

**Final Copy
Torrance County Board of Commissioners
Commission Meeting
December 23, 2015**

Commissioners Present: **LeRoy Candelaria-Chairman
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 December 23, 2015 meeting to order at 9:01 am. He welcomes all those present to the meeting and leads us in the pledge. Ms. Michelle Jones, Clerical, gives the invocation.

Approval of the Meeting Minutes:

Chairman Candelaria asks for a motion to approve the December 9, 2015 Regular Meeting Minutes. **ACTION TAKEN:** Commissioner Frost makes a motion to approve the December 9, 2015 Regular Meeting Minutes. Madam Commissioner DuCharme 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:** 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, none opposed. **MOTION CARRIED.**

Approval of the Consent Agenda:

Chairman Candelaria asks for a motion to approve today's consent agenda. **ACTION TAKEN:** Commissioner Frost makes a motion to approve today's Consent Agenda. Madam Commissioner DuCharme seconds the motion. No further discussion. The Commissioners vote; all in favor, none opposed. **MOTION CARRIED.**

Action Items

Items to Be Considered and Acted Upon

Department Requests/Reports:

1. Updates:

Steve Guetschow, Planning and Zoning Director, speaks. At the last Commission meeting, Commissioner Frost asked Mr. Guetschow to write a recommendation for preferred participants on the comprehensive land use steering committee. Mr. Guetschow presents a letter of recommendation to the Commission which is included in the file for this meeting.

Mr. Guetschow also informs the Commission that the Landscape committee for the Forrest Service plan met. They will hold a Special Meeting on January 6, 2016 to continue working on the plan.

Linda Jaramillo, Clerk, speaks. She informs the voters in the Mountainair School District that this district will be holding an election on February 2nd. Registration closes on January 5th. Absentee begins on January 8th in the Clerk's office and ends on January 29th. This will be a capital improvements tax election.

Commissioner Frost takes this opportunity to wish everyone a Merry Christmas and a good Holiday Season.

Madam Commissioner DuCharme states that she read an article by Ms. Tracey Master about being safe during this Holiday Season which she thought was very timely; she shares portions of the article with the public. She reminds all to slow down and reflect on the past year during this Holiday Season and come back rested

and ready to work. She takes this opportunity to thank all who work during the holidays when the rest of us are off: first responders, volunteer firefighters, etc. We are grateful for these people who help us when we are most in need.

Chairman Candelaria wishes all a very Merry Christmas and a prosperous New Year. Moriarty 4H and FFA will be going to Denver to compete at the National level. It makes him proud of Torrance County to see so our kids competing in so many sports and organizations, with many becoming State Champions. He states this is a plus; we need to invest in our youth. He is proud of our schools, our teachers, and our leaders that have invested so many hours of their own time for these kids.

2. Request Approval to Submit EMS Fund Act Application for Superior Ambulance- Scott Wilson, Superior Ms. Ansley speaks. Every year Superior applies for EMS Fund Act monies through Torrance County to operate their ambulance service in the County. The application is for \$20,000.00. All documentation hereto attached. **ACTION TAKEN:** Commissioner Frost makes a motion to approve submission of the EMS Fund Act Application for Superior Ambulance. Chairman Candelaria seconds the motion. Madam Commissioner DuCharme states that she just received a copy of this application and has not had time to review it. She asks Ms. Ansley if it is the same application as last years. Ms. Ansley replies yes. No further discussion. The Commissioners vote; all in favor, none opposed **MOTION CARRIED**

3. Request Permission to Purchase Brush Truck from Houston-Galveston Area Contract for Duran Fire Department- David Crabb, Dist. Chief Ms. Ansley speaks. Chief Crabb informed Ms. Ansley that he is not available to attend today's meeting. This item was tabled at the last Commission meeting. Chairman Candelaria does not want to delay this item further and suggests taking action on this item today. Madam Commissioner DuCharme expresses her concerns about approving this item before it has even been presented; she is being asked to approve something she knows nothing about. All documentation hereto attached. **ACTION TAKEN:** Commissioner Frost makes a motion to approve the request to purchase a brush truck from Houston-Galveston area contract for the Duran Fire Department. Chairman Candelaria seconds the motion. No further discussion. The Commissioners vote. All in favor, Madam Commissioner DuCharme abstains. **MOTION CARRIED**

