

**Final Copy  
Torrance County Commission  
Regular Meeting  
September 27, 2017**

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

**Others Present:**            **Belinda Garland, County Manager  
Annette Ortiz, Deputy County Manager  
Dennis Wallin, County Attorney  
Sylvia Chavez, Admin Assistant**

**Call to Order:**

Chairman Sanchez calls the meeting to order at 9:08am, Felipe Lovato leads the Pledge of Allegiance and Mayor Sylvia Chavez (myself), gave the Invocation.

**Approval of Minutes:**

Chairman Sanchez asks for a motion to approve the minutes from the September 13<sup>th</sup> meeting. **ACTION TAKEN:** Commissioner Frost makes a motion to approve the September 13 2017 Regular Commission Meeting Minutes. Chairman Sanchez seconds the motion. No further discussion, all in favor. **MOTION CARRIED.**

**Approval of Meeting Agenda:**

Chairman Sanchez asks for approval of the meeting agenda. **ACTION TAKEN:** Chairman Sanchez makes a motion to approve the meeting agenda. Madam Commissioner DuCharme seconds the motion. No further discussion, all in favor. **MOTION CARRIED.**

**Approval of Consent Agenda:**

Chairman Sanchez asks for approval of the consent agenda. **ACTION TAKEN:** Commissioner Frost makes a motion to approve the consent agenda. Chairman Sanchez seconds the motion. Madam Commissioner DuCharme asks if there are

any indigent claims, Ms. Ortiz states that there is and the amount is \$2000.00. No further discussion, all in favor. **MOTION CARRIED.**

**\* Presentation(s):**

**1. 2018 NMAC Legislative Priorities**

**a. Resolution 2017- 043 a Resolution Supporting the 2018 Legislative Priorities of the New Mexico Assoc. of Counties**

Ms. Betty Cabber presents the Commission with Resolution 2017-043, which goes over the NM Association of Counties Legislative Priorities for the 2018 Legislative Session. All 33 Counties will be presented with the same resolution, the NMAC feels that with all 33 Counties behind these priorities they have a better chance on becoming law. Ms. Cabber encourages all present to attend the legislative session to have their voices heard whether you're in support of a bill or opposed. Chairman Sanchez asks for the background on the forfeiture act, Ms. Cabber stated that this was introduced at the last legislative session but was not passed. The forfeiture act is to ensure that property of anyone being arrested is not sold or kept by any agency until the individual has been convicted. Documentation hereto attached. **ACTION TAKEN:** Chairman Sanchez makes a motion to approve Resolution 2017-043 Supporting the 2018 Legislative Priorities of the NM Assoc. of Counties. Commissioner Frost seconds the motion. Madam Commissioner DuCharme wants clarification on the details of the priorities, she verifies that each county will vote on this resolution. She would have liked to have seen more details on the priorities, Ms. Cabber lets Madam Commissioner DuCharme know that if she has any questions or needs more information she can always call Steve Kopelman with the Assoc. of Counties or contact her for more information. Madam Commissioner DuCharme also states that she would like to have these priorities on separate resolutions, she may want to support one but not all of them. Ms. Cabber mentions that she has a board of Directors meeting on October 13<sup>th</sup> and she will let the board know of Madam Commissioner DuCharme's concerns.

Michael Godey states that as a Commission you have the right to vote on these as you see fit, so if you wanted to vote on them all together or individually you can.

Dan DeCosta would like to know what the intent of the bill is, is it to change the law or support forfeiture without convictions.

Linda Jaramillo gives a brief description of the election law act, this act would combine all elections, Municipal, School, Conservation Districts and all into one

election on the odd years. Ms. Jaramillo voted against this at the Clerk's affiliate meeting. She is thinking for constituents it may be too confusing and would prefer that they stay as is.

