

Final Copy
Torrance County Commission
Regular Meeting
April 26, 2017

Commissioners Present:

Javier Sanchez-Chairman
Jim Frost-Member
Julia DuCharme-Member

Others Present:

Belinda Garland-County Manager
Annette Ortiz-Dpty Cnty Mngr
Dennis Wallin-County Attorney
Sylvia Chavez-Admin Asst II

Call Meeting to Order:

Chairman Sanchez calls the meeting to order at 9:01 am and calls for a Commission roll call, Commission District 1-Present, Commission District 2-Present, Commission District 3-Present. Ms. Linda Jaramillo leads us in the pledge and Ms. Sylvia Chavez (myself) gives the invocation.

Approval of the Meeting Minutes:

Chairman Sanchez asks for a motion to approve the April 12, 2017 Regular Commission Meeting minutes. **ACTION TAKEN:** Madam Commissioner DuCharme makes a motion to approve the April 12, 2017 Regular Commission Meeting Minutes. Chairman Sanchez seconds the motion. No further discussion, the Commission votes: 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 to today's meeting

agenda. Chairman Sanchez seconds the motion. No further discussion, the Commission votes: 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. Chairman Sanchez seconds the motion. Madam Commissioner DuCharme states that it seems in every Consent Agenda there has been a purchase of a truck. She is looking for Mrs. Sedillo to ask if this is a priority to be buying a truck. Ms. Annette Ortiz comes to the podium and clarifies the purchase of the new vehicle for the Treasures office. She states that now that the Treasures office is going out and having satellite offices in the different communities throughout the County it would leave the remaining staff in the office without the vehicle to do daily duties, such as going to the bank and getting the office mail. Ms. Ortiz states that Ms. Sedillo is very cautious when spending money out of her budget but that was the reason for the purchase of the SUV. The Commission votes, all in favor, none opposed. **MOTION CARRIED.**

There are no Indigent Claims

ACTION ITEMS*: **ITEMS TO BE CONSIDERED AND ACTED UPON**

***Department Requests/Reports:**

(Public Comment, each item: At the discretion of the Commission Chair. Comments are limited to one minute per person.)

1. Updates:

a. Various County Departments

Hanna Sanchez, Fire Administrator, gives an update on the Tinder that was involved in a roll over in December. Chris Downy, general adjuster with the NMAC has declared the vehicle a total loss. The total amount spent on the Tinder was \$83,062.00. Ms. Sanchez was contacted by Bobby Dolton from NMAC inquiring about the title for the Tinder, in order to sell the Tinder as a salvaged title. Ms. Sanchez states she is waiting on the check from NMAC for the Tinder and there is

another agency that is interested in purchasing the vehicle and she is just waiting for that individual to make contact with either herself or Nick Sedillo to look at the vehicle.

Cindi Sullivan-Animal Shelter Director, she goes over the first quarter numbers for the Animal Shelter/Animal Control. There have been a total of 105 animals, 84 dogs and 21 cats, one reported bite case. They have received 2 quotes for the Foyer project. County Manager Belinda Garland states that they are waiting to receive one more quote to be compliant with the procurement procedures. Since taking over the Animal Control for the County they have done a total of 2113.7 miles in the county. Ms. Sullivan states that this will help in trying to budget for the next FY. She has not done this before so she is trying to take the steps to help prepare her budget. She mentions that their printing budget may be more than expected due to having door hangers made for the Animal Control. Commissioner Frost asks how the coverage is being handled with her staff. Ms. Sullivan states that they are doing well and staff is getting acclimated to the new job. There is coverage 24/7, she mentions that since taking over they have had 6 or 7 after hour calls for service. Madam Commissioner DuCharme asks what the door hangers are used for. Cindi states Animal Control, puts the hanger on the door whenever they have been called out because their dog is either at large, been involved in an attack, bit someone or could even be at the shelter. Ms. Sullivan states that there is a lot of people in the County that don't realize there is an Animal Shelter in Torrance County. So this also helps with letting the residence know we are out here providing services for the County.