6. Request Approval of Final Draft of Torrance County Hazard Mitigation Plan- Javier Sanchez, Emergency Manager Mr. Sanchez speaks. He presents the Commission with the most recent draft of the Torrance County/Town of Estancia/City of Moriarty/Town of Mountainair/Village of Willard/Village of Encino Hazard Mitigation plan for their review. A copy of this draft will be available on the County website for residents to review and is also included in the file for this meeting. The introduction to the plan states, in part, that:

The plan analyzes the nine natural hazards presenting the greatest threat to the planning area...Each of the six participating jurisdictions reviewed the hazards, independently ranking their relevance to the participating municipality. The Plan Update includes a detailed characterization of relevant natural hazards in Torrance County; a risk assessment that describes potential losses to physical assets, people and operations; a set of goals, objectives, and actions that will guide the county and participation jurisdiction's mitigation program in coming years; and a detailed strategy for implementation and monitoring results.

In summary, the purpose of the Torrance County Hazard Mitigation Plan is to:

- Break the cycle of repetitive natural hazards
- Protect life, safety and property by reducing the potential for future damages and economic losses that result from hazards
- Make the county a safer place to work, visit, and live
- Restore and preserve Torrance County's natural and recreational resources
- Help the county thrive economically
- Support preservation of hazard prone natural areas
- Reduce future vulnerability by guiding development and redevelopment
- Avoid interruptions caused by hazards
- Qualify for mitigation grant funding in both the pre-disaster and post-disaster environment
- Document coordination efforts with other stakeholders in the hazard mitigation effort
- Speed recovery following disaster events
- Develop broad based community support for hazard mitigation

- Record successful hazard mitigation projects and programs
- Demonstrate a firm commitment to hazard mitigation principles
- Comply with state and federal legislative requirements for hazard mitigation plans

All documentation hereto attached. **ACTION TAKEN:** Commissioner Frost makes a motion to approve the final draft of the Torrance County Hazard Mitigation Plan. Madam Commissioner DuCharme seconds the motion. Chairman Candelaria confirms with Mr. Sanchez that we need this plan in place to have access to mitigation funding. Mr. Sanchez states that the idea behind the plan is to allow the County to have access to mitigation funding before these incentives occur. This plan has a direct impact on Torrance County's yearly allocation of FEMA funds because it is a required document in order to gain maximized funding. Commissioner Frost comments that he is very impressed with this document; everyone needs to read it. Mr. Sanchez states that the plan is relevant to every member of the County and the County's input will add value; all members of the County are encouraged to read the document and provide feedback directly to Mr. Sanchez. There is discussion about Mr. Sanchez possibly participating on the steering committee for the development of the Comprehensive Plan with the CDBG Planning Grant. Chairman Candelaria comments that we have a lot of hazardous materials being transported through Torrance County on a daily basis, adding further importance to this document. No further discussion. The Commissioners vote. All in favor, none opposed. **MOTION CARRIED**

4. Request Approval of Out of State Travel for Sheriff White to Colorado for NM Sheriff's Association Meetings- Heath White, County Sheriff Ms.

