

**FINAL COPY
TORRANCE COUNTY BOARD OF COMMISSIONERS
REGULAR COMMISSION MEETING
JULY 12th, 2017**

COMMISSIONERS PRESENT: JAVIER SANCHEZ-CHAIRMAN
JAMES FROST-MEMBER
JULIA DUCHARME-MEMBER

OTHERS PRESENT: BELINDA GARLAND-COUNTY MANAGER
ANNETTE ORTIZ-DEPUTY COUNTY MANAGER
DENNIS WALLIN-COUNTY ATTORNEY
YVONNE OTERO-ADMIN. ASST. I

CALL MEETING TO ORDER

Chairman Sanchez calls the meeting to order at 9:02 a.m. and calls for a Commission Roll Call. Commission District 1-Present, Commission District 2-Present, & Commission District 3-Present. Torrance County Junior Deputies lead Pledge of Allegiance and Mr. Joe B. Garcia gives the invocation.

APPROVAL OF THE JUNE 28th, 2017 REGULAR COMMISSION MEETING MINUTES

Chairman Sanchez asks for a motion to approve the June 28th, 2017 Regular Commission Meeting Minutes. **ACTION TAKEN:** Madam Commissioner Ducharme makes a motion to approve the June 28th, 2017, Regular Commission Meeting Minutes. Chairman Sanchez seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

APPROVAL OF THE July 12th, 2017 REGULAR COMMISSION MEETING AGENDA

Chairman Sanchez asks for a motion to approve the July 12th, 2017 Regular Commission Meeting Agenda. **ACTION TAKEN:** Commissioner Frost makes a motion to approve the July 12th, 2017 Regular Commission Meeting Agenda. Madam Commissioner Ducharme seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED.**

APPROVAL OF 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. No further discussion, all Commissioners in Favor. **MOTION CARRIED.**

ACTION ITEMS

***Department Requests/Reports:**

1.) Updates:

a.) Various County Departments

Hannah Sanchez-Administrative Assistant Torrance County Fire Department- Ms. Sanchez states that the loan for the purchase of the new Tinder Truck was approved last week and was delivered on Friday. If anyone is interested in looking at the new truck it is out front in the parking lot for viewing.

Nick Sedillo-Safety Officer- Mr. Sedillo states that we just received our 26 week update from NMAC with RAP and we are right on track with our goals. We have half a year left and we are hoping to have another great report. In December we will have completed year 10. Mr. Sedillo would also like to thank all of the RAP instructors on a job well done by teaching our employees to be safe.

d.) Commission

District 1 James Frost- Commissioner Frost would like to inform everyone if they didn't already know, that Mr. Blake Williams from the radio station passed away. Mr. Williams did a great job at the radio station and he will be greatly missed and difficult to replace.

District 2 Julia Ducharme- Madam Commissioner Ducharme states that garbage is heavy on her mind. The reason garbage is so heavy on Madam Commissioner Ducharme's mind is because we allocated \$100,000.00 to pay tipping fees. What are tipping fees? When garbage comes from the stations to the landfills the garbage is weighed, and the county is then charged by the ton for the garbage that is brought in. The county is paying about \$10,000.00 per month. What we need to do is be more aware of what we dump and try to reduce the amount of waste that is sent to the landfills by recycling. The less we dump the more we save.

District 3 Javier Sanchez- Chairman Sanchez states that he held some public meetings in Mountainair, Estancia & Tajiue is regards to suggestions for projects for the county. There was a great turnout at all meetings and he would like to thank all those that participated. Chairman Sanchez also mentions that there was an investment committee meeting held and there are some suggestions there as well. Both of these topics will be discussed at a later time in the meeting.

2.) Request Approval of Professional Services Contract FY-2018-DWI-01 with Sharon "Trish" Daino- Tracey Master, DWI Prevention Coordinator

Ms. Master states that this is a professional services contract with Torrance County and Sharon "Trish" Daino for treatment for individuals that have been convicted of a DWI. This was on the agenda a couple of meetings ago but had to be put on hold because here was a lag on approval from DFA. This has been approved by DFA and now Ms. Master is requesting the approval from the Commission.

Madame Commissioner Ducharme asks Ms. Master if there is funding for this. Ms. Master replies that yes it is through the distribution fund. The grant is still on hold. Madame Commissioner Ducharme asks Ms. Master what she means by distribution fund. Ms. Master replies that this comes to us from the Department of Finance and Administration Local Government Division Special Programs Bureau. There are two separate sides to the funding, the distribution is automatic but formulaic in nature, and for this year we are getting \$78,586.00. The grant side is also approved but DFA is competitive in nature and we have tentatively been awarded \$60,000.00 but until the office of the State Auditor approves our audit that funding is on hold, but we do have the funding.

ACTION TAKEN: Commissioner Frost makes a motion to approve the Professional Services Contract FY-2018-DWI-01 with Sharon “Trish” Daino. Chairman Sanchez seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

3.) Resolution 2017-033 Amendment Cash & Line Item Transfer-Amanda Tenorio, Finance Director

Ms. Tenorio states that this resolution was approved at the last meeting but there were some changes so there needed to be an amendment made to show those adjustments in the cash transfer and Line Item Transfers.

ACTION TAKEN: Chairman Sanchez makes a motion to approve Amendment to Resolution 2017-033 Cash & Line Item Transfers. Commissioner Frost seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

4.) Resolution 2017-035 Budget Increase-Amanda Tenorio, Finance Director

Ms. Tenorio states that this is a resolution whereas the Torrance County Commission did propose to authorize a budget increase in the FY 2016-17 Budget.

ACTION TAKEN: Commissioner Frost makes a motion to approve Resolution 2017-035 Budget Increase. Chairman Sanchez seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

***Commissioner Matters**

5.) Ratify the Contract between Torrance County and Department of Health for RPCCHA

Ms. Angie Coburn introduces herself and Ms. Beth Fullerton with Presbyterian Medical Services. Ms. Coburn states that the county has already signed the contract for RPCCHA. RPCCHA is the ongoing funding for the day to day operations for the Mountainair Family Health Center. Ms. Coburn is asking that the Commission ratify this contract today. Ms. Coburn also states that there was a decrease in the funding for this from \$108,000.00 to \$80,700.00 and of that PMS will get \$73,100.00 to help in the operations in the clinic in Mountainair.

Madame Commissioner Ducharme asks why there are no dental services available in Mountainair. Ms. Coburn states it's because of lack of money and a big difficulty in recruiting

to get a dentist to come in to a rural area. Ms. Coburn states that with so much uncertainty at the federal level it's hard to get grants to help with the funding.

ACTION TAKEN: Chairman Sanchez makes a motion to approve to ratify the Contract between Torrance County and Department of Health for RPCHA. Commissioner Frost seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

6.) FY18 Rural Primary Health Care Act Professional Services Contract between Torrance County and Presbyterian Medical Services-Angie Coburn, PMS

Ms. Coburn states that this is the actual management contract between Torrance County and PMS. This comes from the fund of the \$73,000.00 that she mentioned in the previous agenda item. The full contract is \$80,700.00 and the county will get a percentage of this for overhead. Ms. Coburn is just requesting approval for the management contract so that PMS can continue providing services.

ACTION TAKEN: Chairman Sanchez makes a motion to approve the FY18 Rural Primary Health Care Act Professional Services contract between Torrance County and PMS. Commissioner Frost seconds the motion. Madame Commissioner Ducharme states that on page 3 item P that the contractor shall identify Torrance County as a funding source of the clinic. Does this mean that the County is the fiscal agent? Ms. Coburn replies that yes the County is the fiscal agent. No further discussion, all Commissioners in favor. **MOTION CARRIED**

7.) Presbyterian Medical Services Audit Report-Beth Fullerton & Angie Coburn, PMS

Ms. Coburn is presenting the Audit report for PMS and is also requesting a copy of the county's audit report to send in with the contract. Belinda Garland Torrance County Manager states that the audit report has not yet been released by the state auditor's office. Once it is released then we can provide a copy. Ms. Coburn states that the contract must be submitted by Monday the 17th. Ms. Garland states that she can provide Ms. Coburn with last year's audit report as that would be the most recent one. Ms. Coburn states that will be fine and once the new report is released she can submit that one to replace the report she submitted.