Linda Jaramillo-County Clerk, informs the Commission that sadly, Michelle Jones has taken another job. Ms. Jones will be the new Clerk for the Town of Estancia. She will be greatly missed in the clerk's office as well as in here in Commission meetings. Michelle has done an excellent job for the Commission in transcribing the minutes. Ms. Jaramillo states that the Town will be happy to have her as their new Clerk. She loves her job but she also loves her family, she is taking this position because of her family. Her last day here at the County will be May 4, so if you would like to email her or stop by and thank her please do.

Annette Ortiz-Deputy County Manager, states that today is Administrative Professional Day, which also use to be known as secretary's day. Ms. Ortiz states that all of our employees across the board are good and would like to thank all of

the Torrance County employees and leads the Commission and audience in a round of applause for all employees. Commissioner Frost thanks all the County employees for their hard work.

b. Boards or Land Grants

Daniel Antonio Herrera-La Merced de Pueblo Manzano, would like to take the time to today to inform everyone that in no way do any of the land grants give their water rights to the Water Authority. They will never relinquish their rights that have been handed down to them from Spain and the Republic of Mexico. **NEVER** under no circumstances will the land grants give their water rights away. Mucho gracias

d. Commission

District 2, Madam Commissioner DuCharme states that she would like to thank Ms. Linda Jaramillo for her effort in trying to lower the cost of paper products that the County charges for. The foundation for open government suggests that the local governments charge what the actual cost is for the copies. Madam Commissioner DuCharme thinks that lowering the cost of copies will be better for the public and create a better relationship with the County. She is also saddened by Michelle Jones's move from Torrance County to the Town of Estancia. She states that Michelle is an expert in her field, if she was to compete in a contest on a National level for her minute transcribing, she would win. She wants to thank Ms. Jones for her hard work and hopes to see Ms. Jones come back to the County sometime in the future. She asks for a moment of applause for Michelle Jones.

2. CSC MOU Agreement for Electronic Recording-Linda Jaramillo Clerk

Ms. Jaramillo reminds the audience that when coming to the podium to please state your name for the record.

Ms. Jaramillo brings before the Commission a MOU between her office and CSC, this MOU is for the purpose of E-recording. The Clerk's office currently has another company, Simplifile that records documents. There is no cost to County for the E-recording. All documentation hereto attached. **ACTION TAKEN:** Commissioner Frost makes a motion to approve the MOU between Torrance County Clerk's office and CSC for Electronic recording. Madam Commissioner DuCharme seconds the motion. No further discussion, the Commission votes, all in favor none opposed. **MOTION CARRIED.**

3. Resolution 2017-15 Property Clean-Up Lands of Bruce Wilson-Dan DeCosta, Code Enforcement

Dan DeCosta presents the Commission with a resolution to clean up property located in Mountainair. The property is in the County but you access the property through Mountainair town limits. Mr. DeCosta states that the money is from a grant the County received for illegal dumping. Commissioner Frost asks if they are still dumping on the property, Mr. DeCosta states that this is the second time this property has been cleaned. He will look into possibly prosecuting the owners. All documentation hereto attached. **ACTION TAKEN:** Madam Commissioner DuCharme makes a motion to approve Resolution 2017-15 Property Clean-Up Lands of Bruce Wilson. Chairman Sanchez seconds the motion. No further discussion, the Commission votes all in favor, none opposed. **MOTION CARRIED.**

4. Resolution 2017-16 Property Clean-Up South 10 Corp-Dan DeCosta, Code Enforcement

Dan DeCosta presents the Commission with a resolution to clean up another property in the County with funds from a grant for illegal dumping. All documentation hereto attached. **ACTION TAKEN:** Chairman Sanchez makes a motion to approve Resolution 2017-16 Property Clean-up South 10 Corp. Madam Commissioner DuCharme seconds the motion. No further discussion, the Commission votes all in favor, none opposed. **MOTION CARRIED.**