Stephanie Dunlap from the Sheriff's Department speaks. They are requesting approval of out of state travel for Sheriff White to travel to Colorado and speak to the Colorado State Sheriff's Association to bring trainings to NM Law enforcement. **ACTION TAKEN:** Chairman Candelaria makes a motion to approve Out of State travel for Sheriff White to Colorado for the NM Sheriff's Association Meetings. Commissioner Frost seconds the motion. No further discussion. The Commissioners vote. All in favor, none opposed. **MOTION CARRIED**

5. Request Approval of Out of State Travel to Phoenix for Inmate Transport- Heath White, County Sheriff Ms.

Stephanie Dunlap from the Sheriff's Department speaks. Two Torrance County Deputies need to travel to Phoenix in

order to pick up and transport a high risk inmate back to Torrance County for court during the first week of January. Once court concludes, the Deputies will have to transport the inmate back to Phoenix. **ACTION TAKEN:** Commissioner Frost makes a motion to approve Out of State Travel to Phoenix for Inmate Transport. Madam Commissioner DuCharme seconds the motion. Madam Commissioner DuCharme asks if the Sheriff's Department has the funds available for this travel. They do. No further discussion. The Commissioners vote. All in favor, none opposed. **MOTION CARRIED**

7. Request Approval of Application to DFA for Grant/Distribution Funds for FY2017- Tracey Master, DWI Coordinator Ms. Master speaks. She is submitting her annual application for funding to DFA for Grant/Distribution Funds for FY2017.

- a. **Resolution 2015-53** This resolution authorizes Torrance County to submit an application. All documentation hereto attached. **ACTION TAKEN:** Commissioner Frost makes a motion to approve Resolution 2015-53. Chairman Candelaria seconds the motion. Madam Commissioner DuCharme asks who wrote the resolution. Ms. Master replies that DFA writes one resolution for all 33 counties. Ms. Master receives her copy and adds the Torrance County logo to the top and fills in the blanks. The Commissioners vote. All in favor, none opposed. **MOTION CARRIED**
- b. **Statement of Assurances** This is the statement of assurances between Torrance County and the Local DWI Grant and Distribution Program, Project Year 17: July 1, 2016- June 30, 2017. The statement of assurances indicates that Torrance County is going to be compliant with all applicable state requirements pertaining to this funding. All documentation hereto attached. **ACTION TAKEN:** Madam Commissioner DuCharme makes a motion to approve the Statement of Assurances. Commissioner Frost seconds the motion. No further discussion. The Commissioners vote. All in favor, none opposed. **MOTION CARRIED**
- c. **Memorandum of Understanding** This MOU states that Torrance County will be in full compliance with the state procurement code, that reporting will be done when required, that Torrance County will maintain federal confidentiality in

accordance with 42 CFR Part 2, and that Torrance County will provide information to the state as necessary, as well as comply with all HIPA regulations. All documentation hereto attached.

ACTION TAKEN: Commissioner Frost makes a motion to approve the Memorandum of Understanding. Madam Commissioner DuCharme seconds the motion. No further discussion. The Commissioners vote. All in favor, none opposed. **MOTION CARRIED**

- d. **DOH Assurances and Cooperative Agreement** this document assures the Department of Health that Torrance County will follow all 42 CFR Part 2 and HIPA requirements and follow all of the guidelines of the State DOH and DFA, Local Government Division, Special Programs Bureau, LDWI. All documentation hereto attached. **ACTION TAKEN:** Madam Commissioner DuCharme makes a motion to approve the DOH Assurances and Cooperative Agreement. Commissioner Frost seconds the motion. No further discussion. The Commissioners vote. All in favor, none opposed. **MOTION CARRIED**

8. Approval of Contract with Adelante Enterprises for Document Destruction Services- Linda Jaramillo, Clerk Ms. Jaramillo speaks. This is a contract between the Torrance County Clerk's Office and Adelante Development Center, Inc. for document destruction services. It is in the amount of \$105.00 per year. Ms. Jaramillo explains that every non-election year her office gathers their documents for destruction per the States retention laws. This year her document shredder broke down after 7 years of use. She attempted to purchase a new shredder, but the model capable of shredding her documents costs \$2,700.00. Ms. Amanda Tenorio, TC Finance Director, suggested Adelante, a company she had done business with in the past. Ms. Jaramillo thought this was a great idea. Adelante also employs people with disabilities. Ms. Jaramillo thanks Ms. Tenorio for the suggestion of working with a great company that will also provide savings for the County. All documentation hereto attached. **ACTION TAKEN:** Madam Commissioner DuCharme makes a motion to approve the contract with Adelante Enterprises for Document Destruction Services. Commissioner Frost seconds the motion. The Commissioners vote. All in favor, none opposed. **MOTION CARRIED**