NO ACTION TAKE DISCUSSION ONLY

8.) Set Meeting for Commissioners, County Manager, and Torrance County EVSWA Representatives.

Chairman Sanchez states the he thinks it would be a good idea to have a meeting or some kind of workshop, now that we are in the budget process, to talk about an overall strategy on dealing with the tipping fees and other concerns with EVSWA. Since the Commission has not really met with the representative from EVSWA, it would be nice to meet with them and get some feedback from them as well as from the County Manager.

Madam Commissioner Ducharme states that she likes this idea. Chairman Sanchez states that a meeting should be scheduled soon maybe sometime next week. Madam Commissioner Ducharme states that she can come in on any day except for Monday. Commissioner Frost states that he is available anytime. Chairman Sanchez states that how about we have the

meeting a week from today here in the Commissioner chambers at 9:00 am. All the Commissioners agree that the meeting will be held July 19, 2017 at 9:00 am.

NO ACTION TAKEN DISCUSSION ONLY

9.) Ratify out of State Travel for Inmate Extradition Pick-Up order-Stephanie Dunlap, Sheriff Administrator

Ms. Garland states that she will present this for Stephanie because she is unable to attend the meeting because she is busy with the Junior Deputy's. Ms. Garland states that Torrance County was issued a court order for extradition of a prisoner and this requires the commission's approval for the out of state travel. This extradition took place before the commission could approve the out of state travel therefore Ms. Garland had to approve the travel. She is asking for ratification of this approval at this time.

ACTION TAKEN: Madam Commissioner Ducharme makes a motion to approve to ratify out of state travel for Inmate Extradition Pick-up Order. Chairman Sanchez seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

***County Manager Request/Reports:**

10.) Update

County Manager Belinda Garland gives her update. Ms. Garland reads from her itemized list of what she has been handling the past few weeks. Document hereto attached.

Madam Commissioner Ducharme states that she would like to thank Ms. Garland for such a detailed report.

***Public Hearing(s):**

A.) Public Hearing to consider an ordinance concerning illegal transportation of mobile homes into and within Torrance County

i. Adoption of Ordinance 2017-001 an ordinance addressing the safety, public health, and other regulatory concerns raised by mobile homes and other manufactured housing being brought into and transported within the county without a development permit having been previously acquired for such housing.

Mr. Steve Guetschow, Planning & Zoning explains what this Ordinance is trying to take care of. In the past there have been several contractors that are bringing mobile homes into or around the county without the proper permitting. When a contractor is moving a home into the county or within another area about the county they are required to obtain permits from both the state and the county. In most cases they have the state permits but have failed to acquire the permits from the county. The contractors are telling the home owners that they will handle the permitting process when in fact most of them fail to do so even at the state level. The purpose of this ordinance will allow Planning & Zoning to issue a criminal complaint against those contractors that do not acquire the proper permitting, because when P & Z issues the notice of

violation it all falls on the homeowner. This ordinance will place it against the contractor. Mr. Guetschow states that according to NMAC title 14 licensed contractors are bound to follow all state and local regulations and when they don't get the permit from us they are not following local regulations. Being that the workload on the state level is so deep and the workforce is low they don't really go too far into prosecuting those contractors on the violation. This ordinance will allow the courts to take over and set the fines which is about \$300.00 and up to 1 year in jail.

Madam Commissioner Ducharme asks Mr. Guetschow to please explain the difference between a mobile home and manufactured home. Mr. Guetschow explains the a mobile home is a vehicle and can be moved anywhere it is needed where as a Manufactured home is fabricated in a factory and is then brought and placed on the property on a permanent foundation.

Madam Commissioner Ducharme states that under Section 6 Enforcement & Administration, The Zoning officer has the authority to conduction inspection of mobile homes and manufactured housing (installed or uninstalled). Madam Commissioner Ducharme asks what exactly does that mean.

Mr. Guetschow states that there are a lot of mobile homes being moved around and in general terms what they call is "beached" on to properties. Some of them are moved by people who are under a notice of violation and before the court date these people tend to move the home to another property and it's not properly set up. Madam Commissioner Ducharme asks are we giving the authority to the zoning officer to conduct an inspection on all mobile homes in the county or which ones? Mr. Guetschow replies that yes, in the zoning regulations under development permits, that when they are set up they go out and inspect to make sure that they are set up properly. Madam Commissioner Ducharme states that this particular section is not clear. Mr. Guetschow replies that if himself or Mr. DeCosta are out and they know of a mobile home that has not been permitted they will issue a violation. Madam Commissioner Ducharme states that it's not clear.

Mr. Dennis Wallin states that he may be able to clear this up. Mr. Wallin states the Ordinance is set up for mobile homes that are being transported into the county. Mr. Wallin states that there was an instance in the northern part of the county where a mobile home was brought in, no permits were issued, and it was even placed on the wrong lot. What this ordinance will require is 1.) Require transporters of mobile homes to get permit and 2.) To give authority to the zoning code enforcement officer if they see a mobile home that they know doesn't have a development permit to issue a notice of violation. Its geared toward something new that has been moved into the county that they know doesn't have a development permit. At that point P & Z will then have the right to do those inspections. This ordinance does not allow them to go in and inspect any mobile home that is already set up. Madam Commissioner Ducharme requests that the language in this section be changed to state that those homes in question or recently moved into the county. Mr. Wallin states that yes the language can be changed, but it is part of this ordinance and the ordinance already addresses the illegal transportation.

Mr. Guetschow states that when they do find a mobile home that has been beached on a property, part of that inspection process is to locate the VIN number so that can try to identify the owner of the home. Madam Commissioner Ducharme asks what if the mobile home is

occupied? Do you have the right to go up to the home? Mr. Guetschow replies that yes they do, we have the right of entry, and we can go up and knock on the door and ask for the information and explain why we are there and if necessary we issues the notice of violation. The only way we go into that home would be if we were invited in. Again this ordinance only applies to illegal transport of the mobile home. Madam Commissioner Ducharme asks Mr. Wallin if the definition of what the inspection consist of should be added in. Mr. Wallin replies that they could maybe add in the words "reasonable inspection" and again explains what the purpose of this ordinance is for.

Mr. Dan DeCosta Code Enforcement also explains what the ordinance is about and the issues that they are currently facing with illegal transportation. This will allow them to go after the contractors and not the people. Mr. DeCosta states that he has caught a few of these contractors a few times and has issued them a citation, but they end up ignoring it. This is when the homeowner then gets stuck with the problem. What this ordinance will does is allow P & Z to go directly to the contractors.

Commissioner Frost states that what this ordinance will allow is to avoid prosecuting the owner and instead go after the contractor. Mr. DeCosta replies yes that is correct. P & Z will cite the movers immediately and they won't have to give them a 60 day notice. Commissioner Frost states that by going after the mover we are actually putting in protection for the home owner. Mr. DeCosta replies yes that is correct and this ordinance will make the movers obtain the proper permitting.

Madam Commissioner Ducharme asks if the owner of the mobile home should apply for the development permit? Mr. DeCosta states that they are the ones that have to sign the permit, but the movers can apply for the permit for the homeowner and let them know that it has to be done before the mobile home gets set. Madam Commissioner Ducharme asks how much does it cost for the permit. Mr. Guetschow states that it is \$200.00 for the permit and is split equally between 4 departments to cover expenses between P & Z, the Assessor's Office, Rural Addressing, & Zone Enforcement.

Mr. Nick Sedillo Chief Appraiser states that about a month ago a gentleman came in and had purchased some land and a mobile home and was wanting to put them both into his name. When looking in the system they could not find any of the information on the mobile home. After further investigation it turns out that the mobile home was still being assessed in Bernalillo County. There was no tax release no permits nothing in regards to the home. This ordinance will help to clean up tax information for us but for the other county as well.

