

Final Copy
Torrance County Board of Commissioners
Commission Meeting
January 25, 2017

Commissioners Present: **Julia DuCharme-Member**
 James Frost-Member
 Javier Sanchez- Chair

Others Present: **Annette Ortiz- Interim County Manager**
 Brandon Huss- County Attorney
 Michelle Jones –Admin. Assist. III

Call Meeting to Order:

Chairman Sanchez calls the meeting to order at 9:02 am and calls for a Commission Roll Call. Commission District 1- Present, Commission District 2- Present, Commission District 3- Present. Ms. Linda Jaramillo, Torrance County Clerk, leads us in the pledge and Ms. Michelle Jones, Administrative Assistant III, (myself) gives the invocation.

At this time, Chairman Sanchez leads us in a moment for silence for Lea County Sheriff Steve Ackerman.

Approval of the Meeting Minutes:

Chairman Sanchez asks for a motion to approve the January 11, 2017 Commission Meeting minutes. **ACTION TAKEN:** Madam Commissioner DuCharme makes a motion to approve the January 11, 2017 Regular Commission 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 Sanchez asks for a motion to approve today's Meeting Agenda. **ACTION TAKEN:** Commissioner Frost makes a motion to approve today's

meeting agenda. Madam Commissioner DuCharme seconds the motion. The Commissioners vote; all in favor, none opposed. **MOTION CARRIED.**

Approval of the Consent Agenda:

Chairman Sanchez asks for a motion to approve the Consent Agenda. **ACTION TAKEN:** Commissioner Frost makes a motion to approve the Consent Agenda. Madam Commissioner DuCharme 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. Updates

Tracey Master, DWI Prevention Program Coordinator, speaks. She thanks the Commissioners for their approval of funding for the Smart Choice Ride program. They were able to get back on the road the weekend of January 13-14. They had 6 passengers on their first night running again and the program made the front page of The Independent. Ms. Master shares a story she was recently told from a lady who recently used the Smart Choice Ride in a unique way. The lady told Ms. Master that her son had been out at a local establishment and was drinking and did not want to drive home. He called his mother, for a ride. The lady called Smart Choice, they picked her up and took her to the establishment and she drove her son safely home in his own vehicle. Just another way the Smart Choice Ride can keep our roads and residents safe.

Ms. Master informs the Commission that they are looking at operating the Smart Choice Ride on Super Bowl Sunday. Even though none of the liquor establishments will be open, there will be a lot of drinking and parties going on that day. Ms. Master will be working with both municipal and county law

enforcement to arrange overtime for that night. The number for the Smart Choice Ride is 505-705-0332.

Betty Cabber, Assessor, speaks. On Monday, representatives from her office were in Encino doing outreach. Not a lot of people showed up, but their outreach was very much appreciated by the residents that they were able to assist. Yesterday, they were in Corona and were well received there too. They will be in Mountainair on Monday and in the Moriarty/Edgewood area a week after that.

Linda Jaramillo, Clerk, speaks. She states that there has been a lot of speculation about elections recently. She reads the following statement for the NM Secretary of State, Ms. Maggie Toulouse Oliver:

FOR IMMEDIATE RELEASE
January 11, 2017
Contact: John Blair (505) 490-1952

Secretary of State Toulouse Oliver Announces Successful 2016 General Election Vote Systems Audit

SANTA FE – New Mexico Secretary of State Maggie Toulouse Oliver today announced the successful audit of the electronic vote tabulation systems used in the 2016 general election. Having conducted a hand recount, the official audit found no additional recounts are required.

“New Mexicans should feel confident in the accuracy of our voting systems and in the integrity of the voting process,” said Secretary of State Toulouse Oliver. “It’s important that every New Mexican recognizes the power of his or her vote and that they exercise that power in every election.”

Following each general election, New Mexico law requires a voting system check for the federal and statewide offices in which the winning candidate won by the smallest percentage margin of all statewide candidates. The two statewide races identified for audit with the smallest winning percentage margin in 2016 were for President and Vice President of the United States, and Justice of the New Mexico Supreme Court.

In randomly selected precincts across the state, hand recounts were conducted for election day voting, early in-person voting and absentee by mail voting. These hand recount results were compared against the voting machine tabulator results from each affected county’s precinct report. The error rate found by the 2016 system check audit was 0.094% for the President and Vice President of the United States contest and 0.040% in the Justice of the New Mexico Supreme Court contest (See Appendix B-1 of 2016 Post Election Voting System Check Audit Results). These results reflect a highly accurate tabulation process in New Mexico.

New Mexico has some of the best pre- and post-election audit and security checks in the country, which help to ensure the safety and integrity of our electoral system. Some of these safeguards include:

- **PAPER BALLOTS** - Our election process is based on paper ballots and these ballots can be, and are, recounted as needed to ensure the vote count is correct.
- **NO INTERNET** - Casting and tabulating of ballots is not done over the Internet. All machines are stand alone and the memory cards that store the votes are encrypted and sealed in with tamper proof indicators. These cards are encrypted and require specialized software to unencrypt and read the results.
- **PRE-ELECTION AND POST-ELECTION ACCURACY TESTING** - All tabulation equipment is tested for accuracy in each county prior to the election in addition to the audits conducted after the election on tabulation equipment.
- **RESULT CANVASS** - Official results are certified only after verification that all paper ballots have been tabulated and accounted for.

