not be permitted. The residents are going to appeal this. They presented their packet to Mr. DeCosta on Monday.

**Cindy Sullivan, Animal Shelter,** speaks. She presents the Commission with a written update that is included in the file for this meeting. Portions are included here:

### **Torrance County Animal Shelter**

**October 26, 2015**

Cindi Sullivan Shelter Director

REPORT FOR: **JANUARY- SEPTEMBER 2015**

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Total number of animal-	369
Live exlts:	238
Stray euthanized:	43
Owner turnover euthanized:	81

Area animals came from -

Torrance County-	330
Mountainair-	3
Moriarty-	32
Estancia-	4
Still in shelter-	3

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DOGS: 292      CATS: 63      OTHER: 14      BITE CASES : 5

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EMPLOYEE STATUS : FULL-TIME EMPLOYEES 2      TIME PART- EMPLOYEES 3

Cindi Sullivan 12 yrs (FT)    Danette Huckins 8 years (FT)    Karl Fowler (PT)    Sarah Risacher (PT)    Michael Seager (PT)

**NEWS AT THE SHELTER :**

We are Finally Fully staffed!! Welcome to all the new employee's and we are very happy to have Kari Fowler back on staff.

A strange statistic.. Last year this time we are 1 dog short of having the exact same number of animals. Last year at the end of September we had 370.

We have also sold 78 more licensed this year so far than the entire year of 2014!

**TORRANCE COUNTY LICENSES PURCHASED:**

(2007: 4 ) (2008: 15) (2009: 92) (2010: 73 ) (2011:102) (2012: 76 ) ( 2013: 72) (2014: 137) (2015: 215)    TOTAL : 796

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**PET FINDER INTERNET HITS (VIEWS) and ADOPT A PET HITS (VIEWS )**

\*\*\*\*\*WE ARE AVERAGING 10,500 VIEWS PER MONTH ..\*\*\*\*\*

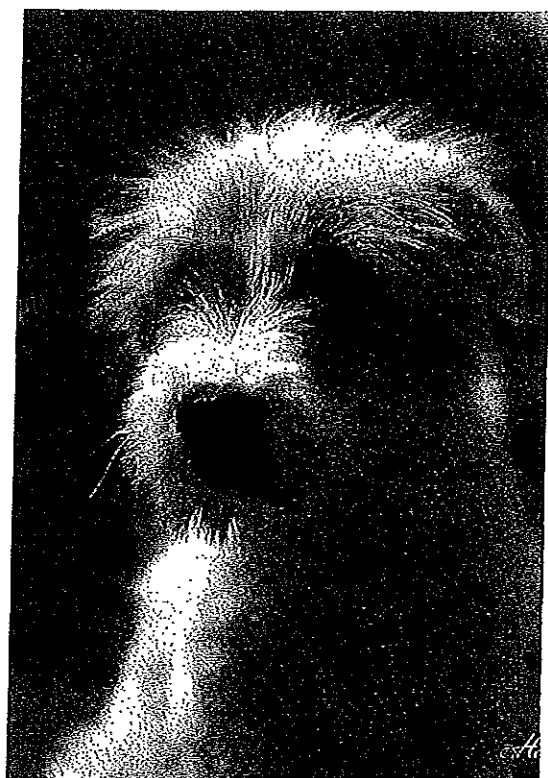
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**\*\*PLEASE NOTE -New format in report. \*\*Stray means animals not reclaimed by their owners. \*\* Owner Turnover means animals brought in to the shelter by the owners. Euthanasia refers to animals not meeting the standards set forth as "adoptable" for reasons such as extremely aggressive, elderly , behavior problems ,injury or medical problems.**

**County Licenses for 2015**

JANUARY			2
FEBUARY			18
MARCH			21
APRIL			4
MAY			9
JUNE			90
JULY			18
AUGUST			38
SEPTEMBER			15
OCTOBER			
NOVEMBER			
DECEMBER			
2014		137	
TOTAL			215

I would like to give a special thanks to Helga Carter. She is a professional photographer who has very generously donated her time and talent to photographing the animals of the Torrance County Animal Shelter. Her photographs have increased our adoption rate and brought new exposure to the animals. A picture is the first contact a potential adopter has with an animal and a good picture can help them make that initial connection. Not only has she helped by taking pictures, she has helped us make connections with several rescue groups which has resulted in more animals being transferred out. I have included some pictures that she has taken.