Madam Commissioner Ducharme states that we need to specify what kind of mobile homes we are talking about. Mr. DeCosta states that there is a statement that explains the specifics. Mr. DeCosta reads from the ordinance "Whereas the Torrance County Board of County Commissioners finds there is an ongoing problem of mobile homes and other manufactured or prefabricated housing brought unto Torrance County or transported within Torrance County to be placed on land within the jurisdiction of Torrance County without necessary development permit having been acquired for such housing."

Tracy Sedillo Torrance County Treasure wants to make a comment stating if someone is going to move a home in or out of the county they need to go to the Treasures office to get a moving

permit. The cost of this permit is only \$10.00. There is also a tax release process that goes into conjunction with that. What happens is that these movers are avoiding all this and our county is just becoming a dumpsite for these mobile homes. Ms. Sedillo states that it will be good to have some kind of authority to help site these people so that we can clean up this problem in our county.

Mr. Michael Godey asks if there is a grandfather clause if something was brought in like 10 years ago. Mr. Guetschow states that this ordinance is about the illegal transport of mobile homes. We would have no way of knowing who would have brought in the mobile home at that time, so no, there is not a grandfather clause attached to this ordinance.

Chairman Sanchez asks that if it would be appropriate to add the verbiage there of reasonable inspection. Mr. Wallin states that yes he can easily address Madam Commissioner Ducharme's request and at the end of the first sentence all we have to do is add a clause that states reasonable suspicion of being in violation of this ordinance.

ACTION TAKEN: Chairman Sanchez makes a motion to approve the Adoption of Ordinance 2017-001 an ordinance addressing the safety, public health, and other regulatory concerns raised by mobile homes and other manufactured housing being brought into and transported within the county without a development permit having been previously acquired for such housing. Madam Commissioner Ducharme seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED ORDINANCE ADOPTED**

B. Public Hearing to consider an ordinance concerning dilapidated housing within Torrance County

i. Adoption of Ordinance 2017-002 An Ordinance Addressing the Safety, Public Health and other concerns raised by Dilapidated Homes

Mr. Guetschow states the Mr. Dan DeCosta P & Z Code Enforcement Officer will be presenting the ordinance. Mr. DeCosta passes out photos of some of the dilapidated homes.

Mr. DeCosta states that within the past 7 years we have gotten rid of about 200 really bad mobile homes in the county. Up until last year we were able site people for these dilapidated homes with a notice of violation and take them to court. Last year there was a woman that was sited and she requested a trial. If you take a look at the first photo you will notice it was taken in February of 2015 and when we got to trial on July 11, 2016 you will see the difference in how bad that mobile home became. Mr. DeCosta states that he had been using the solid waste ordinance to site these people, once they were sited most of the people would say ok and tear down the mobile home. In the case with this lady the judge ruled that this wasn't solid waste and it was a mobile home and he said she will not be ordered to tear it down but she will need to fix it. What the lady did was just go in and boarded up the house with plywood. This issue is what brought about the need for this ordinance. Since the house is not deemed as solid waste we can't use that ordinance to force the home owner to tear down the dilapidated mobile home. So what this ordinance will allow P & Z to do is examine the severity of the structure and whether it habitable or not, site the homeowner, & prosecute them so that they can be forced to tear down the mobile home.

Commissioner Frost asks what if they run into a home that is really dilapidated and someone is actually living in the home. Mr. DeCosta states that they are not trying to go after those type of situations. They are mostly going after those homes that are abandoned. Mr. Guetschow states that all this ordinance does is have the homeowner comply with our rule & regulations. Commissioner Frost state that he has driven around several areas of the county where you see these homes. Then when you pass them again a year later they are in worse shape, and continue to worsen year after year. At what point and how do we get those cleaned up. Mr. DeCosta states that he is the one that locates the homeowners. He can go a year before he locates them. It's a slow process but it does happen. Again he states that he is just going after those homes that are falling apart and decreasing property values, not any that are hooked up to electricity or any other utilities.

Belinda Garland County Manager asks Mr. DeCosta how he has the home removed from the property. Mr. DeCosta states that what we do is find the owner and make them do it. What happens in some cases the county will pay to have the home torn down and then have solid waste come and remove the rubble and what we do is then bill the homeowner for the cleanup. Ultimately Mr. DeCosta wants to get the homeowner and have them pay for the whole deal. The only time the county has to pay is when the owner has passed away or Mr. DeCosta cannot find the owner at all. Mr. DeCosta states that they used to use the illegal dumping grant to help pay for this but Mr. DeCosta states he can longer use that money because it was considered real property.

Ms. Tracy Sedillo Torrance County Treasurer states that when a mobile home is in this bad of a condition, most likely no one is paying taxes on them. This then becomes a tax burden and a waste of money having to send out delinquent tax notices, tax bills, notice of values, and mobile home notices, every year to people who are not going to pay the taxes on them. It becomes a burden trying to collect delinquent taxes on these mobile homes, so if this helps us to clean up the tax rolls that would be great.

Madam Commissioner Ducharme asks if Mr. Guetschow could please read the definition of dilapidated. Mr. Guetschow reads: Dilapidated means, in the case of constructed housing, not in compliance with minimal residential standards applicable to constructed homes; and, in the case of mobile homes and/or manufactured housing, not in compliance with minimal residential standards applicable to mobile homes and/or manufactured housing. Madam Commissioner Ducharme asks if people want to see these codes where can they view them. Mr. Guetschow replies that they are available through the NMAC (New Mexico Administrative Code) online. Madam Commissioner Ducharme states that these standards should be in the ordinance somewhere so that the people know where to find them and that so the rights of the people are protected. Mr. Wallin states that he can place that in the ordinance.

Chairman Sanchez states that earlier there was discussion on the intent of these abandoned mobile homes and manufactured housing but there is nothing that states what the intention is for these dilapidated mobile homes. For instance if there is a family that is living in one of these homes will they be forced to tear it down or bring it up to standards. Chairman Sanchez states that this may be looked at like we are going after those people intentionally instead of just an abandoned home and that there needs to be more clarity on that in the ordinance. Mr. DeCosta states that the county already has the authority to do that through the NMSA Resolution that is used to condemn properties.

Mr. Wallin states that when we get to this point that is when the courts take over. The judge has the highest authority.

ACTION TAKEN: Commissioner Frost make a motion to approve Adoption of Ordinance 2017-002 An Ordinance Addressing the Safety, Public Health and other concerns raised by Dilapidated Homes. Madam Commissioner Ducharme seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED ORDINANCE ADOPTED**

C. Public Hearing to consider the application to continue operation at their landfill facility located within the NE4 of the NW4 of the NE4 of section 19 & W2 of NW4 & NE4 of the NW4 Section 20 T2N R8E NMPM being 91 Liberty Valley Rd..

i. Renewal of Special Waste permit to allow Special Waste Disposal, Inc. to continue operations at their landfill facility

Mr. Adrian Montano from Special Waste Disposal, Inc. states he is here today seeking approval from the commission to continue business operation at their landfill facility located within the NE4 of the NW4 of the NE4 of section 19 & W2 of NW4 & NE4 of the NW4 Section 20 T2N R8E NMPM being 91 Liberty Valley Rd near Mountainair, NM.

Madam Commissioner Ducharme asks if there is a training in place for the employees at the facility. Mr. Montano replies that yes NMED requires the facility to have an annual training and is available at the disposal site as well. The facility also has an annual inspection by NMED.

Madam Commissioner Ducharme's next question is in regards to the comment on the document that asbestos is not considered a hazardous material. Why is that? Mr. Montano replies that the material is not airborne it is contained and sealed therefore it cannot be ingested. The asbestos is already contained and is being deposited in a controlled environment.

Commissioner Frost states that he has seen pictures of the facility and it always has looked very clean and well taken care of. Commissioner Frost asks Mr. Montano how many years has the facility been there. Mr. Montano states that they have been there since 1986 so 31 years.

