

**FINAL COPY  
TORRANCE COUNTY BOARD OF COMMISSIONERS  
REGULAR COMMISSION MEETING  
NOVEMBER 28<sup>th</sup>, 2018**

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

**OTHERS PRESENT:** BELINDA GARLAND-COUNTY MANAGER  
YVONNE OTERO-ADMIN. ASST.

**CALL MEETING TO ORDER**

Madam Chair DuCharme calls the November 28<sup>th</sup>, 2018 Regular Commission Meeting to order at 9: 04A.M.

**Pledge lead by Gerald Chavez**

**Invocation lead by Martin Lucero**

**APPROVAL OF THE NOVEMBER 7<sup>th</sup>, 2018 SPECIAL COMMISSION MEETING MINUTES**

Madam Chair DuCharme asks for a motion to approve the November 7<sup>th</sup>, 2018 Special Commission meeting minutes. **ACTION TAKEN: Commissioner Frost** makes a motion to approve the November 7<sup>th</sup>, 2018, Special Commission meeting minutes. Commissioner Sanchez seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

**APPROVAL OF THE NOVEMBER 28<sup>th</sup>, 2018 MEETING AGENDA**

Madam Chair DuCharme asks for a motion to approve the November 28<sup>th</sup>, 2018 meeting agenda **ACTION TAKEN: Commissioner Sanchez** makes a motion to approve the November 28<sup>th</sup>, 2018 meeting agenda. Commissioner Frost seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

**APPROVAL OF CONSENT AGENDA**

**1.) Approval of Checks**

Madam Chair DuCharme asks for a motion to approve the Consent Agenda, Approval of Checks. **ACTION TAKEN: Commissioner Frost** makes a motion to approve the Consent Agenda, approval of checks. Commissioner Sanchez seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

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

Public Comment, each item: At the Discretion of the Commission Chair. Comments are limited to two (2) minutes per person

**\*Commissioner Matters**

**1.) Employee Annual Leave – Christine Snow, Dispatch Supervisor**

**Belinda Garland** requests that this item be table. Ms. Snow was not able to attend the meeting as she was covering a shift at dispatch.

**ACTION TAKEN:** **Commissioner Sanchez** makes a motion to table agenda item #1 Employee Annual Leave. **Commissioner Frost** seconds the motion. No further discussion, all Commissioners in favor. **ITEM TABLED**

**2.) Recognition of Torrance County Members of EVSWA Board Members**

**Commissioner Sanchez** states that he placed this item in the agenda to give recognition to the Torrance County Members of the EVSWA board. The board members have rendered an excellent level of service to the citizens of the County. Lots of progress has been made and Commissioner Sanchez is looking forward to continued opportunities for the progress and reform with in the EVSWA. Commissioner Sanchez wanted to take some time, here at the end of the year, to ensure that the individuals are properly recognized. The reason that Commissioner Sanchez feels that they should be recognized is because this service was rendered in the face of great adversity. The relationship between the County and EVSWA has not always been a good one, not everyone has always agreed, lots of diversity. Commissioner Sanchez would like to invite Mr. Chavez and Mr. Romero (EVSWA Board members) to say a few words on this.

**ACTION TAKEN:** **Commissioner Sanchez** makes a motion to issue a Proclamation of Support. Commissioner Sanchez reads the Proclamation. This is a Proclamation of support of the Torrance County representatives on the EVSWA board of directors. Whereas the Torrance County Commission feels that the exemplary service in the face of adversity to date of the Torrance County representatives on the EVSWA board of directors requires an official expression of gratitude. On behalf of the Torrance County Commission and the citizens of Torrance County now therefore the Torrance County Commission does hereby proclaim its support of and expresses its appreciation to Gerald Chavez, Johnny Romero, and Fred Sanchez this 28<sup>th</sup> day of November 2018. **Commissioner Frost** seconds the motion. **Commissioner Sanchez** would like to invite Mr. Sanchez and Mr. Romero to say a few words.

