

FINAL COPY  
Torrance County Board of Commissioners  
Regular Commission Meeting  
June 27th 2018  
9:00 AM

**Commissioners Present:** JULIA DUCHARME – CHAIR  
JAVIER SANCHEZ – 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**

Madam Chair DuCharme: Calls the June 27th 2018 Regular Commission Meeting to order at 9:05 AM  
Pledge lead by Jon Grant  
Invocation lead by Linda Smith

**Approval of Minutes:**

Commissioner Frost: Moves to approve the June 13th, 2018 Regular Meeting Minutes.  
Commissioner Sanchez: Seconds the motion  
All in favor: MOTION CARRIED

**Approval of Meeting Agenda**

Commissioner Frost: Moves to approve meeting agenda  
Commissioner Sanchez: Seconds the motion  
All in favor: MOTION CARRIED

**Approval of Consent Agenda:**

*1. Approval of Checks*  
Commissioner Sanchez: Moves to approve consent agenda  
Commissioner Frost: Seconds the motion  
All in favor: MOTION CARRIED

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

**Public Requests**

Linda Smith – Bethel Community Storehouse Director: Presents Annual Budget Report for 2017. Bethel served almost 22 thousand people. Bethel is celebrating its 31<sup>st</sup> birthday July 7<sup>th</sup> 10 am-5pm all are invited to attend.

\*Commission Matters:

**1. Presentation of the FY17 Torrance County Audit**

Farley Vener – Hinkle & Landers: Report has been submitted to the state auditor's office and released. There were 8 findings for 2016, 3 were resolved and 5 were repeated. 5 new finding for 2017. Findings are Financial close material adjustments, compensated absent-vacation accrual tracking, information technologies, personal policies, late audit report, bank reconciliation, capital assets, certification of assets annual inventory, tracking of NMFA activity and the reconciling of the PERA payments.

Resolved findings are: pay roll changes, capital assets and depreciation and tracking of fuel costs. The 2018 audit is underway to get the audit done in a timely manner and ways to resolve findings. The goals are to improve the financial close, have more controls in place to make sure capital assets are accurate before the auditor looks at them.

**2. FY18/19 USDA APHIS Wildlife Contract, Request For Additional Funding – Justin Hendricks, Torrance County Wildlife Specialist**

Jon Grant – USDA District Supervisor: In 2017 approximately 5000 head of livestock were protected, valued at 1.6 million dollars in Torrance County, preventing \$57,000 worth of livestock losses. Rodent and skunk management services are provided and surveillance for wildlife diseases such as tularemia and plague. Requesting an additional \$1,000 to the budget with a total of \$32,500.

Belinda Garland – County Manager: This is very beneficial to the farmers and ranchers in the community and in full support of this program.

Justin Hendricks – Wildlife Services Specialist: In November-December calving season starts, this is calf protection from November to April-May. A lot of mitigation to make sure there are no problems. Coyote is the main predator on the cattle ranches and bobcat are the sheep predators.

Commissioner Frost: Moves to approve additional Funding.

Commissioner Sanchez: Seconds the motion

All in favor: MOTION CARRIED

**3. Transportation Committee**

Commissioner Sanchez: Asking to create a committee to show the need for funding from the DOT for improvements to Hwy 41 and 542 as well as other roads. The county can be the facilitator and ask for buy in from all the municipalities, land grants and DOT. The goal of the Committee would be to bring funding from the state level to the county toward getting Hwy 542 and 41 improvements. Both highways are critical byways, a lot of product gets shipped out, it needs to be widened. Have a meeting with this specific goal in mind, a pilot program over the course of 6 months to a year. I don't believe we have tried to lobby in this fashion before in the past.

Danielle Johnson – resident: The first thing that needs to be done is apply for all state and federal flow through dollars, so you can show evidence that we have received or denied funding. Then the legislators will be willing to look at the below the line money that they have.

Commissioner Sanchez: Motions to create an interim transportation committee and task the Commissioner for the 3<sup>rd</sup> district with organizing participants, with the intention of creating a committee at the last meeting in July.

Madam Chair DuCharme: Seconds the motion

All in favor: MOTION CARRIED

#### 4. Discuss Business of Law Firm Contracted with Torrance County

##### a. Act on Contract, if necessary

Madam Chair DuCharme: Mr. Wallin you were instructed to give legal opinion on the Right-To-Work Ordinance, will it be part of this discussion?