5. Resolution 2017-17 Lot Lettered A Block 20 Tract C of Bella Vista Estates-Dan DeCosta, Code Enforcement

Dan DeCosta again presents the Commission with another resolution to clean up property in the Bella Vista subdivision. Mr. DeCosta met with the property owner, whose husband passed away last year and she was not aware of where the property was located. She is cooperating with the County to get the property cleaned-up and may reimburse for the cost of the cleaning. All documentation hereto attached. **ACTION TAKEN:** Chairman Sanchez makes a motion to approve Resolution 2017-17 Lot lettered A Block 20 Tract C of Bella Vista Estates. Madam Commissioner DuCharme seconds the motion. No further discussion, the Commission votes, all in favor none opposed. **MOTION CARRIED.**

6. Request Approval of US Forest Service Grant 12-LE11030300-016 Modification Number 5-Stephanie Dunlap, Sheriff Administrator

Leslie Olivas, Purchasing Director presents this item for Stephanie due to Ms. Dunlap losing her voice. Ms. Olivas states that this is the 5th year the County has done this grant with the Forest Service to do patrolling in the designated areas in the forest. All documentation hereto attached. **ACTION TAKEN:** Commissioner Frost makes a motion to approve US Forest Service Grant 12-LE11030300-016 Modification Number 5. Chairman Sanchez seconds the motion. No further discussion, the Commission votes, all in favor none opposed. **MOTION CARRIED.**

7. Request Approval of Driver Certification / Re-Certification for Torrance County Fire Department-Ben Daugherty, Fire Department

Ben Daugherty is asking the Commission to approve the certification / re-certification that the County Fire department is trying to put into place for all the Fire Departments. This will help the County be in compliance with the requirements of operating an emergency vehicle as well as to make sure everyone is properly trained. All documentation hereto attached. **ACTION TAKEN:** Commissioner Frost makes a motion to approve Driver Certification / Re-Certification for Torrance County Fire Department. Chairman Sanchez seconds the motion. No further discussion, the Commission votes all in favor none opposed. **MOTION CARRIED.**

8. Contract with NM Apparatus for On-Site Apparatus Repair-Leslie Olivas, Purchasing Director

Ms. Olivas states that this is the approval of the contract from the RFP that was awarded to NM Apparatus at the last Commission meeting. All documentation hereto attached. **ACTION TAKEN:** Chairman Sanchez makes a motion to approve the contact with NM Apparatus for On-Site Apparatus Repair. Madam Commissioner DuCharme seconds the motion. No further discussion, the Commission votes, all in favor none opposed. **MOTION CARRIED.**

9. Contract with Fire Fighter Trucks for On-Site Fire Apparatus Repair-Leslie Olivas, Purchasing Director

Ms. Olivas present the contract with Fire Fighter Trucks Inc. which was also awarded the RFP from the last Commission meeting. This will be for on-site repair for fire apparatus that the County has. All documentation hereto attached.

ACTION TAKEN: Chairman Sanchez makes a motion to approve the Contract with Fire Fighter Trucks for On-site Fire Apparatus Repair. Commissioner Frost seconds the motion. Madam Commissioner DuCharme would like clarification on the overnight stay charge in the amount of \$200.00 per night. She states there is no clarification as to when they are to stay the night or not. Ms. Olivas states that they would not be able to tell when they would have to stay the night until they got here and starting working on the apparatus. Madam Commissioner DuCharme asks Mr. Wallin if the County needs to put in the contract that the Company needs to let the County know when they plan on staying the night. Mr. Wallin states that it is so broad to cover and does not see how we could add that to the Contract. The Commission votes 2 in favor Madam Commissioner DuCharme opposed. **MOTION CARRIED.**

***Commission Matters:**

10. Extension of Professional Services Agreement (Legal Services)

Chairman Sanchez asks for a motion, all documentation hereto attached. **ACTION TAKEN:** Chairman Sanchez makes a motion to approve Extension of Professional Services Agreement. Commissioner Frost seconds the motion. Madam Commissioner DuCharme asks, how can a contract that has expired be extended. Ms. Leslie Olivas states that within the contract there is a mutual agreement to continue to operate, the County is trying to catch up on the paperwork and the extension of this contract was over looked. Madam Commissioner DuCharme asks who approves the contract, Ms. Olivas states that the Commission approves the contract. Madam County Manager Belinda Garland comments that the language in the original contract allows the County to continue to use the Law firm until the contract is terminated. Belinda comments that we are just trying to clean up our paperwork and move forward. Madam Commissioner DuCharme thanks Ms. Garland for clearing up the paperwork but asks why year after year we are doing this with the contract for legal services. Ms. Olivas states that there is no particular reason it was just an over site and they are getting it corrected. Madam Commissioner DuCharme asks if we are compliant with the procurement process, Leslie states that we are fine contractually, when the contract was approved it was approved for a four (4) year term with understanding to have it approved by the Commission annually. Chairman Sanchez asks if there is further discussion or public comment:

Hank Van Es, states that he is opposed to the contract and would like to see the County go out for proposals for Legal services in the future.

Madam Commissioner DuCharme states that she became aware of a lawsuit that was filed against the County that was in particular against the Law firm that represents the County and would like to have more information about the lawsuit. She also wants a detailed cost of what the legal services are costing the County. Madam Commissioner DuCharme would like to table this item until she can get that information. Chairman Sanchez asks if the manager's office can compile this information. Ms. Olivas states that she can get that information if the Commission gives her a few minutes to get the report. Chairman Sanchez gives Ms. Olivas time to get the report but would like to move on to the next agenda item and come back to this item later when the report is available.

***County Manager Requests/Reports:**

11. Ratification of CYFD Statewide Community Based Prevention and Promotion Home Visiting Services RFP#17-690-17-14243

Madam County Manager Belinda Garland, states that the paperwork had to be signed and turned in by yesterday so she went ahead and signed and is now asking for the Commission to ratify the CYFD Statewide Community Based Prevention and Promotion Home Visiting Services RFP#17-690-17-14243. Belinda states she is new to the ratification process and asks the Commission if they have any questions for her. Madam Commissioner DuCharme asks if the Commission can get the full RFP seeing how the Commission only got the first (1) page of the RFP in the their packets. Ms. Garland states that she will get a full copy to the Commission. Madam Commissioner DuCharme asks Ms. Garland if she was happy with the RFP, Ms. Garland states that she looked through the RFP and had legal counsel look it over and both were ok with the RFP, there is no cost to the County for this RFP. All documentation hereto attached. **ACTION TAKEN:** Madam Commissioner DuCharme makes a motion to ratify the CYFD Statewide Community Based Prevention and Promotion Home Visiting Services RFP#17-690-17-14243. Chairman Sanchez seconds the motion. No further discussion. The Commission votes, all in favor. **MOTION CARRIED.**

12. Update

Ms. Garland gives her managers' report:

Belinda, Leonard and Annette have starting compiling the cost of moving the Tajique transfer station. Chairman Sanchez and Belinda will be attending the Tajique land grant meeting in which Andrew Gutierrez has invited them to. She mentions that the tipping fees have been paid to EVSWA which were in the amount of \$73,176.77. She is talking with legal counsel about the late fees. She and Annette attended the EVSWA meeting and their board voted to reinstate the roll off containers service again. Ms. Garland asks if the Commission would like an update from the newly elected County EVSWA board members. Belinda attended the NMAC legislative report meeting in Tucumcari, which had a lot of great information that will be beneficial in the future for the County. She has been working on quotes for IT wiring and hardware for the Sheriff's office move.

She also met with legal counsel to go over pending litigations.

She has met with EVEDA and First Choice, they are requesting funds for a new facility.

Jason Trumbell has given his verbal resignation as the Torrance County Fire Chief, Belinda and Annette will be meeting with Jason to go over his resignation.

She mentions that two names have been submitted by citizens to serve as a member at large for the investment committee.

Manager's office is working on advertisement for EMS research Committee members.

She and Annette attended the Tri-County Juvenile Justice Board meeting, there were changes made to board in order to become compliant with the MOU.

Madam Commissioner DuCharme thanks Ms. Garland for the excellent update.