Madam Commissioner DuCharme thanks Ms. Jaramillo for looking for, and finding, ways to save money for the County.

9. Resolution 2015-54 Line Item Transfers- Amanda Tenorio, Finance Director Ms. Tenorio speaks. She is requesting approval of Resolution 2015-54 Line Item Transfers. These line item transfers are within the requesting departments budgeted funds. All documentation hereto attached. **ACTION TAKEN:** Commissioner Frost makes a motion to approve Resolution 2015-54 Line Item Transfers. Chairman Candelaria seconds the motion. Madam Commissioner DuCharme asks about a transfer request from the Managers office in the amount of \$2,452.71 from 'vehicle allowance' to 'salaries'. Ms. Ansley replies that since 2007 the County has given her a vehicle allowance. The Commission approved her employment contract a few months ago and as a result, she no longer receives a vehicle allowance; she will receive this amount as part of her salary. No further discussion. The Commissioners vote. All in favor, none opposed. **MOTION CARRIED**

***Commission Matters:**

10. Request Permission to Make Improvements to the Torrance County Fairgrounds- Tina Dawson, NM Trappers Association Ms. Dawson speaks. She is a resident of Estancia and a member of the NM Trappers Association. Last year, they used the kitchen facility at the Torrance County Fairgrounds and ran into a few snags, as a result she is requesting permission to donate labor and supplies to improve the kitchen. She wants to add two more electric plugs, wiring and receptacles. Shane Gustin, an electrician from Mountainair, is willing to do the work at no cost to the County or to the town. John Taylor, who works for Great Southwest Electric, is willing to do some of the labor as well. This will cost nothing to the County, the town, or the Fair Board, and it will improve the building. **ACTION TAKEN:** Commissioner Frost makes a motion to approve the offer. Chairman Candelaria seconds the motion. Chairman Candelaria has a question for Mr. Wallin, legal counsel. Since these volunteers are not County employees, will there be any liability issues? Mr. Wallin replies that as long as these volunteers are licensed electricians, there should be no problems. Prior to any work being done, the Managers Office needs to verify the licenses of the electricians who will be doing the work. Ms. Dawson will provide copies of the licenses to the Managers Office. Chairman Candelaria sincerely thanks these residents who are willing to come forward like this and help their community. It is a great feeling to know that there are people like this in the County who are willing to donate their expertise and valuable time. Our Fairgrounds are one of our more important assets in the County; they help to grow and occupy our kids. Ms.

Dawson states that they are also wanting to install 5th wheel hookups on the Fairgrounds at some point in the future, also at no charge. She will come back to discuss this with the Commission at a later meeting. No further discussion. The Commissioners vote. All in favor, none opposed. **MOTION CARRIED**

11. Proposed Timelines for Proposed General Obligation Bond Election on Proposed Election Date April 18, 2016- Linda Jaramillo, Clerk Ms. Jaramillo speaks. She is here to provide the Commission with specific timetables for the election to be held on April 18th; that is the latest we can hold this election. She states that the latest date to adopt the resolution for the Special Election is February 10th. Publication of the Election Proclamation in English and Spanish has to be February 18th for Ms. Jaramillo to meet her deadlines. The Commission has suggested holding Public Hearings to discuss this issue, with a suggested date of January 27th. Ms. Jaramillo states that now it is getting closer and closer to her timelines. The Commission needs to decide how many Public Hearings they want to have on this. She reminds the Commission that the resolution must be published two times. The Commission can hold a Public Hearing on January 27th, but then they need to make decisions. A second Public Hearing will probably not be possible. The Commission and the County Manager thank Ms. Jaramillo for this important information. All documentation hereto attached. **NO ACTION, INFORMATION ONLY**