The announcement of the 2016 audit results is part of Secretary of State Toulouse Oliver’s commitment to greater transparency in the Office of the Secretary of State.

Nick Sedillo, Risk Management Safety Officer, speaks. Last week at the NMAC, Torrance County beat out seven other counties AGAIN to win the NMAC 2016 Workers Compensation Safety Award, Division II. We beat out Colfax, Hidalgo, Lincoln, Roosevelt, San Miguel, Sierra, and Socorro counties. For the second year in a row, we were successful in reducing our workers comp. claims, our law

enforcement liability, and our automobile accidents. As a result of this win, Torrance County will be receiving a check for \$7,000.00. This money will be deposited into the Safety Committee fund so that it can benefit all of the employees of Torrance County. Congratulations Nick and all the employees of Torrance County for making safety a priority every day- Job Well Done!

Leonard Lujan, Road Department Superintendent, speaks. Today, all of the blades are out working on our County maintained roads. The roads have been very wet in recent weeks and are finally starting to dry out. Some of the Road Department crew might work this weekend to get caught up. They have been hauling material to Juan Tomas to get that road graveled. They picked up their new rigs about three weeks ago. All the rigs have been DOT approved and are on the road. Mr. Lujan has presented the Commission with the following list of proposed roads for **next** year's projects:

Chip Seal – to do a re-lift 2017-2018

- Martin Road
- Kingfarm Ranch Road
- Carol Canyon Road
- Valley Irrigation Road
- Echo Ridge
- Forest Road
- Little Cloud
- Still Water

Gravel Roads 2017-2018

- Chavez Road
- Deer Valley
- B069
- B064
- A080
- A081
- A014
- A019
- One mile new chip seal Road 222 or Breckenridge

Berta Espinosa-Moore, Home Visiting Program Manager, speaks. She informs the Commission that, for the last 6 months, the County's home visiting services program has remained stable; provided services to an average of 31 families each month. She also informs the Commission that this is the last year of their current 4-year grant cycle; the RFP will be coming up any time within the next two months. She also lets everyone know that they are going to be holding an outreach event- BINGO FOR BOOKS! Families either expecting a child and/or with children up to 5 years of age are especially encouraged to attend. Attendees will bingo for books, toys, and other prizes. Door prizes will include tickets to Hinkle Family Fun Center and coupons for Sonic meals. This fun event will be held on January 31st in Moriarty at the Catholic Church Parish Hall from 11:00 am – 12:30 pm.

Dan DeCosta, Code Enforcement Officer, speaks. Last week, the NM Environment Department informed Mr. DeCosta that they have put a work stoppage in place on our grants. They informed Mr. DeCosta verbally last Thursday and then in writing last Friday. We have had two grants this year: one for illegal dumping and another for tire amnesty. We have already spent about 1/3 of the illegal dumping grant and about 1/3 of the tire amnesty grant as well. Mr. DeCosta was informed that as of January 20, all work stops and any funds spent after that date will not be reimbursed. This is a result of the issues the State is having with their finances. Mr. DeCosta further states that he has also been told that we may not get reimbursed for money that we have already spent that has not been reimbursed yet. Right now, the County has a \$5000.00 reimbursement that is pending payment along with a few other smaller pending payments. The EVSWA also has some pending reimbursement payments. Mr. DeCosta states that this is very bothersome to him because we have a signed contract with the State as well as issued purchase orders which gave us the authority to go ahead and spend funds. Mr. DeCosta is very concerned about this and has contacted every representative that the County has at the State House and our two Senators. He has contacted Representative Tomas Salazar, Representative Matthew McQueen, Senator James White and Senator Elizabeth Stefanics. Senator White replied to Mr. DeCosta and stated that, 'existing grants may not be renewed, but existing grants that are under formal contract and have already expended funds should not lose reimbursement'. Senator White asked Mr. DeCosta for more information. Mr. DeCosta sent Senator White copies of the stop order. Senator White replied to Mr. DeCosta that he, 'discussed the issue with the secretary (of the Environment Department, we assume) and he is properly concerned about State finances. Invoices will be closely reviewed for reimbursement. Work done after stoppage will not be accepted'. Commissioner Frost confirms with Mr. DeCosta that work has stopped. It has. Ms. Annette Ortiz confirms with Mr. DeCosta that the reimbursements were submitted

before January 20. Mr. DeCosta clarifies that he submitted his requests for reimbursement on January 15th. Ms. Olivas was also involved and resolved a problem with one of the reimbursements. Apparently there was another issue with another of the reimbursement that was not resolved. Mr. DeCosta resolved the issue and resubmitted it; it was noted on the reimbursement that it was originally submitted on time. Mr. DeCosta states that we should know sometime next week if the State will send the reimbursement. He notes that we will still be submitting some reimbursement for advertising work that was done prior to January 20th.