**Johnny Romero** states that he would like to say thank you to the Commission for placing them on this board. It has been a learning lesson. His goal, of being on the board, was to open the doors between the county and solid waste. He felt that in his experience with the county, having held other board positions, there has always been a conflict between the county and solid waste. There was no communication, and it was always costing the county money. All the county ever wanted was justification as to what the money was for. This turned out differently

and the board was met with a lot of opposition in the beginning. Mr. Romero would like to recognize and for the county to recognize that the board worked hard. The board had a lot of support that from other entities and the towns. Without them, the board could not have accomplished what they did. It took more than just the county members to make this happen. In the long run it will be a better situation for solid waste and the county. Things may change in the future, but doing what the board has done he is hopeful that EVSWA and Torrance County will work better together.

**Gerald Chavez** states that he would also like to thank the commission for placing them on the EVSWA board. When he first was appointed to the board in April, it wasn't just the county members that were new, but also two other members from Estancia and Willard. The dynamics that transpired came from having new members with fresh new minds. Don't look at how we transpired in the face of adversity, but look at the results. The amount of \$190,000.00 that the county needed to pay versus the actual service provided was deemed on numbers that were estimations. When it was realized that the board needed to look at actuals, which is when things started to change for the better. If the board can continue with this fair process, and a method of understanding, by the end of the fiscal year, this Commission can see where they stand in relation to actual numbers. In Mr. Chavez's opinion, this is the greatest accomplishment of the EVSWA board. Mr. Chavez is very thankful for the opportunity. Many times he wanted to quit, but he stuck it out as did the others. The commission appoints a lot of board members, but none such as this board where it is government to government. These members have a fiduciary responsibility to the solid waste as well as to the county. Everyone appointed has carried out their responsibility and done their due diligence. Thank you again for this opportunity.

**Commissioner Sanchez** states that if one is to review the numbers and performance in terms of the county contract, they will see that the numbers have changed, there is a big difference. There is a methodology to it all. The membership has cooperated. The chair and the committee show great leadership. In the past few months Commissioner Sanchez states that he has learned a lot, there has been a lot of growth and he hopes the progress continues.

**Madam Chair DuCharme** states that she agrees with what Commissioner Sanchez has said and is in full support. She is very happy with the representation on the board and she hopes the current members will stick around for a while. Thank you to the EVSWA board for all they have done. No further discussion, all Commissioners in favor. **MOTION CARRIED**

### **3.) Funding Additional County Needs**

**Commissioner Sanchez** states that he wanted to place this item on the agenda to get an idea of the needs of the departments around the county. Commissioner Sanchez states that he has spoken one on one with department heads, and at this time, if any of the departments have any requests, if they would like to get up and describe their needs to the Commission.

**Martin Lucero**, Torrance County Emergency Manager states that recently money was re-allocated for the fencing project to another department to cover cost from a project. Mr. Lucero states that there is still a need for the fencing around dispatch. The dynamics have not changed and the dispatch area needs the security fence.

**Cindi Sullivan**, Animal Control Director, states that her department is still in need of vehicles. One vehicle has a hard time getting down the roads when there is bad weather and the other vehicle is in the shop just about every two weeks. Please keep in mind that the department is still in need of the vehicles.

**Madam Chair DuCharme** asks Ms. Sullivan what the amount would be for a new vehicle.

**Cindi Sullivan** states that she is not sure, when she put in her request for the 2 vehicles the amount she placed was \$75,000.00 per vehicle. The amount is high but Ms. Sullivan wanted to make sure she had enough money to cover all the extras that need to be added to the vehicle. Ms. Sullivan thinks that the amount had already been approved by the Commission.

**Belinda Garland** states that it was not placed on the ICIP, but it was discussed, it just has not been brought before the Commission for a vote. Ms. Garland states she is holding off on purchasing any vehicles because there is maintenance that needs to be done to the building.

**Madam Chair DuCharme** asks Ms. Sullivan if getting just one vehicle would be of help to her department.

**Cindi Sullivan** states, yes, one vehicle would be very helpful. She is currently working on getting another vehicle repaired so that when one or both are down we will have a backup.