Dennis Wallin - County Attorney: I didn't put this on the Agenda. I don't know.

Madam Chair DuCharme: I put it on the agenda. I'm asking Ms. Garland, who put this agenda together.

Dennis Wallin - County Attorney: I can answer the Right-To-Work, I don't have my opinion finalized yet. I'm working on it. I have had other matters come up that were much more pressing.

Madam Chair DuCharme: When will it be ready?

Dennis Wallin - County Attorney: I would like to give you a date, I'm working on it the best I can. I have lots of other issues here in the county that have superseded this issue as well as my other professional and family issues. I'm doing the best I can on it. I'll get to it hopefully by the next meeting but I'm not going to sit here and say for absolute certain that it will be done. I'm traveling the rest of this week, part of next week. Fitting it in the best I can Madam Chair.

Belinda Garland – County Manager: When we discussed putting this on the agenda, Madam Chair, nothing was mentioned about Right-To-Work.

Madam Chair DuCharme: It is true, it was mentioned at the last Commission meeting in May.

Belinda Garland – County Manager: I was given directive to request the legal option from Mr. Wallin. There was not a deadline given.

Madam Chair DuCharme: Yes, it was given.

Belinda Garland – County Manager: We can go back and check the minutes but I don't believe there was.

Dennis Wallin - County Attorney: I did tell you I would try and have them done by this meeting, I don't think there was a deadline.

Madam Chair DuCharme: Ms. Linda Jaramillo could you please check the minutes and see what kind of instruction Mr. Wallin received for the last meeting in May.

Dennis Wallin - County Attorney: I would bring to your attention, you are acting outside of the agenda.

Madam Chair DuCharme: Mr. Wallin, it was brought to my attention that, your law firm is a part of another law firm. Could you please explain that? Tell us if it has any implication on your contract with the county?

Dennis Wallin - County Attorney: The answer to that question is no. I am now a partner in the Spence law firm New Mexico which is out of the State of Wyoming. It is a trial practice I have worked with for 30 years on various matters. We formed a New Mexico law firm. I also have the Wallin Law firm llc that I do work outside of the Spence law firm. The contract with the county is under the Wallin law firm llc, which is the successor and interest to Wallin, Huss & Mendez.

Madam Chair DuCharme: I asked Ms. Garland to put this on the agenda because this is the year we have to go for bid for legal services for the county. I would like the Commissioners to discuss this matter. If we would like to continue to have a contractor providing legal services or have an attorney as an employee.

Commissioner Frost: We historically have had bids on the law services, I would think that would continue.

Commissioner Sanchez: What is the cost of having an attorney as an employee vs. contracting?

Madam Chair DuCharme: I don't have this information right now and would like to instruct our County Manager to made this analysis and present to the county.

Dennis Wallin - County Attorney: I think that is very wise, over the years I have suggested that you do that. This has become nearly a full time job and a half. It may very well be having an in house employee attorney is the appropriate way for the county to proceed. I think having the analysis done would be a very good idea.

Belinda Garland – County Manager: You will need to tell me what you want in the analysis.

Madam Chair DuCharme: We need to analyze the spending we have for legal services, how many years should we analysis, 5-10 years?

Belinda Garland – County Manager: I would think 5 years.

Dennis Wallin - County Attorney: I would think that 5 would be appropriate because, in the last 4 years, since most of this commission has been in place, I think the legal fees have gone up significantly. Largely due to a lot of conflict presented by the commission.

Madam Chair DuCharme: Mr. Wallin do you have a conflict of interest to comment on this.

Dennis Wallin - County Attorney: I wouldn't think so, since we are talking about legal services.

Madam Chair DuCharme: Commissioners how many years would you like to analysis?

Commissioner Sanchez: 5

Madam Chair DuCharme: Ms. Garland do you know if any municipalities have attorneys as employees.

Belinda Garland – County Manager: I don't believe any municipalities in the county have full time attorneys, they all have contracts with attorneys like we do.

Madam Chair DuCharme: Can you please reach to the counties that do have Attorneys as employees? Provide us with that information, if it is more beneficial to do it that way.