Mr. DeCosta now asks about today's agenda item #4. In summary, he asks if the Commission will consider approving this resolution even though he is not sure that this work outlined in the resolution will be approved. The Commission decides to address this resolution when they get to it on the agenda.

Commissioner Frost informs all that he attended the NMAC conference and also heard a lot of talk about budget cuts.

Madam Commissioner DuCharme congratulates our Safety Committee and all Torrance County employees for receiving the NMAC safety award again this year. She comments that we have won so many safety awards that now we almost expect to win, which is an achievement in itself. Well done and Congratulations!

Chairman Sanchez informs all that he was also in attendance at the NMAC conference. Recently, he has attended several very important meetings concerning issues that affect our county: the EBRA (Estancia Basin Resources Association) meeting, the EMWT (Estancia, Moriarty, Willard and Torrance Regional Water Association) meetings, various School Board meetings, Land Grant meetings, and the Soil and Water Conservation meetings. He also participated in a very successful stakeholder meeting on January 18th in Torreon. This meeting was very well attended and very well represented. The meeting was very productive and several infrastructure projects were identified and discussed. Chairman Sanchez states that he remains very optimistic about our future, even though the budget is in a shortfall at the state level.

2. Request Approval of Amendment No. 2, Contract FY2017-DWI-01, between Torrance County and Lucia Lucero – Tracey Master, DWI Prevention Ms. Master speaks. She requests that this item be tabled as the amendment is currently in legal review by our County Attorney. **ACTION TAKEN:** Chairman Sanchez makes a motion to table this item. Madam

Commissioner DuCharme seconds the motion. The Commissioners vote; all in favor, none opposed. **MOTION CARRIED.**

3. Cancellation of Contract between Torrance County and Torrance County Counseling for DWI Treatment- Tracey Master, DWI Prevention Ms. Master speaks. She states that she received a letter advising that Torrance County Counseling closed their doors effective January 7th. This follows the passing of Torrance County Counseling's Founder JoAnn DelCurto. **ACTION TAKEN:** Chairman Sanchez makes a motion to cancel the contract between Torrance County and Torrance County Counseling for DWI Treatment. Commissioner Frost seconds the motion. Madam Commissioner DuCharme asks if anyone else will be providing these services. Ms. Master replies that it's her understanding that the individual therapists who worked at Torrance County Counseling are going off on their own. We currently have a contract in place with Ms. Sharon "Trish" Daino to provide treatment. No further discussion. The Commissioners vote; all in favor, none opposed. **MOTION CARRIED.**

4. Resolution 2017-03 Clean-up Properties in Estancia Ranchettes with Monies Provided by NMED- Daniel DeCosta, P&Z Code Enforcement- Mr. DeCosta speaks. This is concerning a resolution for cleaning up properties in the Estancia Ranchettes. These are properties that are affected by funds from the NM Environment Department. Mr. DeCosta requests that the Commission approve this resolution. He states that if we don't have the money, we won't do it. **ACTION TAKEN:** Chairman Sanchez makes a motion to table this item pending further clarification regarding the status of availability of funding. Commissioner Frost seconds the motion. Madam Commissioner DuCharme thanks Mr. DeCosta for his efforts to insure that Torrance County be reimbursed from the State for grant funds that have been expended prior to the January 20 stop date. She expresses her concerns about approving this resolution at this time because of the current stop work direction. If Mr. DeCosta is unavailable to be present at the next Commission meeting, he can submit an update in writing or someone else can present this item for him. The Commissioners vote; all in favor, none opposed. **ITEM TABLED.**

***Commission Matters:**

5. Fair Board Appointment: (1) One Year Term- Chairman Sanchez speaks. We have two letters of interest/intent for this position: one from Mr. Josh Knight and one from Ms. Amy Winn. Mr. Knight is present at today's meeting. He introduces himself to the Commission and gives a short statement about his background and qualifications. Ms. Winn is not present at today's meeting. Commissioner Frost makes a brief statement about Ms. Winn and her qualifications. All documentation hereto attached. **ACTION TAKEN:** Commissioner Frost makes a motion to appoint Mr. Josh Knight to a (1) one year term on the Torrance County Fair Board and Ms. Amy Winn to the position of 2nd Alternate to the Fair Board. Chairman Sanchez seconds the motion. No further discussion. The Commission votes; all in favor, none opposed. **MOTION CARRIED**

6. Public Input Regarding Public Requests/Comment on Agenda Chairman Sanchez speaks. He states that the intention behind this agenda item is to modify public requests/comment on the agenda if necessary. Chairman Sanchez states that he would like to hear from the public concerning the issue. The following persons comment on this agenda item:

- **Michael Godey**
- **Art DuCharme**
- **Mary Ann Ende**
- **Kay Cauley**
- **Charlene Guffey**
- **Johnny Romero**
- **Michelle Jones**
- **Rick Carlson**

In summary, all who spoke were in favor of public comment to some degree; either at the beginning, during, and/or at the end of Commission meetings. The Commission thanks all who spoke. Chairman Sanchez states that it has been tradition, following Roberts Rules of Order, that the Chair set what degree of comment they want to see, but he wants to hear everyone's input and asks his fellow Commissioners for comment.

