



**T**ORRANCE **C**OUNTY  
COMMISSION MEETING  
OCTOBER 11<sup>TH</sup>, 2017  
9:00 A.M.

FOR PUBLIC VIEW, DO NOT REMOVE



# Torrance County Commission

Regular Meeting to be Held at:  
Administrative Offices of Torrance County  
Commission Chambers  
205 9<sup>th</sup> Street  
Estancia, NM 87016

**AGENDA**  
October 11<sup>th</sup>, 2017  
9:00 A.M.

Please Silence All Electronic Devices

Call Meeting to Order  
Pledge of Allegiance  
Invocation

- Approval of Minutes: September 27<sup>th</sup>, 2017  
Approval of Meeting Agenda  
Approval of Consent Agenda:  
1. *Approval of Checks*  
2. *Indigent Claim(s)*

**ACTION ITEMS\*:**

**ITEMS TO BE CONSIDERED AND ACTED UPON**

(Public Comment, each item: At the Discretion of the Commission Chair. Comments are limited to one (1) minute per person.)

**\*Department Requests/Reports:**

1. Updates: a. Various County Departments b. Other Boards or Land Grants (upon request) c. Forest Service (upon request) d. Commission
2. Lease between Torrance County Sheriff's Department and Document Solutions – Stephanie Dunlap, Sheriff Administrator
3. Grant Agreement(s) for Traffic Enforcement Projects – Stephanie Dunlap, Sheriff Administrator
  - a. BKLUP/CIOT Project No. 18-OP-RF-103
  - b. STEP/DNOS Project No. 18-ST-RF-103

**\*Commission Matters:**

4. Interest in Purchase/Lease of Hope Medical Building – Jonathan Richard
5. Appoint Road Viewing Committee to address the Partial Closure of Marty Road
6. Review Proposed Revision & Amendment to Ordinance 94-12 Section 13.E 7 Resolution 2016-18A
  - a. Amendment Wording Change
  - b. Resolution 2017-051 Establishing the Solid Waste Management Fee as provided in Ordinance 94-12
7. Findings of Fact / Conclusions of Law, Planning & Zoning Decision Ref: D. May
8. Consider adjustment of December 27<sup>th</sup> Commission Schedule
9. Consider adjustment of December 24<sup>th</sup> Holiday Observance

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

10. Amendment to Agreement for Inmate Confinement Between Santa Fe County and Torrance County
11. Update

**Public Comment / Requests:** At the Discretion of the Commission Chair. For Information Only (No Action Can Be Taken). Comments are limited to three (3) minutes per person on any subject.

**\*EXECUTIVE SESSION:**

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

- a) Pending Litigation related to Ricketts v. Torrance County, Section 10-15-1(H)(3)

**\*Reconvene from Executive Session:**

Pursuant to Open Meetings Act, Section 10-15-1(J), Commission Report from Closed Meeting:

- b) Consider and Act upon, if necessary Litigation related to Ricketts v. Torrance County

**\*Adjourn**



*Minutes*

**Draft 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 Copelman 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 helpful 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 Mary 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 residents 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.

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 asks Dan to do his job and follow what the ordinance says 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

\_\_\_\_\_  
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.**



*Consent Agenda*

C E R T I F I C A T I O N

TOTAL CHECKS PRINTED 109

THE UNDERSIGNED MEMBERS OF THE TORRANCE COUNTY BOARD OF COMMISSIONERS DO CERTIFY THAT THE CLAIMS ENUMERATED ABOVE WERE APPROVED ALLOWED & DO AUTHORIZE THE WARRANTS AGAINST THE FUNDS OF TORRANCE COUNTY FOR THE SUM OF 218,020.54 ON ACCOUNT OF OBLIGATIONS INCURRED FOR THE SERVICES AS SHOWN ABOVE FOR THE PERIOD ENDING 10/05/2017 . WE CERTIFY THAT THE WITHIN NAMED PERSONS ARE LEGALLY ENTITLED UNDER THE CONSTITUTION OF THE STATUTES OF NEW MEXICO TO RECEIVE THE COMPENSATION STATED HEREIN. THAT THE SERVICES HAVE BEEN PERFORMED AS STATED IN THE ACCOUNTS HEREIN, THAT THEY ARE NECESSARY AND PROPER, THAT THIS VOUCHER HAS BEEN EXAMINED, THAT THE AMOUNTS CLAIMED ARE JUST, REASONABLE, AND AS AGREED AND THAT NO PART HAS BEEN PAID BY TORRANCE COUNTY.

SIGNED

ATTEST BY

-----  
James W. Frost

-----  
Javier Sanchez

-----  
Julia Ducharme

-----  
Linda Jaramillo

THE UNDERSIGNED COUNTY TREASURER DOES HEREBY CERTIFY THAT SUFFICIENT FUNDS EXIST FOR THESE ACCOUNTS PAYABLE CHECKS TO BE ISSUED ON THIS DATE AND DOES HEREBY AUTHORIZE THE FINANCE DEPARTMENT TO PROCESS THESE CHECKS.