**Madam Commissioner DuCharme** speaks. Recently, new flooring was installed in our building; the Torrance County Administrative Building. Madam Commissioner DuCharme comments that the flooring looks wonderful and is a big improvement for the people who work here and for our customers; thank you to all who were involved in this project!

Madam Commissioner DuCharme reminds all that the Attorney General's Office will give a presentation on the sunshine laws and the governmental conduct act tomorrow, October 29<sup>th</sup>, in Estancia at the Community Center at 9:00 am. All are encouraged to attend.

**Chairman Candelaria** speaks. He reminds all that the East Torrance Soil and Water Conservation District is having their annual meeting on Thursday @ 6:00 pm. The building is located adjacent to the fairgrounds.

**3. Contract Extension with DFL Associates for Community Health Council Funding**

Ms. Ansley speaks. This item was on the last Commission agenda to approve the funding that came in for DFL. At that time, Mr. Wallin indicated that we needed a contract extension for DFL to continue to work. This is the contract extension. This will be extension #2; it increases the amount of the contract by \$10,000.00 and extends the time until June 30, 2016. All documentation hereto attached. **ACTION TAKEN.** Commissioner Frost makes a motion to approve the Contract Extension with DFL Associates for Community Health Council Funding. Madam Commissioner DuCharme seconds the motion. No further discussion. The Commissioners vote; all in favor, none opposed. **MOTION CARRIED**

**4. Lease Agreement with the Village of Willard for Fire Station-**

Ms. Ansley speaks. The County has been working towards taking over the Willard Fire Department. The Village of Willards Council requested a lease agreement be in place between Torrance County and the Village of Willard for the Willard Fire Station. Willard does not want to donate the station to the County, they want to lease it for \$1.00 per year. Mr. Wallin drafted the lease agreement that is being presented now for Commission approval. All documentation hereto attached. **ACTION TAKEN.** Commissioner Frost makes a motion to approve the Lease Agreement between Torrance County and the Village of Willard for the Fire Station. Chairman Candelaria seconds the motion. Madam Commissioner DuCharme asks if we have received an inventory of all fire apparatus and equipment owned by the Village as of June 30, 2015 as stated in the MOU between Torrance County and Willard. Ms. Ansley replies that we have not; she has been

attempting to get this for two weeks from Willard. Ms. Ansley's understanding is that the inventory list is ready, it just has not yet been sent to us. Madam Commissioner DuCharme asks if we received a bill of sale. Ms. Ansley replies that we did a resolution taking over the Willard Fire Department that was drafted by the State Fire Marshall's Office; we did not do a bill of sale. Commissioner Frost asks about the lease; is there an end date. Mr. Wallin replies that the lease will continue in perpetuity. The only way this can be changed is if the State Fire Marshall determines, at some point in the future, that the residents of that area would be better served with a new Willard Fire Department. No further discussion. The Commissioners vote; all in favor, none opposed. **MOTION CARRIED**

**5. Mutual Aid Agreement with the Village of Corona for Fire Protection** Ms. Ansley speaks. The Fire Chief from Corona has been requesting a mutual aid agreement between the County and the Village of Corona. Ms. Ansley and Mr. Wallin drafted the mutual aid agreement being presented today. The participating Fire districts are Torrance County District 1, District 3, District 6, and the Corona Fire Department. Basically, this document is formalizing our willingness to give assistance to Corona, if necessary, for a fire. Ms. Ansley further states that we already have mutual aid agreements with a lot of other entities, we just have never had a written one with Corona. All documentation hereto attached. **ACTION TAKEN.** Chairman Candelaria makes a motion to approve the Mutual Aid Agreement with the Village of Corona for Fire Protection. Commissioner Frost seconds the motion. Madam Commissioner DuCharme asks which county the Village of Corona is located in. It is located in Lincoln County. Madam Commissioner DuCharme asks why Lincoln County is not assisting the Village of Corona. Ms. Ansley clarifies that they do; this mutual aid agreement will just add more fire protection and will help their residents with their insurance rates. Village of Corona Fire Chief Brad Gage further clarifies that Torrance and Corona already aid each other. This agreement merely puts it in writing. Putting the agreement in writing will lower the ISO rating of the Corona Fire Department and lower the insurance rates of nearby homeowners. No further discussion. The Commissioners vote. Two in favor, Madam Commissioner DuCharme opposed. **MOTION CARRIED**