**Madam Chair DuCharme** asks Ms. Sullivan to clarify the amount needed for just one vehicle.

**Cindi Sullivan** states that the total amount for the one vehicle would be estimated at \$75,000.00. She is not asking for a top of the line vehicle, just a good 4 wheel drive with all the necessities.

**Linda Jaramillo**, Torrance County Clerk, states that everyone is well aware of the voting machine storage building. Ms. Jaramillo would like to request funds to build a loft in the building as she is constantly looking for storage. With all the machines and voting supplies the building is quite crowded. If a loft can be built then a lot of the supplies can be moved to that area therefore creating space on the floor level. Ms. Jaramillo states that she is not aware of how much it would cost and welcomes the Commission to go out and view the building so that they can get an idea of her request, and see if building the loft would be possible.

#### **\*Public Relations**

#### **4.) Updates:**

##### **a.) County Department**

**Cindi Sullivan** states that the report she handed out runs through the end of October. Currently through October they have handled 502 animals. The numbers have gone up, at this same time last year we had 452 animals which is 50 less at the end of October than this year. We are currently 11 animals short from the entire year last year. We have two month left so the

numbers will increase. The increase is due to the numbers of calls, lose animals, and returning animals to their owners. Just this past week, we picked up 4 animals and returned back 3. The animal control officers have been very busy. The court cases, for people not being in compliance has dropped. People are coming in and getting licenses for their animals and getting the rabies shots for the animals as well. The officers in the field are doing a great job and getting things done. This year we have seen 8 bites cases, it's usually 2-3, so that has increased. There is a lot that goes into a bite case, there is a 10 day bite quarantine, which gets costly to the owners. This is a lot of work, but the department will work with the owners to come into compliance. The animal control would rather work with the people than having to go to court to have them come into compliance.

The department is also involved with various organizations that give the department food donations for the animals. There are times when people cannot afford to get food for their animals and the shelter will be able to get them food. A lady from Santa Fe, called the Sammy Foundation, is a big donor and she usually brings us her donations mid-December. Another huge donor is the Long Leash on Life, we may or may not receive anything from them this year because a lot of the people have not been giving donations, so we may or may not receive donations from them as a lot of shelters were cut from the program. All the donations that we receive from these donors last the shelter the entire year.

We are getting into the colder months and there is a program called The Straw Program. This program contacts the local feed stores to see if they will donate bales of straw to the local animal shelters. The straw can be used as bedding for the animals so that it helps to keep them warm in their houses outdoors. If anyone is in need to straw they can contact the shelter.

The foyer project is moving along. The shelter has sold a total of 412 licenses this year.

**Madam Chair DuCharme** would like to thank Ms. Sullivan for her detailed updates and is doing a great job.

**Martin Lucero** states that the WHIPP grant funding has come in, in the amount of \$7,000.00. His department is looking into the different resource requirements that will need to be created to improve the WHIPP route along highway 285. This year they are looking at the potential for getting a command trailer to have better communication along that route. We should have a plan of action around February of 2019.

The first quarter reimbursement for the EMPG grant was requested in the amount \$5,590.00 and we should be receiving that reimbursement soon.

The Moriarty Safe School Plan has been finalized and should be published by the end of the month. All the schools in the county are working in updating this plan. Mr. Lucero, the undersheriff, and a few other individuals have been working with the schools to get their plans updated.

**Madam Chair DuCharme** thanks Mr. Lucero for all his hard work, the weekly weather slides, and his Facebook page. It is all very informative.

**Linda Jaramillo** states that the State Canvassing board for the State of New Mexico finished canvassing the 2018 General Election results. There are a few counties that are doing recounts because the percentage of votes was close. There are also a few counties having audits done on their voting machines. Torrance County is in the clear and we will not have to do a recount or have an audit.

Ms. Jaramillo states that the local election law has kicked in. There are several school districts that will be having special elections. Vaughn school district is having a special bond election. With this new election law it has to be all mail. The cost will be covered by the Vaughn School District. There are 100 voters in the Vaugh School district that live in Torrance County. We will mail out those ballots, but the schools will reimburse us for that cost. This new election law goes for any entity, including the County, which will hold a special election. The election must be all mail which can be very costly.