No further discussion, Commission votes, 2 in favor Madam Commissioner DuCharme opposed. **MOTION CARRIED.**

## **2. Document Solutions-Marcos Chavez**

### **a. Lease between Torrance County Sheriff's Department and Document Solutions**

Marcos Chavez and Jocelyn Gorman with Document Solutions are here today to give the Commission a brief history on their Company. Ms. Gorman tells the Commission that this a New Mexico Co., started in an 8x10 office space by her family. The company is very passionate about giving back to the Community, they view their customers as business partners not just account holders. Document Solutions services several School districts, some local Municipal offices and Military Bases. County Manager Garland asks Mr. Chavez & Ms. Gorman what it is exactly they are here today to present to the Commission. Ms. Gorman states they are here today to present the contract with the Sheriff's office and answer any questions the Commission may have. Ms. Garland mentions that the Sheriff's office is unaware of this contract being presented today and asks if this can be tabled until further information can be done on the contract. Documentation hereto attached. **ACTION TAKEN:** Chairman Sanchez makes a motion to table this item so that the Sheriff's office and the Manager's office can go over the contract with Document Solutions. Commissioner Frost seconds the motion. No further discussion, all in favor. **ITEM TABLED.**

## **3. Youth Employment Appreciation Certificate**

Ms. Concha Cordova from YDI is here today to present the Commission with a certificate of appreciation for the County's participation in the Youth Employment program. The County Manager's office has been very helpful in employing youth during the summer and Ms. Cordova is here today to present the County with their Certificate. The certificate is read into the record: *This Certificate is awarded to Torrance County Manager Office. In recognition for your participation in the Workforce Innovation and Opportunity Act Program and your dedication in training & employing New Mexico Youth.*

**INFORMATION ONLY, NO ACTION TAKEN.**

#### **4. Update on Mountainair Learning Center-Michael Godey, Resident**

Mr. Michael Godey would like to inform the Commission that the learning center in Mountainair is now up and operational. The center will offer GED classes and computers to access online courses. This learning center is sponsored by Citizens of Mountainair not the school district, therefore all the supplies...i.e. computers and books have been donated by the citizens, there is still a need for more computers so if anyone has old computers they need to get rid of they can be donated to the learning center. The center is located in the old Town Offices, next to the Dr. Saul Community Center. **INFORMATION ONLY, NO ACTION TAKEN.**

#### **\*Department Request/Reports:**

#### **5. Updates: a. Various County Departments b. Other Boards or Land Grants (upon request) c. Forest Service (upon request) d. Commission**

##### **a. Department Updates:**

Tracey Master, DWI Coordinator- has received a fully executed copy of the grant agreement from DFA. She has been working with local elementary schools, will be helping with Estancia's red ribbon week. She will be having training on Saturday's for mental health training. The class is limited to 10 spaces and the cost of the training is \$10.00 per person. The 6<sup>th</sup> annual dance under the stars was a great success, largest turn out they have had.

Dan DeCosta-Code, Enforcement- Planning and Zoning has received grant funding for Tire amnesty and illegal dumping, which the MOU's are on the agenda for approval by the Commission.

Lester Gary, Torrance County Fire Chief- has completed the tour of all the fire departments in the County with County Manager Garland. Everything went well. There are 2 departments that have issues. There needs to be a new well at district 5 and there is a bat problem at the Duran Fire station. Chief Gary is working on the reorganization of the fire departments. Has had meetings with the local municipalities' fire departments. The fire department vehicles have been stripped and he is working with HR on job descriptions. He is also looking into updated MOU's with the municipalities. Has had 2 chiefs meeting since coming on

as the County Fire Chief. Commissioner Frost thanks Chief Gary for a great update, Madam Commissioner DuCharme also thanks Chief Gary for a very eloquent update. Madam Commissioner DuCharme asks Chief Gary about purchasing washers & dryers for the departments. Chief Gary mentions that the machines they will purchase are called “extractors” and he will be buying a set for the north part of the county as well as a set for the south part of the County but for now they have the solvent to wash their uniforms.