Cindy Sullivan – Animal Services Director: Consider the fact I deal with the attorneys office a lot, weekend, nights, morning, evenings and when he is on vacation. In having an attorney in house, does that mean the county is going to be able to pay for his secretaries, other employees, other assisting attorneys, we are in court with multiple cases every week. It's not only Mr. Wallin it's his associates and legal staff.

Belinda Garland – County Manager: If we have an attorney on staff he/she will need a legal assistant.

Madam Chair DuCharme: Ms. Garland consult with the NM Association of Counties, maybe they can make a presentation to the Commission.

Belinda Garland – County Manager: When I met with the municipalities, it was mentioned if Torrance County considered hiring a full time attorney, they might be willing to cost share that expense. They would represent not only the county but the municipalities paying into the salary.

Dennis Wallin - County Attorney: I think they decided not to do that.

Madam Chair DuCharme: Ms. Garland please include the numbers we are already paying for insurance to NM Association of Counties for multi line pool, workers compensation?

Belinda Garland – County Manager: How does that affect our legal fees?

Madam Chair DuCharme: They provide legal assistance and we are paying for it.

Dennis Wallin - County Attorney: They only provide defense for litigation cases.

Madam Chair DuCharme: Mr. Wallin you are providing that defense for the county too, is that correct?

Dennis Wallin - County Attorney: No, in tort, worker comp claims, they reported to our insurance carrier through AOC and they provide defense council. One time my law firm represented multiple counties, in litigation cases. We don't do that any longer. We represent the county in court on planning and zoning matters, animal control matters, things that are outside the perimeters of the insurance coverage.

Belinda Garland – County Manager: If we are paying through the multi-line for legal support on those types of settlement cases, we are not paying Mr. Wallin. We pay one or the other.

Madam Chair DuCharme: Ms. Garland last fiscal year we budgeted \$125,000 for legal fees?

Belinda Garland – County Manager: Couldn't tell you off the top of my head.

Amanda Tenorio – Finance: \$125,000 last year and \$150, 000 this year.

Madam Chair DuCharme: I hear Mr. Wallin is very busy. I see a conflict, we are have an attorney to prevent litigation and when Mr. Wallin is involved in litigation, it is a conflict, it should be separate. Someone should try to prevent that litigation, advise us. Someone separate should do that litigation. Someone doesn't create a job for him/her self.

Belinda Garland – County Manager: Are you proposing we pay 2 different legal?

Madam Chair DuCharme: No, I want us to keep in mind, the purpose we need a lawyer, to prevent litigation. I want to see if we are preventing the litigation as much as we can

Belinda Garland – County Manager: I know a lot of litigation from TORT Claims. Mr. Wallin has not been advising anyone on anything. The Deputies are out performing their duties and someone files a TORT Claim against them they are not contacting Mr. Wallin to get advise while trying to get someone in custody.

Madam Chair DuCharme: Maybe by having an attorney as an employee, maybe that attorney will have more time to talk to those deputies, to analysis what kind of situations those deputies can be or provide some training or send to training. Ms. Garland what instruction on this matter do you have?

Belinda Garland – County Manager: My notes state: you want analysis, spending on legal services for past 5 years, fees paid to the multi-line pool for legal settlements cases through NMAC, salaries-proposed for the attorney, legal assistants, etc. office space, contact Grant, McKinley counties and NMAC with attorneys on staff to get comments that it's beneficial vs. having them on contract, workload, contracts, labor law, TROT claims, wind farm. Anything else you can think of?

Madam Chair DuCharme: Thank you Ms. Garland. Mr. Wallin has said several time he is very busy. He was instructed to give the legal option today. He didn't produce it. I would like an attorney who would have his/her undivided attention.

Belinda Garland - County Manager: I noticed Ms. Jaramillo brought you the minutes. What did they say?

Madam Chair DuCharme: Commissioner Frost moves to have the county manger have legal review ordnance. Commissioner Sanchez Seconds the motion. All in favor, motion carried. I looked at the video, it's so long we couldn't pinpoint that moment. I remember that Mr. Wallin was instructed, this meeting was specifically mentioned.

Dennis Wallin - County Attorney: I invite you to look at that video, because thats not true. I would never tell somebody, knowing my schedule that I would meet a certain deadline. I meet deadlines for the court all the time. I think what I told you was I could do it in 2 weeks but do my best to have it done by this meeting. Unfortunately, Madam Chair you have made a statement that is untrue. I get to respond to it, it has become chronic with you. I can never, because of the nature of my practice, promise anybody a legal opinion on a certain date. I would not do that.