Manager's report hereto attached

10. Extension of Professional Services Agreement (Legal Services)

The Commission revisits this agenda item. Chairman Sanchez states that there was a motion and second on this item and now we will have discussion, Ms. Olivas presents the Commission with the cost for legal services for FY 2016 and first quarter for 2017. Madam Commissioner DuCharme asks Leslie to please explain the report that was given to the Commission. Ms. Olivas reads the dollar amounts that the County has paid out in legal fees. For FY 2015-16 the amount is \$124,925.39 and for FY 2016-17 \$241,654.52. Madam Commissioner DuCharme states that she thinks the County needs to look at other options and ask why,

does the County need legal services in the first place. She feels that the County needs to reduce costs and legal services could be one of those places we can reduce. Chairman Sanchez asks County Manager, Belinda Garland what she thinks about the contract, she states that she doesn't have the full contract in front of her. She states that if the contract verbiage states that the contract can be extended till the contract fully expires in October of 2017, then it just needs to be approved every year until it is terminated. Ms. Annette Ortiz asks for clarification on the contract, she asks Ms. Olivas how many more years are left in the current contract. Leslie states that we have another year after this extension (2018). Madam Commissioner DuCharme asks who prepared the extension and the contract. Leslie comments that she prepared the extension paperwork but the original contract was prepared by Mr. Wallin. Commissioner Frost comments that the lawsuits are just part of the equation, the other equations are having legal counsel represent the County on other lawsuits and help with different department issues that may arise. Chairman Sanchez asks if there is public comment:

Michael Godey, when discussing legal fees you have to remember that the cost of legal fees comes from decisions that are made by the Commission. Those decisions were made by a prior Commission so now that there is a new Commission he advises them to be more vigilant on making decisions.

Hank Van Es, would like to bring up the possibility of hiring a full time County Attorney which may help bring down the cost on legal fees.

Linda Jaramillo, Torrance County Clerk, all the years that she has been with the County, Dennis has served her very well. He has helped with election matters and anything else that has come up in her office. Ms. Jaramillo is very appreciative of Mr. Wallin.

Madam Commissioner DuCharme mentions that in Moriarty they are in the process of hiring a new attorney and she feels that our legal counsel should help prevent lawsuits against the County as part of the contract. The Commission votes, 2 in favor Madam Commissioner DuCharme opposed. **MOTION CARRIED.**

Public Comment / 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.

Hank Van Es- Mr. Williams was here at the last meeting and was appointed to the EVSWA board as the County's representative and Madam Commissioner

DuCharme was asking about some documentation, in the past, Mr. Van Es had presented the Commission with paperwork showing double billing between the County and EVSWA. Mr. Van Es hands out the paperwork to the Commission and to Ms. Garland for their review and records. Chairman Sanchez ask Mr. Van Es to put this item on the agenda so that he may have further time to go into detail. Mr. Van Es documentation is hereto attached

Daniel Antonio Herrera-thanks the Commission for allowing the land grants to be part of the updates on the agenda. Mr. Herrera states that the land grants need to be part of the boards in the county i.e., Water boards, EVSWA boards and any other boards in the County that affect the land grants. We want to be a part of the system.

Michael Godey- he states that what Mr. Van Es failed to mention who was the County Manager at the time of the double billing. Mr. Williams was the Chairman of the solid waste board but who was the county manager?

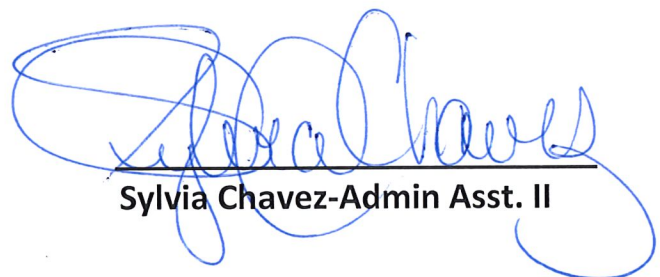
***Adjourn**

Chairman Sanchez asks for a motion to adjourn. **ACTION TAKEN:** Chairman Sanchez makes a motion to adjourn the April 26, 2017 Regular Commission Meeting. Commissioner Frost seconds the motion. No further discussion, the Commission votes all in favor none opposed. **MOTION CARRIED.**

MEETING ADJOURNS AT 10:11 A.M.



Javier Sanchez-Chair



Sylvia Chavez-Admin Asst. II

5-10-2017
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 KSNM.