

Final Copy
Torrance County Board of Commissioners
Commission Meeting
October 26, 2016

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 –Admin. Assist. III

Call Meeting to Order:

Chairman Candelaria calls the meeting to order at 9:02 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 5, 2016 Special Commission Meeting minutes. **ACTION TAKEN:** Commissioner Frost makes a motion to approve the October 5, 2016 Special Meeting Minutes. Madam Commissioner DuCharme seconds the motion. No further discussion. The Commissioners vote; all in favor, none opposed. **MOTION CARRIED.**

Approval of the Meeting Minutes:

Chairman Candelaria asks for a motion to approve the October 12, 2016 Regular Commission Meeting minutes. **ACTION TAKEN:** Madam Commissioner DuCharme makes a motion to approve the October 12, 2016 Regular Meeting Minutes. Commissioner Frost seconds the motion. No further discussion. 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 Meeting Agenda. **ACTION TAKEN:** Commissioner Frost makes a motion to approve today's Commission Meeting Agenda. Madam Commissioner DuCharme 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 the Consent Agenda. **ACTION TAKEN:** Commissioner Frost makes a motion to approve the Consent Agenda. Chairman Candelaria seconds the motion. No further discussion. The Commissioners vote; all in favor, none opposed. **MOTION CARRIED.**

There are no Indigent Claims.

Action Items

Items to Be Considered and Acted Upon

***Department Requests/Reports:**

1. Resolution 2016-046 finding buildings, structures, ruins, rubbish, wreckage or debris upon six contiguous OR CONNECTED BY COMMON ROAD properties in THE BELLA VISTA SUBDIVISION to be a menace to public comfort, health, peace or safety and requiring removal- Dan DeCosta, Code Enforcement Officer – Mr. DeCosta speaks. This is a resolution authorizing the clean-up of numerous lots in the Bella Vista Subdivision. There has been a lot of illegal dumping taking place in that area for a number of years. Mr. DeCosta states that his department has received funding from the NM Environmental Department to clean up this area and this resolution needs to be passed for the clean-up to proceed. There are only a few people who live in this area. Mr. DeCosta states that he has sent notices of violation to the owners of the properties in this area and has received a response from only one land owner. He will seek reimbursement of the

clean-up costs for this one land owner. Property owners who do not respond to the notices of violation will have a lien placed on their property for the clean-up expenses. Madam Commissioner DuCharme asks how much money is available for this clean-up project. Mr. DeCosta estimates it is around \$16,000.00. All documentation hereto attached. **ACTION TAKEN:** Madam Commissioner DuCharme makes a motion to approve Resolution 2016-046. Commissioner Frost seconds the motion. The Commission votes; all in favor, none opposed. **MOTION CARRIED**

2. Request Approval of Memorandum of Understanding between Torrance County and Estancia Solid Waste Authority for Services for County-Wide Tire Amnesty- Dan DeCosta, Code Enforcement Officer Mr. DeCosta speaks. He states that the County received \$20,000.00 for a County-wide tire amnesty program. All of the municipalities will be included. The MOU states that the purpose of this agreement is to establish a contract for services to be performed by the EVSWA for the County to accomplish the goals of a tire amnesty clean-up program. The EVSWA will provide roll-off containers at all the EVSWA collection stations specifically for the purpose of customer drop-off of tires. The tires will be processed by chipping at the Estancia Valley Regional Landfill and disposed of as alternate daily cover at the landfill. The cost of the roll-off containers will be \$360.00 per container. Chipping and disposal will be billed at a rate of \$140.00 per ton. Mr. DeCosta states that residents can bring ten tires at a time. They just need to provide proof of residency and they will be allowed to dispose of their tires. There will be ads in the local papers about this. The program will run until June 2017 or until the funds for it run out. Mr. Andy Miller, EVSWA Manager, speaks. He states that the EVSWA has partnered with the County for tire-amnesty projects before and they have gone very well; EVSWA has the equipment that the County needs to accomplish this project. Ms. Jones asks for clarification about the MOU. The MOU currently states that all county customers will be allowed to bring tires. After some discussion, it is decided that the MOU will be amended to read, 'all County RESIDENTS' will be allowed. All documentation hereto attached. **ACTION TAKEN:** Commissioner Frost makes a motion to approve the MOU between Torrance County and the EVSWA for services for the County-Wide Tire Amnesty **for all residents** of Torrance County. Madam Commissioner DuCharme seconds the motion. The Commission votes; all in favor, none opposed. **MOTION CARRIED**