ACTION TAKEN: Commissioner Frost makes a motion to approve the renewal to continue operation at their landfill facility located within the NE4 of the NW4 of the NE4 of section 19 & W2 of NW4 & NE4 of the NW4 Section 20 T2N R8E NMPM being 91 Liberty Valley Rd. Madam Commissioner Ducharme seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED ORDINANCE ADOPTED**

EXECUTIVE SESSION

As per Motion and Roll Call Vote, Pursuant to New Mexico State Statute Section 10-15-1, the Following Matters will be Discussed in Closed Session

a.) Limited personnel matters pursuant to NMSA 10-15-1 H (2) regarding County Fire Chief

ACTION TAKEN: Chairman Sanchez makes a motion to enter in to Executive Session. Madam Commissioner Ducharme seconds the motion, all Commissioners in favor. **ROLL CALL VOTE: District 1: Yes. District 2: Yes. District 3: Yes. MOTION CARRIED.**

Entered into Executive Session at 10:49 am

***Reconvene from Executive Session:**

ACTION TAKEN: Chairman Sanchez makes a motion to reconvene from Executive Session. Madam Commissioner Ducharme seconds the motion, all Commissioners in favor. **MOTION CARRIED**

Reconvene from Executive Session at 11:03 am

Pursuant to Open Meetings Act, Section 10-15-1 (J), Commission Report from Executive Session

a.) Limited personnel matters pursuant to NMSA 10-15-1 H (2) regarding County Fire Chief

NO ACTION TAKEN DURING EXECUTIVE SESSION

Chairman Sanchez states that we will now go into recess until 2:00 pm when we will return for the Budget Hearing for the 2017-2018 Operating Budget.

ACTION TAKEN: Chairman Sanchez makes a motion to approve going in to recess until 2:00 pm. Madam Commissioner Ducharme seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

Recess Began at 11:03 am

ACTION TAKEN: Chairman Sanchez makes a motion to approve to return from recess. Madam Commissioner Ducharme seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

Return from Recess at 2:01 pm

***Budget Hearing:** The Torrance County Commission will hold a budget hearing pertaining to the 2017-2018 Operating Budget

Ms. Amanda Tenorio Finance Director states at this time we will hold a budget hearing for Torrance County's FY2017-2018 Operating Budget. Some of our department heads will be presenting before you their department's requests for capital outlay, additional staff, and/or additional operating funds. This is an opportunity to explain and justify what the department head is planning for the FY2017-2018 budget. Your feedback and/or approval is greatly appreciated. Please bear in mind that many of our department requests are anticipated, but the efficiencies of our revenue and expenditures, stream within the budget. Our cash balances are tentative until we fully close out our FY2016-2017 budget. You also have before you a packet from our investment committee which reviewed both internally and externally budget requests.

At this moment Ms. Tenorio would like to review with the Commission the request for internal requests.

Fire Department projects will be reviewed by the new Fire Chief prior to allocation. The investment committee wanted to give the commission copies of what was reviewed both internally and externally. As per our investment committees recommendations fund 641, which in the Wind PILT fund, in the amount of \$539, 279.36, is available and budgeted for specific projects that were requested for possible funding and will be determined by the commission at a later date.

At this time we will start with the request that was not reviewed by our investment committee. Our first request is from Animal Services Ms. Cindi Sullivan.

Ms. Cindi Sullivan states that she is requesting the remaining \$13,000.00 to do the foyer project at the animal shelter. Ms. Sullivan states that the shelter does have a remaining balance of \$20,000.00 from last year budget the commission allotted for that. Ms. Sullivan states that she got 3 different quotes from companies to handle this project. The quotes were for \$30,637.00, another for \$32,250.00, and \$33,413.00. Of course we will go with the lower bid in the amount of \$30,637.00. Ms. Garland states that she would like to see this amount be funded as she has been out to the shelter and the foyer is in bad shape and really does need the repairs. It is dangerous for employees as well as customers.

Commissioner Frost asks if we had approved this \$32,000.00 last year. Ms. Sullivan states that no, only \$20,000.00 was approved. What happened was that they could not find any contractors willing to give any quotes so the money just stayed.

Chairman Sanchez states that the investment committee met on July 10, 2017 and discussed the various projects that were being requested. Chairman Sanchez reads the letter from the investment committee and requests that were being look at. Letter and requests hereto attached.

Madam Commissioner Ducharme asks if the Fire Department requests were placed on the list. Chairman Sanchez states that no they were not on the list. The committee felt that they would much rather have the new fire chief review the request and then decide which ones should be sought after. Madam Commissioner Ducharme asks if he will be able to make his request at a later date. Yes they are included in the budget but they would rather have the Fire Chief make the decisions on those projects. Ms. Garland states that there are quite a few things with the building that need to be addressed so instead of hiring a contractor to come in and do the repairs on just a certain part of the building, she thinks it is best that they wait for the new fire chief so that the building projects can be handled as a whole.

Mr. David Moyers Torrance County resident states what exactly is the money being set aside for when it comes to roads? Mr. Moyers states that he lives on Saline Pump Rd and that road is in desperate need of repairs. It seems like no one ever goes out to repair this road. If there is money set aside then this road should be repaired. Chairman Sanchez states that the county will be working on prioritizing what roads need to be repaired and also if there is anyone that has an issue with a road to go to the manager's office and fill out a road repair request form and maybe set up a meeting with the county manager to discuss any issues you may have with your particular road.

Now back to Ms. Sullivan's request. Commissioner Frost states that he agrees the \$13,000.00 should be added to her budget.

Mr. Rick Gonzales Administrator for Torrance County Senior Services is requesting to continue the funding that the commission gave him in last year's budget in the amount of \$10,000.00 per Commissioner totaling \$30,000.00. Mr. Gonzales asks please if the Commission would continue with the help as their fund from the state have been cut by \$40,000.00. The senior services program did get help this year from United Way in the amount of \$25,000.00 specifically for buying meals for the seniors at the center as well as in their homes. The funding that was given last year was enough to cover cleaning of the center but was not enough to keep it up to restaurant standards. They have a lot of the people volunteering their time to help keep the centers clean but it's not enough. This extra funds also helps with maintenance for the vehicles and for utilities. Also there is a request for an extra \$10,000.00 that will be coming from fund 631 to help with hiring a part time person to help clean the buildings and put them at restaurant standards. More discussion goes on as far as the cleaning of the centers. Madam Commissioner Ducharme requests to see the budget from Mr. Gonzales to see how they spend the money at the senior centers. There is some discussion on the issue of the McIntosh Senior Center and why it is omitted from the list. The McIntosh Senior is not funded by the state. It is run personally by the senior citizens in the area.

Anna Martinez Domestic Violence gives a brief explanation about her program and the services that her department offers to victims of domestic violence. Not only do they offer assistance to the victim but to the offender as well. Ms. Martinez is requesting \$46,500.00 for her budget. The previous fiscal year we had a total of 58 individuals that we helped which was a total of 391 contacts. What Ms. Martinez means by contacts is the interactions that they have with the individuals that they have helped. Actual cost for FY2017 was \$73,637.00 and that was the funds for 3 full time employees. The proposed total for FY2018 is \$66,328.90 of that the state gave us \$20,000.00 a year for the next four years after we lost a grant. So Ms. Martinez is requesting the \$46,500.00 to continue the program to run it the way it was run last year

Commissioner Sanchez ask what fund this will be coming out of and if the funds are already included in the budget. Ms. Tenorio states that it is coming out of the 401 fund and it's already included in the budget. Madam Commissioner Ducharme states that she notices that there are part time salaries and the proposed amount it \$48,526.00. She asks if a person is a part time employee do they receive benefits. Ms. Martinez replies that 2 receive PERA and the other one does not because they only work 19 hours per week and one receives benefits and the others do not.

The next item is from a Mr. John Grant who is not present and he is with Wildlife Services. This is where Torrance County partners with the USDA. This department is requesting \$2,000.00 more than what they already receive from the county. The county now gives them \$29,500.00 and they are wanting to increase that to \$31,500.00. Madam Commissioner Ducharme ask what is their justification for this request. Ms. Garland states that it is an increase for supplies for predator control.

Ms. Tenorio states that she would not like to go over the internal funding requests. The first request is coming from Mr. Steve Guetschow the P & Z Director. The requests are to increase the cleanup fund and for an increase to the salary for the clerical assistant.