**6. FEMA-4152-DR-NM Sub-Grant Agreement- Javier Sanchez, Emergency Manager** Mr. Sanchez speaks. This sub-grant agreement amendment is meant to extend the term on the grant to February 27, 2016. There are three projects associated with it. There are only two listed because one of the projects was



completed; the extension is only needed on projects PW 37 and PW 80. All documentation hereto attached. **ACTION TAKEN.** Commissioner Frost makes a motion to approve the FEMA-4152-DR-NM Sub-Grant Agreement. Madam Commissioner DuCharme seconds the motion. Madam Commissioner DuCharme for more detail about the two projects. Mr. Sanchez explains that the project money will be used to repair roads that were severely flooded approximately two years ago. The roads are listed on the project worksheets for the original agreement. He will provide a list of the roads to Madam Commissioner DuCharme. No further discussion. The Commissioners vote. All in favor, none opposed. **MOTION CARRIED**

**7. Manager FY15 State Homeland Security & Emergency Management Sub-Grant Agreement** Mr. Sanchez speaks. This sub-grant agreement is new and needs Commission approval to take effect. The total amount of the agreement is \$6,000.00. The grant ends on March 31, 2017. All of the special conditions listed on the agreement have been met. The agreement has been reviewed by the grant committee. There is no match. All documentation hereto attached. **ACTION TAKEN.** Madam Commissioner DuCharme makes a motion to approve the Manager FY15 State Homeland Security & Emergency Management Sub-Grant Agreement. Commissioner Frost seconds the motion. No further discussion. The Commissioners vote. All in favor, none opposed. **MOTION CARRIED**

**8. Request Payment of Purchase Order- Michelle Castillo, Torrance County Project Office Director.** Ms. Leslie Olivas speaks. She states that the title of this agenda item is a bit misleading. This is a request for payment of an invoice because there was no purchase order requested before services were received. Ms. Berta Espinosa-Moore speaks. She is presenting this item today as Ms. Castillo is not in attendance at today's meeting. They are requesting approval from the Commission to allow them (TCPO) to pay an invoice for services from the Sanctuary Zone. The amount of the invoice is \$ 240.00. Ms. Espinosa-Moore explains that the Sanctuary Zone had just recently opened when the Project Office needed their services for a crisis shelter stay for 1 victim for 4 nights. Typically the Project Office has open purchase orders in place for the locations that they use, but in this emergency situation they did not. A representative from her office should have called Ms. Olivas to get a PO number prior to securing services. Ms. Olivas, Ms. Ansley, or Ms. Ortiz must be called for a po number, or -at the very least- notified prior to making any County purchase. The Project Office has discussed this error and it should not happen again. All documentation hereto attached.

**ACTION TAKEN.** Chairman Candelaria makes a motion to approve the Purchase Order payment for the TCPO. Commissioner Frost seconds the motion. No further discussion. The Commissioners vote. All in favor, none opposed. **MOTION CARRIED**

**9. Contract between Torrance County and RICOH for Equipment and Maintenance Agreement Ms. Michelle Castillo, TCPO Director Ms. Espinosa-Moore speaks.** They are requesting approval for their department to be able to receive services for their copier. Their contract ended with their previous vendor. They also had several issues with their previous vendor and are making a change. This is a 36 month lease agreement with RICOH in the amount of \$182.83 per month; comparable to their old lease amount. All documentation hereto attached. **ACTION TAKEN.** Commissioner Frost makes a motion to approve the Contract between Torrance County and RICOH for Equipment and Maintenance Agreement. Chairman Candelaria seconds the motion. No further discussion. The Commissioners vote. All in favor, none opposed. **MOTION CARRIED**

**10. Resolution 2015-45 Line Item Transfers- Amanda Tenorio, Finance Director Ms. Tenorio speaks.** This is for line item transfers within some of our County Departments. These transfers do not change the overall budget amounts of these departments. All documentation hereto attached. **ACTION TAKEN.** Commissioner Frost makes a motion to approve Resolution 2015-45 Line Item Transfers. Madam Commissioner DuCharme seconds the motion. Madam Commissioner DuCharme asks about the transfers; why are transfers have to be made so early in the budget cycle. Ms. Tenorio replies that it is difficult to predict the budget for each individual line item, especially for the Road Department and in the Fire Department where unexpected expenses can easily occur. No further discussion. The Commissioners vote. All in favor, none opposed. **MOTION CARRIED**

**\*Commission Matters:**

**11. Contract Amendment with REDW for FY2015 Audit- Ms. Ansley speaks.** This is a requested contract amendment for a scope of work change and a compensation change. Questions about this request can be directed to REDW. Basically, the audit was more complicated than expected and required more time; REDW is requesting to be compensated for the additional work. If the Commission

approves this amendment, it will be submitted to the State Auditor's Office for review and approval before it is paid. All documentation hereto attached.