3. Request Approval of Memorandum of Understanding between Torrance County and Estancia Solid Waste Authority for Clean-Up Services for Illegal Dumping Grant Provided by NMED – Dan DeCosta, Code Enforcement Officer Mr. DeCosta speaks. This is another MOU and it is for illegal dumping. The MOU states that the purpose of this agreement is to establish a contract for services to be performed by EVSWA for the County to accomplish the goals of an illegal dumping site clean-up program. The EVSWA will provide rolloff containers at illegal dump sites as defined by the County. Drop off and pickup of rolloff containers will be billed at a cost of \$360.00 per rolloff container. If requested, EVSWA will also provide property clean-ups of illegally dumped material to include mobilization of \$90 per site per day plus and an hourly labor and equipment charge of \$105. Basically, the EVSWA hires the contractor and Mr. DeCosta supervises. He makes sure that the dumpsters are delivered and supervises the activities at the sites. Mr. DeCosta talks about steps the County is taking to decrease illegal dumping. He stresses that if residents spot illegal dumping, they should leave the dumping site intact and contact Code Enforcement. All documentation hereto attached. **ACTION TAKEN:** Madam Commissioner DuCharme makes a motion to approve the MOU between Torrance County and the EVSWA for clean-up services for illegal dumping grant provided by NMED. Commissioner Frost seconds the motion. No further discussion. The Commission votes; all in favor, none opposed. **MOTION CARRIED**

Mr. DeCosta states for the record that one of the sites that has been identified for clean-up has a mobile home on it. His office has the authority, by prior resolution, to demolish this mobile home. He states that the NMED will not pay for demolition of a mobile home. He clarifies that he will be using funds from his department, not NMED funds, for this mobile home demolition.

4. Updates

Dan DeCosta, Code Enforcement, speaks. He states that the EVSWA has been given direction by the Commission to let people who have vacant property be exempt from paying a solid waste bill for that property. Owners of vacant property must sign an affidavit stating that their property is vacant in order to get the discount. For the last month or so, an employee of the EVSWA and Mr. DeCosta have been traveling throughout the County, once a week, checking to make sure that these vacant properties are actually vacant; many of the properties are not. He states that they are in the process of investigating these properties to make sure that they still have the exempt status. If they do still have the exempt status and

their property is not vacant, they will be receiving a notice of violation. Ordinance 94-12 allows for these notices to be sent; it also allows for prosecution of violators. At this time, only notices of violation will be sent. People will be allowed to dispute the notice if they feel they are receiving it in error. If a person's property is found not to be vacant, they will be issued a solid waste bill.

Linda Jaramillo, County Clerk, speaks. She gives an update on early and absentee voting for the General Election. To-date we have mailed out 364 absentee ballots and we have only received 156 back. Ms. Jaramillo encourages all who have received a ballot in the mail to please vote their ballot and return it to the County Clerk's Office as soon as possible. We have had 772 early/in person voters so far; 436 voted here in Estancia and 336 voted at the Alternate voting site in Moriarty. Early voting hours here at the Torrance County Administrative offices are Monday-Thursday from 7:30am to 5:30 pm and one Friday, November 4, and one Saturday, November 5, from 10:00am – 6:00pm. Early voting is also being held at the Moriarty Civic Center Tuesday- Friday from 10:00am – 6:00 pm and Saturdays from 10:00am – 6:00 pm. All registered voters are encouraged to vote early; we never know what the weather may be like on Election Day.

Ms. Jaramillo states that she wants to insure everyone that our elections are run by the book. She states that she has been in office for 19 years and her office has always run successful elections and she takes it very seriously. She reads her Oath of Office for the Audience:

I, Linda Jaramillo, having been elected or appointed to the Office of County Clerk, in the County of Torrance, State of New Mexico, do solemnly swear that I will support the Constitution of the United States, the Constitution and Laws of the State of New Mexico, and faithfully and impartially discharge the duties of said office to the best of my ability.

Every single precinct worker takes this oath and they take it seriously too. Be assured that your vote will count.

Cindy Sullivan, County Animal Shelter Director, presents the following written update:

Torrance County Animal Shelter

October 25, 2016

Cindi Sullivan Shelter Director

REPORT thru: SEPTEMBER 2016

Total number of animal-	339
Live exits:	188
Stray euthanized:	31
Owner turnover euthanized:	118
Area animals came from -	
Torrance County-	303
Mountainair-	3
Morlarty-	30
Estancia-	3
Still in shelter-	3

DOGS: 266 CATS: 62 OTHER: 11 BITE CASES : 5

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

Cindi Sullivan 13 yrs (FT) Danette Mead 8 years (FT) Mike Seager (PT) Monica Gallegos (PT)

NEWS AT THE SHELTER :

Still working on the Foyer project, waiting on the pricing bid to come in.