Mr. Guetschow states that he is requesting an additional increase to the salary for the clerical assistant which is currently at \$10.00 per hour. They are in the process of hiring a new clerical assistant. When they start they will be at \$11.75 per hour and upon successful completion of their probationary period he would like to raise that to \$12.00 per hour. Which roughly comes to about \$4,600.00 and that is why he is asking for the additional \$2,000.00. The next request is for the cleanup budget and he is requesting \$6,000.00 and will bring the budget up to about \$8,000.00 so that they can do 2 or 3 cleanups per year when needed. Ms. Garland states that Mr. Guetschow has not requested enough money for the salary increase. She says that he should have requested \$4,160.00.

Mr. Guetschow states that during the break he spoke with the Treasurers Department and the Finance Department and he is now requesting \$10,000.00 for the cleanup budget and an increase of \$5,000.00 for the additional salary for the clerical assistant. Ms. Tenorio states that the reason for the \$10,000.00 request for the cleanup fund is because the courts used to give him that money, they have since ceased the funding, so in order for his office to run clean up properly he will need the money in that particular line item #685-08-2274.

Ms. Tenorio states that the salary increase will come from the general fund and the cleanup fund request will come from the general fund as well but go to the 685 fund. Ms. Tenorio states that if you see on the budget transfers she has it budgeted for fiscal support for \$6,000.00 and if we can up that to \$10,000.00. Right now his expenditures are very slim and from the history his revenue came from court fees and he is not getting that revenue anymore. So in order for his department to operate this increase would help. Ms. Garland asks where the extra \$2,000.00 would come from. Ms. Tenorio states that it will come from the general fund.

Chairman Sanchez ask if the salary for the clerk they are hiring is comparable to what others in the county are getting paid. Ms. Garlands states no, it's higher than the other offices. Ms. Tenorio states that the salary increase will come from the general fund and the \$10,000.00 will come from the general fund as well but will go to the 685 fund. Chairman Sanchez states that it might be a little unfair to start off one employee with more than what a current employee is making. Mr. Guetschow states that one of the reasons for that is because when they get the right person in that position they would like to give them more responsibility to be able to sign off on certain things when himself and Mr. DeCosta are out of the office in the field.

Ms. Garland states that the problem they are going to run into with that is that you are going to have people working outside of their job description. They will be working at a higher position than what they are being paid for. That can be a potential lawsuit. So if you bring a clerk in and you decide you want to up their responsibilities then you can increase their salary, we at that time can reevaluate their work and the type of work that you want them to do and reclassify their position. That would be the proper way to do this. You can have somebody work below but not above their job description. Mr. Guetschow states that there is an employee in the manager's office making \$11.75 p/h. Ms. Garland states that is true but she is an administrative assistant. Chairman Sanchez asked why this position was advertised at \$11.75 p/h if we didn't have the fund for it. Mr. Guetschow replies that he was going to take that from other line items

in his budget but he would have to take it out of his professional services line item. He states that he is just trying to protect his other line items if the commission approves this increase. Ms. Garland asks if the salary is approved by herself or the department head. Ms. Ortiz states that it is approved by the department head. Ms. Garland states that we need to be careful with that and review it because there could be some potential legalities with this. Ms. Ortiz states that this is a topic that should be talked about in executive session and not in a public meeting.

Chairman Sanchez states that the idea behind the investment committee was to lend some kind of strategy as to how we were going to spend the money in the county. When we passed these projects through the investment committee and the county manager presented each of these internal requests we were operating knowing that the manager's office had already looked at the viability of these as well as the treasurer. And we reviewed them and provided feedback that way the commission could be very confident that a lot of the background work had been done. But when we do this and change things here, it starts to look like we are just granting money to everyone that comes along and asks for it. That is not the purpose of the investment committee. We created another bureaucratic level to insure additional transparency and more organization in to how we do things. If all we are going to do is circumvent it and just take in requests that didn't come in on the deadline or make changes here, then maybe the investment committee needs to relook at all of them. And at that time changes be made that way the investment committee can make some meaningful recommendations. In order for the committee to provide recommendations and then have everything change, what is the purpose of the committee?

Ms. Sedillo Torrance County Treasurer states that they can always approve the budget as it is. The budget is a living document and changes can get made at any time. We see this at every commission meeting with the resolutions that are approved for budget increases and line item transfers. The budget is constantly changing. Chairman Sanchez states that he feels that it looks like we are going to approve every request that is being brought to us. The reason for the investment committee was to have them recommend certain projects and he is more comfortable in only approving what the investment committee is recommending. Ms. Ortiz states that this is merely the first year having to deal with it and it's a learning process. Next year they need to say this is what's going to be presented to the Commissioners for the budget and nothing else other than what they recommended will be added in.

Commissioner Frost asks, when does the budget need to be approved. Ms. Tenorio states that it needs to be approved by the next commission meeting on July 26, 2017. They need to make all the decisions today as far as internal request so that she has enough time to make all the changes to the final budget. There is more discussion concerning the salary increase. It is agreed upon to go ahead and grant Mr. Guetschow his requests.

Ms. Tenorio states that the next request is for the Managers Office for a new HR Position. Belinda Garland Torrance County Manager is requesting \$50,000.00 to hire a HR Manager. This will allow just one individual to be responsible for all of the HR issues. There are several issues that need to be handled and that is the reason for the request for the money to hire so that these things can start getting done. Commissioners all have consensus on this request.

The next request is coming from the County Clerk for records availability on the web. Linda Jaramillo Torrance County Clerk states that she is requesting funding for a live website

software for her office. What this software will do will make our document information available online and they will be able to get information from the indexing from 1985 forward. They will not be able to view the document itself but they will be able to search the information online under a particular name and then contact our office via email, phone or mail and request a copy of said document or documents. This will be a great asset to all of the title companies that we do business with. This website will also help save time with staff in the office on having to do lengthy searches over the phone with a customer. Of course we will still continue to help customers that do not have any access to the internet and that come into our office. With the time saved on staff not having to do lengthy searches this will allow us to work more on scanning so that we can get our documents on electronic format and we can email those documents at no cost to the customer. Ms. Jaramillo gives a brief presentation from Lea County Clerk's office to show what the website looks like. Ms. Jaramillo is requesting \$6,550.00 for the software, of that there will be a \$75.00 monthly fee that will be paid out of her equipment fund. A new computer that will be designated specifically to run this program, and will be paid out of Ms. Jaramillo's budget. Ms. Garland states that she received an email from the AG's office and there is a lawsuit that was won by them that is going to reimburse governmental entities for improvement for IT. Mr. Garlands states that Ms. Jaramillo' request would most likely qualify to be funded. The Commissioners are all in consensus for this request.

The next request is from the road department for a new Road Zipper Machine. This will be funded from half of fund 620 fund and half of fund 621. Ms. Garland states that this machine would be great to have because it would be able to help with fixing roads such as Saline Pump Road that was mentioned earlier by Mr. Moyers. This machine would help the road department to completely rebuild that road. Madam Commissioner Ducharme asks if this machine will be purchased outright or will we be leasing to purchase and will the maintenance be provided by the company. Ms. Garland states that if this is approved they will look into several different companies that sell this machine and then look closely into the services they provide and possibly leasing like they do the blades. The Commissioners are in consensus for this request.

The next request comes from Mr. Nick Sedillo Risk Management. This request is to provide a shade structure for the county fleet. Mr. Sedillo states that he would like to provide some kind of shade and weather protection for the vehicles. Mr. Sedillo would like to place the structure on the south side of the building where the majority of the fleet is parked. Commissioner Frost states that this will only provide protection from weather and not security. Mr. Sedillo replies that likes to start with baby steps. First get the structure built and then later think about adding security and maybe blocking off that entire area so that it is designated just for the county fleet.

Madam Commissioner Ducharme asks Mr. Sedillo how he envisions this. Mr. Sedillo replies that he sent photos to show what the structure would look like. It's a free standing structure with metal pillars and a flat roof. Nothing will be attached to the existing building so that if we need to move the structure we can. The size of the structure will be 26" X 100" and will protect the Assessors fleet, Treasures fleet and the Planning & Zoning fleet. There is discussion about concerns for a new building or repairing the existing building.