12. Request to Call for a Public Hearing Regarding a Project to be financed by GO Bond- Julia DuCharme Madam Commissioner DuCharme speaks. This item was discussed at a previous Commission meeting. At that time, Commissioner Frost stated that he would not be opposed to holding a Public Hearing; she hopes Chairman Candelaria will support this idea as well. Madam Commissioner DuCharme states that the proposed project being discussed will be a very expensive one- \$3.8 million dollars, and it will be the responsibility of the people of Torrance County to pay for it. It is only fair to hear from those people and have their input. **ACTION TAKEN:** Madam Commissioner DuCharme makes a motion to hold a Public Hearing Regarding a Project to be financed by GO Bond on January 27, 2016. Commissioner Frost seconds the motion. After some discussion, Madam Commissioner DuCharme amends her motion. **ACTION TAKEN:** Madam Commissioner DuCharme makes a motion to hold a Public Hearing Regarding a Project to be financed by GO Bond on January 14, 2016 @ 9:00 am. Chairman Candelaria seconds this amended motion. No further discussion. The Commissioners vote. All in favor, none opposed. **MOTION CARRIED**

13. Steering Committee for Comprehensive Plan Development with CDBG Planning Grant Ms. Ansley speaks. This item was on the last Commission agenda. At that meeting, the Commission asked Mr. Steve Guetschow, P&Z Director, to offer some recommendations on requirements for a steering committee. Below is the recommendation Mr. Guetschow presented to the Commission:

**Recommendation
for preferred participants on the
Comprehensive Land Use Plan Steering Committee**

Dear Commissioners,

Among other information the Torrance County Comprehensive Land Use Plan is a valuable tool in the decision making process to give guidance to our Commissioners and other decision makers in doing what is best for the County and the citizenry within our borders.

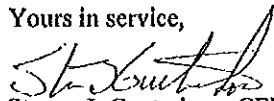
The Steering Committee should consist of people who are most familiar with the prospects and limitations of the County's location, natural resources, attractions, realistic business opportunities, cultural heritage, traditions, history, and geography. People familiar with our advancements, setbacks, problems, regulatory requirements, and realistic goals of the community as a whole. Longtime residents with ties to the land rather than those who wish to manipulate the document to support their special interests or personal agendas. Familiarity of the various regions within the County is a key factor, but committee membership should not be based upon the political boundaries.

You already have a pool of the best people for the project in these positions and agencies:

Your Planning and Zoning Board
The Estancia Basin Water Planning Board
The Estancia Valley Economic Development Association
The New Mexico State University Cooperative Extension Service
The various Soil & Water Conservation Districts

This is my recommendation without putting forward any names. I do not know the time available in these people's schedules or individual willingness to participate in the project; Perhaps they can designate candidates from their membership. I do know that these agencies and positions are made up of the type of people I have described above.

Yours in service,



Steven J. Guetschow, CFM
Planning & Zoning Director

Commissioner Frost comments that he thinks this is a good list; it will give the Commission a good pool of people to pick from. Of course, each person would have to agree to serve on the committee. He asks if the Commission has a number of committee members in mind. Madam Commissioner DuCharme comments that at the last Commission meeting Ms. Ansley suggested 9 members. Madam Commissioner DuCharme suggests possibly having 3 members from each

Commission district. Chairman Candelaria comments that the County's comprehensive plan should be somewhat 'like-minded' with the plans of the other entities throughout the County, (conservation districts, municipalities, etc.); this will be very helpful when trying to secure funding in the future. Therefore, it would be helpful to have members on the steering committee who are part of these other entities. Ms. Ansley comments that we need to get a steering committee together as soon as possible; we have two years to develop a plan and submit the grant reimbursements to get it paid for.