We are currently seeing a lot of cats and kittens, we have had some feral kittens in need of Barns.

TORRANCE COUNTY LICENSES PURCHASED:

2015: 144 2016: 192 TOTAL : 954

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

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

****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.**

Janice Barela, County Treasurer, presents the following written update to the Commission:

Torrance County Commission Meeting

10.26.16

Tax notices are being printed and they will be mailed out November 1st. If you do not receive your tax notice, please call our office at 544-4800 to get a copy of your bill. We also want to make sure we have your most current address on file.

We will be traveling out into the County to create satellite offices in Encino, Mountainair and Moriarty. Our goal is to help those who may have a challenge when it comes to traveling to our office in Estancia, especially the seniors in our communities. This is what we have set up:

In Encino, we will be at the Encino Community Center on Tuesday, November 29th from 9:00am-2:00pm. The Community Center is located at 427D North Main Street.

In Mountainair, we will be at the City Hall Building on Thursday, December 1st from 9:00am-2:00pm. The City Hall is located at 105 East Broadway.

We are waiting on confirmation from the City of Moriarty for us to use the Moriarty Civic Center on Tuesday, December 6th from 9:00am-2:00pm. The Civic Center is located at 202 Broadway.

We will be advertising in both local newspapers as well as the local radio station. The Town of Mountainair will include our flyer with their water bills.

We are waiting to hear back on a quote from Central New Mexico Electric Cooperative so we can find out if it is feasible to include a flyer with their bills.

Chief Deputy Treasurer Tracy Sedillo and I will be the ones out in the field. We will be able to accept checks or credit card payments. Assessor Betty Cabber, Deputy Assessor Jesse Lucero, Clerk Linda Jaramillo and Deputy Clerk Linda Kayser will be with us to answer any questions that may arise for them, since our offices all work so closely together during tax time as well as throughout the year. We are excited about this opportunity for our County to go out into the community to provide this service. We hope this can be a yearly event.

I did change credit card vendors for our office because I found a New Mexico, veteran owned company who charged the lowest convenience fees. This company charges 2.1%. The previous company charged 2.5%. We are working diligently to switch our online and phoned in payments over to them as well. When that occurs, the convenience fee for a credit card payment will be 2.1% and the flat rate for a check payment will be \$1.79 per check.

This information will be available on the County website and will be posted on fliers throughout the County.

Betty Cabber, County Assessor and Torrance County Representative to the NMAC Board of Directors, speaks. The NMAC Board of Directors held a meeting on October 14 in Lordsburg. Ms. Cabber presents the Commission with a packet of information from the meeting, which is included in the file for this meeting. The packet includes the following:

- The October 14, 2016 agenda
- An Update on NACo Priorities and Federal Initiatives
- The 2017 Calendar of NMAC Meetings and Conferences
- The NMAC Annual Conference RFP for 2018, 2019, 2020
- The 2017 NMAC Legislative Priorities
- The NMAC Position Statements for the 2017 Legislative Session

Ms. Cabber comments about Lordsburg, New Mexico and all the interesting sites there. She also comments about traveling out into the community with Ms. Barela. Ms. Cabber thanks the EVSWA and Mr. DeCosta for going out into the community to look at the vacant lots; this could help the Assessor's office as well. Her office is almost finished with the reappraisal of the town of Mountainair and will be starting the reappraisal of the town of Estancia in spring 2017.

Madam Commissioner DuCharme takes this opportunity to thank Ms. Cabber for her work as our Torrance County representative on the NMAC.

Tracey Master, DWI Prevention Program Coordinator, speaks. She informs the Commission that the Governor signed Senate Bill 2 on October 19th, further reducing her departments funding. Initially, the distribution for her department for this year was \$92,674.00. It was reduced to \$77,000.00 and now it is just over \$61,000.00. Once her first quarter reports are submitted, she will have to redo both the grant and distribution budget. Due to the significant reduction in the distribution, she will have to restructure the way that the grant is spent down. Cuts will have to be made in operations, per diem, supplies, and contracts. Those contracts include treatment, evaluation, teen court, and prevention. There may also be a reduction to work hours. A limited amount of funding is available to her department through the Drug Education Fund.

Next week, Ms. Master will be attending the Drug Court Professionals training in Albuquerque. She will also be participating in a meeting with DFA and the LDWI Grant Council.

Commissioner Frost comments that last weekend the traveling Vietnam Memorial Wall was in Moriarty. It was very well attended and was very impressive.