Martin Lucero, Emergency Manager- will be planning on doing a Winter Storm exercise soon. He was able to do a flooding exercise in August that covered the Estancia area, everything went well with that exercise. Mr. Lucero is looking into getting grant funding to put fences around the Sheriff’s office as well as at Dispatch for security measures. A representative from Homeland Security came down and inspected our building for vulnerability, so Mr. Lucero should be getting those results soon and will share them with the Commission.

**d. Commission Update:**

District #1: Commissioner Frost would like to thank the Road Department for all of their hard work on the road repairs in district 1 & 2. He has gotten a lot of calls about the repairs and the people are happy with the roads. So thank you road department.

District #2: Madam Commissioner DuCharme reads a thank you card she received from CoreCivic/CCA. She would like to thank them for being good neighbors for 27 years. Madam Commissioner DuCharme is hopeful that the facility will be used in the future.

District #3: Chairman Sanchez would also like to thank the Road Department for taking care of the roads in the County.

**Break at 10:17am**

**Back from Break at 10:25am**

**6. Review by Commission Petition to Permit the Location of Polling Place Outside Precinct Boundaries & Review of Order to Permit the**

## **Location of Polling Place Outside Precinct Boundaries-Linda Jaramillo, County Clerk**

Ms. Linda Jaramillo presents the Commission with the petition and information on the order going to District Court. The Court will be petitioned to have a precinct moved outside of its boundaries, precinct 10 which was at the Mountainair High School Gymnasium will be moving into precinct 9's boundaries. Ms. Jaramillo will also be moving the Catholic Center polling place to the Dr. Saul Community building. This is within precinct 9 so it does not need a petition or court order. Ms. Jaramillo feels that having both precincts in the same location will be more convenient for the voters in the Mountainair precincts. The Town of Mountainair has installed a handicap ramp, the hand rails will be installed soon so that the facility will be ready for next year's primary election in June. Documentation hereto attached. **ACTION TAKEN:** Commissioner Frost makes a motion to support the petition to move precinct 10 out of its boundaries and moved into precinct 9's boundaries at the Dr. Saul Community Center. Madam Commissioner DuCharme seconds the motion. Madam Commissioner DuCharme asks if there will be notification for voters about the move, Ms. Jaramillo states that she will inform the voters of the change before the election and will have signs at the old polling places on Election Day. No further discussion, all in favor. **MOTION CARRIED.**

## **13. Partial Closure of Marty Road-Felipe Lovato, Resident**

Mr. Felipe Lovato resident of Abo comes before the Commission today to request partial closure of Marty Rd. Mr. Lovato gives a brief history of the property along Marty Rd, the land is either owned by Mr. Chilton, the Lovato's or is state owned. Mr. Lovato leases the land from the state for his cattle and the cow trail that is on the property is not a public easement. He has been told by the state that it is up to Mr. Lovato to keep trespassers out of the land. There has been people on the road that have thrown their trash along the road and have broken into properties off of Marty Rd. Mr. Lovato states that on Labor Day weekend there was a vehicle abandoned on private property. Mr. Lovato is here today to ask the Commission to close that portion of Marty Rd that is a county road. Commissioner Frost states that there is a process in which this needs to be done, there will be a committee that will need to be appointed and thinks that it can get done at the next meeting if that is what the Commission decides. Ms. Annette Ortiz said that they can put this on the next meeting agenda. Madam Commissioner DuCharme asks how many residents live on this 7/10ths of a mile off of Marty Rd. Mr. Lovato states

that he is the only one that lives on that portion of the road. His brother (who passed away last year) has a house past his residence but no one lives there. Madam Commissioner DuCharme mentions that there has been some concerns about some of the gates that have been put up on the 2 miles that have been vacated by the Commission previously on Marty Rd. Mr. Lovato said that everyone that had signed the petition to close that portion of Marty Rd were all ok with the road being closed. Mr. Leonard Lujan comes to the podium to state that this is the reason why the road closure policy was put into place, so that everyone in the area will be notified and aware of the closure. County Manager Garland asks if the residence of Mr. Lovato's brother is sold can or will they be land locked and the answer was no. **ACTION TAKEN:** Chairman Sanchez makes a motion to start the process on the partial closure of Mary Rd. Commissioner Frost seconds the motion. No further discussion, all in favor. **MOTION CARRIED.**