Madam Commissioner Ducharme states that she thinks this is more luxury. She would like to see something being done to the parking lot instead of covered structure for the vehicles. Chairman Sanchez states that the investment committee did review a request for funding to

repair the parking lot. Mr. Nick Sedillo with the safety committee states that since he has been employed here at the county he has not seen anything done to the parking lot other than striping it and covering the potholes. All those repairs are is band aids and doesn't really fix the problems. If you notice the photos I enclosed in the packet there are holes that need to be fixed, new curb stops need to be put in and the handicapped parking area in the back of the building need to all be redone. Ms. Ortiz states she is talking Mr. Lujan from the road department to see about having that department chip seal the parking lot and install the new curb stops and repair the handicapped area in the back. For this project Mr. Sedillo is requesting \$60,000.00. Ms. Ortiz states that there should also be some new lighting in the front of the building. The reason being is because the employees are having to park away from the building and in the winter months that area is extremely dark. Ms. Garland states that although this may not have been part of the original request maybe we can change the request for a parking structure to a request for more lighting in the parking lot.

Commissioner Frost states that on one page that concerns the parking lot requests its states that the parking lot has not been maintained in well over 50 years. Numerous pot holes, tripping hazards, chipped away parking curbs, and handicapped parking are not ADA compliant. So with this request Commissioner Frost sees it as safety for the public and the elimination of being sued by someone falling down and injuring themselves. Mr. Sedillo also states that the trees also need to be addressed. He realizes that it is not part of the request but the trees may be a cause of the issues with the roots pushing up the asphalt in certain areas of the parking lot.

Betty Cabber Torrance County Assessor states that her issue with a secured parking area is that a few days ago, in Albuquerque at the TRD building they have a nice secure parking area, the vandals jumped the fence and broke all the windows in the cars. Ms. Cabber states that with a covered parking area is it not only to save the cars. She is in favor of security lights because she and 2 other ladies in the office don't leave until 6 pm. Right now its ok, but during the winter months it's extremely dark outside. The American Disabilities Act is another issue. Another thing we need to do is get rid of all the vehicles on the north side of the building that don't work so that way we have more areas to park. Ms. Cabber also states that no one ever seems to notice the signs that handicapped parking is in the back. Until something is done to the front of the building so that it is ADA compliant the only access handicapped people have is to go to the back.

Mr. Sedillo states that just so there is no confusion we cannot put the handicap access in the front of the building that would require a whole new makeover to the front of the building and that is just not feasible at this time.

Linda Jaramillo states that the parking lot is a huge hazard. If everyone wore boots and tennis shoes it would be great, but there are a lot of us women that wear these high heel shoes and we have all tripped at one point or another. Also when it is dark it is a hazard because you can't see where you are going. During election years we have a lot of voters come in and out of the building and they do complain about the accessibility for the handicapped and the condition of the parking lot. It's a hazard and should be fixed. Ms. Jaramillo also states that during elections she can invest in more signs directing those in need of ADA accessibility to the handicapped parking that is available in the rear of the building.

There is more discussion on the need for a new building and for fixing the existing county building. The consensus is to grant the \$60,000.00 for the repair of the parking lot. The commission is also in consensus with them using the \$50,000.00 for lighting instead of for a parking structure as long as the safety committee meets and they are in consensus to change that request.

Mr. Jesse Lucero Torrance County Deputy Assessor comes forth with the request for the security and counter remodel. A few months back there was a disgruntled individual that was so upset with the assessor's office and his tax bill and was so distraught that he went home and took his own life. The point Mr. Lucero is trying to make is that he could have easily taken it out on any one of us here at the county or a customer in the building. With this remodel it will provide security plexi-glass, security doors, and also ADA compliant counters. We do need protection so I please ask you to consider this request. All Commissioners are in consensus with this request to provide \$100,000.00 for the counter remodels for the Assessors, Treasures, and Clerks office counter.

The last request is coming from the Torrance County Fair Board as they are requesting funds for a Multipurpose Building Design. It's for a new building with a commercial kitchen, exhibit hall, portable animal pens, and show pigs. It's going to cost \$75,000.00 to get the planning and the design done.

Commissioner Frost states that he is in full favor of funding this request. There is some discussion that has been brought up several times concerning the issue with the county not owning the property. Tracy Sedillo states that if her memory serves her correctly the county entered into a 99 year lease with the town of estancia so that the county could continue having the county fair in this location. Nick Sedillo states that one of the concerns with getting a new multi-purpose building is the fact that it is on town property. The county already has a 25 acre parcel that would be great to place the fair on the property and expand it as well as put new county offices there. There is more than enough room at that location for both of these. There is discussion about a new fair location and building as well as new administrative offices.

Commissioner Frost states that we need to look at the kids that will benefit from the use of a new facility. There are a lot of kids in the county that work so hard throughout the year and what a better way to show them we care by getting them upgraded facilities. There is more discussion concerning the location of the 25 acre parcel that the county owns. One big suggestion is to maybe talk to the Town of Estancia to maybe purchase the piece of property that way the county can do whatever they want with that particular piece.

Madam Commissioner Ducharme wants to know if this is just to upgrade the new building or are they going to build a new building? Ms. Garland states that the location of the new building would be where the pig barn was. Chairman Sanchez stats that this is the purpose of hiring the building and design company so that they can figure where this new facility will be placed. Madam Commissioner Ducharme states that she does not support this because the county owns the building but not the land itself it doesn't make sense to her why we would spend money to fix something on someone else's property. The voters voted against the upgrade. So why spend money on this when it was voted down. Ms. Jaramillo states that what she heard from several voters was that they voted against it because they didn't use it. Madam Commissioner Ducharme states that she would be more in support of this if the building was to be built on

county property. Chairman Sanchez states that he sees Madam Commissioner Ducharme's point and that maybe we perceive it as a community affair. Ms. Ortiz states that it's geared towards what's existing on the property but maybe if there was a new facility more people would rent the area for other types of activities throughout the year and not just during the fair.

Mr. Nick Sedillo asks the commission if we have ever approached the town to purchase the property. Mr. Sedillo suggest that we just buy it then the property is ours and we can do whatever we want with it. Mr. Sedillo states that is just him looking from the outside in. Madam Commissioner Ducharme states that she likes that suggestion.

Michael Godey states that is a good idea and maybe someone should go to the Town of Estancia and talk to them about maybe purchasing the property. Right now The Town of Estancia is a player in this and if something isn't done this topic is just going to go around and around. Also another reason that the voters may have turned it down was because the amount of money involved. The voters may have thought for that amount of money is the fair building more important than the road that is front of my house. Mr. Godey suggest that they also maybe approach the Town of Estancia and see if they would like to go in on half of it or like Mr. Sedillo states just purchase the property.

Mr. Guetschow states that in conjunction with what Ms. Ortiz said and Mr. Sedillo mentioned is trying to draw more people to the fair by utilizing both sites. On the existing site you can have the show animals and the rodeo there and expand the fair to the other property for maybe a carnival and this new building and other exhibits for the draw of the people.

Ms. Ortiz asks if this particular request was just to remodel the existing building or for a whole new facility? Chairman Sanchez states that he is not sure. Chairman Sanchez states that on this particular topic, he thinks it is worthwhile but there are a lot of questions that need to be answered. There is not a consensus amongst the Commission nor has there been any one around from the fair board to try and answer some of the questions and help us build a consensus on this. Chairman Sanchez states that maybe they should group this with the external requests at the special meeting and make sure that someone from the fair board is in attendance so that we can address this topic. Commissioner Frost asks if we need a unanimous decision on this. Chairman Sanchez states that all they need to do is agree to group this with the external request and take care of this during the special meeting. Madam Commissioner Ducharme states that she does support this but has a problem with the Fire Department being on the list when they are a Non-Profit and not owned by the County. Ms. Sedillo states that the County Fair is part of the County as all of their money come through us. So they are a county department. Ms. Garland states that what we need to decide on right now is if Ms. Tenorio needs to include this in the budget or if she needs to take it out and add it in at another time if the Commission decides to do so. Chairman Sanchez states how can we include this if we don't have a consensus. Ms. Garland says they will take it out. Commissioner Frost states to keep it in the budget. Madam Commissioner Ducharme states she does not support this.