Commissioner Frost states that last week he attended an EVEDA meeting. The meeting was held to recognize and explain what was going on with the new wind farm project. The meeting was attended by our two State Senators and a State Representative. The meeting was very informative and very well attended by representatives from the towns and the County. Commissioner Frost was impressed that the refreshments came from a new little restaurant in Encino. Commissioner Frost reminds all that we received our first check from the wind farm a few months ago in the amount of \$335,000.00 – half of what the County will receive for the next ten years. After that, the amount will decrease slightly and will continue for a total of 30 years. That is only Phase I; they will be starting another project following that.

Madam Commissioner DuCharme also speaks about the Moving Wall. She states that there are 58,272 names on that wall and almost 400 names are from New Mexico. She states that a person told her that it is amazing to have this kind of project here in our small community. She told him that we have extraordinary people here who were able to organize this event. Many people helped to bring the Wall here. She wants to especially recognize Mr. and Mrs. Robert and Deborah Ludwig for their tireless efforts to bring the Wall to Torrance County. They exhibited strong leadership, and a strong effort to give us this experience. On the flyer you can see that the City of Moriarty presented this project and they helped a lot, but the moving force for this project was the Ludwigs. It was an opportunity for people to remember those who sacrificed their lives for us. It was an extraordinary experience and thanks to everyone who was a part of it.

Chairman Candelaria also comments about the Wall. He states that he knows about 6 names that are on that Wall and it is very emotional for him. He states that the American Legion from Moriarty, the American Legion from Estancia and the VFW from McIntosh were all participants in helping to bring the Wall to the County. He states that he has visited the Wall in Washington D.C. several times and this is no different.

Chairman Candelaria states that we have two wind projects in the County and, not only are they bringing money into the County, but also to the school of Estancia and now to the school of Vaughn, which will be very beneficial to that area. These two wind projects mean continual income into our County for the next 30 plus

years. Chairman Candelaria states that he is very proud to have been a part of those two projects.

Chairman Candelaria takes this opportunity to thank Ms. Ansley, County Manager, for the work she has done for the County. Ms. Ansley's last day will be October 31st.

***Commission Matters:**

6. Discussion of Juvenile Justice Board Issues- Jenea Ortiz, Continuum Coordinator Ms. Ortiz speaks. She states that she has come before the Commission today to discuss some issues that were discovered with the County Juvenile Justice Board. They recently had a meeting with the CYFD Grant Staff and it was confirmed that the resolution that is currently in place does not meet the requirements of the State Statute. State Statute specifically states that there must be an MOU signed, not a resolution. The State recommended that we dissolve the resolution and replace it with an MOU so that we are eligible to receive grant funding for FY18.

Also, the Juvenile Justice Board is statutorily required to contain members from the following positions:

- A representative from our local Government
- A representative from Children's Court
- A District Attorney
- A Public Defender
- A local Law Enforcement Agency
- A Public School District

The resolution that is currently in place states that only 4 of these 6 positions are required, which is incorrect. Two of these positions are currently vacant. The State has offered assistance in getting these positions filled. Also, the JJB is intended to be an advisory board and it was stressed in this meeting that the Continuum Coordinator, Torrance County, and the JJB function as an equal partnership and that one should not function above the others, however Torrance County does get the final say because they sign the contract with CYFD.

Lastly, Ms. Ortiz states that the JJB needs more support from the County. It seems like there was a loss of communication somewhere and they would like to restore

this and have more collaboration. Later in the agenda, Ms. Ortiz will present an MOU for Commission approval.

Madam Commissioner DuCharme asks about the positions that need filling. Ms. Ortiz states that they need a Public Defender and possibly a Children's Court representative. The Public Defender position is hard to fill. Ms. Ortiz states that as long as an effort is made to fill this position that is all that is required. Ms. Ortiz requests feedback on how to accomplish filling this position. **NO ACTION, INFORMATION ONLY**

7. ScOutreach Contract with Torrance County for Juvenile Justice Board- Jenea Ortiz, Continuum Coordinator Ms. Ortiz speaks. She is coming before the Commission today to ask that this contract be terminated. ScOutreach was unable to perform the numbers that the JJB needed. ScOutreach was not included in the grant for FY18 because of its slow growth. The JJB recently received an email from the person that provides the service for ScOutreach asking to terminate the contract. As no more services will be provided to the County, the County needs to terminate this contract. All documentation hereto attached. **ACTION TAKEN:** Commissioner Frost makes a motion to terminate the ScOutreach contract with Torrance County for the Juvenile Justice Board. Madam Commissioner DuCharme seconds the motion. No further discussion. The Commission votes; all in favor, none opposed. **MOTION CARRIED.**

