

FINAL COPY  
Torrance County Board of Commissioners  
Regular Commission Meeting  
January 10<sup>th</sup> 2018

**Commissioners Present:** JAVIER SANCHEZ – CHAIRMAN  
JULIA DUCHARME – MEMBER  
JAMES FROST – MEMBER

**Others Present:** BELINDA GARLAND – COUNTY MANAGER  
ANNETTE ORTIZ – DEPUTY COUNTY MANAGER  
DENNIS WALLIN – COUNTY ATTORNEY  
GENELL MORRIS – ADMIN ASSISTANT

**Call Meeting to order**

Chairman Sanchez: Calls the January 10<sup>th</sup> 2018 Regular Commission Meeting to order at 9:01 AM  
Pledge lead by Fire Chief Lester Gary  
Invocation lead by Chairman Sanchez

**Approval of Minutes:**

Commissioner DuCharme: Moves to approve minutes for December 13<sup>th</sup> 2018

Chairman Sanchez: Seconds the motion

All in favor: MOTION CARRIED

Chairman Sanchez: Moves to approve minutes for December 21<sup>st</sup> 2018

Commissioner Frost: Seconds the motion

All in favor: MOTION CARRIED

**Approval of Meeting agenda:**

Chairman Sanchez: Moves to approve meeting agenda, moving agenda items 5,6,14 up.

Commissioner DuCharme: Seconds the motion

All in favor: MOTION CARRIED

**Approval of Consent agenda:**

1. Approval of Warrants
2. Approval of Indigent Claims

Commissioner Frost: Moves to approve consent agenda

Commissioner DuCharme: Seconds the motion

All in favor: MOTION CARRIED

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

**\*Commission Matters:**

**5. EVSWA Reform Conference**

Chairman Sanchez: We are looking for long term sustainable solution that corrects the current imbalance with our contract tipping fees and what is brought in as revenue. A proposal for a working group consisting of County Manger Belinda Garland, Chairman Javier Sanchez, Mr. Miller, Marco Banales, Bill Williams and Leonard Lujan to review various options and come up with a set of recommendations and deliverables to the board looking to meet within the next 3 weeks before the next billing cycle, possibly a Saturday with a 4 hour work session. If the Commission has any ideas for any additional membership it is welcomed. The discount schedule, a review of services, billing and any options we have will be discussed.

Commissioner DuCharme: Is in full support of this proposal.

Chairman Sanchez: Any other members? Mr. Miller's discretion as to what staff he wants present.

Makes motion to create a working group to review the EVSWA contract

Commissioner Frost: Will the people accept?

Chairman Sanchez: Will the individuals raise their hand? Mr. Banales, Mr. Lujan, Mr. Williams all raised their hand.

Commissioner DuCharme: Seconds the motion

All in favor: MOTION CARRIED

**6. Follow-up Road Department Workshop**

Chairman Sanchez: The recommendation after meeting with Manager Garland and Mr. Lujan is to have a Communication Network Conference. This conference will be in 2 parts first, facilitated by Javier Sanchez, gathering information from stakeholders regarding the pertinence between roads and various aspects such as economic development, improvements and various cost structures. Second, the core group would make recommendations and deliverables and submit to the County. The working group will consist of Manger Garland and Mr. Lujan to present to the commission. A goal is to identify the roads we what to maintain that add benefit, as communication networks, as byways and industrial use to the County. This is above standard maintenance.

Commissioner DuCharme: Thinks the plan is well thought out and would like to help with the workshop.

Chairman Sanchez: Stakeholders from across the County, the Commission, Managers office, Road Department, Assessors office, Planning and Zoning, Emergency Management, Municipalities, Land Grants, Forest Service, State DOT, EVEDA, Soil and Water Conservation Districts, Wind Farms, School Districts, USDA, NRCS, industrial partners and industry experts are invited to workshop, possibly for February 27<sup>th</sup> (part 1)& 28<sup>th</sup> (part 2).

Belinda Garland – County Manager: Are all 3 commissioners attending the meeting?