Commissioner Frost comments that the Commission represents not only the people who attend the meetings, but all the citizens of the County. Citizens are welcome to call him with comment.

Madam Commissioner DuCharme comments that the public cannot be excluded from a public meeting. She thinks we have to have public comment. She states that whatever the Commission does should be in an attempt to improve things. She thinks moving public comment to the beginning of Commission meetings will be an improvement. She states that the majority of the people who just spoke expressed a desire to have public comment at the beginning of the meetings. We can receive a lot of good ideas for free at every meeting. She states that she believes that Chairman Sanchez campaigned on this issue, stating that he would allow public comment during agenda items. She states that she is in full support of putting public comment time at the beginning of the Commission meetings and she wants to give people between 3-5 minutes each to make their comments. She also wants to allow people to comment on agenda items during the meetings.

Chairman Sanchez states that he thinks that the most effective manner, by far, in which the public can engage the Commission is by requesting to be placed on the agenda. The public comment section is not the proper tool for engagement. In a positive environment, public comment can be a great tool where people come and share ideas, provide support, observations and comments. In a negative situation, it can be the tool that is used to rant, insult, and be regressive. That said, Chairman Sanchez states that he thinks that there is value in public comment. There is value in opening up our meetings and allowing folks to comment on each agenda item; there is merit to this idea. Chairman Sanchez states that he knows that our Commission meetings are aired through various mediums and some of those mediums play only an hour of the meeting so he thinks that if we leave the public comment section at the end of the meeting, but allow for comment during each agenda item we would do our public a great service. He states that he sees no value in moving public comment to the beginning of the meeting because, as he previously stated, it is not the proper tool for public engagement.

a. Modify Public Requests/Comment on Agenda, if necessary

ACTION TAKEN: Chairman Sanchez makes a motion to allow for public comment during agenda items for the duration of one minute each and at the end the agenda for a trial period of three months. Commissioner Frost seconds the motion. Madam Commissioner DuCharme states that she is excited to hear that we will have public input during agenda items, but she is disappointed that public

comment will not be moved to the beginning of the meetings. It is noted that public comment will be allowed for all agenda items. Commissioner Frost comments that he agrees with allowing for public comment during agenda items and at the end of the meetings. This change will begin at the next Commission meeting. The Commission votes; all in favor, none opposed **MOTION CARRIED**

7. Clarification of Statute Compliance with Regards to Resolution 2017-01

Ms. Tracy Sedillo, Treasurer, speaks. She states that she had an email exchange with Mr. Wallin and Mr. Huss, our County Attorneys, about this issue. Mr. Huss requested that Ms. Sedillo reach out to the NM DFA for their input on this. The statute only regards money that is an investment; that's in interest bearing accounts. DFA thought that, based on our attorney's opinion, we were in compliance with the statute. For clarification, Ms. Ortiz comments that this resolution was adopted at the last Commission meeting. It is on the agenda today to discuss our compliance. Ms. Sedillo states that she believes we need to do more research on the statutes before we move forward, but the initial determination by DFA was that they believe we are in compliance because the State investment pool is considered local. Mr. Huss states that he spoke with Mr. Wallin about this issue and he reviewed the statute. He states that it appears to him that the only obligation to deposit to those banks within the County is if you are going to deposit interest bearing funds. He states that it is his understanding that we don't have any of those accounts and so depositing into the State pool is an acceptable alternative. **NO ACTION TAKEN, INFORMATION ONLY**

8. Agenda & Packet Formation and Dissemination Ms. Annette Ortiz speaks. She states that at the last Commission meeting the Commission had indicated that they wanted to discuss dissemination of the Commission meeting agenda and Commission meeting packets. In the Manager's office, there are forms for persons who want to request to be put on the agenda. Ms. Ortiz has presented the Commission with a copy of a blank 'REQUEST TO BE PLACED ON THE TORRANCE COUNTY COMMISSION AGENDA' form, which is included in the file for this meeting. The deadline for inclusion on an agenda is noon on the Wednesday before the Commission meeting. The form includes instructions for inclusion. The Manager's office requests 7 copies of an agenda item request. Ms. Ortiz also presents the Commission with an AGENDA/PACKET FLOW SHEET, which is included in the file for this meeting. The flow sheet is used to assist the Manager's staff with preparation and dissemination of the Commission agendas

and packets. Chairman Sanchez states that he believes that the agenda and packet information is disseminated quite well. Madam Commissioner DuCharme states that she has no problem with the Commission agendas and packets being assembled by the Manager's Office. She states that she thinks we can do more. She has received requests from residents of the County that they would like to see the Commission agendas and packets placed in our local libraries and senior centers. She does not believe that this additional distribution would be difficult and could increase public participation. In the resolution that was approved at the last Commission meeting, it is a requirement that the Commission agendas be posted to the County website. Madam Commissioner DuCharme would like for it to be a requirement listed on the resolution that packets must also be included on the website. Ms. Ortiz comments that she does not have the staff to deliver packets to our local libraries. She states that she would be more than willing to fax if that is an option. She requests that the Commission does not make the addition of packets to the website a requirement on the resolution. She has concerns about being out of compliance if she is not able to post the entire Commission packet to the website in a timely manner for every Commission meeting. The libraries have computers which would enable persons to view or even print packets. Ms. Ortiz states that currently the Manager's Office prints out packets as follows: one for each Commissioner, one for the County Clerk, one for the County Attorney, and one for the County Manager/public. Commissioner Frost thinks the priority is having the agenda on the website, not necessarily the packet. There is discussion. All documentation hereto attached. **ACTION TAKEN:** Chairman Sanchez makes a motion that we require agendas and packets to be posted to the Torrance County website for our County Commission meetings. Madam Commissioner DuCharme seconds the motion. This will require an amendment to Resolution 2017-02. Madam Commissioner DuCharme asks the County Manager's office to print out two additional agendas and packets for each meeting that she will distribute herself. The Commission votes; two in favor, Commissioner Frost abstains.