#### **7. Memorandum of Understanding between Torrance County & EVSWA for Illegal Dumping Clean-up Service & Dumpster Rental-Dan DeCosta, Code Enforcement Officer**

Mr. DeCosta presents the Commission with an MOU with EVSWA for Illegal Dumping Clean-up. There are a few changes from the MOU we had in place. Documentation hereto attached. **ACTION TAKEN:** Commissioner Frost makes a motion to approve the MOU for Illegal Dumping Clean-up & Dumpster Rental. Madam Commissioner DuCharme seconds the motion. No further discussion, all in favor. **MOTION CARRIED.**

#### **8. Memorandum of Understanding between Torrance County & EVSWA for Tire Amnesty Services & Fees-Dan DeCosta, Code Enforcement Officer**

Mr. DeCosta presents another MOU with EVSWA for Tire Amnesty, this is for the whole County to include municipalities as well. This MOU does have a change in the amount of tires allowed, only 9 tires can be brought in a load. Documentation hereto attached. **ACTION TAKEN:** Commissioner Frost makes a motion to approve the MOU with EVSWA for Tire Amnesty. Madam Commissioner DuCharme seconds the motion. No further discussion, all in favor. **MOTION CARRIED.**

**9. Resolution 2017-048 Directing Torrance County Employees to Obtain National Incident Management System (NIMS Incident Command System) (ICS) Training-Martin Lucero, Emergency Manager**

Mr. Martin Lucero presents the Commission with Resolution 2017-048. This resolution will ensure that all County employees train in NIMS. This will help personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management. Documentation hereto attached. **ACTION TAKEN:** Chairman Sanchez makes a motion to approve Resolution 2017-048 Directing Torrance County Employees to Obtain National Incident Management System. Madam Commissioner DuCharme seconds the motion. Madam Commissioner DuCharme asks who in the County needs to receive the training, Mr. Lucero stated that all employees need to do the training, elected officials do not have to but it is recommended that they do the training as well. This training will help the County compete and receive funding from Homeland Security. No further discussion, all in favor. **MOTION CARRIED.**

**10. FY16/17 Extension Letter(s) for CAP & SB-Leonard Lujan, Superintendent**

- a. Extension Letter & Resolution 2017-049 CAP**
- b. Extension Letter & Resolution 2017-050 SB**

Mr. Leonard Lujan is asking the Commission to approve the letters of extension for the state projects. Mr. Lujan mentions that they are requesting the extension early but with the winters months coming up that could delay the projects. Documentation hereto attached. **ACTION TAKEN:** Chairman Sanchez makes a motion to approve Resolutions 2017-049 CAP & 2017-50 SB. Commissioner Frost seconds the motion. No further discussion, all in favor. **MOTION CARRIED.**

**11. Architect Contract for Counter Remodel Project-Tracy Sedillo, Treasurer**

Ms. Tracy Sedillo informs the Commission that the cost for the Architect for the counters came in higher than anticipated, it's within the allotted amount allocated by the Commission but the amount puts it over the amount per the procurement process, so we will have to go out for bid. Ms. Sedillo would like to use the design done by the Architect for the bid process. Documentation hereto attached. **ACTION TAKEN:** Commissioner Frost makes a motion to approve the



Architect contract for the counter remodel project. Madam Commissioner DuCharme seconds the motion. Chairman Sanchez recommends that we wait for this project to be done until we find out what happens with CoreCivic. Ms. Sedillo mentions that the money allocated for this project was from infrastructure monies and that money cannot be used for anything else. This project will also help our offices become ADA compliant.