Madam Chair DuCharme: Mr. Wallin I ask the Commission if we have to have a deadline.

Dennis Wallin - County Attorney: Look at the Video.

Madam Chair DuCharme: Yes I will do that. I remember what I said. Commissioner Sanchez asked if it would be reasonable in 4 weeks. Do you remember that?

Dennis Wallin - County Attorney: I think that's true, unfortunately my schedule doesn't work that way.

Madam Chair DuCharme: That's what I'm talking about you are too busy with other things.

Marcie Wallin - Citizen: It's the department heads responsibilities to inform their employees of proper procedures, it's not the county attorneys job to educate everyone as to what they are supposed to do and not do. As a nurse that has worked in a couple of major hospitals in Albuquerque, never once has the hospital attorney come to any of our facilities and told us which procedures to follow, never informed us of the standards of care. I think it's ridiculous you suggest that's one of the jobs of the county attorney, instead of the department heads.

Mr. Yessen - Attorney: The Modrall law firm is having a workshop tomorrow, we have invited commissioner, county/city attorney, mayors etc. We have done a lot of the research. The initial memorandum that was the basis of our launching this initiative was done by one of the largest law firms in the county. There has been hundreds of thousands of dollars' worth of reach done, to at least knock out federal issues and to a lesser extent Modrall has already done 20-30 thousand dollars' worth of research on the state issue. I can save the county, Mr. Wallin, Mr. Wallin's family some time and effort by providing that research tomorrow at the workshop for any of the Commissioners, anyone from Mr. Wallin's office or county Manager. It's an open invitation.

Belinda Garland - County Manager: Mr. Wallin always answers the phone any time of day, after hours, on his vacation, early mornings and weekends. Anytime I need legal advice he always responds to me, always. I think we should thank him for that.

Madam Chair DuCharme: Ms. Garland will you do this analysis with an open unbiased mind?

Madam Chair DuCharme: Mr. Wallin will you find it helpful to attend that workshop?

Dennis Wallin - County Attorney: No, I'm scheduled to be out of town. I have their research, read some of their court pleadings and read some of their pleading from the other side. There are two sides to this story. I believe this comes down to whether or not the county has authority to do it. That is where my research is going to be. I don't think from my stand point to give you my objective, county opinion that I'm going to go to one side or the other and rely on what they tell me. My job is to give you my objective, legal opinion that's in the best interest of Torrance County.

Commissioner Frost: I was reading our agenda and did not see where our attorney Dennis Wallin is on trial. Dennis has been our attorney for around 15 years and his record speaks for itself, he has done many thing to help us in many ways. One thing we haven't talked about is the rest of the story. When the Willard wind farm started, there was a new process, the IRBs. Mr. Wallin studies all that and how to work with the wind farm company. I'm not sure what we get from the IRBs but it's quite a lot. The El Cabo project came along, same thing has to happen there. We get \$670,000 a year, plus the Willard wind farm, that approaches a million dollars. The El Cabo project will soon be growing and the new wind projects sponsored by Pattern Energy, it is said to be amongst the largest wind farm in the Unites States, and is going to have income. It all came because our attorney did the IRB's, which the Commission had to approve and in turn we have been paid back many times in dollars. The time has come to probably decide on how to do future legal services. In about 6 months we will have a new Commission, I don't want to be the one that picks a new legal service for the new Commission. Thank You Dennis for a job well done.

Madam Chair DuCharme: Commissioner Frost did the county pay for those services?

Dennis Wallin - County Attorney: No, the energy companies paid for those services, the county didn't pay one penny for my time on the bonds.

Madam Chair DuCharme: You were compensated for those services?

Dennis Wallin - County Attorney: Yes, I work for compensation.

Madam Chair DuCharme: I want to point out, I was not talking about Mr. Dennis Wallin as a person, I was talking about Mr. Wallin as a County Attorney. A lot of public money is spent on that position and I think people need to know how and why.

\*Steve Guetschow, Betty Cabber, Janet Douglas, Linda Jaramillo spoke showing support for County attorney Dennis Wallin, for all his hard work and always answering there calls and questions.