**Madam Chair DuCharme** states that she heard Ms. Jaramillo state this was the biggest voter turnout in an election for the County, is that correct?

**Linda Jaramillo** replies, yes, that is correct. For a gubernatorial election it is the biggest she has seen. She hopes that everyone continues to get out and vote.

**Madam Chair DuCharme** tells Ms. Jaramillo that she deserves a lot of credit for what she does. Madam Chair DuCharme has observed Ms. Jaramillo for almost every meeting and she gives those updates and encourages people to participate during the elections.

**Linda Jaramillo** states that her staff also deserves the credit. Linda Kayser, Yvonne Otero, Sylvia Chavez, Genell Morris, all of the precinct workers, and the Commission also deserve credit.

**Steve Guetschow** states that he has a few reports to present to the Commission. The first report is concerning the 2017 House Bill 6. This is a farm bill related to the agriculture production of hemp regulations to be reviewed during the 2019 Legislative Session. This farm bill would allow for the agricultural production of hemp defined as no more than 3% delta-9-THC, Mr. Guetschow reads the letter.

**Madam Chair DuCharme** asks Mr. Guetschow if he can explain what the 3% means.

**Steve Guetschow** explains that the Hemp cannot contain more than 3% of THC which is the chemical in marijuana/cannabis that gets a person high. If a farmer has a crop that has a content higher than 3% then he will be ordered to destroy that crop and start again. Back in the 60's the USDA was all for the production of hemp because they used that to make rope for the military. These days the hemp is used in clothing and for medicinal purposes and a wide variety of other things.

Next report is for the United States Forest Service (USFS) Mountainair Ranger District Capilla Fuels Restoration & Forest Reduction Project. Mr. Guetschow reads the letter. For more information on the project you can contact Aaron Johnson, Timber Management Assistant, at (505) 281-3304. Written comments should be mailed to Jay Turner, District Ranger for the

Mountainair Ranger District at PO Box 69 Mountainair, NM 87035. You can fax comments to (505) 847-2238 or email comments to [jay.turner@usda.gov](mailto:jay.turner@usda.gov), or in person during normal business hours.

Mr. Guetschow reported at the last meeting that Gravity Partners, LLC have applied for an appeal to the Planning Zoning board's denial of the conditional use application for the communications tower in the town of Tajique. Gravity Partners asked that this appeal not be heard until January. Mr. Guetschow consulted with Mr. Wallin to get a written statement from them that relieves the Commissioners of their necessity to hear and make a decision on that appeal within 30 days of the application. Mr. Guetschow has received that letter and will schedule the public hearing for the January 9<sup>th</sup>, 2019 Commission meeting.

PNM subsidiary of PNMR have applied for a solar project in Moriarty. A few years back PNM acquired a conditional use permit for a switching yard. Tom Burson will be coming before the board as will be Ms. Current for comment on the special use permit. Tom Burson will be coming before the board on the division of property so that he can separate the portions of the properties that are within the jurisdiction of the city of Moriarty and those in the County. Last Wednesday Mr. Guetschow attended the Moriarty P & Z meeting where their committee approved the land division. Mr. Guetschow will also attend the Moriarty Town Council meeting where they will be reviewing the special use applications.

**Madam Chair DuCharme** states that as she is at the end of her tenure with the County and is trying to express her gratitude. For the past 4 years she could be certain that Mr. Guetschow would give an update and nearly every meeting. She thanks Mr. Guetschow for keeping the Commission informed. She realizes that these reports take time to prepare and so do the public hearings, he does a great job, again thank you for all your hard work. She is very appreciative of all the work and is also impressed by the P & Z meeting minutes.

**Steve Guetschow** replies, thank you, and he will extend his praise to his staff as he owes a lot of the work to them as well.

**Michael Godey** states that as a citizen of Tajique, sometimes P & Z topics effect the Tajique area, and he is very appreciative of the updates P & Z gives. He also would like to thank Mr. Guetschow for his work.