***Commission Matters:**

8. FY2018 Juvenile Justice Board Grant Application – Jenea Ortiz, Continuum Coordinator Ms. Ortiz speaks. This grant application is due October 31st by noon in Santa Fe. Ms. Ortiz is asking for permission to apply for FY18 funds. Madam Commissioner DuCharme asks if there is a grant match. Ms. Ortiz replies yes, but it can all be in-kind. The total funding request is for \$168,653.00 and the total amount of the match is \$23,460.00. All documentation hereto attached. **ACTION TAKEN:** Commissioner Frost makes a motion to approve submission of the FY2018 Juvenile Justice Board Grant Application. Madam Commissioner DuCharme seconds the motion. No further discussion. The Commission votes; all in favor, none opposed. **MOTION CARRIED.**

9. Memorandum of Understanding between Torrance County & Juvenile Justice Board- Jenea Ortiz, Continuum Coordinator Ms. Ortiz speaks. She is asking for approval of this first MOU between Torrance County and the Juvenile Justice Board, which she will then take to the Board for their approval. As this is the first MOU, there may be updates or amendments to it in the future. All documentation hereto attached. **ACTION TAKEN:** Commissioner Frost makes a motion to approve the MOU between Torrance County and the Juvenile Justice Board. Chairman Candelaria seconds the motion. Madam Commissioner DuCharme refers to **ARTICLE II- 2.1 Responsibilities of the County:** which currently states, in part:

...The County shall provide any funds that are necessary for administrative and operational expenses.

Ms. Ortiz states that this would be part of the in-kind match. Madam Commissioner DuCharme asks if this is clear enough language. Mr. Wallin replies that the language is pretty succinct. However, he states that he believes that it should be amended to state the following:

...The County shall provide necessary services through County employees necessary for administrative and operational expenses.

Ms. Ansley states that this will be an easy change to make and the Commission could approve this MOU contingent upon this change being made.

ACTION TAKEN: Commissioner Frost amends his motion to be to approve this MOU contingent upon the change being made as requested above. Madam Commissioner DuCharme seconds the motion. No further discussion. The Commission votes; all in favor, none opposed. **MOTION CARRIED.**


5. Amend Fire Department SOG's- Cheryl Hamm, TCFD Ms. Hanna Sanchez, Admin. Asst. to the Fire Chief, speaks. Last spring, the Fire Department SOGs were approved. She and District Chief Don Dirks are here today to request some changes to the SOGs. They are requesting the addition of three positions: Operations Chief, EMS Operations, and Technical Rescue Coordinator- all to be paid \$750.00 a month. They are also requesting that the pay-per-call amounts be changed from \$10.00 to \$15.00 per Fire call and from \$5.00 to \$10.00 per EMS call. Chief Dirks explains that the call volume for Districts 2, 3, and 5 is from 1000-1400 calls per year. They are looking to add these positions to help coordinate all of the calls and all of the equipment. These positions will all be

volunteer and they will all report to the Fire Marshall's Office. They do not have an exact amount of how much this will cost. Ms. Ansley reminds all that the Commission allocated \$100,000.00 to the Fire Department for stipends; these costs would be paid from that allocation. Madam Commissioner DuCharme asked if any stipends have been paid yet. Ms. Annette Ortiz, Deputy County Manager, explained the process. They are still working out the kinks as far as getting signatures, etc. Madam Commissioner DuCharme comments that she does not have any written information about this request. She would like this in writing and would like time to think about this and to talk to members of the Fire Departments about this before making a decision. She suggests that the Commission table this item to allow more time for the collection of information. Mr. Wallin states that he has questions about this too; he would like to see more details about this before the Commission votes. All documentation hereto attached. **ACTION TAKEN:** Madam Commissioner DuCharme makes a motion to table this item. Commissioner Frost seconds the motion. No further discussion. The Commission votes; all in favor, none opposed. **ITEM TABLED**

10. District 4 Fire Department Issues- Madam Commissioner Julia

DuCharme Madam Commissioner DuCharme states that she was made aware of some issues that District 4 Fire Chief John Perea was having with getting reimbursements for the Dog Head Fire and also for his other services so she requested that this item be put on the agenda for discussion. Fire Chief John Perea states that the biggest problem is that he has not submitted the proper paperwork to the County for his members. He states that he just has not had the time or the proper guidance to get this done. He has timesheets to turn in and he states that he will get together with Ms. Hanna Sanchez to get assistance with the rest of the paperwork. He stresses that he and his fellow Fire Chiefs really need guidance and administrative assistance. Chairman Candelaria reminds all that Fire Chief Perea is a volunteer. He thanks Chief Perea for all his efforts. All documentation hereto attached. **NO ACTION, DISCUSSION ONLY**