MOTION CARRIED

9. General Requirements for Board Member Appointment(s) Ms. Annette Ortiz speaks. At the last Commission meeting, there was discussion among the Commission about whether or not candidates for Board member positions within the County should be required to appear before the Commission for a brief introduction/interview before being appointed. Chairman Sanchez comments that he believes it should be a requirement, along with a letter of interest. Madam Commissioner DuCharme comments that she believes that residency should also be a requirement. She states that Bernalillo County has a residency requirement for

their board members and our P&Z Board already has this requirement. There is discussion about adding a residency requirement. Mr. Huss comments that he is not aware of any statutory requirements concerning residency; he believes that it is the Commission's pleasure about who they want to appoint. All documentation hereto attached. **ACTION TAKEN:** Chairman Sanchez makes a motion that the general requirements for Board Member appointments be a letter of intent and also their presence at a Commission meeting to present that letter to the Board of County Commissioners. Commissioner Frost seconds the motion. Madam Commissioner DuCharme states that this is an improvement, but not enough. Chairman Sanchez states that he has difficulty requiring residency because this community is so diverse. In all of our different industries, we have people who live outside of the County, yet work here and have children who go to school here. There are a lot of people who are not residents of the County, yet are critical stakeholders here and it would be inappropriate to disenfranchise them from an opportunity to have a say in the issues that may very well affect their own families. Madam Commissioner DuCharme comments that she is not aware of people on Boards in Bernalillo County or Santa Fe County who reside here in Torrance. The Commission votes; two in favor, Madam Commissioner DuCharme is opposed.

MOTION CARRIED

10. Appointment of Records Custodian Madam Commissioner DuCharme speaks. She states that she placed this item on the agenda; the County needs an official Records Custodian and that person should be appointed by the Commission. She states that she thinks that the proper person for this position should be the County Clerk because it is her duty to deal with records. Madam Commissioner DuCharme states that she knows that the Manager's office is very busy with other duties. Ms. Jaramillo states that she would be glad to do this, but she would need additional staff. She states that during elections, for example, she needs her entire staff working on elections. She states that this person could come in when needed to handle IPRA requests, for example. Ms. Ortiz states that the amount of IPRA requests coming in is increasing. Ms. Jaramillo states that she could train someone to do this correctly and to use any software that would be available to do this right. Ms. Ortiz states that her office can request a person as well to handle this. There is discussion about whether the Manager's Office or the Clerk's Office should handle this responsibility. There is discussion about giving this responsibility to Ms. Jones, (myself). Commissioner Frost states that this is a new idea and he would like to see a proposal about this. Ms. Ortiz asks why this is being brought up. Madam Commissioner DuCharme comments that she believes that it is a requirement that the County have a Records Custodian and that the

Custodian keep a log of all requests and be accountable. Mr. Huss states that this is correct; the Inspection of Public Records Act itself requires that the County put someone's name as the Custodian. This person is not necessarily the person who is going to physically gather the information, but there has to be one central office to direct requests so that if constituents want information there has to be one central hub. Mr. Huss believes that he remembers the Commission creating a resolution appointing the Managers Office. He comments that other counties are basically evenly split on either the Clerk's Office or the Manager's Office. Madam Commissioner DuCharme comments that she remembers that no action was taken with respect to this matter. All documentation hereto attached. **ACTION TAKEN:** Chairman Sanchez makes a motion to table this item until we are able to clarify whether or not we passed a resolution and who is in fact the Records Custodian. Commissioner Frost seconds the motion. The Commission votes; all in favor, none opposed. **ITEM TABLED**

11. Reduce Cost of Copies of Public Records Madam Commissioner DuCharme speaks. She requested that this item be put on the agenda. She states that right now the cost of copies is \$1.00 per page and she thinks there is no justification for this. The majority of our population in the County is low income. She states that when we approve contracts with companies who provide us with printers, she sees that the price per copy is extremely low; black and white copies cost under one cent, why would we charge \$1.00? The County's records will be more accessible for the public if it costs less. She also states that this is not her idea, she hears from the public all the time that this cost is too much. She proposes that the County lower the cost to as low as we can. Madam Commissioner DuCharme asks any Department heads that are present to please comment on this issue. Ms. Tracy Sedillo, Treasurer, states that most of the requests that her department gets are for information that can be sent electronically, so there is no charge. She points out that the fees are set by resolution and that there are other fees on that resolution as well that she recommends be reviewed also. She states that there are items on that resolution that directly affect her office that she believes need to be corrected. She requests review of the entire fee setting resolution. She talks about the fees for a copy of the tax roll and the delinquent tax roll. There is discussion about these fees.