Chairman Sanchez: It is up to the Commissioners if they would like to attend.

Chairman Sanchez: Makes motion to hold the Communications Network Conference February 27<sup>th</sup> & 28<sup>th</sup>.

Commissioner DuCharme: Seconds the motion

Commissioner Frost: Is not in favor, remembers when the roads were terrible throughout the County. A lot of gradual improvements have been made depending on the available money. The State has helped with the projects approved annually. With the Bond Election we got new equipment. Commissioner Frost has complete faith in Torrance County Road Department.

Jason Quintana: You want to put a committee to make decisions on the roads, what exactly is this workshop going to do?

Chairman Sanchez: This Conference is intended to gather information regarding the state of our roads and relationship of various aspects of economic development, transportation, communication and cost benefits. We want to hear from stakeholders concerning roads. We are not creating a committee, this is a conference.

Belinda Garland – County Manager: This is not a workshop to determine one road is more important than another. Maintenance across the county will continue, all roads are important. This is a workshop to develop how we can focus on a few roads that will help improve our infrastructure in order to build our economy, to bring in new businesses and link our community together.

Jason Quintana: Moriarty has most of the businesses because of interstate. Are you looking at the rest of the county?

Belinda Garland – County Manager: The entire county, the southern part of county is poverty stricken. It doesn't have the Interstate but it does have the railroad. We can build off the railroad if we can build roads to link us to it.

Jason Quintana: When you look at roads, drainage is a big concern.

Michael Godey – Tajique Resident: Another issue to address is funding. Economic development also includes who wants to reside here. Every road effects economic development.

2 in favor: Motion carried Commissioner Frost, not in favor of workshop.

#### **14. Review and Rank 2019-2023 Infrastructure Capital Improvements Plan**

##### **a. Resolution 2018-06 Adoption of 2019-2023 Infrastructure Capital Improvements Plan**

Belinda Garland – County Manager: Apologizes for not being able to attend Special Commission Meeting Jan. 4<sup>th</sup> 2018 was in Santa Fe and met with the director of the legislative finance committee. In that meeting some information has come up, in order to help with funding issues for the Torrance County Transport Division that is being created to help transport the detainees and inmates to and from Santa Fe with the closure of the prison. An approved copy of the ICIP list from January 4<sup>th</sup> 2018 was given out. The following changes are proposed: line 1 4x4 Sheriff Patrol Vehicles amount changes from \$80,000 to \$90,000, this will cover the purchase of 2 vehicles and equipment to be transport ready. Also change line 2 Fire Station Renovations from \$240,000 to \$50,000. Commissioner Sanchez and I discussed about dropping Fire Station Renovations and use funding from the PILT to cover renovation. With the increase cost of housing, unsure if funding will be available.

Chairman Sanchez: Chief Gary, please explain what the Fire Station Renovation entails?

Lester Gary – Fire Chief: We have one station that has mold from a leak in ceiling over the bathrooms. We need to remove the mold, it has been determined it is from clean water and is absorbing into the sheetrock. We are unsure if it is in the studs.

Chairman Sanchez: Mold is something we need to address immediately. As opposed to waiting on the legislature to fund it. We might have some Capital Outlay money available to address this issue immediately, before further loss.

Lester Gary – Fire Chief: The Capital Outlay has not been looked into but vendors have been giving quotes.

Amanda Tenorio - Finance Director: There is funding available in the Capital Outlay, a little over \$ 800,000. Nothing is ear marked for the Capital Outlay.

Belinda Garland – County Manager: Does that exclude the counters?

Amanda Tenorio - Finance Director: Yes, excluding the counters.

Belinda Garland – County Manager: Other stations need work, substation 2 bathrooms.

Lester Gary – Fire Chief: Fire Station well, for Substation 5 does not need to be on list.

Commissioner DuCharme: Chief Gary, what is your plan for the problem with the well?

Lester Gary – Fire Chief: A vendor established the depth of the well and thinking the well filled up with sand. He will go in and clean it out. It is currently at 225 ft. and with the removal of sand we could get 10 ft. of water. The fire protection fund will pay for this. We don't believe a new well is necessary.