11. Appointment of EMWT Representative Ms. Ansley speaks. She states that the County recently received the following letter from the EMWT Regional Water Association asking for the reappointment of Mr. George Immerwahr to their Board of Directors:

	EMWT REGIONAL WATER ASSOCIATION	
	P.O. BOX 118 416 5th Street	PHONE (505) 384-2369
	Estancia, NM 87016-0118	FAX (505) 384-2234
	emwtwater.org	info@emwtwater.org

Also Transmitted by EMAIL

October 1, 2016

Joy Ansley, Torrance County Manager
 And Torrance County Commissioners
 P.O. Box 767
 Estancia, NM 87016
jansley@tcnm.us

Re: Appointment of Director

Dear Ms. Ansley and Commissioners,

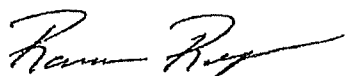
Torrance County Commissioners appointed Mr. George Immerwahr to serve an inaugural two-year term on the EMWT Regional Water Association's Board of Directors. His term will expire December 31st of this year.

We feel that Mr. Immerwahr has done an excellent job for this board. This letter shall serve as request for your Board of Trustees to re-appoint this director for a new, four-year term to begin at the December 27th, 2016 regular board meeting and end at the December, 2020 meeting.

In the event it is not the wishes of your Council members to re-appoint this director, please notify us as to whom this newly appointed director will be before December 1, 2016.

Thank you for your earliest attention to this matter.

Sincerely,



Ronnie Reynolds
 Secretary/Treasurer, EMWT Board of Directors

Chairman Candelaria states that he knows that Mr. Immerwahr is a former City Councilman for the City of Mountainair and he has no problem with this re-appointment. Madam Commissioner DuCharme comments that she wants to point out that Mr. Immerwahr's term expires on December 31, 2016 and that the Board is requesting that he be reappointed for a 4 year term. She believes that this re-appointment should be done by the new Commission. Commissioner Frost comments that if it needs to be done by December 31, then the present Commission should be the one to do it. Madam Commissioner DuCharme states

that the Commission can notify the EMWT Board that they will wait until the new Commission is in place. She states that she does not think that it is appropriate for the current Commission to make this appointment for four years. All documentation hereto attached. **ACTION TAKEN:** Chairman Candelaria makes a motion to appoint Mr. George Immerwahr to the EMWT Regional Water Association's Board of Directors. Commissioner Frost seconds the motion. The Commission votes; two in favor, Madam Commissioner DuCharme is opposed. **MOTION CARRIED**

12. Appoint Interim County Manager Chairman Candelaria speaks. He states that he believes that it was brought up in the last Commission meeting to appoint Ms. Annette Ortiz as the Interim County Manager and that it was discussed that her pay would be equal to the pay that Joy Ansley, as County Manager, is making until January when the new Commission will have the opportunity to seek and appoint a new County Manager. Madam Commissioner DuCharme states that she does not think that we can discuss the salary in an open meeting. Ms. Ansley states that salaries can be discussed and that it was discussed that the Interim County Manager would receive the Manager salary until a new appointment is made. In summary, Commissioner Frost clarifies that the Interim County Manager will be in place for the months of November, December, and January until a new County Manager is appointed. All documentation hereto attached. **ACTION TAKEN:** Commissioner Frost makes a motion to appoint Ms. Annette Ortiz to the position of Interim County Manager with the pay rate of the current County Manager until the Commission appoints a new Manager. Chairman Candelaria seconds the motion. Madam Commissioner DuCharme states that at the last Commission meeting she expressed her support of Ms. Ortiz. Madam Commissioner DuCharme asks Ms. Ortiz about her responsibilities as a Deputy County Manager. Ms. Ortiz states that she printed a copy of her job specifications for the Commission to review. She has also printed a copy of the County Manager job specs. She also printed a list of what the County Manager's daily duties are. Ms. Ortiz states that she is also the County's HR Director and she handles personnel matters on a daily basis; this includes workers comp issues, tort claims, stipends, payroll, etc. Madam Commissioner DuCharme asks if it is Ms. Ortiz's responsibility to be the County Manager when the County Manager is not available. Yes it is. Madam Commissioner DuCharme asks why Ms. Ortiz thinks she should get paid as a County Manager when she is just substituting for a period of time. Ms. Ortiz responds that she will be the Interim County Manager; she will be taking on all of the responsibilities of the County Manager on a daily basis for an extended period of time, plus handling all of her current duties, plus all of her HR duties. Mr.