At this time, the Commission reviews Mr. Guetschow's recommendations, shares their opinions and experiences, and discusses possibilities.

After some discussion, the Commission directs Ms. Ansley and the Managers Office to reach out to members of the organizations Mr. Guetschow recommended to see if they would like to participate. The Managers Office will also advertise for volunteers on the County website and in the local newspapers. The Commissioners will also seek out possible volunteers. The Commission is considering a steering committee of approximately 11 members consisting of Torrance County residents who are willing to commit to what will be a long time consuming process, who represents different entities throughout the County, and who may represent the different Commission districts throughout the County. **NO ACTION, DISCUSSION ONLY**

***County Manager Requests/Reports:**

14. Update

Ms. Ansley speaks. We have a contractor who has started the repairs at the Fairgrounds. He has torn out the old toilets and vanities in the bathrooms and does not want to put them back in. We could either buy new toilets and vanities for him to install at no charge, or we could consider a change order and he can buy them. We have a couple of weeks to decide. *(The Commission directs Ms. Ansley to purchase the toilets and vanities for him to install.)*

Ms. Betty Cabber, County Assessor, takes this opportunity to inform all that the Assessor's office has new phone numbers; 544-4300 is the main number for that office. Also, the Assessor's Office will mail out all their livestock rendering forms and business personal property forms next Wednesday. Ms. Ansley comments that the phone number changes were supposed to occur all at the same time, but this has not happened; the Manager's Office can still be contacted at the old number. The new numbers are as follows:



We ask for your patience as The Administrative Offices of Torrance County is in the process of changing the phone system, with those changes comes new phone numbers.

The immediate changes are as follows:

- Sheriff(505) 544-4900
- Road(505) 544-4666
- TCPO(505) 544-4740
- DWI/Teen Court(505) 544-4772

As of January 4th, 2016 the entire Administrative Offices of Torrance County will be effected with the change(s):

Torrance County Main Number (505) 544-4700

- | | |
|-------------------------------------|---------------------------------|
| Assessor544-4300 | Planning & Zoning544-4387 |
| Clerk544-4350 | Road544-4666 |
| DWI/Teen Court544-4772 | Sheriff544-4900 |
| NMSU Extension Office544-4333 | TCPO544-4740 |
| Manager544-4700 | Treasurer544-4800 |

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.

Michael Godey, resident, speaks. He comments about item 13. Steering Committee for Comprehensive Plan Development with CDBG Planning Grant One of Mr. Guetschow's recommendations is 'Longtime residents with ties to the land rather than those who wish to manipulate the document to support their special interests or personal agendas.' He states that he doesn't know what that is; is it 5 years? 10 years? He encourages the Commission to look for residents of quality, not just quantity.

Charlene Guffey, resident, speaks. She reads a list of EVSWA employee's names and tells the Commission that she wants them to remember these names. She states that when they criticize the EVSWA, it falls on the shoulders of these people. She states that these people are the County's public servants; they are doing a job that is a great need in this County- just like the Sheriff's Department, the Fire Department, and the Road Department. She states that the main concern about the solid waste ordinance will be the change in removing the discounts and having the County pay their fair share. She comments that this change is a move forward to get everyone on the same page instead of allowing everyone to pay whatever they want. She disagrees that a private company can do better and sites CCA as an example of a private company that is costing the County a lot of money. She encourages the Commission to take time during the Holiday break to think about what the solid waste ordinance really means and what is in the best interest for the County people.

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:

- 1. Deliberations regarding appeal to allow a mobile home 1976 or older to be brought into the County and permitted at 6 North Dakota Ct, contrary to County Resolution 2005-19 Section- 10-15-1(H)(3).**
- 2. Aztec Lathe & Plaster VS. Torrance County- 10-15-1 (H)(7).**

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

Executive session starts at 10:43 am.