Ms. Danielle Johnston states that the amount of the budget for this request is \$75,000.00 and the budget itself is \$14,000,000.00. We are talking about the children here. How many people in this room have exhibited animals or presented projects at the fair? The fair building is old, yes, and the grounds are contained, but the value for the children who participate with college and career readiness. The impact these departments have on the high schools and middle

schools and the elementary schools as well as the extension agency across the way. Ms. Johnston suggest that the commission really think about the message they are sending if you leave this out to children in Torrance County. Our schools graduate these kids and send them out in to this world from our tiny schools who do so well and so many of them have been impacted by the opportunities that the Torrance County Fair has provided for them. Ms. Johnston states the she doesn't know that we recognize the value of the work that our school districts do in this county and that \$75,000.00 speaks volumes. It may be a small amount but for you to leave it out, to say no we have determined we need some more clarity, the fair board members spend hours and hours as well as everyone else. Just think about the message you are sending to the children stating that the \$75,000.00 was not put into the budget. Its economics but it's also the children.

Madam Commissioner Ducharme tells Ms. Johnston that she does fully supports this she just has a problem with the location. We are responsible for public money and she wants the money to be invested as wisely as possible. Madam Commissioner Ducharme doesn't think it is wise decision to put county money to invest in the municipality. Ms. Garland states that the reassessment will be looked at here in the next two weeks. It's not like we are going to set it aside and forget about it.

Chairman Sanchez asks Commissioner Frost and Madam Commissioner Ducharme if the can agree to meet to get clarification on this. The application is not clear as to what is exactly being asked and there needs to be someone present to help us get clarity on this topic. The application does not state for planning and design and construction, it just states for a multi-purpose building including exhibit hall. Its making it sound like it is for actual construction costs. Chairman Sanchez states that he does not know how to interpret the application as a whole.

Ms. Ortiz states that just like our offices here we keep putting into the building for repairs. All we are doing is putting Band-Aids on the situation. We recently just redid the bathrooms at the fair building because of mold and other damage. There are also a lot of other issues with the building as far as the exhibit hall and the fair building, and every year we are renting tents. We need to looks at the cost of what we are putting into it now as opposed to what it would cost to build a new facility.

Commissioner Frost asks how much it was to rent the tents. It was \$7,000.00 to rent the tents.

Chairman Sanchez states that he thinks we could all get behind this if we can get more clarity on what is actually being requested. Chairman Sanchez states that he was thinking that maybe instead of having a meeting with ESVWA that we scheduled earlier in the meeting, maybe we should put this topic in its place as he thinks this is more important. Ms. Tenorio states that we can keep this budgeted as it is already in the budget and that it doesn't necessarily need to be for the fair board. Ms. Tenorio states that the commission just needs to let her know what to do with it but the funds will still be available in the budget. Ms. Garland states that they can leave it in the budget she just won't sign any budget requests until the commission decides what they are going to do with the money. Commissioner Frost states that the more we talk about it the better it is so that the people are aware of what's going on. He states that Ms. Johnston talked about the kids in the community and how they benefit from this and he recalls that when he owned the hardware and feed store here in town he remembers seeing all the kids go into his

store getting feed and supplies for their projects. He states that you can tell the difference with that group of kids and those in the city and those that are not part of 4H, FFA, etc. and they are just different personalities and more respectful, not every community has kids like that and we are lucky to have them.

Chairman Sanchez states that with that said we will put this in the stack of requests that we are going to review. He asks the commission if they have a consensus to meet sometime next week for the purpose of reviewing these applications and rescheduling the ESWVA for another time.

Tracy Sedillo states that the commission set the amounts for the external projects. This particular project is already included in the budget along with all the others. Just because it is budgeted doesn't mean that it has to be expended. You can leave this in the budget and then make a decision later on about how much you are going to actually allocate to those projects later. Each project is not specifically named in the budget, they are grouped into line items. Whatever you approve the manager's office to allocate is what gets expended.

Madam Commissioner Ducharme states they we need to discuss external projects also. She can't support something not knowing where it will be spent.

Chairman Sanchez states that if we left the meeting alone, when will we be able meet to discuss these external projects. Chairman Sanchez suggest meeting on the 21st to discuss these projects. Madam Commissioner Ducharme states that the offices are closed on the day as it is a Friday. Madam Commissioner Ducharme asks if we can have the meeting on Monday the 24th of July since it is a work day. Chairman Sanchez states that it will be ok to meet that day to discuss these projects and look at the fair board request. It looks as though we have consensus to leave it where it's at in the budget. This concludes the internal funding requests that was reviewed by the committee.

Ms. Tenorio states that she has some other fund discussions. Ms. Tenorio states she was going to talk about the tipping fees but since there is going to be a meeting to talk about them on Wednesday we can wait to talk about it on that day.

And last but not least is the \$0.75 across the board raise. She did include a copy of the salary schedule. The schedule is included with FICA, PERA, and Retiree Health Insurance. The only one she had trouble with if you look at the recap report was with fund 402 the road department. If you notice it's a negative cash balance and she needs to make that a positive cash balance. It also effected some of the grant balances as well. Ms. Tenorio states that if you look at the ending cash balance in the general fund we have enough to cover what is in the negative if you would like to approve the \$0.75 across the board raise. Ms. Tenorio would like to correct herself by stating it's not a raise but a cost of living increase.

Commissioner Frost tell Ms. Tenorio that what she is saying is the budget can take care of everything we have talked about here today including the cost of living increase. Ms. Tenorio replies that yes it can.

ACTION TAKEN: Commissioner Frost make a motion to approve FY2017-2018 Proposed Budget. Chairman Sanchez seconds the motion. Madam Commissioner Ducharme ask if we

should approve this at the July 26th, 2017 Commission Meeting. Ms. Garland states no we need this approved now so that Ms. Tenorio can submit our budget.

Madam Commissioner Ducharme asks what the motion was for, to approve the raise or what? Chairman Sanchez states that no it was to approve the budget as presented. Madam Commissioner Ducharme states this is just part of the budget, are you talking about the salary schedule? Ms. Tenorio states that the salary schedule is part of the budget. Ms. Ortiz states that the commission is not approving the entire budget. Ms. Tenorio is requesting you approve what was discussed today so that she can plug in those numbers in to the budget that you will then approve as a whole on the 26th. So the motion is to approve the number that were presented today. Chairman Sanchez states that we have had a consensus on everything so far.

Madam Commissioner Ducharme states we have consensus on everything but the fair board correct? Chairman Sanchez states that we are going to review the fair board on the 24th. Madam Commissioner Ducharme asks how much will the county spend on additional funding with this \$0.75 increase on salaries. Ms. Tenorio states that on the increase it was about \$68,000.00, but she did enter just the increase and entered it into the salary schedule as well.

Madam Commissioner Ducharme wants to know what the justification for the increase in salary is. Ms. Tenorio states that it's just a cost of living increase. Ms. Ortiz states that there have been years when we couldn't afford any kind of cost of living increase. Since this is across the board we have since then tried to allow for a cost of living for our employees on an annual basis. Madam Commissioner Ducharme states that this is the 3rd time she has seen this kind of increase and it doesn't solve the problem we have with the salaries in the road department. Maybe we need to allocate money where we have problems and solve those problems first. Some positions have good pay and others do not.

Linda Jaramillo states the ladies in her office do deserve a cost of living raise. They work hard for the county, we are the ones that provide all the services for the county through our employees, and the road department will also get this cost of living increase. Madam Commissioner Ducharme states that she sees that an equipment operator is paid \$20,000.00 or \$22,000.00. Do you think it is acceptable when they are out there the whole day in heat, wind, rain, snow or whatever type of weather and they receive this kind of pay? How can they support their families on such a small salary? Ms. Jaramillo states that, yes, she does think that the road department does deserve a salary increase for all the hard work that they do.