Tracy Sedillo – County Treasure: \$900,000 of expenditures budgeted in the Capital Outlay fund. There is not \$800,000 available. In the \$900,000, 450,000 is budgeted for building and building improvements. Of the \$450,000, \$150,000 is ear marked for projects, the animal shelter foyer and counters. There is \$300,000 already in budget that can be utilized.

\*Continued discussion concerning rank of items – all feel it will be best to leave as is.

Chairman Sanchez: Would like to have the amount for Fire Station to be \$70,000.

Commissioner DuCharme: If we leave the amount \$50, 000 for the fire station. Can you spend that money?

Lester Gary – Fire Chief: Yes, all stations need some renovation.

Belinda Garland – County Manager: It is a short time before we hear about the funding, we can use the money for the mold and use the capital outlay money on other renovations.

Chairman Sanchez: Makes motion to Approve Resolution 2018-06 Adoption of 2019-2023 Infrastructure Capital Improvements with the following changes. Project #1, 4x4 Sheriff Patrol Vehicles increase to \$90,000 and Fire Station Renovation Adjusted to \$70,000.

Commissioner DuCharme: Seconds the motion

All in favor: MOTION CARRIED

#### **1. Election of Commission Chair**

Chairman Sanchez: Makes motion to leave Commission Chair as is.

Commissioner DuCharme: Having been a Commissioner for 3 years, every year I have asked the Commission to be the Chair person. Every year denied this opportunity. Commissioner DuCharme feels Chair has done a good job. Meeting have become open and the atmosphere is better than before.

Chairman Sanchez: Motion on the table.

\*No Second

Commissioner Frost: If no action is taken, what happens?

Dennis Wallin – County Attorney: The statute states you shall elect a chair. Robert's rules say if there is no consensus, the chair will remain the same.

Commissioner DuCharme: Moves to appoint Commissioner Julia DuCharme as Chairperson of this commission.

\*No Second

Commissioner Frost: Chairman remains the same.

Commissioner DuCharme: Julia wants this item in next Commission Meeting agenda.

#### **2. Resolution 2018-03 Establishing County Policy Statute Compliance**

Annette Ortiz – Deputy County Manager: This is one of two annual resolutions we revisit every year. This states the County will follow policy.

Chairman Sanchez: Makes motion to approve Resolution 2018-03

Commissioner Frost: Seconds the motion

Chairman Sanchez: Read Resolution 2018-03, Whereas, this resolution being duly written and executed this 10<sup>th</sup> day of January, 2018, and does hereby, in accordance with prevailing State Statute 10-15-1 NMSA, 1978 compilation, declare all commission meetings to be open to the public and shall be properly advertised and posted as prescribed by State Statutes. Whereas, a county policy is hereby established whereby the County Commission may establish and prescribe its county rules, regulations and policy making decisions, and an affirmative action program. Now therefore, be it resolved that a copy of the foregoing Resolution be included in the minutes of the Board of County Commissioners of Torrance County as a permanent record. Adopted, and approved this 10<sup>th</sup> day of January, 2018.

All in favor: MOTION CARRIED

#### **3. Resolution 2018-04 Open Meetings**

Chairman Sanchez: Makes motion to approve Resolution 2018-04

Commissioner Frost: Seconds the motion

All in favor: MOTION CARRIED

#### **4. Solid Waste Discount(s) Resident Requests:**

##### **a. low income Senior(s) – Kay Stillion, resident**

Does not want to go to Income Support Division office and waste time, states she is low income. Presbyterian Medical Services only asks for Social Security Documents, one stating how much money you receive for the year and the other how much possibly owed to IRS. With one of the documents PMS feels that is sufficient enough to give the lowest discount. The same for CenturyLink, they have a low income discount and all I needed to do was to complete a form and submit Social Security Documents. All we want is what we have earned. Through all the years that we have worked, the amount that Social Security says, this is what you have earned. Some people on Social Security are millionaires because

of what we have earned. You can get that information from the IRS and a very simple way is to make a form stating the low income guidelines and make it legal. I think the County is secure, not too many people will cheat the EVSWA. Ms. Stillion created a petition signed by around 70 residents in Mountainair.