Mr. Huss comments that the issue of charging \$1.00 per page could be evaluated. He states that the dollar fee is on the high end compared to other counties and municipalities. He states that the fees that our County is currently charging for the tax roll and the delinquent tax roll are in line with other counties.

Mr. Jesse Lucero, Deputy Assessor, speaks. He also comments about the fees for large files of data information, as Ms. Sedillo did. He speaks about the fees for maps. He offers to provide any input he can if the fee resolution is reviewed.

Ms. Linda Jaramillo, Clerk, speaks. Her office does provide many paper copies to customers at \$1.00 per page. She states that some people have no problem with the fee and others do. She comments that she would like to see this fee be reduced, perhaps to \$.50 per copy. She states that the dollar fee can quickly add up to \$60.00 or \$70.00 for some of our customers. More and more often, her office is emailing documents to customers free of charge; we have scanned copies of most of our documents. All documentation hereto attached. **ACTION TAKEN:** Chairman Sanchez makes a motion to suspend consideration and to table this item. Commissioner Frost seconds the motion. No further discussion. The Commission votes; all in favor, Madam Commissioner DuCharme is opposed. **MOTION CARRIED- CONSIDERATION IS SUSPENDED AND ITEM IS TABLED**

Chairman Sanchez states that the cost of copies will remain the same.

At this time, the Commission decides to move agenda item #12 to the end of the agenda, to allow for information gathering.

13. Torrance County Mitigation Sub Grants Madam Commissioner DuCharme speaks. She placed this item on the agenda. She received a letter about this stating that the deadline for this is January 31st. Madam Commissioner DuCharme states that she forwarded the email about this to Interim County Manager Ortiz. Ms. Ortiz replies that she will make sure that we do not miss that deadline. **NO ACTION, INFORMATION ONLY**

14. Discussion of the Complaint about Jemez Road Madam Commissioner DuCharme speaks. She states that she received a letter of complaint from a resident Mrs. Lucero, who resides on Jemez road. Jemez road is in a subdivision, Sunset Acres, and many of the roads in that subdivision are County maintained, but Jemez road is not. Mrs. Lucero is asking why. She wants Jemez road to be adopted by the County and become a County maintained road. Madam Commissioner DuCharme has not yet visited this road.

Mr. Eddie Trujillo, who also lives on Jemez road, reads a letter from resident, Mr. Armando Lucero, who could not attend today's meeting. The letter states that Mr.

Lucero and his wife live on Jemez road. Mr. Lucero states that he has attended four other Commission meetings to discuss this road and has signed many petitions asking the County to adopt the road. Mr. Lucero states that they have cleaned out the sides of the road where the culverts are and have even offered free gravel to get roads fixed; the offer of the gravel is still on the table. As tax payers, they would appreciate the adoption of the road.

Mr. Trujillo shows the Commission pictures of the road. He states that he has been in front of the Commission before with Sheriff White and Fire Chief Trumbull, who also commented about the poor condition of the road at that time. He comments that signs are also needed on the road. Mr. Trujillo states that people move in and then move out because of the poor condition of the road. Madam Commissioner DuCharme asks how many residences there are on the road. Mr. Trujillo replies approximately 30.

Chairman Sanchez thanks Mr. Trujillo for bringing this complaint to their attention. Ms. Ortiz comments that currently there are three roads in this subdivision that are private roads and cannot be maintained by the County. Ms. Ortiz has seen the road and comments that it is "atrocious". Mr. Leonard Lujan, Road Superintendent, comments that Jemez road has probably been on Commission agendas for the last 7 or 8 years. He states that when the subdivision was accepted years ago, the roads on the east side of the subdivision were never accepted for maintenance. He comments that, as the Commission is aware, our Road Policy states that before a road can be considered for adoption as a County maintained road, it must be brought up to County specs. By law, the Road Department cannot maintain private roads using County equipment. Jemez road is about 6/10 of a mile.

Madam Commissioner DuCharme states that she is aware of another possible option called Special Assessment. She comments that Mr. Wallin had stated previously that he would look into this option, but she is not sure of what he has found out. Special Assessment is not part of our current Road Policy. Commissioner Frost comments that he has been aware of this road for many years. He states that there really is not a road there, these are properties that people have been driving on for many years and have named Jemez road. He states that we need to find out who owns that property. He wonders if the homeowners association can get together and build the road up correctly to County specs. He comments that the land that the road is on probably needs to be titled to the County as well.

Resident Jeannie Saucedo also comments about the very poor condition of this road and the many complications this has caused.

Madam Commissioner DuCharme states that her understanding of a Special Assessment would mean that the County could do work on a private road and then the residents who live on that road pay the County back through their taxes. Commissioner Frost clarifies that property taxes do not go to the road department, they go primarily to schools.