### **c.) County Manager**

**Belinda Garland** states that on Monday November 19<sup>th</sup> the audit exit conference was held and our audit is ahead of schedule. The audit is being finalized and will be sent to the State Auditor for approval and release to the public. Tracy Sedillo and Amanda Tenorio get a lot of credit for this, them and their staff worked really hard to get it completed this year.

On Tuesday November 20<sup>th</sup> Ms. Garland and Nick Sedillo met with The Ambitions Group to discuss the IT contract. Ambitions is going to submit a proposal to help reduce the monthly service fees for the maintenance and service of the computer equipment. They also discussed implementing several procedures to help ensure security for the computer systems. Also on this day Annette Ortiz met with the Department of Health, and advised us that they will be moving

back to the project office. They have a target date set for February. The side of the building they want to occupy is being used by DWI and the Domestic Violence program as storage. They are currently in the process of exploring options for storage. One option is a storage container to place on the lot, and they are currently talking with P & Z for the Town of Estancia on the zoning requirements. There is also some work that will need to be done on the building before they move in. The County is responsible for providing a space for the Department of Health which is mandated by state statute. The County currently pays the lease for their space in Moriarty, but the building is in very bad shape and they want to move out and move back to the center of the County. With them moving back, WIC may return to the county as well, which will be very beneficial to the County.

On Monday November 26<sup>th</sup> the grant committee met to discuss the grants for the Sheriff's department that will be discussed later in the meeting. On this same day Ms. Garland and Mr. Lujan met the attorney's to discuss the Caldera law suit. The interrogatory responses are now ready to submit to the opposing council. Ms. Garland has also been working with legal counsel on some other issues. The negotiating with Next Era has been scheduled for December 11<sup>th</sup> at 8 AM. The purchase of the Summers building is moving forward as well and Chief Gary is completing all the inspections at this time.

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

#### **5.) 2018 General Election Certificate - Linda Jaramillo, Clerk**

**Linda Jaramillo** states the Commission will sign the certificates for the winners of the 2018 General Election. She will read what the certificate says for Jesse Lucero, as he is the only one present, and will read names for the remaining winners. Certificate of Election, we the undersigned to hereby certify that having canvassed carefully the votes for the election held on the 6<sup>th</sup> day of November the year of 2018 in Torrance County New Mexico do find and declare that Jesse Jesus Lucero has been duly and lawfully elected to the office of County Assessor given under our hands and official seal of Torrance County New Mexico on this 28<sup>th</sup> day of November 2018. All the Commissioners will sign as well as Ms. Jaramillo. These are approved today, but cannot be issued to the candidates until December 7<sup>th</sup>, 2018. The other certificates that will be presented are for Jose Martin Rivera for County Sheriff, Josie B. Chavez for Probate Judge, Heath White Magistrate Judge, Kevin McCall County Commissioner District 1, and Ryan S. Schwebach County Commissioner District 2.

Ms. Jaramillo states that it has been a pleasure serving as Ex-Officio Clerk to the board these last four years, you will be missed. Ms. Jaramillo also mentions that there will be an election held for a position on the New Mexico Counties Board of Directors. She has sent out letters to the elected officials in Torrance County, an election will be held January 9<sup>th</sup> at the first Commissions meeting, as the election as to be held in public. Those interested have until December 25<sup>th</sup> to give Ms. Jaramillo, in writing, that they are interested in running. She sent out emails to those in the county which gave information concerning this board appointment.



**6.) ENDWI, BKLUP, CIOT, and 100DOS Grant Agreement - Stephanie Dunlap, Sheriff Administrator**

**Stephanie Dunlap** states that she is asking for approval from the Commission for the New Mexico Department of Transportation and Safer New Mexico Traffic Grants. These grants come in every year and is traffic enforcement throughout the County for their federal fiscal year.

**ACTION TAKEN:** **Commissioner Sanchez** makes a motion to approve the ENDWI, BKLUP, CIOT, and 100DOS Grant Agreement. **Commissioner Frost** seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

**7.) Request Conversion of Part-Time Position to Full-Time Position - Leonard Lujan, Road Superintendent**

**Leonard Lujan** states that he is here to ask the Commission if he can convert a part-time position to a full-time position. The operator he had in the Encino area has passed away. This was a full time position but it was converted to a part-time position a few years ago to try and save money. There is no one in the area now and would like to covert it back to a full time position so that the person can be used in that area and other areas of the county as well. Mr. Lujan states that he does have the funding in his budget and will not require a budget increase.