***Reconvene from Executive Session**

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.**

Reconvened at 10:59 am

Pursuant to Open Meetings Act, Section 10-15-1 (J), Commission report from closed meeting:

A. Deliberations regarding appeal to allow a mobile home 1976 or older to be brought into the County and permitted at 6 North Dakota Ct, contrary to County Resolution 2005-19 Section- 10-15-1(H)(3).

Consider and act upon Appeal, if necessary ACTION TAKEN:

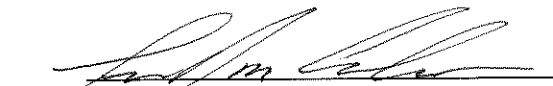
Commissioner Frost makes a motion to deny the appeal and uphold the decision of the Planning and Zoning Board. Chairman Candelaria seconds the motion. In summary, Commissioner Frost comments that he would like to help this hard working, deserving family, but to accept this mobile home into the County would be against the resolution and would be setting a bad precedent. Madam Commissioner DuCharme asks Mr. Wallin to explain the legal situation. Mr. Wallin explains that in 2005 the County Commission established a policy, by resolution, not to allow mobile homes manufactured in 1976 or earlier to be moved into the County. Mr. Wallin's research seems to imply that this resolution was developed as a result of issues that had arisen with manufactured homes 1976 or older having aluminum wiring that was being used by the manufacturers at that time. Federally, there was legislation adopted that banned the future use of aluminum wiring and also the sale, at a federal level, of these older mobile homes that contained this wiring. The concern being that the buying public would not be aware that they had purchased a home with a dangerous condition. Subsequently, there was legislation through HUD that barred the sale of these homes and the use of them for any HUD related activities. It appears that in 2005 Torrance County, and many-if not all the other NM Counties, following that line of thinking, adopted the resolution barring the homes. Madam Commissioner DuCharme asks if this resolution can apply to this situation as this mobile home has copper wiring. Mr. Wallin replies that the County Commissioners establish the policies of Torrance County. Under the policy as it exists, the Commission cannot accept this home, but the Commission can change policy, but with the caveat that the Commission could be placing future

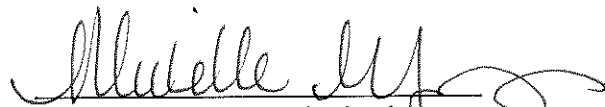
homeowners in jeopardy by allowing these mobile homes into the County. Madam Commissioner DuCharme states that the County has a purchasing policy in place and yet the Commission allows purchases that basically violated that policy. She further states that what she sees here is a young man who wants to raise his family here. He is not violating any federal or state law by bringing the mobile home here; it is just against our resolution. She states that, at this Holiday season, it breaks her heart to basically leave this family homeless. She suggests that perhaps, on the condition that an inspection by a licensed electrician is conducted and everything is ok, maybe we should allow this particular case. She asks her fellow Commissioners to reconsider this and give this man a chance. Chairman Candelaria states that when an ordinance is passed, it actually is a law that the County instigates. He also believes that this young man did not have experience, but with current technology it is not hard to research things that we need to find out about laws and rules and regulations that the counties have about bring in mobile homes. Lastly, he states that he does feel sorry for this young man, and recommends that he take action against the person that transported the home here illegally. The Commissioners vote; two in favor, Madam Commissioner DuCharme is opposed. **MOTION CARRIED**

B. Aztec Lathe & Plaster VS. Torrance County- 10-15-1 (H)(7). NO ACTION

***Adjourn**

ACTION TAKEN: Madam Commissioner DuCharme makes a motion to adjourn the December 23, 2015 Commission Meeting. Commissioner Frost seconds the motion. No further discussion. The Commissioners vote. All in favor, none opposed. **MOTION CARRIED.** Meeting adjourned at 11:12 am


Chairman Candelaria


Michelle Jones, Clerical

1/13/16
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.