**ACTION TAKEN.** Chairman Candelaria makes a motion to approve the Contract Amendment with REDW for FY2015 Audit. Commissioner Frost seconds the motion. Commissioner Frost asks for legal comment. Mr. Wallin comments that he does not have comment on whether or not the substance of the request is appropriate, as that is outside the realm of his expertise- as far as form and legal capacity to do this, he approves. Ms. Ansley further states that the contract amendment form comes directly from the State Auditors website. Madam Commissioner DuCharme asks why we need assistance with depreciation schedule updates from physical inventories taken by the Agency; who is the Agency. Ms. Ansley replies that we, the County, are the Agency. We needed assistance because we have not been depreciating our fixed assets as we are supposed to be for several years. Now that we have a good fixed asset inventory, we have to start depreciating it more correctly. Ms. Ansley further states that one of the options we are looking at is purchasing another module from Triadic to help with the depreciation. No further discussion. The Commissioners vote. All in favor, none opposed.

**MOTION CARRIED**

## **12. Discussion of Using Multiple Newspapers as Legal Paper of Publication-**

Madam Commissioner DuCharme speaks. She put this item on the agenda. The decisions that are made here effect a lot of people. The more people know about it, the better. She wants to encourage people to participate; this will be one more step towards doing that. Madam Commissioner DuCharme wants to publish all public notices in both local newspapers. She asks her fellow Commissioners for their opinions. Ms. Ansley comments that it is not a problem to do this. Her only concern is the cost that will be incurred. This change will obviously double the publishing budget. After some discussion, the Commission directs the Manager's Office to do some calculations on what publishing in both local papers will really cost by department. Once the Commission has these figures, a decision can be made. Mr. Dan DeCosta from P&Z asks about publishing for their upcoming appeal. Ms. Ansley directs Mr. DeCosta to go ahead and publish this appeal in both local papers. There is a question about who pays for P&Z publications; Mr. DeCosta and Mr. Wallin will look into this. This item will be added to the next agenda as an action item. **NO ACTION, DISCUSSION ONLY**

**13. Appointment to MRCOG Full Board (2 Positions) and Executive Board (1 Position)** Ms. Ansley speaks. In January, the Commission appointed these positions. Ms. Ansley states that she has been contacted by the MRCOG and there are some issues. She wrote the Commission the following memo:

TO: County Commission  
FROM: Joy Ansley, County Manager  
DATE: October 28, 2015  
RE: Appointments to the MRCOG Boards

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As per recent MRCOG meetings, there seems to be a discrepancy in the Torrance County Board appointments. On January 28, 2015, the Commission appointed Jim Frost to the MRCOG RTPO board, Julia DuCharme to the MRCOG Full Board and LeRoy Candelaria to the MRCOG Executive Board. Since then, Commissioner DuCharme has attended the Executive Board meetings, with the understanding that she should be the County's Executive Board member. At the last COG meeting, Commissioner DuCharme indicated that she didn't agree with the County's appointments and she still believed she should be on the Executive Board.

The easiest remedy to this predicament will be a re-appointment by the County Commission. We need to appoint two (2) members to the Full Board and one of those members shall serve on the Executive Board.

Ms. Ansley further states that there is additional correspondence concerning this issue that she submitted to the MRCOG to try to remedy this situation back in June, but evidently this is still an issue. This correspondence is in the Commissioners packets. *(The additional correspondence is also included in the file for this meeting).*

Madam Commissioner DuCharme states that Ms. Ansley's summary is a bit inaccurate. She states that at the last Executive MRCOG meeting, she did not state that she did not agree with the County's appointments. She states that she said that the Commission made a mistake to appoint a Commissioner to the Executive Board; the Commission does not have the authority to do that. Madam Commissioner DuCharme further states that the person who is on the MRCOG Full Board can be on the Executive Board. Ms. Ansley asks if the Commission appoints two persons to the Full Board, who decides who sits on the Executive Board. Madam Commissioner DuCharme replies the Commission appointed two people, but one is an alternate. In June, when the Commission made the appointments, the Commission appointed Madam Commissioner DuCharme to the Full Board and Ms. Ansley as the alternate. Madam Commissioner DuCharme reads the following from the Commission minutes of that meeting:

**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.**

Ms. Ansley states that the Director of the MRCOG, Mr. Cave, informed her that the Commission needs to appoint two members to the Full Board, and one of those members to the Executive Board. Madam Commissioner DuCharme states that this is not true; we already appointed two people – herself and Ms. Ansley. Madam Commissioner DuCharme summarizes that a mistake was made; we should not have appointed someone to the Executive Board. The appointments to the MRCOG RTPO and to the MRCOG Full Board were done correctly; they were separate items. She further states that she attended the Full Board meeting and has already been voted to be on the Executive Board as well. Ms. Ansley replies that the Director of the MRCOG did not inform her of this and asks for the minutes of that meeting. Madam Commissioner DuCharme states that according to the MRCOG bi-laws, Chairman Candelaria should not be at the MRCOG meetings; he was appointed wrongly. Commissioner Frost asks for a legal opinion. Mr. Wallin comments that we need to have information directly from the MRCOG as to whether or not we have one or two full members on the Board. And secondly, we need to have information directly from them as to how they appoint their Executive Board. It is very possible that their Executive Board is appointed by their Full Board; this is common. Mr. Wallin suggest that the Commission get in writing, or in person, a response from Mr. Cave about this issue. Madam Commissioner DuCharme disagrees and asks why we have to go through this process again. Mr. Wallin replies because we have conflicting information. All documentation hereto attached. **ACTION TAKEN.** Commissioner Frost makes a motion to table this item until the next Commission meeting and get all the correct information. Chairman Candelaria seconds the motion. No further discussion. The Commissioners vote. All in favor, none opposed. **MOTION CARRIED**

**14. Grant Application to CYFD for 2017 Juvenile Justice Board Funding** Ms. Kathy Swope speaks. There have been some changes with the way that CYFD is handling their funding for FY2017. They are going to 'Fee for Service', meaning that instead of getting a set amount, we will be reimbursed for services provided. This is new for the whole state. Ms. Swope had her meeting with a CYFD representative on Monday; at the meeting her budget was reviewed and increased. The total FY17 Budget amount is \$126,948 plus gross receipts tax @7.6875% for a grand total of \$136,707.00. There is a match of \$67,943, (54% of the total budget). However only 40% is required and this match is IN-KIND. Only \$500.00 will come from PILT moneys- this is needed to pay for JIFF registration which is not reimbursable. Ms. Swope will have another meeting with CYFD on Monday to have the budget finalized, and then will meet with her Board for final approval on next Friday. Ms. Swope is asking the Commission to approve this application today contingent on the Juvenile Justice Boards approval next Friday. It needs to be done this way because this application is due Nov. 9<sup>th</sup>. Ms. Swope will provide a full approved application to the Commission at the next Commission meeting for ratification. All documentation hereto attached. **ACTION TAKEN.** Chairman Candelaria makes a motion to approve the Grant Application to CYFD for 2017 Juvenile Justice Board Funding contingent upon the approval of the Juvenile Justice Board. Commissioner Frost seconds the motion. Ms. Swope clarifies that Torrance County is the pass-through agency, so Torrance County will pay the bill and then get reimbursed, which has always been the process with this program. Ms. Ansley reminds the Commission that this is the application only, not the actual final agreement. No further discussion. The Commissioners vote. All in favor, none opposed. **MOTION CARRIED**

Ms. Swope informs the Commission that she has resigned from this position and has taking a new position with the Estancia Police Department. She will continue to work both jobs until a replacement is found. She has enjoyed this position very much and will give any assistance necessary to whoever takes over this job. The Commission thanks Ms. Swope for all her dedication and hard work and wishes her the very best in her new position with Estancia PD.

**\*County Manager Requests/Reports:**

**15. Price Agreement with Ambitions Consulting Group for IT Services** Ms. Ansley speaks. At the last Commission meeting, the Commission approved the Contract between Torrance County and Ambitions Consulting Group contingent

upon an hourly rate and a 'not to exceed' amount being added to the contract. To give some background, Ambitions is the consulting group that is on State Contract that is helping a lot of the communities with their IT issues. They will be help us convert from wireless to fiber optic. Ms. Ansley reviews the following quote for services from Ambitions:



**Quote**  
Quote Number: 308

Payment Terms:  
Expiration Date: 11/19/2015

**Quote Prepared For**

Joy Ansley  
Torrance County  
205 9th Street  
PO Box 48  
Estancia, New Mexico 87016  
United States  
Phone: 505-246-4726  
jansley@tcnm.us