Michael Godey – Tajique Resident: Why is there no valid documentation used for low income? It appears to be that no universal government program that identifies low income. It might be good to identify all the methods of proof. Any one of them will not get everyone. So they choose what works for them.

Belinda Garland – County Manager: The reason we do not want to start doing that, is then the county becomes responsible for safe guarding peoples information, all of that falls under strict guidelines. The county does not have the facility to maintain that information. That is not how the original resolution read. The Original resolution read that if they qualify for public assistance as outlined in NMSA 27-2-3 and 27-2-4. Which are the programs administered by the Income Support Division. There are standard forms to follow to establish qualification. We only changed that part of the resolution to list the specific programs, so it would be easier to understand. Social Security and Medicaid is not public assistance.

Charlene Guffey: We are so small, everyone has to be on the same page. Discounts-get rid of them. Every town in our county have low income, seniors and vets. The towns don't give discounts to anyone on their trash system. When the town's people have bulk items, they go to our stations and pay to get rid of bulk items. The towns have to subsidize cleanups and tipping fees.

Chairman Sanchez: We need better PR, we haven't gotten information to the public. During the workshop all matters will be discussed.

Commissioner DuCharme: EVSWA does not provide service to the Municipalities. Moriarty's rate was about \$12-\$13 per month compared to counties rate of \$20 a month.

Anna Hopping: Addressing keeping people's private information. Not everyone has to keep that private information to make that determination. The Post Office doesn't, you show them the information and they sign that they have seen it. A copy is not kept. You do not have to keep peoples private information to have looked at it and know they fit into your criteria. You can record they qualify for discount.

Charlene Guffey: The town's people have one trash can they don't divert, or recycle vs. the county people pay \$20 a month, 2 ½ yards a week and get to divert, recycle, ash, tires, branches. Town's people have to pay for tipping tickets to take bulk items to county transfer stations. If County residents have bulk items, it is included in their 2 ½ yards.

**b. Disabled Veteran – James Welch, Resident**

The way I read your qualification, you have to be on welfare, Medicaid or food stamps. That is encouraging people to get on welfare. If you rewrite this to where you want a discount on your trash, bring In a W2 form and you get a discount. This will encourage people to work. There should be a discount for Veterans, disabled Veterans and spouses should be able to carry on, like the VA does.

Commissioner DuCharme: Are the numbers available?

Belinda Garland – County Manager: We have some numbers but the final numbers will not be available till the end of the month. It's hard to decide who should get discounts. We were following the original resolution. It's up to the Commission if you want to make a new resolution.

**c. Extension of Senior Discount – John McGrory, resident**

Not available.

Discussion only no motion

**7. Memorandum of Understanding between MRCOG & Torrance County**

Belinda Garland – County Manager: \$50,000 was received for MRCOG to be the fiscal agent for the County to update its comprehensive plan. This is a standard agreement, we have had this in place before with MRCOG.

Commissioner DuCharme: In early 2015, we have had funding to update the comprehensive plan and an agreement was already approved. We also formed a committee and have not heard anything since then.

Annette Ortiz – Deputy County Manager: This MOU is for MRCOG to be our fiscal agent for this project and don't believe we have had any committee meeting.

Commissioner DuCharme: \$50,000 still available?

Annette Ortiz – Deputy County Manager: Yes, it is still available. We need the fiscal agent agreement in place.

Commissioner DuCharme: Is there a deadline to use the money?

Annette Ortiz – Deputy County Manager: There was a deadline but was already extended.