## **5. Resolution 2018-31 Creating a Census 2020 Complete Count Committee**

Annette Ortiz - Deputy County Manager: The committee will consist of 7 members from local government, businesses, religious groups, education, community organizations, media and minority groups coming together getting the word out of the importance of the 2020 Census. In 2010 Census there was federal dollars available for getting the word out, funding is not available for 2020 Census. When you do 2019 budget you can possibly put money towards the committee and the complete count committee will have already been established. This resolution will put together the complete count committee. The commission is charged with putting the committee together with letters of interest. Committee needs to be in place by December.

Commissioner Frost: Moves to approve Resolution 2018-31 creating a Census 2020 Complete Count Committee

Madam Chair DuCharme: Seconds the motion

All in favor: MOTION CARRIED

Commissioner Sanchez: Standard way of advertising, online and newspaper.

Annette Ortiz - Deputy County Manager: This is a point of contention, will you require them to be here for an interview.

Madam Chair DuCharme: I can't support someone I do not know, it is strongly recommended to be here.

\*Public Relations:

**6. Around the County: Roads, Emergency Management, Elections**

Annette Ortiz - Deputy County Manager: PowerPoint picture presentation of the county road upgrades (Howl Rd, Marshall Rd., Meadow View rd.), Emergency Management wildfire preparedness clinic and delivery of the voting machines was shown to all that were in attendance. Linda Jaramillo, County Clerk states she enjoys going with the techs to deliver the machines because it's the last check before the election and loves visiting with the people throughout the county.

**7. Updates:**

**a. Various County Departments**

Betty Cabber- County Assessor: The NM Association of Counties have changed their branding to NM Counties 33 strong. An announcement will be made concerning the PILT fund Friday June 29<sup>th</sup> 9am in Socorro, NM. Senator Smith, David Abby and Representative George Dodge gave a workshop on the state of the State. The interim committees are meeting in Santa Fe. Some committees are the Economic & Rural Development Committee, Revenue stabilization and tax policy committee, gross recipes tax, compensation tax and personal income tax, revenue tracking and fiscal update. All information can be found at NMLegis.gov, go to committees. County Manger states she received an email from Senator Udall office stating, Torrance County will receive \$425,806 for 2018 from the PILT fund.

Cindy Sullivan - Animal Services Director: From January 2018–May 31, 2018, 223 animals came through with 131 live exits, 21 stray euthanasia, 65 owner turnover. For elderly or injured/sick animals owner turnover euthanasia if available for \$25 fee. 95% of the animals that are euthanized are extremely animal/people aggressive or very ill or injured. Drawings for the foyer are being updated, once updated and reviewed they will go out for bid. Animal control has a full time position available for animal control officer.

Linda Jaramillo - County Clerk: Tomorrow June 28<sup>th</sup> from 9am to 5pm is candidate file day for Independent, write-ins and minor parties. If you are going to be filing, you have to have been registered for that party by the proclamation on January 29<sup>th</sup>. Independents (139 signatures) and minor parties (46 signatures) need petitions, write-ins do not. Commission District 1, 15 signature for minor and 44 signatures for Independent. Commission District 2, 13 minor 39 for Independent. County Assessor and County Sheriff, 46 minor 139 for Independent. No filing fee. There will be a recount tomorrow June 28, 2018 at 8am, for District 5, precinct 10, 9 absentee 7 in person and 75 on Election Day. A representative from District Court will be here to ensure ballots are secure and accounted. Count will be done for Republicans Candidates Ben L. Hall and Chris P. Mathis. This open to the public.

Steve Guetschow - Planning and Zoning: Reminder on July 11 at the regular Commission Meeting a public hearing for the special waste disposal will be here for renewal of their permit. Public notice has been posted. The Oil and Gas Advisory Committee through MRCOG met on June 14<sup>th</sup>, there was not sufficient documentation so item is tabled for now.

Jessie Lucero - Chairman of TC Veterans Advocacy Counsel: Ken Dettelbach runs an organization called Roofs and Repairs for Veterans. He is asking for disabled and regular veteran information for the New Mexico Military Museum formally Bataan March Memorial. It opened Memorial weekend, its open Tuesday thru Saturdays 10am-4pm. They have recording studio for veterans to share their story, it will be part of the record for the museum. Any donations of military memorabilia will be accepted.