**Quote Prepared By**

Klara Glennon  
Ambitions Technology Group  
500 Marquette Ave. NW, Ste. 280  
Albuquerque, NM 87102  
United States  
Phone: 505-234-7772  
Fax: 888-384-3910  
kglennon@ambitionsgroup.com

ITEM#	QUANTITY	ITEM NAME	UNIT PRICE	EXTENDED PRICE	
<b>One-Time Items</b>					
1)	1	[Phase 1]: Network Architecture Design and Planning Information Technology Research and Advisory Services: 40-000-14-00106 AH	\$6,250.00	\$6,250.00	
2)	40	[Phase 2]: Fiber Internet/WAN at Main Building Network Services: 40-000-14-00106 AH Senior Level, 5 Days, Network Redesign and Reconfiguration, New Firewall Implementation, Lobonet Reconfiguration and Fiber Install and Configuration at the Main Building Location.	\$130.00	\$5,200.00	
3)	128	[Phase 3]: Fiber WAN Remote Locations Network Services: 40-000-14-00106 AH Senior Level, Network Reconfiguration and Fiber Installation and Configuration. Two days per site at 8 additional sites.	\$130.00	\$16,640.00	
			<b>One-Time Total</b>	<b>\$28,090.00</b>	
<b>Comments:</b>				<b>Subtotal</b>	<b>\$28,090.00</b>
				Bernalillo County (7.19%)	\$2,018.97
				<b>Total Taxes</b>	<b>\$2,018.97</b>
				<b>Total</b>	<b>\$30,108.97</b>

Authorizing Signature

Date 10.28.2015

Interest Charges on Past Due Accounts and Collection Costs Overdue amounts shall be subject to a monthly finance charge. In addition, customer shall reimburse all costs and expenses for attorney's fees incurred in collecting any amounts past due. Additional training or Professional Services can be provided at our standard rates.

Madam Commissioner DuCharme asks if this is in compliance with Procurement. Ms. Ansley replies that they are on a State Contract, and the amount is under \$60,000 so it is considered a professional service, which is in compliance. All documentation hereto attached. **ACTION TAKEN.** Commissioner Frost makes a motion to approve the Price Agreement with Ambitions Consulting Group for IT Services. Madam Commissioner DuCharme seconds the motion. No further discussion. The Commissioners vote. All in favor, none opposed. **MOTION CARRIED**

**16. Contract between Torrance County Dispatch and Warren Remy for HVAC Maintenance Services** Ms. Leslie Olivas speaks. Dispatch has been looking into some options to take care of their HVAC systems. Dispatch obtained three quotes for services, per the Procurement Code, and decided to go with Warren Remy. The contract amount is approximately \$4,000.00. Ms. Olivas requests the Commission to approve this contract. All documentation hereto attached. **ACTION TAKEN.** Madam Commissioner DuCharme makes a motion to approve the Contract between Torrance County Dispatch and Warren Remy for HVAC Maintenance Services. Commissioner Frost seconds the motion. Commissioner Frost asks how this maintenance was handled in the past. Ms. Olivas replies that in the past these services were performed and billed on a monthly basis. With a contract in place, the invoices for services will be easier to pay. The cost of this service from the old provider and Warren Remy are very comparable. Commissioner Frost asks if there was a request for bids. Ms. Olivas replies no, because the amount is only \$4,000.00 for the year; written quotes were obtained. No further discussion. The Commissioners vote. Two in favor, Commissioner Frost is opposed. **MOTION CARRIED**

## **17. Update**

Ms. Ansley presents the Commission with the following written report:

### **Manager's Report October 28, 2015**

1. RBC, the financial advisor that we contracted with to assist us with determining whether to extend the GO bond will be at the next commission meeting to discuss our status. It appears that we'll need to have a special election to vote on the bond.
2. Also at the next meeting, the COG will be in attendance to discuss the CDBG Planning Grant. We applied for funding in 2013 to update the comprehensive plan, and the grant was approved recently. We've asked the COG to administer the funds, and act as fiscal agent for the County. They also have interest in developing the plan, which is a great idea for many reasons. They will recommend that the commission appoint a steering committee to help with the plan development, so I'd like you think