Wallin comments that most counties our size would have a separate HR full-time person and another Deputy. The Commission votes; all in favor, none opposed. **MOTION CARRIED**

13. Memorandum of Understanding with Municipalities for Road Improvements

- a. City of Moriarty**
- b. Town of Estancia**
- c. Town of Mountainair**
- d. Village of Willard**
- e. Village of Encino**

Ms. Ansley speaks. Mr. Lujan, Road Superintendent, had asked Ms. Ansley to check and make sure that the MOUs were in place with the municipalities for the work that the Road Department does with them. When they checked, they found some old JPAs that were approved in 2008, but a JPA is not the correct type of document for this type of work. Ms. Ansley and Mr. Wallin worked together to convert the JPA language into the MOUs that are being presented for Commission approval today. The terms are the same; the work that the Road Department has historically performed for the municipalities is done on County off hours and the municipalities pay overtime, equipment and materials cost and the Road Department performs the labor requested. All documentation hereto attached.

ACTION TAKEN: Commissioner Frost makes a motion to approve the MOU with Moriarty, Estancia, Mountainair, Willard, and Encino for Road Improvements. Chairman Candelaria seconds the motion. Madam Commissioner DuCharme asks Mr. Wallin if the Road Crew is allowed, by law, to do this work on weekends. Mr. Wallin replies that as long as they are paid overtime, it is allowed. Mr. Wallin also points out that there are fail-safes in place in these agreements. The agreements state that County work is the priority and that the County is only bound to do this work in situations where County equipment and County labor is available. The Road Superintendent has the ability to opt out of any work. The Commission votes; all in favor, none opposed. **MOTION CARRIED**

14. Resolution 2016-047 Cash Transfers & Line Item Transfers between Funds- Amanda Tenorio, Finance Director Ms. Leslie Olivas, Purchasing Director, speaks. Ms. Tenorio is at a training and is unable to attend today's meeting. This resolution is for cash transfers that were previously approved by the

Commission. The line item transfers show the specific allocations within the funds:

CASH TRANSFERS:

From:	To:	Amount:
641 (Wind Pilt)	629 (Home Visiting Grant)	\$15,000
641 (Wind Pilt)	911 (Dispatch)	\$30,000

LINE ITEM TRANSFERS BETWEEN FUNDS:

From:	To:	Amount:
641-09-2410	629-52-2103 (PT salaries)	\$10,145
641-09-2410	629-52-2065 (health matching)	\$3,567.55
641-09-2410	629-52-2064 (FICA matching)	\$98.35
641-09-2410	629-52-2067 (Retire health match)	\$26.28
641-09-2410	629-52-2063 (PERA matching)	\$1162.92
641-09-2410	911-80-2618 (CO/Vehicles)	\$30,000

All documentation hereto attached. **ACTION TAKEN:** Madam Commissioner DuCharme makes a motion to approve Resolution 2016-047 Cash Transfers & Line Item Transfers between Funds. Commissioner Frost seconds the motion. The Commission votes; all in favor, none opposed. **MOTION CARRIED**

15. Request Payment of Invoice- Hanna Sanchez, Administrative Assistant to the Fire Chief Ms. Sanchez speaks. She is here today requesting payment of an invoice from 11/30/14 in the amount of \$82.11 to Airgas US. She received a statement that this payment was still due. She requested an invoice and researched the item and discovered that it had not been paid. All documentation hereto attached. **ACTION TAKEN:** Madam Commissioner DuCharme makes a motion to approve payment of this invoice in the amount of \$82.11. Commissioner Frost seconds the motion. The Commission votes; all in favor, none opposed. **MOTION CARRIED**

16. Youth Risk & Resiliency Presentation- Billie Clark, Partnership for a Healthy Torrance County Ms. Clark is unable to attend today's meeting and requests that this item be tabled. All documentation hereto attached. **ACTION TAKEN:** Madam Commissioner DuCharme makes a motion to table this item. Commissioner Frost seconds the motion. The Commission votes; all in favor, none opposed. **ITEM TABLED**

**County Manager Requests/Reports:*

17. Update

Ms. Ansley presents the following written update:

**Manager's Report
October 26, 2016**

1. Construction at judicial is moving along nicely. We have asked for one addition to the scope; we're going to have the contractor seal the perimeter of the building and the sidewalks, as an addition precaution to keeping moisture away from the foundation. We believe this will add longevity to the life of the building and the concrete. The cost is an additional \$9,000 and will be paid from a combination of legislative appropriation, capital outlay GRT and Infrastructure GRT. Annette, Lori and Carl have been involved with this process and I'm comfortable that they're being left with everything they need to ensure the successful completion of this project.
2. The NMFA Board meeting is tomorrow, and the County GO Bond issue is on the agenda. Mr. Harrigan has asked for County representation at this meeting, so Annette and I will be at the meeting in the morning. Assuming the NMFA approves the application, Daniel has developed the schedule for closing on the bonds. The public hearing for the bond ordinance will be on the agenda for November 9, for commission action. If all is approved, closing day will be Friday, December 16.
3. I met with Josh from Ambitions; he's been working on some IT projects, including an email migration, fiber terminations and backup disaster recovery, so that all the infrastructure is in solid shape and if the commission makes any drastic changes, there will be continuity in the ability to maintain functionality for the County offices. He's also beginning to evaluate what's needed in the judicial complex, to accommodate the Sheriff's Department, once they move. They will also ensure some additional security measures to the server room, so that we can monitor whose accessing and what they're doing inside the server room. This room houses the County's data, from every aspect and is, therefore, very sensitive. Its security is extremely important and in light of the upcoming changes, I want to ensure that the network and data are safe, as I exit my position. These changes should be in place by mid-November, and definitely before the new commission takes over.
4. It appears that the FY 2015 audit isn't going to be completed or submitted by the November 1 deadline. I received this information from the Finance department, and not the audit firm. As of today, the auditors have not been in my office, nor have they communicated with me regarding any aspect of this audit, including an engagement letter, entrance conference, policy and procedure issues or anything....period. I contacted the firm president in late September and asked about some issues that my staff was having with the audit manager, and he responded to those questions. Amanda told me yesterday that the audit manager wants a memo to the SAO office indicating that we won't meet the deadline. I'm absolutely not comfortable writing any memos regarding this audit, as I've had no communication with the audit manager whatsoever, regarding the status. I've received a couple emails from the firm president, very recently, and I've followed up on his requests I don't believe the Manager's office should be held liable for the audit report being late.

5. The MOU with MRCOG has been submitted to DFA, regarding the CDBG planning grant. The purpose of the grant is to update the County's comprehensive land use plan. As you recall, the Commission appointed a steering committee to assist with the development of the plan. The COG is ready to step in and begin the process, as soon as the County receives an executed grant agreement, which we're awaiting from DFA. I've submitted Steve's contact info to the COG and to DFA, so that they can communicate with him regarding the upcoming aspects of the process. Annette will have her hands full, and I believe the scope of work is better fit with Steve and P&Z.

Madam Commissioner DuCharme asks Ms. Ansley about the lease for the Fairgrounds between the town of Estancia and Torrance County. The Commission had instructed Ms. Ansley and Mr. Wallin to write a termination clause into the lease. Madam Commissioner DuCharme obtained a copy of the lease and it is not yet signed and it still does not have the termination clause in it. Mr. Wallin will research this.

There is no EXECUTIVE SESSION today.

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.

Ms. Dorothy Rivera, 911 Director, speaks about outgoing County Manager Joy Ansley. She compliments Ms. Ansley on the hard work she has done for the County and wishes her well in her new job.

Ms. Michelle Jones, County Clerk's Office Admin. Asst. III, speaks. She congratulates Ms. Annette Ortiz on her appointment to Interim County Manager. She congratulates Ms. Linda Jaramillo on the outstanding job she is doing as our County Clerk running the current General Election. Lastly, she thanks Ms. Joy Ansley for her work as our County Manager and she wishes Ms. Ansley well in her new position with the City of Moriarty.

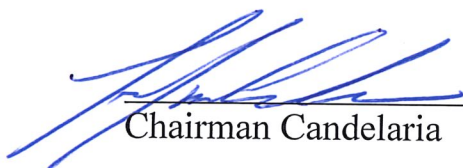
Ms. Tracey Master, DWI Prevention Program Coordinator and Torrance County resident, speaks. She also speaks about Ms. Ansley. She thanks Chairman Candelaria, Commissioner Frost, and former Commissioner Chavez for hiring Ms. Ansley in the position of County Manager and she wishes Ms. Ansley the best of luck in her new endeavor.

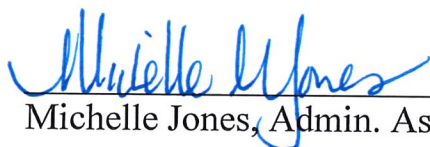
Commissioner Frost also comments about Ms. Ansley and encourages all to give her a standing ovation.

Good Luck Joy!

***Adjourn**

ACTION TAKEN: Commissioner Frost makes a motion to adjourn the October 26, 2016 Commission Meeting. Madam Commissioner DuCharme seconds the motion. No further discussion. The Commissioners vote; all in favor, none opposed. **MOTION CARRIED.** Meeting adjourned at 11:18 am


Chairman Candelaria


Michelle Jones, Admin. Assist. III

11/9/16
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.