Annette Ortiz - Deputy County Manager: This Friday from 6:15 to 9:15 will be free swimming at the Estancia Aquatic center for youth ages 13-19. Next Friday is free family swim night.

Leonard Lujan - Road Department: State projects are complete, will start a new state projects when we receive funding in July. Tomorrow we will be using the reclaimer on a ½ mile of King Farm Ranch Rd (A106). There is funding available with rails to trails (bypass between Estancia and Moriarty) deadline is July 9<sup>th</sup>, we need to get the town to put their own request for an r tipper to push everything forward.

Madam Chair DuCharme thanks the road department for all their hard work.

### **b. Commission**

Commissioner DuCharme allows Mr. Yessen to use her time. The Supreme Court decision will not have an impact legally on your consideration private sector Right-To-Work legislation, this only effect public employees. The court considers when the state is the employer, it was a 1<sup>st</sup> amendment violation to force someone to pay dues to the union. It only applies to state worker because it is state action. It will apply to unionized employees, immediately. Should have no effect on the County, since no employee is unionized.

### **c. County Manager**

County Manger attended many meetings including: attending the Lincoln County Commission meeting regarding the Sun Zia Southwest Transmission Project, no action was taken by the Lincoln County Commission. Met with Superior Ambulance Services, a new contract draft has been sent to Mr. Wilson to review. Met with Andy Miller form EVSWA to go over operational cost figures for the Torrance County Waste Contract. The construction on the new counters should be happening in the next couple of weeks. Working with Dennis Wallin on legal matters, Grant Contracts for FY19, Finance department staff to have FY18 fiscal year end closeout. Notice was read from EVSWA dated June 28, 2018 To Torrance County Commission reference negotiations of revised contract for Solid Waste Services between Torrance County and EVSWA. Dear Commissioners, This message is to confirm that the EVSWA board of directors recently decided to proceed with negotiations between EVSWA Manger Andy Miller and Torrance County Manger Belinda Garland, without the immediate involvement of EVSWA BOD or Torrance County Commissioners. Significant progress was reported during the meeting between the two managers held on June 12, 2018. We would like this progress to continue until a mutually agreed on draft modification to the current contract can be reached. We feel that the Commission and the EVSWA Board of Directors will have ample opportunity to weigh in on any recommended changes to the draft prior to mutual approval. Respectfully Arthur DuCharme EVSWA Board of Directors Chairman.

### **\* Department Requests/Reports:**

#### **8. Assessor's Office Annual report per NM Statute 7-36-16 (E) – Betty Cabber, County Assessor**

Tax year 2018 \$5,561,615.00 residential values and \$1,467,707.00 for non-residential values. 3 NM State Certified Appraisers, 1 will be completing certification this summer, new employee in the appraisal department and will start certification process next year. 256 valid residential reported sales that will go in 2018 tax base, 83 permits to add improvements. It has slowed but very stable. With the state assessed accounts (railroads, cell towers, electric companies, and communication companies) they take care of because they are considered statewide customers not just county customers. There values went up over a million dollars from 2017. Torrance County values went up about 2 million dollars over 2017. Because of the low sales and permits, we did not increase any residential properties, vacant land and commercial properties for 2018. We has over 200 protests this year even though we didn't raise any values. We have settled about 100 of them. Formal protests are at the end of August. Reappraisal program is going well Encino, Duran, Cedarville, Willard, Mountainair and Estancia are all completed. We are starting Moriarty and be completed by the end of the year for the 2019 tax



base. There are still many subdivisions in the county El Rancho Grande, Sweet Water Hills, places that haven't been looked at in a while. We are working on special method of value for grazing rates and irrigation rates with an increased over 7 million dollars full vales since 2016. Many properties are getting the Ag/grazing rate, they are not in state compliance to be eligible for the grazing rate. We will be converting them to vacant land rates. The customers are notified with at least 2 letters, we don't want the people to miss out on the opportunity to keep their grazing rates if they fall under the 40 acre minimum, fenced, water with livestock. Cattlegrowers Foundation has a new program called Raising Ranchers to help anyone get into the ranching business.