Madam Commissioner Ducharme states that she saw at Bernalillo County where forced to fire people because they did not have sufficient funding and they restricted travel. Today we went through our agenda and we saw that funding through the state was cut. And with all this going on we will be giving such big raises? Madam Commissioner Ducharme states that if it costs \$68,000.00 plus to give this raise and the same from previous years she cannot support this. The public comes and makes request and we tell them sorry we cannot help you because we don't have enough money. We have many positions that are well paid, if you think that your position is underpaid and you can justify it, then come and talk to me I am ready to listen.

Ms. Ortiz states that our sheriff's deputies to not make what is comparable to what is paid throughout the state. Madam Commissioner Ducharme states that is a good point lets increase them as well. Ms. Ortiz states that we are not Bernalillo County and we are not in the financial

straits that they are in and we are not laying people off. It is not fair to say the sheriff's deputy are going to get a raise because you are underpaid and tell another employee no you aren't getting one, when we have the means to give a cost of living increase across the board to every single one of our employees. Madam Commissioner Ducharme states that we should hold off on this and when we do all those necessary projects and if we have money left over then we can give those raises. We need to put the public first and not the employees and that is why she cannot support this.

Ms. Garland lets Madam Commissioner Ducharme know that the raises were budgeted in. So there is money for both the pay raises and the internal and external projects. All of this is in the budget before you. She also states that the employees work really hard for the county and she thinks that the employees do deserve this raise. She states that you do not want to do a percentage raise. The state used to do this and it was causing issues because the lower paid people got a small raise while those with a higher salary got a larger raise. That is not a fair or equitable system. Ms. Garland tells the commission if they want they can lower the raises across the board and then give the road and sheriffs a little bit more. From other areas around the state they start their clerks at \$13.00 to \$15.00 per hour, where as we are starting one at \$11.75. We are way underpaid compared to the state agencies and other counties. She says that Torrance County is the second poorest county in the state, but it seems that with the wind PILT money we are a little more financially stable. And this is a small token of your appreciation for all of your employees.

Commissioner Frost states that with the new HR person that is going to be hired that maybe this is something that the new person will be able to look into. Ms. Garland is hoping that the new HR person they bring in will bring in some outside knowledge and do some evaluations on how positions are paid. He is 100% in favor of the \$0.75 across the board raise.

Chairman Sanchez states that we have a motion and a second. Do we have any further discussion or public comment?

Madam Commissioner Ducharme would like to make a proposal to give a \$0.25 raise across the board. It's still a raise and the extra money will be available for more projects that we want to do in the community. Ms. Garland suggests maybe meeting in the middle and give a \$0.50 across the board raise? Commissioner Frost says no. Madam Commissioner Ducharme would like to address the road and sheriff's department salaries, this is not acceptable to her for these departments to have such low salaries.

Ms. Garland states that we can reevaluate those positions further down the road as far as a running salary and the base salaries for those employees. Ms. Tenorio states that she believes that they give an across the board raise to avoid any legal issues, but she isn't completely sure of that and legal isn't present to guide us in this.

Chairman Sanchez states that this issues tends to pull on your patience strings. We have one Commissioner wanting one thing another Commissioner wanting this, the Deputy County Manager wanting another thing, the County Manager wanting one thing and the all the department heads wanting one thing. In Chairman Sanchez's opinion this should all be up to the county manager's office to help build consensus for these things. We cannot have a hierarchy between all the departments. The voices are centered on the county manager's office

who lends some form of organization into the county and then make a recommendation to the board that is wholesome and meaningful. This is an example where we have information that is neither meaningful nor wholesome nor has had any consensus built around it.

Ms. Ortiz states that they have had a consensus. Herself as well as Ms. Tenorio and Ms. Garland went over everything and decided this was what the county could afford. We went over all the numbers to see what we could afford to give a cost of living increase across the board and we are all in consensus for this in the manager's office.

Mr. Godey asks that maybe they set a certain amount of money aside and maybe with the new HR person put in some sort of merit system. And then in about a year or so the money will be there to be able to give this raise. Ms. Garland states that it is a possibility but it will take time to set up some type of merit system. Ms. Tenorio says that she believes it is possible but it's ultimately up to the commission.

Janet Douglas Torrance County resident wants to let the commission know that a cost of living increase is not a raise. What this will do is help offset the rising cost of insurance or something to that effect. We all know that insurance goes up every year and when this happens you end up getting paid less and less because of it. When you agree to pay someone \$0.75 more it makes them feel worthy, when you get paid less every year it is demoralizing when you can't get a raise and your cost of living is going up. To keep the employees that are good \$0.75 is the most equitable things you can do. With this everyone will feel better and feel appreciated and it's not going to break you, it's a little bit of money that helps everyone.

Madam Commissioner Ducharme states that on the letter Chairman Sanchez handed out earlier on item #4 all revenue for fund 641 (wind PILT) that will be for FY18 be earmarked for investment only. This will not be available for raises. So the additional \$68,000.00 plus we will take from the General Fund right? Chairman Sanchez states that the point of origination is the 401 fund correct. Ms. Sedillo states, yes, that is correct. Madam Commissioner Ducharme states that if the General Fund doesn't have any supplementation from wind PILT we won't be able to do some projects because of that.

Ms. Tenorio states the money in the amount of \$539, 279.36 has already been set aside just for the internal and external projects. This is already in the budget and is there specifically for the projects. The general fund is where the increase to the salaries will come from. Madam Commissioner Ducharme states she doesn't understand how we can continue with this every year if we don't have that supplementation. Ms. Garland states that this year's budget was not supplemented by the wind PILT money. This is all the revenue from GRT and property tax etc. Chairman Sanchez asks if this raise is sustainable.

Ms. Sedillo states that the closing balance for the general fund is over \$2,000,000.00, and that she has never happened during her time with the county. The reason she thinks this has happened is because the departments have done a great job, have been conservative on what they have expended, we have added more work load to our current staff without having to ask for additional staff and that it has just been savings over the years. We have not increased the operating part of the budgets exclusive of salaries in 10 years. We are still working on the same operating money for office supplies and those types of things in our offices. The same amount of money for 10 years. There might have been a few changes in certain departments because of

more requirements, unfunded mandates those types of things. Ms. Sedillo states that everyone has worked really hard and the ending cash balance in the general fund is very healthy right now. Ms. Sedillo states that her office has worked really hard on the collection of delinquent property taxes. We are all doing our part to make these things sustainable.

Mr. Nick Sedillo states that as a long time veteran county employee, there were several years where we never got raises. The raises were never even brought up. We then went to a merit system and that was totally unequitable. People who were excellent employees got a huge raise and then there was another employee doing more work than the excellent employee and he got no raise. That was just a huge mess and it took years to clean up. As Ms. Douglas mentioned yess it's a raise but it's a cost of living increase. Yes, we do need to look at our road department and sheriff's department employees and see about possible boosting up their pay. When Mr. Sedillo started working for the county he states that he knew exactly what he was getting paid. There was no guarantee that he was getting a raise, he knew what he signed up for. When you get hired and you sign that paper you know what you are signing on for. History has taught him that a raise is not guaranteed but it is welcomed.

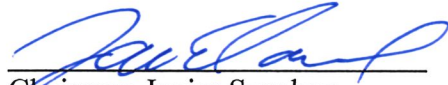
Madam Commissioner Ducharme asked if we know what the cost of living is throughout the state or nationally. Mr. Sedillo states that is hard to determine as every county and state varies. The way we determine the amount of the increase is if the budget can sustain it then it will be given. Ms. Tenorio would like to mention that there was an increase of about 6% to our health insurance back in January.

Chairman Sanchez state that is looks like we are ready to take a vote. Is there any other discussion or public comment? Madam Commissioner Ducharme states that she is in favor of this only as long as the salaries for the road department and the sheriff's department be looked at with the possibility of them getting a raise. No further discussion, all Commissioners in favor. **MOTION CARRIED**

ADJOURNMENT

ACTION TAKEN: Commissioner Frost Chairman makes a motion to adjourn the July 12th, 2017 Regular Commission Meeting. Chairman Sanchez seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED.**

Meeting adjourned at 6:31 pm


Chairman Javier Sanchez


Yvonne Otero-Administrative Assistant

7.26.17
Date