Ms. Linda Jaramillo states that in the 20 years she has been in office there have been few instances that we have had to deal with few irate customers but with things the way they are nowadays it would be in the County's best interest to protect all of their employees. No further discussion, Commission Votes, 2 in favor Chairman Sanchez against. **MOTION CARRIED.**

**\*Commission Matters:**

**12. Request for Proposals for Legal Services for Torrance County-**

**Commissioner DuCharme**

Madam Commissioner DuCharme was unable to get all the information for this agenda item, so she is asking that the Commission table this item. **ACTION**

**TAKEN:** Madam Commissioner DuCharme makes as motion to table Proposals for Legal Services. Commissioner Frost seconds the motion. No further discussion, all in favor. **ITEM TABLED.**

**\*County Manager Requests/Reports:**

**15. Ratify Building Agreement for PMS Internet Upgrade with Century Link**

County Manager Garland presents this ratification for internet upgrade at the PMS medical center in Mountainair. They are needing this upgrade to help with their medical billing and patient reporting. Madam Commissioner DuCharme asks if the County owns the building, County Manager Garland responded yes the County owns the building. Documentation hereto attached. **ACTION TAKEN:** Madam Commissioner DuCharme makes a motion to approve the Ratification of Building Agreement for PMS, Internet Upgrade with Century Link. Commissioner Frost seconds the motion.

Hank Van Es, resident-he has had issues with Century Link and asks if there is another provider the County can use or look into.  
No further discussion, all in favor. **ACTION TAKEN.**

## **16. Review & Approval of First Amendment to Contract Between Torrance County & CoreCivic**

County Manager Garland asks the Commission table this item. **ACTION TAKEN:** Commissioner Frost makes a motion to table the First Amendment to Contract Between Torrance County & CoreCivic. Chairman Sanchez seconds the motion. No further discussion, all in favor. **ITEM TABLED.**

## **17. Update**

County Manager reads her report:

She has toured the County Fire Departments with Fire Chief Gary, met with the New Fire Chief of Moriarty as well. Attended a meeting at Magistrate Court for Justice Partners. Spoke with our new auditing firm Hinkle and Landers. Finance Director Amanda Tenorio & Kathryn Hernandez attended training with Triadic which is the financial software program the County uses. Attended hearing on pending litigation. Is continuing to work with Department heads on any issues and is still learning the day to day operational procedures for the County. Managers' report hereto attached.

**Meeting Recessed AT 11:40 AM**

**Back from Recess AT 1:40 PM**

**\*1:30 P.M. Public Hearing:** Public Hearing to consider proposed revisions to section 13 of Solid Waste ordinance 94-12 regarding discounts to solid waste management fees.

## **14. Review Proposed Revision & Amendment to Ordinance 94-12 Section 13.E 7 Resolution 2016-18A**

### **a. Amendment Wording Change**

Mr. Steve Guetschow, Planning and Zoning director gives a recap from the last Commission meeting. Mr. Dan DeCosta has been verifying vacant land exemptions for the EVSWA (Estancia Valley Solid Waste Authority). With some of

the comments from people who were protesting the charge on vacant land exemptions due to them only living on the property part time, we need a true definition of "vacant land". In order for our code enforcement officer to enforce our ordinance with the current provisions and for those provisions be upheld in court we need that definition. The vacant land exemptions are checked bi-annually and that is a lot of man hours in the field for Dan. Steve reads Ordinance 94-12 Solid Waste Ordinance Section 13.E for the record. Mr. Guetschow has prepared two (2) different draft proposals to amend the ordinance, Section 13.E. One of the drafts would eliminate the vacant land exemption and the other outlines what Resolution 2016-18A details for vacant land exemptions. Drafts hereto attached

Since the fall of 2016 Dan has verified 152 vacant land exemptions up until the Commission asked him to suspend the inspection of these exemptions. Steve does a quick calculation of lost revenues, which the monthly fee is \$19.21 a month, for a year. The loss in revenue is \$35,039.04. Mr. Guetschow asks if the Commission has any questions for him regarding the proposed amendments.

Chairman Sanchez goes over the proposed amendments for clarification and the recommendation from Planning and Zoning which is to eliminate the vacant land exemption. Mr. Guetschow states that not having the exemption is what Code Enforcement prefers due to the difficulty proving the vacant exemption. If EVSWA would have a time limit on the exemption forms they may be a little helpful for Dan to do the exceptions, this way he would have all the names and addresses to inspect and have time to work on them instead of getting them on a monthly basis.