- about individuals who would be beneficial to that committee. Sandy said a committee of 7 or 9 would be sufficient, and we'd definitely like presence from the P&Z board, the ag community, water interest, road infrastructure interest, the business community and whatever areas of interest that we decide. But we'd like you to start thinking of a committee to appoint.
3. The county was awarded the Re-Leaf grant, to work on the landscaping at this building, so we're very excited about that. As soon as it freezes hard, we'll start cutting the dying trees and get moving with the process. NM State Forestry has a mandatory grant workshop that grantees must attend; it's next week. Leslie has volunteered to attend for the county, as I'll be at the County Manager's Retreat and Annette will be at the HR Directors' retreat at the same time.
  4. We're still avidly working towards migrating to the fiber optic internet, as we've discussed and as we've contracted with Ambitions to assist with.
  5. The loan for the fire engine for District 3 was approved by the NMFA, and we're in the process of issuing a PO to order the apparatus. We hope to have it by next summer.
  6. Next week (Monday, Tuesday & Wednesday), representatives from Rydeski & Co will be here to enroll employees in the new insurance. Every full-time employee will need to meet with them, even if they aren't planning on enrolling. They will still need to sign a waiver and the cafeteria plan docs. This includes elected officials, and commissioners. So please plan on meeting with them next week.
  7. The DA's office has requested a covered structure over their back door for many months. We've been unable to find a contractor willing to quote us on the work and the one we did find was way too expensive. They quoted us almost \$9000 for the structure. Our amazing road department employees decided they'd help us out and we purchased the materials for about \$400. They erected the structure on Friday. I just want to say thank you to them for going above and beyond to help with that project. The DA's office will be ecstatic to not have soggy evidence any longer.
  8. With all the moisture we received last week, the roads are in pretty rough shape; we know this and we're working on it. All the graders are out and we're trying to get everything caught up. The moisture was really a blessing, and hopefully it keeps coming; but we have to be patient with the road conditions as a result.
  9. Last week, I attended the Workers Comp and Multi Line Board Retreat, for the NMAC. One of the topics of discussion was an on-line training course opportunity that seems like a tremendous benefit to the Counties. I'm going to spend some time with the Department Heads and identify which courses would be beneficial to certain employees and we're going to sign up for this opportunity. As I understand, we have to purchase the courses, and the employees can log in and take them. They course is 30 minutes long and then there's a test. After passing the test, the employee received a certificate of completion that can be kept in their personnel file. This is an inexpensive and easy way of obtaining training for all county employees.

Madam Commissioner DuCharme asks if Ms. Ansley looked into the Volunteer Fire Fighter banquet. Ms. Ansley replies yes. Chief Trumbull and Ms. Hamm have determined that the best time to have this would be around the second week of December. They are trying to get a training set up and are getting quotes for meals.

Madam Commissioner DuCharme states that when we advertised the last tax, she did not promise, but Ms. Ansley did promise the firefighters that firefighters will receive some sort of stipend or some money. She asks where are we with that. Ms. Ansley states that she did not promise the firefighters any kind of a stipend. She states that we promised the firefighters that Capital Outlay dollars would be shifted around so that it would improve fire services and what we are really looking forward to is either getting paid positions or some sort of a stipend. Ms. Ansley further states that she and Chief Trumbull are going to try to meet with Mr. Wallin

after today's Commission meeting to talk about trying to work out a policy to pay a stipend to the Chiefs.

Madam Commissioner DuCharme states that a few weeks ago the Mountainair Senior Center was vandalized. She asks Ms. Ansley for a report about this. She further states that she really finds out about what is going on in the County only from the newspapers and she does not think this is right. Ms. Ansley reminds Madam Commissioner DuCharme that she can come into their offices at any time and ask questions about what is going on; they would be happy to have her and happy to hear from her. Ms. Ansley reports that someone broke into the center and stole keys to one of the cars. Mountainair Police were contacted, a report was written, and measures were taken to secure the building.

Madam Commissioner DuCharme now states that Ms. Ansley received a letter from the AG office because Mr. Freyburger complained to them. She asks why Ms. Ansley did not inform the Commission about this and who authorized the response. Ms. Ansley states that her office handles these kinds of complaints with the County Attorney's office. Madam Commissioner DuCharme asks if Ms. Ansley has the authority to respond to these types of complaints. Ms. Ansley replies that this is up to the Commission, but she has in the past. There is further discussion on this issue.