Chairman Sanchez explains that what Madam Commissioner DuCharme is referring to as a Special Assessment is a Public Improvement District. He is not completely familiar with this either, but his understanding is that a group of property owners put a petition together and present it to the County Commission and they request certain improvements be made within a specific geographic area. Then they are issued a specific levy of taxes in which they pay for the improvements that are made. Further investigation is needed to find out if this is even an option. At this time, they do not have an active homeowners association.

Rick Carlson, a resident of the road states, in summary, that if you fix this road people will come and buy, which will help everyone.

Nick Sedillo states, in summary, that more investigation needs to be done on this road. The covenants need to be reviewed.

Madam Commissioner DuCharme asks about the road signs. Mr. Nick Sedillo explains that the Road Department handles traffic control signs first and then the Assessor's Office installs the applicable street name road signs. Mr. Lujan explains that they do not put signs on private roads. There are stop signs at the end of the road and a street name sign will be installed.

Mr. Huss states that he will look into the Special Assessment and/or Public Improvement District option and provide information to the Commission at the next Commission meeting. There will be an item on the next agenda to allow for this.

Mr. Huss explains again that because of the anti-donation clause, the NM Constitution prohibits the County from dedicating resources, money, or time towards maintaining private property.

Commissioner Frost reiterates again that someone needs to find out who owns the property that this road is on.

Chairman Sanchez states that this process starts with a petition from the residents, the homeowners. The concerned residents will talk with Ms. Ortiz to get further information on how to proceed. **NO ACTION, DISCUSSION ONLY**

15. EMS Crew at Torreon Fire Department Chairman Sanchez speaks. He states that at the current stakeholder meeting that was held in Torreon, it was brought to his attention that there is a need for imbedded EMS personnel to be strategically located to service the southern part of our County- specifically from Estancia south to Willard, Mountainair and the mountain communities. Superior Ambulance currently provides that service.

Mr. Johnny Perea, Fire Chief of the Torreon Fire Department, speaks. He states that they know they have a response time problem. Superior currently responds from the northern part of the County. Responders from his Fire Department are not always available and their training is very limited. They are not yet properly trained to be first responders to emergency medical situations. He states that a resident, Mr. Frank Luna, has brought the need to light after he had an incident with his own family. Fire Chief Perea tells the Commission that they have had a couple of incidents that have resulted in fatalities where possibly response time could have made a difference. He states that they are understanding of the fact that a great deal of the calls happen up north, where Superior is located. That said, it is still critically important to have a quicker response if it means saving a life. Fire Chief Perea states that this could mean either having a Superior ambulance located there or having a trained first responder stationed there. The Torreon Fire Station could be modified to house a first responder. As it stands now, if there is no one available to respond from either Estancia or Mountainair, they are looking potentially at a 45-60 minute response time.

Ms. Augustina Sturchio, EMS Ops Chief, TC Fire, speaks. She states that they have developed some strategies to get some quicker response in that area. They have some Fire admin with some QRUs (Quick Response Units), which will still be responding from the Indian Hills area. She states that they are still looking at about 15 minutes if they are in that area. They are also looking into getting more training in that area, but training would take at least 8 months. In the meantime, Ms. Sturchio states that they probably need Superior out that way.

Mr. Scott Wilson, Quality Assurance Coordinator for Superior Ambulance, speaks. He states that they looked at the option of being located out of the Estancia Fire Station about five years ago. He states that the problem is that most of their crews run from 48-72 hour shifts. There are OSHA regulations concerning housing crews that run these kinds of shifts; the stations have to have kitchens, bunk rooms, etc. To his knowledge, none of the site built stations currently have these amenities. They considered putting a modular unit behind the Estancia station. The problem with this is the cost. Superior does not receive a subsidy from Torrance County.

Mr. Pete Anderson, Systems Operations Manager for Superior, speaks. He also talks about the cost involved for one ambulance- over \$1 million dollars a year for one unit; approximately \$3,000.00 a day. He states also that 77% of their call volume comes from the Estancia/Moriarty area. He gives stats about calls throughout the County. Mr. Anderson offers to do a 'Demand Analysis' for the Commission. He states that they could consider a more southern staging location, but they would need assistance from the County in order to do that.

Fire Chief Perea suggests possibly hiring one other person, trained in EMS and Fire, and stationing them in the mountain area. He thinks one person could make a huge difference. This person could also help with paperwork and keeping the rigs maintained.

Ms. Sturchio states that we have 16 EMTs and First Responders that would be willing to be placed in that area. It would take away from their current stations, and they would be requesting an on-call pay in addition to their response pay.

Mr. Daniel Herrera and Mr. Frank Luna, both residents of this area, speak to their need for assistance. Mr. Luna states that, at this point, many of his neighbors transport their family members to the hospital in their own cars because of the slow response time.

Ms. Ortiz states that she would like to sit down and speak with Fire Chief Perea and our EMS Supervisor and discuss what numbers and options might be available now and in the future.