Dan DeCosta, Code Enforcement Officer informs the Commission that he gets anywhere from 10-12 exempt files to inspect on a monthly basis. He believes there are 300-400 exempt accounts.

Danette Cabber-EVSWA tells the Commission that there are 489 vacant exempt accounts on file, which is a loss of \$118,000.00 annually. There are over 4000 accounts with EVSWA and 75% of those accounts are paid.

Art DuCharme-resident explains that he has a vacant land that he has paid on before this exemption and now he pays nothing. He had asked the authority

before why he was being charged and the response he got from them was that it was due to account maintenance fee. In the past customers were asked to sign an affidavit attesting to the vacancy by Mr. Ellis who was the manager of EVSWA why is Code Enforcement involved with this now. People are being threatened of going to court if Code enforcement is not allowed on their property.

Ron DeLashmutt is a Bernalillo County resident but has recently purchased two properties in Torrance County off of foreclosure. He has filed a vacant exemption because there is no waste being created at this residences. If he produces any waste he takes it with him to Bernalillo County and disposes of it there.

Mike (last name not audible and did not sign in) is confused on the vacancy price, he asks if the County is the one that sets the price for the fee. The Commission answers, yes. He believes that the County is helping generate funding for the Authority and feels that the Authority should place a salary cap on their Administration. He feels that closing on Sunday may help the Authority save money because it seems to him that the bottom line here is money. He suggests that EVSWA should get a list of property owners from the County and use that system to check to see who has vacant land and who doesn't. Mike feels that this process should be done just like when getting propane, only get billed when you need it. He hopes that the Commission recognizes what is being said here today and makes the right decision for the County and their residents.

Hank Van Es from the legal perspective Ordinance 94-12 states actual state statues allowing Counties to charge for waste services. In section 3 E & F, it states that only the users of the service can and will be charged. He believes the elected officials here are in breach of their oath of office. Nothing trumps a state statue, the Commission has power over county owned property but nothing else, not over private property. Therefore Planning and Zoning has no authority on private property.

Madam Commissioner DuCharme states that the amended ordinance charges a fee to those people who use a private hauler, Madam Commissioner DuCharme asks Mr. Van Es if he is familiar with this charge. Mr. Van Es states that he does not understand how an illegal entity can charge any fees. Madam Commissioner DuCharme questioned Mr. Wallin about the fee that people who use private haulers and why they are still being charged by the Authority. Mr. Wallin cited

two cases one in Supreme Court and Mr. Van Es court case and the Courts said it was ok for the government to make charges on those accounts. Mr. Van Es stated that he dropped the case and there was no ruling on his case. But any residence in the County that are receiving this charge can file a petition for declaratory judgement against the County or the Authority.

Michael Godey this whole hearing came about when a resident came forward for a fee being charged and the deliverance of that charge.

Charlene Guffey explains that prior to the amendment the charge was \$10.00 a quarter for vacant land. Ms. Guffey asks Dan of all the exemptions he inspected how many were actually not vacant. Dan answered that there were about 5 or 6 out of the 152. Ms. Guffey expresses the need for no exemptions at all, the users of the service should not be responsible or pick up the slack for everyone else.

Clement Austin asks what the management salaries are at EVSWA, someone from the audience stated \$75,000.00, Mr. Austin did some research and the average salary for Torrance County is \$35,000.00 he believes that EVSWA could save money by cutting salaries from management.

John Lindsey of Little John's Towing feels that the Authority should make adjustments for those who are abusing the system and hold them accountable, not everyone else. Mr. Lindsey informs the Commission that he was turned away at one of the stations because they were full, so he wonders if he will get charged more the next time he goes because his load will be bigger. Mr. Lindsey believes the Commission has a hard decision to make but it must be done.

Michael Godey reminds the Commission that this public hearing today is to define what vacant means.