**ACTION TAKEN:** **Commissioner Frost** makes a motion to approve the conversion of part-time position to full-time position. **Commissioner Sanchez** seconds the motion. **Madam Chair DuCharme** asks Mr. Lujan to provide the Commission with numbers on what the full-time position will cost. **Leonard Lujan** states that it will be at about \$30,000.00 which is about a \$10,000.00 increase from the \$20,000.00 for the part-time position. The salary may increase at the beginning of the year depending on how much the insurances go up. Mr. Lujan states that he didn't come up during the needs for the departments so he would like to state his request at this time. Mr. Lujan states that he has been looking into ways that he can get more people hired for his department. For his department to run more efficiently he would need funding to be able to hire 4-5 more operators. He has 10 blades but only 6 operators, if he was able to get those extra people he can have all 10 blades running. No further discussion, all Commissioners in favor. **MOTION CARRIED**

**\*County Manager Request/Reports**

**8.) Consider and Act Upon, December 26<sup>th</sup>, 2018 Commission Meeting**

**Belinda Garland** is asking the Commission what they want to do for the last meeting that is scheduled in December. Would they like to keep it as scheduled, cancel the meeting, reschedule the meeting for December 20<sup>th</sup>, or handle it like they did last year? The way it was handled last year was if there was business that needed to be handled after the first meeting in December they could call a special meeting, if necessary. If the meeting happens as scheduled it may be difficult to get anyone to come to the meeting as a lot of the employees will use their annual leave, not many people will be around. Ms. Garland would like directive how how to proceed.

**Commissioner Frost** states that a Special Commission Meeting would be scheduled if needed, if the last meeting was to be canceled, correct?

**Belinda Garland** replies, yes, that is correct.

**Madam Chair DuCharme** asks Ms. Garland if she anticipates any business that would need to be handled that would require us to schedule the Commission meeting on the 20<sup>th</sup> of December.

**Belinda Garland** states that it is hard to predict. Last year we did have business and that was the reason we had to schedule a special meeting.

**Commissioner Frost** asks why they would schedule a meeting on Thursday the 20<sup>th</sup> and not on Wednesday the 19<sup>th</sup>.

**Belinda Garland** states that she is fine with it being scheduled on the 19<sup>th</sup>. She just wants directive on how show should proceed.

**Madam Chair DuCharme** states that they are advertising for the Ordinance for the 5 member Commission.

**Belinda Garland** states that the public hearing for that will be held on December 12<sup>th</sup> not the 26<sup>th</sup>.

**Commissioner Frost** states that if a special meeting is necessary he would be able to attend on the 19<sup>th</sup> but not the 20<sup>th</sup>.

**Belinda Garland** states that she can advise the Commission on the December 12<sup>th</sup> meeting if a special meeting will be necessary. They will put on the website that the meeting for December 26<sup>th</sup>, 2018 will be cancelled ad a special meeting will be tentatively scheduled from December 19<sup>th</sup>, 2018

**Madam Chair DuCharme** asks that if it being a special meeting can members of the public still place their requests on the agenda.


**Belinda Garland** replies, yes, the title of the meeting will not make a difference.

**ACTION TAKEN:** **Commissioner Frost** makes a motion to cancel the December 26<sup>th</sup>, 2018 Commission meeting and schedule a special meeting on December 19<sup>th</sup>, 2018 if necessary. **Commissioner Sanchez** seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

**\*Adjourn**

**ACTION TAKEN: Commissioner Sanchez makes a motion to adjourn the November 28<sup>th</sup>, 2018 Regular Commission Meeting. Commissioner Frost seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED****

**MEETING ADJOURNED AT 10:13 AM**

  
\_\_\_\_\_  
Madam Chair DuCharme

  
\_\_\_\_\_  
Yvonne Otero-Administrative Assistant

12-12-18  
\_\_\_\_\_  
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.**