**9. True Connect Agreement – Kristin Oliver, Human Resources Director**

90% of the county employees are interested in having this available per emailed survey. The interest is lower than a payday loan, will 14% interest because money is deducted from each check. There is nothing illegal this is all voluntary. Guadalupe Credit Union in Albuquerque will process the loans. Training will be available to the employees to let them know they have other options when the program is introduced. This is for emergencies, they can get the money the next day. They also provide financial credit counseling. Depending on how much money an employee makes will depend on how much money they get.

Madam Chair DuCharme: This is an excellent idea. The county is not in the business of providing its employees with loans, it will be an additional benefit to the employees.

Commissioner Frost: Moves to approve True Connect Agreement

Madam Chair DuCharme: Seconds the motion

All in favor: MOTION CARRIED

**10. Company Nurse Program Enrollment – Kristin Oliver, Human Resources Director**

Any employee can get medical advice at any time. Training will be provided to all employees. Attorney Dennis Wallin would like to see a contract or agreement with the Nurse Company.

Commissioner Frost: Moves to Table item till we have more information.

Madam Chair DuCharme: Seconds the motion

All in favor: MOTION CARRIED

**11. Approval of local DWI Grant Agreement #19-D-G-31 – Tracey Master, DWI Prevention Coordinator**

Belinda Garland – County Manager: Standard DWI grant in the amount of \$50,000 administered through the RDWI program. Legal counsel has reviewed the agreement and was approved by the grant committee.

Commissioner Sanchez: Moves to approve DWI Grant Agreement #19-D-G-31

Commissioner Frost: Seconds the motion

All in favor: MOTION CARRIED

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

**12. Worker's Compensation Pool FY 18-19 – Belinda Garland, County Manager**

Letter from the New Mexico Association of Counties, read. At the May 9, 2018 meeting the Workers' Compensation Pool Board of Directors, the Board approved member's contributions and will collect approximately \$9,028,547 for fund year 201-2019. Last year Torrance County contributed \$230,446 for the 2017-2018 fund year and this year will contribute \$218,923, a -5% change. This difference is due to a change in your county's payroll exposure of -1% and a 5 year loss ratio of 6.8%. The Board decided that no member would receive a decrease of more than 5%, and no member would receive an increase of more than 10%. Sincerely, Taylor Horst, Risk Management Director

**13. Request Approval of Resolution 2018-32 Torrance County Purchasing Policy – Belinda Garland, County Manager**

Updating the purchasing policy, if this approved it will supersede resolution 2000-15. It was approved by legal counsel. This is used in conjunction with the state purchasing laws. Resolution will be added to website.

Commissioner Sanchez: Moves to approve Resolution 2018-32

Commissioner Frost: Seconds the motion

All in favor: MOTION CARRIED

**14. Request Approval of Resolution 2018-33 Torrance County Policy, Governing Capital Assets – Belinda Garland, County Manager**

Part of our audit findings are management of Capital Assets we have corrected a large portion of that finding. We needed to put in directive and policies in order to finish all requirements. This will help with appropriation funds that we will be expend during the FY19 year. Ageing and Long term has required we have Capital Asset Management in place. This has been reviewed by legal counsel. Resolution will be added to website.

Commissioner Sanchez: Moves to approve Resolution 2018-33

Commissioner Frost: Seconds the motion

All in favor: MOTION CARRIED

**\*Executive Session**

Manager Garland requests an executive session.

*New Mexico State Statue 10-15-1H2 Limited Personal Matters related to County Manager Garland and state Stature 10-15-1H7 threatened and pending litigation on which the County may become a participant related to EVSWA.*

Commissioner Sanchez: Moves to go into executive session

Commissioner Frost: Seconds the motion

Roll Call: Vote-District 1: Yes, District 2: Yes, District 3: Yes MOTION CARRIED

Commissioner Sanchez: Moves to return to regular session

Commissioner Frost: Seconds the motion

All in favor: MOTION CARRIED

*New Mexico State Statue 10-15-1H2 Limited Personal Matters related to County Manager Garland and state Stature 10-15-1H7 threatened and pending litigation on which the County may become a participant related to EVSWA.*

No decision was made.

**\*Adjourn**

Commissioner Sanchez: Motion to adjourn Regular Commission Meeting.

Commission Frost: Seconds the motion.

All in favor: MOTION CARRIED

Meeting adjourned at 2:47 PM

Julia DuCharme

Julia DuCharme –Madam Chair

Genell Morris

Genell Morris – Administrative Assistant

July 11, 2018

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.