**Break at 2:45 pm**

**Back from Break at 2:55 pm**

Madam Commissioner DuCharme reads a portion from the ordinance, she asks Dan what part of the ordinance gives him permission to go onto private property and asks Dan why he is doing more than his job description. Madam Commissioner DuCharme asks Dan to do his regular job and follow what the

ordinance but she also mentions that she does not agree with some of the wording in the ordinance.

Dan DeCosta explains that there is another section in the ordinance that gives him the authority to check properties and reminds the Commission that inspecting property has always been done. EVSWA used to do this before and they asked for code enforcements help. Mr. DeCosta explains that he is only enforcing the County's ordinance, he never went on private property he was viewing the property from the road. Mr. DeCosta states that the ordinance defines what vacant is but someone needs to determine the definition of vacant. Mr. DeCosta explains that there are times that he has to use his judgement on some of these exemptions and if residents feel that he is wrong, then the resident has the opportunity to challenge his decision.

Dennis Wallin explains to the Commission that anything Mr. DeCosta views from the road that is suspicious or as probable cause gives him the authority to go on private property. Mr. DeCosta can either get permission from the land owner or get a court order to go on private property. He reminds the Commission that if they do not like this Ordinance, they have the authority to change it.

County Manager Garland asks the Commission how do we verify vacant land exemptions. Ms. Garland reads the definition of vacant from the Webster dictionary online.

Commissioner Frost has heard from the public and would like to give his opinion. He feels that he is to blame for the discounts, he spoke with a lot of residents and heard what they had to say and that is why he asked for the fee to be removed on vacancy properties. Commissioner Frost feels that you should be able to tell when a house is vacant, people may have furniture in the house even have electricity but you can tell if no one lives on the property. If there is trash or waste on the property then you know that someone is living on the property.

Betty Cabber tells the Commission to keep it simple and judgement must be used on these decisions.

Steve Guetschow explains that someone has to define what utility and furnishing means to the ordinance.

Chairman Sanchez said we have to decide what vacant means, there are a lot of questions in the middle of the definition which can muddle the definition. He would like to see Commissioner Frost's thoughts in writing. Chairman Sanchez believes this has become more difficult than perceived which may move the Commission to eliminate the vacant exemption. Madam Commissioner DuCharme would like to help Commissioner Frost with the definition.

Brent Myrick feels that Mr. DeCosta has enough to do with his county job, why is he doing the inspections for EVSWA. Madam Commissioner DuCharme answered that Mr. DeCosta is enforcing the County's ordinance.

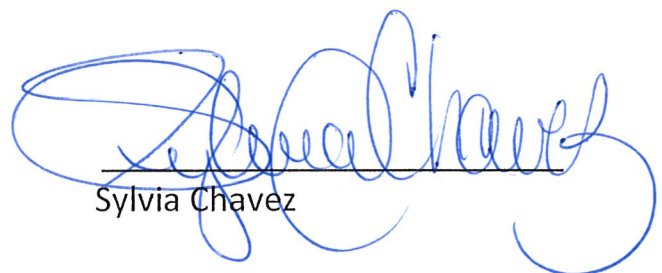
Chairman Sanchez states that there is some more work that needs to be done on the definitions and would like to see Commissioner Frost's and Madam Commissioner DuCharme thoughts and definitions in writing and discuss the definition at another meeting.

### **Adjourn**

**ACTION TAKEN:** Chairman Sanchez makes a motion to adjourn the September 27, 2017 Regular Commission Meeting. Madam Commissioner DuCharme seconds the motion. No further discussion, the Commission votes all in favor none opposed. **MOTION CARRIED.**

**Meeting adjourned at 3:55 pm**

  
Chairman Javier Sanchez

  
Sylvia Chavez

9 10.11.17  
Date

The video of this meeting can be viewed in its entirety on the Torrance County NM website, Audio discs of this meeting can be purchased in the Torrance County Clerk's office and the audio of this meeting will be aired on our local radio station KXNM.