### **Public Requests:**

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

**Michelle Jones**, myself, clerk of the Commission and resident, speak. I addressed the Commission about the topic of the Volunteer Fire Fighter Banquet. There was confusion about who was responsible for setting up this event. I read from the minutes of the July 8, 2015 Regular Commission meeting to add clarification about what the Commission had decided:

**6. Appreciation Dinner (Banquet) for Torrance County Volunteer Firefighters-** Madam Commissioner DuCharme speaks. Previously, she asked the Commission to think about this idea. She would like to hear the opinions of her fellow Commissioners as well as a legal opinion about this idea. Chairman Candelaria states that he believes there will be an anti-donation issue with doing something like this. Mr. Wallin states that this may not be an anti-donation issue, but there are a myriad of other issues that will need to be considered. Commissioner Frost states that if we do an appreciation dinner for the Fire Fighters, we need to do a dinner for everyone. All County

employees are important and deserve to be recognized for their hard work. Chairman Candelaria agrees and suggests that when we have our Safety Potluck, we could include our volunteers. Ms. Ortiz asked the other counties if they do anything like this. She received 12 responses. 10 of the responding counties stated that they do not have any kind of appreciation dinner. 1 county has a dinner and their commission pays for it and 1 county has a dinner that is paid for with donations. After some discussion, Ms. Cheryl Hamm from the Fire Department comments that they have been planning to have a celebration of their own that would include training, games and later an appreciation barbeque. The training would possibly make the event eligible to use Firefighter funds. The Commission agrees to donate \$100 dollars each of their own money to this endeavor. All documentation hereto attached. **NO ACTION, DISCUSSION ONLY**

Lastly, I comment about agenda item **#13. Appointment to MRCOG Full Board (2 Positions) and Executive Board (1 Position)**. I state in summary that I believe that it was the intent of the Commission to appoint Chairman Candelaria to the MRCOG Executive Board; if this appointment was made in error, than all three appointments that were made to the MRCOG at the January Commission meeting were in error and should be redone.

**Billie Mitchell**, resident, speaks. First, Ms. Mitchell thanks the Commission and Ms. Ansley for the time and effort they dedicated towards our new Road Policy. It is an excellent policy. Secondly, Ms. Mitchell asks the Commission about what roads take priority. She understands that school bus routes take priority, etc. Ms. Ansley asked her if she had put in a request to have her road graded. Ms. Mitchell's understanding is that requests are no longer required under the new policy. Ms. Ansley replies yes, that is true, she was just trying to clarify if Ms. Mitchell had made a request. In fact, a request was put in. Ms. Mitchell states that she has not heard back from the Road Department.

**Art Swenka**, resident, speaks. He is here to remind the Commission to continue to think about water. The State has very definite rules about how water can be moved around; perhaps the County should put some rules in place, by resolution or otherwise. We need to think about water being exported out of the County, or pipelines running water through the County. Maybe those pipelines should be taxed in some way or maybe there needs to be a way we could refuse to allow any water being exported out of the County.

On the topic of getting information out to the Public, Santa Fe County has been sending our local radio station, KXNM, important upcoming Commission meeting items to announce to the public on air. This could be another avenue to use to get important information out.

**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. 2.2.2.10 J. Exit Conference and Related Confidentiality Issues: (3)  
Agency personnel shall not release information to the public relating to the audit until the audit report is released and has become a public record. Agencies subject to the Open Meetings Act (Act) who wish to have a quorum of the governing board present at the exit conference will have to schedule the exit conference during a closed meeting in compliance with the Act, in order to avoid disclosing audit information that is not yet public record, in a public meeting.**

**Threatened & Pending Litigation 10-15-1 (H)(7):**

- b. Blackburn v. Torrance County**

**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 11:35 am.

**\*Reconvene from Executive Session**

- (d) Pursuant to Open Meetings Act, Section 10-15-1 (J), Commission Report from closed meeting**
- (e) Consider and act upon matters, if necessary**

**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.**

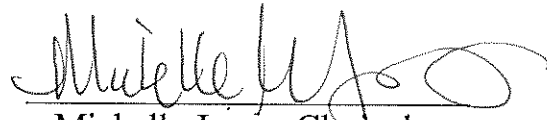
**Regular Session reconvenes at 1:06 pm.**

Chairman Candelaria states that during Executive Session only the items listed above were discussed and no action was taken.

**\*Adjourn**

**ACTION TAKEN:** Madam Commissioner DuCharme makes a motion to adjourn the October 28, 2015 Commission Meeting. Commissioner Frost seconds the motion. No further discussion. The Commissioners vote. All in favor, none opposed. **MOTION CARRIED.** Meeting adjourned at 1:07 pm

  
Chairman Candelaria

  
Michelle Jones, Clerical

11/9/15  
Date

**The video of this meeting can be viewed in its entirety on the Torrance County NM Website. Audio discs of this meeting can be purchased in the Torrance County Clerk's Office and the audio of this meeting will be aired on our local radio station KXNM.**