All documentation hereto attached. **ACTION TAKEN:** Chairman Sanchez makes a motion to table this item until the 2nd meeting in February, pending further research. Madam Commissioner DuCharme seconds the motion. No further discussion. The Commission votes; all in favor, none opposed. **ITEM TABLED**

16. Investment / Expenditure of Proceeds from Wind PILT Payments

Chairman Sanchez speaks. He agrees with Ms. Sedillo that it would be best for the County to create an investment committee. Ms. Sedillo informs the Commission that Santa Fe County already has an investment committee. The Commission agrees to create this committee and discusses who to put on the committee. With input from Ms. Sedillo and Mr. Huss, the Commission decides and Chairman Sanchez makes a motion. All documentation hereto attached. **ACTION TAKEN:** Chairman Sanchez makes a motion to create a County investment committee and to appoint the following persons to the County's newly formed Investment Committee:

- The County Treasurer- Ms. Tracy Sedillo
- The County Finance Director- Ms. Amanda Tenorio
- The County Manager/Interim County Manager- Ms. Annette Ortiz
- The County Attorney- Mr. Dennis Wallin
- A member of the County Board of Finance/Commission- Chairman Sanchez
- Two non-county employee members of the community- TBD

Commissioner Frost seconds the motion. The two non-county employee members should be familiar with investment. These positions will be advertised and candidates will be asked to come before the Commission for a brief interview. No further discussion. The Commission votes; all in favor, none opposed. **MOTION CARRIED**

12. Appointment of Torrance County Representative to the Estancia Valley Solid Waste Authority Board of Directors

Ms. Annette Ortiz speaks. Mr. Brandon Huss requests that this item be tabled pending further investigation. All documentation hereto attached. **ACTION TAKEN:** Chairman Sanchez makes a motion to table this item. Madam Commissioner DuCharme seconds the motion. No further discussion. The Commission votes; all in favor, none opposed. **ITEM TABLED**

***County Manager Requests/Reports:**

17. Update

Ms. Ortiz informs the Commission that she also recently attended the NMAC conference. She also heard a lot about the budget shortfalls. She attended the lobbyist breakfast on Friday; many of the County Managers were there. The main thought at the table that day was a request to leave local government alone. The State seems to be trying to tap into local government dollars to make their budget work. She anticipates a lot more cuts coming.

Ms. Ortiz informs the Commission that when Torrance County Counseling closed, the State found it necessary to fund an additional \$30,000.00 to our Domestic Violence Program because we are the only other entity offering the classes that TC Counseling was offering.

We had one minor accident in the Maintenance offices and one vehicle accident in the Sheriff's department with no injuries.

The Manager's Office is working diligently to keep up.

Ms. Lori Archuleta, the County Manager Administrative Assistant, provided her with a handout about the County Manager position:

There were two applicants who did not turn in the required number of packets that was stated in the AD. (Requirements were 1 original with 3 attached copies).

There was one applicant who turned in their application that did not meet the requirements in the ad regarding the deadline.

This application was stamped received on January 24, 2017 at 3:16pm.

The AD stated: deadline is January 23, 2017 at 5:00pm.

There were a total of 12 applicants for the Torrance County Manager position.

Ms. Ortiz requests that the Commission set up an Executive Session so that they can convene to review the applications. The Commission agrees to call an Executive Session Special Meeting on Monday, January 30, 2017 at 9:00 am to review the applications.

Madam Commissioner DuCharme asks about the Emergency Manager position that is currently open. Ms. Ortiz replies that 4 applications have been received for this position. The applications will be reviewed to make sure that they meet all the qualifications, interviews will be scheduled and conducted, and then a recommendation will be given to the Commission.

Madam Commissioner DuCharme asked about a contract for maintenance for Fire Department vehicles that expired on January 8th. Ms. Leslie Olivas, Purchasing Director, replies that we are not moving forward with an RFP for this. At this time, the Fire Department will be handling this on a purchase order basis. Madam Commissioner DuCharme asks why. Ms. Olivas states that the Commission should ask Fire Chief Trumbull about this. Ms. Ortiz states that it would be the decision of the Fire Chief about how to proceed with this because he is the Fire Department head. This decision is not in violation of the procurement code.

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.

Michael Godey, resident, speaks. He thanks the Commission for addressing the Open Meetings Act and coming up with an improvement concerning public comment, however he believes allowing only one minute for comment during agenda items is not long enough. He comments that we all have to work together to help improve our roads.

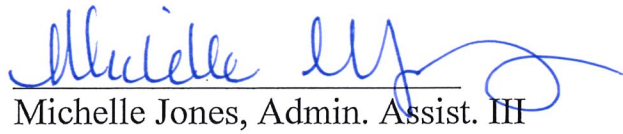
Hank Van Es, resident, speaks. He states that he finds the idea of an investment committee a joke. He states that the only way to improve this County is to improve the infrastructure and that means the roads. The County should invest PILT money in our roads. He comments that the Road Policy states that our roads need to have a 2% crown on them so the water can run off. A number of our roads are ponds and we need to get crowns on them.

***Adjourn**

ACTION TAKEN: Madam Commissioner DuCharme makes a motion to adjourn the January 25, 2017 Commission Meeting. Commissioner Frost seconds the motion. No further discussion. The Commissioners vote; all in favor, none opposed. **MOTION CARRIED.**

Meeting adjourned at 1:25 pm


Chairman Sanchez


Michelle Jones, Admin. Assist. III

2/8/17
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.