Commissioner Frost: Makes motion to approve Memorandum of Understanding between MRCOG & Torrance County

Chairman Sanchez: Seconds the motion

All in favor: MOTION CARRIED

### **13. Resolution 2018-02 Apply for Special Funding**

Belinda Garland – County Manager: With the resolution is a letter, the letter was not put as an action item. The letter will come from Manager Garland to the State Senators and Representatives. Requesting their assistance and support requesting emergency funding for the State General Appropriations Bill in the amount of \$350,000 to help fund and run the transport division, and support with the Capital Outlay for the ICIP.

Santiago Chavez – Finance Director/lobbyist for Association of Counties: Belinda and Santiago met with the director of the Legislative finance committee, David Abby. Mr. Abby indicated there is a lot of support from State Representatives and Senators to help Torrance County since the jail has closed. The State is willing to support the County with some operating money. The letter and Resolution have projected numbers of what it will cost to bring the transport division of the Sheriff's Department up to speed approximately 1.1 million dollars, including the capital for transport vehicles, salaries, benefits, equipment, training and equipment for vehicles. It is important that the Resolution is submitted this week, the Legislative session starts next week. This would be one time money and the county will need to have a plan. You will have a letter from the county Manager, resolution requesting the dollars, any balances from last fiscal year (from quarterly report submitted to DFA local government division), year to date (2<sup>nd</sup> quarter report of the fiscal year) due January 20<sup>th</sup>, projected new expenses for next year. It's a packet, it will be bound and delivered this week to Santa Fe.

Chairman Sanchez: Thanks Mr. Chavez for his help.

Belinda Garland – County Manager: Thanks all involved in the preparation of this Resolution. Manager Garland read Resolution 2018-02 aloud.

Commissioner Frost: Makes motion to approve Resolution 2018-02 Apply for Special Funding

Chairman Sanchez: Seconds the motion

All in favor: MOTION CARRIED

### **8. Award of RFP 2018-02 Teen Court Coordinator**

Tracy Master – DWI Prevention Program Coordinator: The review committee for the RFP recommending the RFP 2018-02 for Teen Court Coordinator be awarded to Adrian Ortiz.

Commissioner DuCharme: Is he related to any county employee?

Annette Ortiz – Deputy County Manager: Mrs. Ortiz has removed herself from the RFP proposal board, because her husband is related to Mr. Ortiz.

Belinda Garland – County Manager: Mr. Ortiz is the spouse of Jenea Ortiz who has the contract with the Juvenile Justice.

Chairman Sanchez: Makes motion to approve Teen Court Coordinator RFP

Commissioner Frost: Seconds the motion

Danielle Johnston – Torrance County Citizen: Has known Mr. Ortiz professionally for 20 years and as a student. Mr. Ortiz is a teacher in the final stages of getting his license. He has a long history of working with students, an independent thinker, creative mind, he will represent Torrance County well.

2 in favor: MOTION CARRIED, Commissioner DuCharme not in favor

#### **a. Teen Court Coordinator Contract**

Annette Ortiz – Deputy County Manager: Request to table item a, because Teen Court Coordinator Contract is not ready.

Chairman Sanchez: Makes motion to table item 8

Commissioner Frost: Seconds the motion

All in favor: MOTION CARRIED

**\*Presentation(s):**

**9. 2017 Safety Performance Awards – Nick Sedillo, Risk Manager**

Safety Awards were presented to Joyce Martinez employed since 2009, 2605 day's accident free and Amanda Long employed since 2014, 855 days accident free.

The Association of Counties sent an email stating Torrance County has been awarded the New Mexico Association of Counties Workers Compensation Safety Award for Division 2. Torrance County competes with Colfax, Hidalgo, Lincoln, Roosevelt, San Miguel, Sierra, and Socorro Counties. Torrance County had the least amount of Workman's comp claims files for the year. Risk awareness program training was completed, a 50 week training. Torrance County will also be receiving a risk awareness program award at the New Mexico Association of Counties legislative Conference for meeting all or part of the goals set for the past year.

**\*Department Requests/Reports:**

**10. Updates:**

**a. Various County Departments**

Lester Gary – Fire Chief: It is time for the EMS fund Act to be submitted and has Superior Ambulances application. Mr. Wallin and Manager Garland agree to have the Chair sign the application and get on the agenda for the next meeting to ratify the signature. Since 2008 the fire department has not reviewed EMS Fund Act money. The packet for districts 2, 3 and 5, to start receiving EMS Fund Act money are ready. Each district will receive every FY starting 2019 is \$15,000. I would like the Commission to sign and at the next commission meeting we will ratify the signatures.

5 members have completed EMT basic course and waiting to take national registry exam.

Partnering with Moriarty Fire Department we are starting a fire fighter 1 and 2 course starting Jan 20<sup>th</sup>. 28 students between the two departments.

Leonard Lujan-Road Department: BO51 W is finished and will be starting Watson Rd. Blades are out in Cedarville area and have a new employee training there now. Road Department is working on complaints. Mr. Lujan is able to be out in the community since hiring Executive Assistant. A list of road projects for 2018-2019 was handed out.

Commissioner DuCharme: Hopes everyone had a good holiday and is full of ideas and energy. Ready for a new year.

**11. FY2019 Local DWI Grant Application – Tracey Master, DWI Prevention**

**a. Resolution 2018-05**

This authorizes Torrance County to request funding for FY19.

Commissioner DuCharme: Moves to pass Resolution 2018-05

Commissioner Frost: Seconds the motion

All in favor: MOTION CARRIED

**b. Statement of Assurances**

Local DWI Grant and Distribution Program, Torrance County is confirming we will follow all of the regulations as put forth by the Department of Financing Administration and local government division special programs bureau LDEI.

Chairman Sanchez: Moves motion to approve Statement of Assurances

Commissioner Frost: Seconds the motion

All in favor: MOTION CARRIED

**c. Memorandum of Understanding**

Between Torrance County and the Department of Finance and Administration/Local Government Division, it is a state of assurance of compliance.

Chairman Sanchez: Moves motion to approve Memorandum of Understanding

Commissioner DuCharme: Seconds the motion

All in favor: MOTION CARRIED

**d. DOH Assurances and Cooperative Agreement**

The agreement between Torrance County and DOH, Epidemiology and Response Division  
Chairman Sanchez: Motions to approve DOH Assurances and Cooperative Agreement  
Commissioner DuCharme: Seconds the motion  
All in favor: MOTION CARRIED

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

**12. Ratification of Copy Machine Contract(s)**

Belinda Garland – County Manager: Managers office and Road Department copy machines are over 5 years old and need replacing. They are cheaper than what we have now.  
Commissioner Frost: Moves to ratify the copy machine contract.  
Chairman Sanchez: Seconds the motion  
All in favor: MOTION CARRIED

**15. Update**

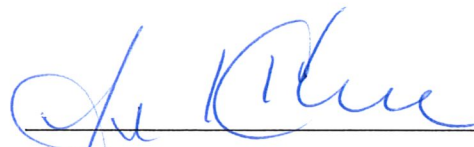
County Manger was on RFP Committee selecting the Teen Court Coordinator. Met with Clay Perez from Netflix who is looking to film a movie in Torrance County. Jan 4<sup>th</sup> attended a meeting in Santa Fe help by PNM with regards to a possible new electric line for the energy created by the wind farms, also met with Mr. Santiago Chavez and Director of LFC, Mr. David Abby. Was given direction on what should be prepared in order to request funding for our Transportation Division. We are advertising for a new Chief Procurement Officer, deadline is January 18<sup>th</sup> at 5:30 pm.

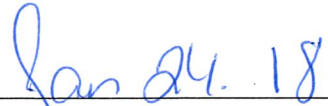
**\*AJOURNMENT:**

Chairman Sanchez: Motion to adjourn regular session  
Commissioner Frost: Seconds the motion.  
All in favor: MOTION CARRIED

**Meeting adjourned at 11:29 AM**

  
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Javier Sanchez-Chairman

  
\_\_\_\_\_  
Genell Morris – Administrative Assistant

  
\_\_\_\_\_  
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 out local radio station KXNM.**