-----  
Tracy L. Sedillo

CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
01 0	10/14/01	ARTESIA FIRE EQUIPMENT INC	6 - PELICAN REMOTE AREA LIGHTING 427-28-2655		192817	09/28/2017	31587	5250.00
	5250.00		SYSTEM				31587	
09/28/2017			6 - PELICAN VEHICLE CHARGING				31587	
			ADAPTER FOR REMOTE LIGHTING				31587	
			SYSTEM				31587	
EMERGENCY MANAGEMENT	5250.00							
01 0	10/14/02	AUTO CUSTOMS, LLC	(1)EXTANG ENCORE SOLID FOLDING 911-80-2201		492817	09/28/2017	31510	1038.00
	1937.00		TONNEAU COVER FOR 2016 RAM 1500				31510	
09/28/2017			PRO SERIES 3" BLACK				31510	
			NERF BARS FOR 2016 RAM 1500				31510	
			INVOICE # 335949				31510	
			EXTANG ENCORE SOLID FOLDING 413-91-2248		592817	09/28/2017	31509	899.00
			TONNEAU COVER				31509	
			INVOICE # 335943					
911-DISPATCH CENTER	1038.00	STATE FIRE ALLOTMENT	899.00					
01 0	10/14/03	AUTOMATED ELECTION SERVICES	2 - 500 VOTER ID CARD ENVELOPES 401-21-2219		692817	09/28/2017	31580	84.58
	84.58		INVOICE # 56144					
09/28/2017								
ELECTIONS	84.58							
01 0	10/14/04	B I INC	GFS/ADD UNITS-AUGUST 420-73-2218		792817	09/28/2017		1485.45
	1485.45		(9) DEFENDANTS					
09/28/2017			INVOICE # 1037196					
COMMUNITY MONITORING	1485.45							
01 0	10/14/05	CENTRAL NM ELECTRIC COOP.	TC ANIMAL SHELTER MONTHLY BILL 401-82-2208		892817	09/28/2017		431.73
	1860.90		TC DISPATCH MONTHLY BILL 911-80-2208					49.64
09/28/2017			TC DISPATCH MONTHLY BILL 911-80-2208					1344.63
			CLERK MONTHLY BILL 401-21-2308					34.90
ANIMAL SHELTER	431.73	911-DISPATCH CENTER	1394.27	ELECTIONS				
01 V	10/14/06	CHIEF SUPPLY	40 - BATON TRACER RESPONDER 427-28-2655		292817	09/28/2017	31588	1080.09
	2101.94		SERIES 5 FUNCTIONING LED 14				31588	
09/28/2017			RED/AMBER				31588	
			FREIGHT				31588	
			2 - WEAPON RACK MOUNT 401-50-2231		992817	09/28/2017	31496	588.60
			4 - BATTERY POWER PROTECTORS 401-50-2201				31496	387.76
			ESTIMATED SHIPPING 401-50-2222				31496	45.49
			INVOICE # 235240,232322					
EMERGENCY MANAGEMENT	1080.09	COUNTY SHERIFF	1021.85					
01 0	10/14/07	CINTAS CORPORATION NO. 2	4 - QUARTERLY RESTOCK 911-80-2248		1092817	09/28/2017	31263	150.61
	465.76		INVOICE # 8403347372					
09/28/2017			FIRST AID KIT REFILL & SERVICE 600-06-2248		1192817	09/28/2017	31532	315.15
			ADMINISTRATIVE BUILDING				31532	
			INVOICE # 8403347373					
911-DISPATCH CENTER	150.61	RISK MANAGEMENT	315.15					
01 0	10/14/08	COBURN AUTOMOTIVE & DIESEL	OIL CHANGE & COMPLETE SERVICE; 401-05-2201		1292817	09/28/2017	31614	435.23
	435.23		REPAIR 12 VOLT PLUG;				31614	
09/28/2017			REPAIR & REPLACE REAR HATCH/WELD				31614	

CR#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
		COUNTY COMMISSION	435.23					
01 O	101409	DESERT MOON CRAFTS LLC	2 - CPR COURSE - B. KERNAGHAN & 911-85-2266		1392817	09/28/2017	31561	20.00
	20.00		J. PERER-GONZALEZ				31561	
	09/28/2017		INVOICE # 2017-ASHI-3					
DPA TRAINING GRANT	20.00							
01 O	101410	DOCUMENT SOLUTIONS INC	CHARGES 8/8/2017-9/7/2017	401-50-2203	1492817	09/28/2017		149.24
	149.24		INVOICE # INT1086					
	09/28/2017							
COUNTY SHERIFF	149.24							
01 O	101411	DT AUTOMOTIVE	OIL CHANGES, TIRE FIXES, AIR	401-50-2201	1592817	09/28/2017	31218	1177.00
	1177.00		FILTERS, TIRE ROTATIONS, ROUTINE				31218	
	09/28/2017		VEHICLE MAINTENANCE				31218	
			AUGUST 2017					
COUNTY SHERIFF	1177.00							
01 O	101412	EAST MOUNTAIN AUTO GLASS	WINDSHIELD CHIP REPAIR FOR	911-80-2201	1692817	09/28/2017	31576	35.00
	35.00		2016 RAM 1500 TRUCK				31576	
	09/28/2017		INVOICE # 22555					
911-DISPATCH CENTER	35.00							
01 O	101413	ESTANCIA PUBLIC SCHOOLS	MERALS FOR SUPERINTENDENTS AND	412-53-2247	1792817	09/28/2017	31281	48.00
	48.00		JUDGES				31281	
	09/28/2017		ESTANCIA FFA CONCESSION TCF					
COUNTY FAIR	48.00							
01 O	101414	HART'S TRUSTWORTHY HARDWARE	NUTS, BOLTS, SCREWS, KEYS, LOCKS	401-50-2218	1892817	09/28/2017	31230	260.43
	260.43		HARDWARE FOR S.O.				31230	
	09/28/2017		AUGUST 2017					
COUNTY SHERIFF	260.43							
01 O	101415	HART'S TRUSTWORTHY HARDWARE	OUTDOOR LIGHTING/EXTENSION	605-03-2219	1992817	09/28/2017	31558	18.99
	18.99		CORD FOR EVENTS				31558	
	09/28/2017		VERBAL APPROVAL BY K. HERNANDEZ					
			1105 ON 9/7/2017 TMP-180919					
			INVOICE # 8239645					
DWI DISTRIBUTION GRANT	18.99							
01 O	101416	HART'S TRUSTWORTHY HARDWARE	2 - 3 WAY RECEIVER HITCH	411-92-2248	2092817	09/28/2017	31618	162.30
	162.30		2 - LOCKING PINS				31618	
	09/28/2017		2 - PACKAGES OF TWO DEAD BOLT					
			LOCKS WITH KEYS					
			VERBAL APPROVAL BY L. OLIVAS					
			1355 ON 9/21/2017 TMP-180918					

CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
			INVOICE # B241474					
			1/4% FIRE EXCISE TAX 162.30					
01 O	10/14/17	HOLMAN'S INC.	(1) GARMIN DRIVERSASSIST 51 LMT-S	600-06-2248	2192817	09/28/2017	31470	569.98
	569.98		FIRE DEPT.				31470	
09/28/2017			(1) GARMIN DRIVERSASSIST 51 LMT-S				31470	
			TREASURER'S OFFICE				31470	
			INVOICE # 11438900					
			RISK MANAGEMENT 569.98					
01 O	10/14/18	HONSTEIN OIL CO.	P&Z FUEL SEPTEMBER-2017	685-08-2202	2392817	09/28/2017		107.35
	315.93		TC ANIMAL SHELTER FUEL	401-82-2202	/ /			208.58
09/28/2017								
			PLANNING & ZONING 107.35	ANIMAL SHELTER 208.58				
01 O	10/14/19	HOWELL, BRANDI	TRAINING-SANTA FE	911-85-2205	2492817	09/28/2017		297.00
09/28/2017			LAW ENFORCEMENT ACADEMY					
			DFA TRAINING GRANT 297.00					
01 R	10/14/20	INTERNAL REVENUE SERVICE	TAXES OWED WITH PENALTY FEES	401-55-2064	2292817	09/28/2017		907.98
	2811.94			401-55-2102	/ /			1037.18
09/28/2017				401-55-2102	/ /			866.78
			FINANCE DEPARTMENT 2811.94					
01 O	10/14/21	JONES PLUMBING, LLC	CLEAR DRAIN AT MORTIARTY SENIOR CENTER	401-15-2215	2592817	09/28/2017	31615	107.69
09/28/2017	107.69		VERBAL APPROVAL BY L. OLIVAS				31615	
			1316 ON 9/25/2017 TMP-180920				31615	
			INVOICE # 186				31615	
			ADMINISTRATIVE OFFICES 107.69					
01 O	10/14/22	LEWARK, JAYLENE	SOCORRO, NM FIRE/EMS EXPO 2017	418-91-2205	2792817	09/28/2017		522.00
09/28/2017	522.00							
			STATE FIRE ALLOTMENT 522.00					
01 O	10/14/23	LEWARK, WALTER	SOCORRO, NM FIRE/EMS EXPO 2017	418-91-2205	2892817	09/28/2017		522.00
09/28/2017	522.00							
			STATE FIRE ALLOTMENT 522.00					
01 O	10/14/24	LOBO INTERNET SERVICES LTD	IT-MONTHLY CHARGE	401-65-2272	2692817	09/28/2017		166.92
09/28/2017	166.92		INVOICE # 94565					
			INFORMATION TECHNOLOGY 166.92					
01 O	10/14/25	MAMA BEANS, LLC	3 - FRUIT TRAYS	604-83-2248	2992817	09/28/2017	31619	64.91
09/28/2017	64.91		VERBAL APPROVAL BY L. OLIVAS				31619	
			1511 ON 9/21/2017 TMP-180919				31619	
			INVOICE # 68039					

CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
			COMMUNICATIONS/EMS TAX	64.91				
01 O	101426	MARTINEZ, ANNA	(2) NEW EMPLOYEE FINGERPRINT	690-86-2272	3092817	09/28/2017		88.00
			REGISTRATION- C.M. & A.S.					
			DV CONTRACT FY18	88.00				
01 O	101427	MARTINEZ, YOLANDA A.	100 - NSC DDC 8/6 HOUR 9TH	411-92-2266	3192817	09/28/2017	31415	507.95
			EDITION STUDENT GUIDES AND					
			CERTIFICATES					
			SHIPPING AND HANDLING					
			INVOICE # 1599					
01 O	101428	MORIPARTY FOODS	100 - DDC-6/8 STUDENT GUIDES	600-06-2266	3292817	09/28/2017	31286	507.95
			SHIPPING & HANDLING					
			INVOICE # 1600					
			1/4% FIRE EXCISE TAX	507.95				
			RISK MANAGEMENT					
01 O	101428	MORIPARTY FOODS	CANDY, CELLOPHANE BAGS, SPOONS,	629-49-2224	3392817	09/28/2017	31573	87.95
			CUPS, TISSUE PAPER, BALLOONS,					
			RIBBON					
			INVOICE # 5477					
			HOME VISITING GRANT FY	87.95				
01 O	101429	MOUNTAIN VIEW TELEGRAPH	EMPLOYMENT AD	401-30-2221	3492817	09/28/2017	31344	68.47
			PART TIME TAX SPECIALIST					
			INVOICE # IO001363741-0803					
			COUNTY TREASURER	68.47				
01 O	101430	MOUNTAIN VIEW TELEGRAPH	TRANSPORT DEPUTY AD	401-50-2221	3592817	09/28/2017	31344	83.81
			8/17/2017					
			COUNTY SHERIFF	83.81				
01 O	101431	NM APPARATUS LLC	F06 REMOVE DOG CAGE/STORAGE	413-91-2201	3692817	09/28/2017		1846.72
			RACKS, FM, R/R, BRAKE PADS					
			REMOVE HVAC, ALL WIRING & REPAIR					
			HOLES IN BED & CAB					
			INVOICE # 92025					
			ENGINE 4 T/S NAIL IN TIRE	409-91-2201	3792817	09/28/2017		1349.05
			(NON REPAIRABLE) MOUNT SPARE					
			MOUNT NEW TIRE					
			INVOICE # 92024					
			STATE FIRE ALLOTMENT	3195.77				
01 O	101432	NM LOCKING SYSTEMS	22 - KEYS FOR NEW SHERIFF'S	401-50-2272	3892817	09/28/2017	31518	354.08
			OFFICE					
			INVOICE # 3087					
			COUNTY SHERIFF	354.08				
01 O	101433	NM HEART INSTITUTE FOUNDATION	8TH ANNUAL PRE-HOSPITAL	408-91-2266	3992817	09/28/2017	31570	200.00
			MANAGEMENT OF CARDIOVASCULAR					
			DISEASE TRAINING					
			INVOICE # 3087					



CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount	
			STATE FIRE ALLOTMENT					200.00	
01	0	101434	NMAC TREASURER'S AFFILIATE	401-30-2266	4092817	09/28/2017	31567	200.00	
			AFFILIATE 2017 CONFERENCE T. SEDILLO, J. BARELA						
			COUNTY TREASURER					1005.00	
01	0	101435	PITNEY BOWES PURCHASE POWER	401-05-2206	4192817	09/28/2017		1005.00	
			COUNTY COMMISSION					1904.77	
01	0	101436	PLATEAU WIRELESS	401-65-2203	4292817	09/28/2017		1904.77	
			INFORMATION TECHNOLOGY					2000.00	
01	0	101437	PRESBYTERIAN HEALTHCARE SERVICE/INDIGENT CLAIM # 1930	414-19-2293	392817	09/28/2017		2000.00	
			S.R-V ACCOUNT # 1271471						
			2ND 1/8 GROSS RECEIPTS					1615.00	
01	0	101438	PROFESSIONAL DOCUMENT SYSTEMS	401-21-2219	4492817	09/28/2017	31512	1615.00	
			CANON DR-M16011 SCANNER SERVIS ELECTION BUNDLE						
			DYMO LABEL/WRITER 450 ZEBRA/MOTOROLA DS4308 BARCODE SCANNER						
			AVERY 5160 LABELS DYMO SMALL ADDRESS LABELS INVOICE # 129556						
			ELECTIONS					610.55	
01	0	101439	PRUDENTIAL OVERALL SUPPLY	401-16-2229	4592817	09/28/2017	31565	610.55	
			INVOICE # 451007211/450425653						
			JUDICIAL COMPLEX MAINT					3502.50	
01	0	101440	PFS OF AMERICA LLC	420-74-2272	4392817	09/28/2017	31334	3502.50	
			FROM OREGON EXTRADITION ORDER (HILL) VERBAL APPROVAL BY L. OLIVAS 1027 ON 7/12/2017 TWP-180708 INVOICE # 136483						
			TRANSFORMATION OF PRIS					2238.82	
01	0	101441	STAPLES BUSINESS ADVANTAGE	401-50-2219	4692817	09/28/2017	31325	2238.82	
			WIFI RANGE EXTENDER; C BATTERIES AA BATTERIES; 9V BATTERIES; CONVEX MIRROR; JAN-DEC TRSB; MULTICOLOR TRBS; CANOPY (RUINED)						

CK#	DATE	Name	Description	Line Item	Invoice #	DATE	FO #	Amount
		COUNTY SHERIFF	AT DOG HEAD; RUGS; CALCULATOR; LABEL TAPE; RECEIPT BOOK; MESH WASTEBASKETS; SHREDDER; 2017 CALENDARS; CHAIRMAT; TAPE DISPENSERS; DESK ORGANIZERS; FILE CABINET; DETECTIVE PLATE; PENS; DRY ERASE MARKERS; FILES; TISSUE; ZIP ENVELOPES; CLASSIFICATION FOLDERS; PRINTERS INK CARTRIDGES BINDERS 4" & 3"; TAB DIVIDERS; 8X11 COPY PAPER; BATTERIES; STAPLES GEL PENS INVOICE # 3352555777	401-20-2219	4792817	09/28/2017	31325 31325 31325 31325 31325 31325 31325 31325 31325 31325 31540 31540	194.38
		COUNTY CLERK	2238.82 COUNTY CLERK 3 - TECSAFE PLUS OUTFITTERS PACKAGE WILDLAND JACKET/PANT LEATHER GLOVES COMBO 4 - LAST CHANCE LIGHT DUTY BLACK BISON UTILITY BELTS 4 - BACKDRAFT WILDLAND GOGGLES 4 - FIRST AID KITS UNIFORM NEEDS/ESTIMATED SHIPPING INVOICE # 222200A/222200B	401-90-2219	4892817	09/28/2017	31541 31541 31541 31541	140.12
		COUNTY SHERIFF	872.50 STATE FIRE ALLOTMENT 01 0 101443 TY ENTERPRISES AUTO SUPPLY 139.98 09/28/2017	409-91-2236	5092817	09/28/2017	31411 31411 31411 31411	872.50
		COUNTY SHERIFF	139.98 STATE FIRE ALLOTMENT 01 0 101444 UNIVERSITY OF NM HOSPITALS 8260.16 09/28/2017	420-70-2173 420-70-2173	5192817 5292817	09/28/2017 09/28/2017	31553 31553	139.98
		COUNTY SHERIFF	8260.16 ADULT INMATE CARE 01 0 101445 VERIZON WIRELESS 986.88 09/28/2017	401-50-2207 HOTSPTS, PAST DUE INVOICE # 9792460346	5392817	09/28/2017		986.88
		COUNTY SHERIFF	986.88 WEST, KATHLEEN A. 01 0 101446 150.00 09/28/2017	401-82-2272 PHARMACIST CONSULTANT SERVICES	5592817	09/28/2017		150.00
		COUNTY SHERIFF	150.00 ANIMAL SHELTER 01 0 101447 WESTERN TRAILS VETERINARY INC. (1) STERILIZATIONS 160.00 (2) SMALL STERILIZATION	401-82-2272	5492817	09/28/2017		160.00

CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
09/28/2017			INVOICE # 115147					
ANIMAL SHELTER	160.00							1744.46
01 O 101448	1744.46	WINNER PUBLIC SAFETY GROUP	HUSKY ALUMINUM FRAME FOLDING	406-91-2248	5692817	09/28/2017	31458	
09/28/2017			TANK				31458	
			220Z EXLON WALL/BASE				31458	
			RED-3000 GALLON				31458	
			SHIPPING				31458	
			INVOICE # 1799225					
STATE FIRE ALLOTMENT	1744.46							
01 O 101449	1080.09	CHIEF SUPPLY	40 - BAYON TRACER RESPONDER	427-28-2655	292817	09/28/2017	31588	1080.09
10/02/2017			SERIES 5 FUNCTIONING LED 14				31588	
			RED/AMBER				31588	
			FREIGHT				31588	
EMERGENCY MANAGEMENT	1080.09							
01 O 101450	1021.85	CHIEF SUPPLY	2 - WEAPON RACK MOUNT	401-50-2231	992817	09/28/2017	31496	588.60
10/02/2017			4 = BATTERY POWER PROTECTORS	401-50-2201	/ /	/ /	31496	387.76
			ESTIMATED SHIPPING	401-50-2222	/ /	/ /	31496	45.49
			INVOICE # 235240,232322					
COUNTY SHERIFF	1021.85							
01 O 101487	2178.30	A-ONE COLLISION LLC	REPAIR FOR 2013 FORD EXPLORER	610-40-2218	110417	10/04/2017	31578	2178.30
10/04/2017			DAMAGE TO REAR BUMPER, REAR				31578	
			LAMPS AND QUARTER PANEL				31578	
			INVOICE # 33441					
COUNTY ASSESSOR	2178.30							
01 O 101488	11129.68	ARRESTA FIRE EQUIPMENT INC	E-5 - REBUILD NH PUMP, DRAIN	405-91-2201	210417	10/04/2017	31622	11129.68
10/04/2017			BOOSTER TANK OF FULL LEVEL OF				31622	
			WATER, INSPECTION OF PUMP FOR				31622	
			DAMAGE, ORDER NECESSARY				31622	
			REPLACEMENT PARTS, REBUILD PUMP,				31622	
			PERFORM SERVICE TEST,				31622	
			REPLACEMENT OF OTHER ITEMS DUE				31622	
			TO FREEZING, REINSTALL SHELVES				31622	
			AND PANELS, DELIVERY OF				31622	
			APPARATUS; SALES TAX				31622	
			INVOICE # 61026					
STATE FIRE ALLOTMENT	11129.68							
01 O 101489	15328.07	CATERPILLAR FINANCIAL SVCS CORP/LEASE ON BLADES/BACKHOE	E-5 - REBUILD NH PUMP, DRAIN	405-91-2201	310417	10/04/2017		15328.07
10/04/2017			LOADER- OCTOBER/2017					
			INVOICE # 18274988/18302814					
CAPITAL OUTLAY GROSS R	15328.07							
01 O 101490	55.97	CENTURYLINK	CIVIL DEFENSE MONTHLY FAX LINE	604-83-2207	410417	10/04/2017		55.97
10/04/2017								
COMMUNICATIONS/EMS TAX	55.97							

CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
01 O	10/04/2017	CHAVEZ, JOHNNY A.	EMPLOYEE OVER PAYMENT FOR: HEALTH/DENTAL, VISION, 24 PAY PERIOD AMT. - REFUND	402-60-2102	510417	10/04/2017		787.43
COUNTY ROAD DEPARTMENT 787.43								
01 O	10/04/2017	COBURN AUTOMOTIVE & DIESEL	OIL CHANGE & COMPLETE SERVICE	401-05-2201	610417	10/04/2017	31613	46.25
TAX								
VIN: 2CNDL23F386321470								
2008 EQUINOX								
COUNTY COMMISSION 46.25								
01 O	10/04/2017	COMPUTER CORNER INC	2 - POWER INVERTERS	401-08-2219	710417	10/04/2017	31564	177.97
1 - BTI NOTEBOOK BATTERY								
INVOICE # 158342								
PLANNING & ZONING 177.97								
01 O	10/04/2017	CONSERVATION SERVICES, LLC	IGNITION SWITCH FOR BLUE TRACTOR	402-60-2244	810417	10/04/2017	31547	87.20
INVOICE # CT108154								
COUNTY ROAD DEPARTMENT 87.20								
01 O	10/04/2017	CORRECTIONS CORP. OF AMERICA	INMATE MEDICAL-MAY, 2017	420-70-2173	910417	10/04/2017		592.96
1866.72								
COUNTY ROAD DEPARTMENT 87.20								
01 O	10/04/2017	CORRECTIONS INDUSTRIES PRINT S	1000 ADOPTION/RECLAIM FORMS	401-82-2221	1110417	10/04/2017	31453	141.06
SHIPPING								
INVOICE # 53465								
ANIMAL SHELTER 141.06								
01 O	10/04/2017	EMW GAS ASSOCIATION	COURTHOUSE MONTHLY BILL	401-15-2209	1210417	10/04/2017		35.08
506.11								
COUNTY COMMISSION 138.54								
01 O	10/04/2017	MORLAITY/ESTANCIA SENIOR CENTER	MEDICAL CENTER MONTHLY BILL	401-16-2209		/		56.13
72.40								
COUNTY CLERK 24.00								
ROAD MONTHLY GAS BILL								
402-61-2209								
TCFB MONTHLY BILL								
412-53-2209								
CLERK STORAGE MONTHLY BILL								
612-20-2308								
DISPATCH MONTHLY BILL								
911-80-2209								
ADMINISTRATIVE OFFICES 35.08								
JUDICIAL COMPLEX MAINT 110.38								
HEALTH DEPT BLDG MAINT 56.13								
COUNTY COMMISSION 138.54								
COUNTY ROAD SHOP 72.40								
COUNTY CLERK 24.00								
911-DISPATCH CENTER 44.64								
CYFD ANNUAL HV CONFERENCE, OUTREACH & HV MEETING								
629-49-2205								
ESPINOSA-MOORE, BERTHA								
1710417 10/04/2017								
68.76								
HOME VISITING GRANT FY 68.76								
ESTANCIA, TOWN OF								
1310417 10/04/2017								
112.33								
TCFB-MONTHLY BILL								
412-53-2210								
ROAD MONTHLY BILL								
402-61-2210								
COURTHOUSE MONTHLY BILL								
401-15-2210								
JUDICIAL MONTHLY BILL								
401-16-2210								
237.86								

CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
		COUNTY FAIR	112.33 COUNTY ROAD SHOP	182.87 ADMINISTRATIVE OFFICES	178.91			
		JUDICIAL COMPLEX MAINT	237.86 HEALTH DEPT BLDG MAINT	68.06 COUNTY COMMISSION	112.40			
01 0	10/04/2017	EVSMA	TAJIQUE CLEANUP DAY-ROLL OFF CON	402-60-2272	1410417	10/04/2017		20.21
			INVOICE # 1086799					
		COUNTY ROAD DEPARTMENT	20.21					
01 0	10/04/2017	EVSMA	SEPT. 29, 2017	419-05-2292	1510417	10/04/2017		42269.88
			BALANCE 8/31/2017					
			TKT: 9/26/2017					
			INVOICE 1859, 9/29/2017					
			INVOICE # 720970000547					
		COUNTY COMMISSION	42269.88					
01 0	10/04/2017	GREENE, KAZIYEN	OTD RODEO PAYOUT, FLAGS, POLES	412-53-2235	1610417	10/04/2017		12.50
			12.50					
		COUNTY FAIR	12.50					
01 0	10/04/2017	HART'S TRUSTWORTHY HARDWARE	4 - 3 BUTTON GARAGE DOOR OPENER	405-91-2215	1810417	10/04/2017	31524	136.36
			RENOTES				31524	
			INVOICE # B241281					
		STATE FIRE ALLOTMENT	136.36					
01 0	10/04/2017	HERNANDEZ, KATHRYN	DEWING, NM TRIADIC TRAINING	401-55-2205	1910417	10/04/2017		10.00
			10.00					
		FINANCE DEPARTMENT	10.00					
01 0	10/04/2017	HONSTEIN OIL CO.	OIL/FUEL FILTERS, OILS, FLUIDS	402-60-2244	2010417	10/04/2017	31491	131.86
			FOR VEHICLES				31491	
			OIL/FUEL FILTERS, OILS, FLUIDS				31491	
			FOR EQUIPMENT				31491	
			SEPTEMBER 2017				31491	
			ROAD-FUEL, 9/2017	402-60-2202	2110417	10/04/2017		11797.44
		COUNTY ROAD DEPARTMENT	11929.30					
01 0	10/04/2017	INTELLICHOICE INC	TC80 TORRANCE CO. 911	911-80-2218	2210417	10/04/2017		37697.20
			MORIARTY PD, MOUNTAINAIR PD					
			ESTANCHA PD, YEARLY LICENSE/ FEE					
			INVOICE # 1228463					
		911-DISPATCH CENTER	37697.20					
01 0	10/04/2017	JACOBS, ANTHONY	REFUND FOR DDC CLASS	600-06-2270	2310417	10/04/2017		35.00
			35.00					
		RISK MANAGEMENT	35.00					

CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
01 0	101508	KXMM-FM 88.7	OCTOBER 2017, COMMISSIONER MEETINGS & PSA'S	401-05-2243	2410417	10/04/2017		1250.00
	1250.00		INVOICE # 2017-1053					
	10/04/2017							
COUNTY COMMISSION		1250.00						
01 0	101509	L.A.W. PUBLICATIONS	ADVERTISING/SPONSORSHIP AD IN ALCOHOL-PREVENTION/VIOLENCE PREVENTION EDUCATIONAL BOOKLET	605-54-2221 690-09-2221	2510417	10/04/2017	31612 31612 31612	449.50 449.50 31612
	899.00		INVOICE # F073275					
	10/04/2017							
SMART CHOICE		449.50	HIGH LONESOME WIND PTL					
	1909.06		LAKIP-H STRATEGIC MANAGEMENT COM.75 HOURS AT \$ 150 PER HR	635-68-2272	2610417	10/04/2017		1909.06
	10/04/2017		GROSS RECEIPTS					
	1909.06		INVOICE # 2017-0001					
	10/04/2017							
CYED JUVENILE JUSTICE		1909.06						
01 0	101511	LOBO INTERNET SERVICES LTD	MONTHLY INTERNET SERVICES	401-65-2272	2710417	10/04/2017		166.92
	166.92		INVOICE # 95354					
	10/04/2017							
INFORMATION TECHNOLOGY		166.92						
01 0	101512	MARKETING STRATEGIES INC	(50) SAFETY MANUAL LOSS CONTROL HANDBOOK	600-06-2221	2910417	10/04/2017	31468 31468	195.00 31468
	195.00		PRINTING AND SADDLE STITCHED					
	10/04/2017		(1) ESTIMATED TAX ON LABOR					
	10/04/2017		INVOICE # 2064					
RISK MANAGEMENT		195.00						
01 0	101513	MARLIN BUSINESS BANK	CONTRACT PAYMENT-BIZHUB COPIER	911-80-2203	2810417	10/04/2017		256.51
	256.51		INVOICE # 15326741					
	10/04/2017							
911-DISPATCH CENTER		256.51						
01 0	101514	MORLARTY PIPE & IRON	METAL FOR BACK APRON FOR CHIPPER AND DUMP TRUCK HITCHES	402-60-2244	3010417	10/04/2017	31385 31385 31385	12.16 12.16 12.16
	12.16		AUGUST 2017					
	10/04/2017		INVOICE # 6556					
COUNTY ROAD DEPARTMENT		12.16						
01 0	101515	MORLARTY, CITY OF	DWI PREVENTION ACTIVITIES	605-04-2272	3110417	10/04/2017		405.46
	405.46		SEPTEMBER-2017					
	10/04/2017							
DWI COMMUNITY GRANT FY		405.46						
01 0	101516	MOUNTAINAIR, TOWN OF	MOUNTAINAIR SENIOR CENTER WATER	401-05-2210	3210417	10/04/2017		85.15
	147.95		MOUNTAINAIR SENIOR CENTER GAS	401-05-2209				62.80
	10/04/2017							
COUNTY COMMISSION		147.95						
01 0	101517	NM APPARATUS LLC	BRUSH 5-1 INSTALL DOOR DECALS, REPLACE TIRES, DOT INSPECTION,	405-91-2201	3510417	10/04/2017		5459.00
	5459.00							

CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
10/04/2017			CHECK BRAKE ADJUSTMENT, T/S					
			FLOID LEAKS, R/R WATER TEMP GUAG					
			PARTS, LABOR, MILEAGE					
			INVOICE # 92021					
STATE FIRE ALLOTMENT		5459.00						
01 O 101518			NM ASSOCIATION OF ASSESSING OFFI - NMARQ FALL CONFERENCE	610-40-2266	3310417	10/04/2017	31625	200.00
		200.00	REGISTRATIONS				31625	
10/04/2017			SILVER CITY/GRANT COUNTY					
			OCTOBER 25-27, 2017					
			B. CABBER, J. LUCERO					
COUNTY ASSESSOR		200.00						
01 O 101519			NMAC COUNTY CLERK'S AFFILIATE CLERK AFFILIATE DUES	401-20-2269	3410417	10/04/2017	31446	100.00
		100.00	INVOICE # 17/18					
10/04/2017								
COUNTY CLERK		100.00						
01 O 101520			MONTHLY LONG DISTANCE BILL	911-80-2207	3610417	10/04/2017		59.16
		71.16	SEPTEMBER-5053849631					
10/04/2017			MONTHLY LONG DISTANCE	612-20-2207	3710417	10/04/2017		.95
			SEPTEMBER-5053842418	401-30-2207		/ /		1.33
				401-40-2207		/ /		1.70
				401-50-2207		/ /		8.02
911-DISPATCH CENTER		59.16	COUNTY CLERK	0.95				
COUNTY ASSESSOR		1.70	COUNTY SHERIFF	8.02				
01 O 101521			CONTINUUM COORDINATOR	635-68-2272	3810417	10/04/2017		3166.66
		3166.66	GRT SEPTEMBER 2017					
10/04/2017			INVOICE # 32018					
CYFD JUVENILE JUSTICE		3166.66						
01 O 101522			TCF LIVESTOCK SALE	412-53-2249	3910417	10/04/2017		2013.85
		2013.85	LOT 37, ADD-ONS, 8/12/17					
10/04/2017								
COUNTY FAIR		2013.85						
01 O 101523			PLATEAU WIRELESS	407-91-2207	4010417	10/04/2017		176.68
		176.68	INVOICE # 8399299					
10/04/2017								
STATE FIRE ALLOTMENT		176.68						
01 O 101524			POSITIVE PROMOTIONS	600-06-2248	4110417	10/04/2017	31534	889.19
		889.19	1 - NYLON BACKPACK ASSORT				31534	
10/04/2017			50 - BRKWY LANYARD				31534	
			1 - PINK MAGNETIC CLIP ASSOR				31534	
			1 - LIP BALM ASSORT PACK				31534	
			250 - PINK RIBBON SMILEY PEN				31534	
			12 - CELL/ARMND W/BUDS				31534	
			50 - LEATHERETTE MANICURE KIT				31534	
			12 - HOPE PARACORD BRACELET				31534	
			12 - LCH BG/FOOD CONT GIFT				31534	

CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
			1 - GIFT BASKET				31534	
			SHIPPING AND HANDLING				31534	
			INVOICE # 5819642					
			2 - EMD ONLINE CERTIFICATION	911-85-2266	4210417	10/04/2017		419.45
			COURSE: B. KERNAGHAN,					
			J. PERREA-GONZALEZ					
			TAX					
			INVOICE # 56008					
			LEASE PAYMENT & IMAGES	612-20-2203	4610417	10/04/2017		301.97
			MFC2504 - CLERK					
			INVOICE # 99466902					
			REPLACES PO 29850	402-60-2203				
			ROAD - PERIODIC PAYMENT					
			INVOICE # 23474784					
			PERIODIC PAYMENT	629-49-2218	4410417	10/04/2017		98.90
			INVOICE # 23474786					
			DV CONTRACT FY18	650-86-2218				
			HOME VISITING GRANT FY					
			REPLACES PO 28393	610-40-2203	4910417	10/04/2017		148.74
			RICOH MFCW220SP WIDE FORMAT	675-07-2203				
			ASSESSOR & RURAL ADDRESSING					
			INVOICE # 23474783					
			RURAL ADDRESSING	401-30-2205	4710417	10/04/2017		10.00
			TRIPADIC TRAINING DEMING, NM					
			SOUND & SIGNAL SYSTEMS OF NM	612-20-2308	4810417	10/04/2017		112.09
			QUARTERLY MONITORING BILL					
			VOTING MACHINE STORAGE BLDG.					
			INVOICE # 64817					
			RANDOM DRUG SCREENINGS FOR	401-05-2272	4910417	10/04/2017		85.50
			SAFETY SENSITIVE POSITIONS					
			POSITIVE RESULTS					
			INVOICE # 7547					
			SOUTHWEST M.R.O. LLC					
			LOT 14					
			TCF LIVESTOCK SALE	412-53-2249	5010417	10/04/2017		1650.85
			LOT 14					



CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
10/04/2017								
COUNTY FAIR	1650.85							
01 0 101534	T.A. TIRES & SERVICE	2 - TIRES FOR P17 (J. TENORIO)	402-60-2201		5110417	10/04/2017	31520	556.00
556.00		TIRES FOR P16 (A. MEDINA)					31520	
10/04/2017			INVOICE # 504166/603713					
COUNTY ROAD DEPARTMENT	556.00							
01 0 101535	TARGET SOLUTIONS LEARNING, LLC PREMIER MEMBERSHIP PLATFORM		911-80-2228		5210417	10/04/2017		2330.00
2330.00		MAINTENANCE FEE						
10/04/2017			IMPLEMENTATION INVESTMENT					
			INVOICE # INV0000020466					
911-DISPATCH CENTER	2330.00							
01 0 101536	TENORIO, AMANDA	TRIADIC TRAINING DEMING, NM	401-55-2205		5310417	10/04/2017		10.00
10.00								
10/04/2017								
FINANCE DEPARTMENT	10.00							
01 0 101537	THOMPSON, ROBERT STRAN	OTD RODEO PAYOUT	412-53-2235		5410417	10/04/2017		15.00
15.00		RIBBON ROPING, CALF ROPING						
10/04/2017								
COUNTY FAIR	15.00							
01 0 101538	TRIADIC INC.	MAINTENANCE CONTRACT	401-65-2203		5510417	10/04/2017		4215.83
4380.83		INVOICE # 06:42.0						
10/04/2017		4 - REMS OF BLUE CHECK STOCK	401-05-2219		5610417	10/04/2017	31420	82.50
		INVOICE # 1700700	401-55-2219			/ /	31420	82.50
INFORMATION TECHNOLOGY	4215.83	COUNTY COMMISSION	82.50	FINANCE DEPARTMENT	82.50			
01 0 101539	VIGIL, JOHNNA	OTD RODEO PAYOUT, FLAGS, BARRELS	412-53-2235		5710417	10/04/2017		15.00
15.00								
10/04/2017								
COUNTY FAIR	15.00							
01 0 101540	WAGWORKS	ADMINISTRATION FEE	401-05-2272		5810417	10/04/2017		138.00
138.00		MONTHLY COMPLIANCE FEE						
10/04/2017		INVOICE # 297890						
COUNTY COMMISSION	138.00							
01 0 101541	WALLEN LAW FIRM, THE	LEGAL SERVICES-AUGUST 2017	401-05-2275		5910417	10/04/2017		6551.17
6769.24		INVOICE # 8272-FILIPPI						
10/04/2017		INVOICE # 8273-GENERAL BUSINESS				/ /		218.07
		INVOICE # 8274-IBERDROLA	401-05-2273					
COUNTY COMMISSION	6769.24							
01 0 101542	WARE, SIDNEY K	CASE MANAGEMENT 23X175	635-68-2272		6010417	10/04/2017		5465.00
5465.00		JIFF 2X25						
10/04/2017		FOLLOW-UP 34 YOUTHX30						
		GIRLS CIRCLE OX\$100						
		BOYS COUNCIL 4X\$100						

CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
			SEPT-2017					
			INVOICE # 120					
			=====					
			CYFD JUVENILE JUSTICE	5465.00				
			=====					
01 O	10/04/2017	WASTE MANAGEMENT OF NM INC.	MONTHLY TRASH PICK-UP	401-82-2210	6110417	10/04/2017		116.85
			MONTH OF OCTOBER					
			INVOICE # 8635387-0573-3					
			=====					
			ANIMAL SHELTER	116.85				
			=====					
01 O	10/04/2017	WILLARD DAIRY	18 - LOADS OF WATER FOR CRA072	402-64-2408	6210417	10/04/2017	31548	360.00
			CLEMENTS ROAD W				31548	
			SP-5-17 (186) CI#L500225				31548	
			CT#D15382				31548	
			INVOICE # CRA072					
			=====					
			SP PROJECT	360.00				
			=====					
01 O	10/04/2017	ZIA GRAPHICS INC.	PORT AUTHORITY REFLECTIVE JACKET	610-40-2248	6310417	10/04/2017	31472	333.00
			(2) NAVY COLOR W/PATCHES				31472	
			(2) SAFETY YELLOW W/PATCHES				31472	
			(2) 2X (XXL) ADDITIONAL COST				31472	
			N.SEDILLO, S.SASNOW, C.GARCIA				31472	
			B.HOLT, & G.RICHARD				31472	
			INVOICE # 49259					
			=====					
			COUNTY ASSESSOR	333.00				
			=====					
109			TOTAL	2101.94				
			VOIDS					

DEBITS CREDITS

** GRAND TOTAL **	218,020.54	.00
**TOTAL	31,100.95	.00
GENERAL FUND		
COUNTY COMMISSION	10,210.61	.00
VEHICLE MAINTENANCE/REPAIR	481.48	.00
POSTAGE	1,005.00	.00
HEATING/GAS/PROPANE	201.34	.00
WATER/SEWER/TRASH	197.55	.00
OFFICE SUPPLIES	82.50	.00
KMM COMUNITY FOUNDATION 501C3	1,250.00	.00
PROFESSIONAL SERVICES	223.50	.00
IRE LEGAL SERVICES	218.07	.00
LEGAL SERVICES	6,551.17	.00
PLANNING & ZONING	177.97	.00
OFFICE SUPPLIES	177.97	.00
ADMINISTRATIVE OFFICES MAINTENAN	321.68	.00
HEATING/GAS/PROPANE	35.08	.00
WATER/SEWER/TRASH	178.91	.00
BUILDING MAINTENANCE/REPAIR	107.69	.00
JUDICIAL COMPLEX MAINTENANCE	958.79	.00
HEATING/GAS/PROPANE	110.38	.00
WATER/SEWER/TRASH	237.86	.00
PAPER SUPPLIES	610.55	.00
COUNTY CLERK	294.38	.00
OFFICE SUPPLIES	194.38	.00
MEMBERSHIP DUES/SUBSCRIPTIONS	100.00	.00
ELECTIONS	1,734.48	.00
OFFICE SUPPLIES	1,699.58	.00
VOTING MACHINE STORAGE	34.90	.00
HEALTH DEPT BLDG MAINTENANCE	124.19	.00
HEATING/GAS/PROPANE	56.13	.00
WATER/SEWER/TRASH	68.06	.00
COUNTY TREASURER	279.80	.00
MILEAGE/PER DIEM	10.00	.00
TELECOMMUNICATIONS	1.33	.00
PRINTING/PUBLISHING/ADVERTISING	68.47	.00
TRAINING	200.00	.00
COUNTY ASSESSOR	1.70	.00
TELECOMMUNICATIONS	1.70	.00
COUNTY SHERIFF	6,280.13	.00
VEHICLE MAINTENANCE/REPAIR	1,564.76	.00
MAINTENANCE CONTRACTS	149.24	.00
TELECOMMUNICATIONS	994.90	.00
EQUIPMENT MAINTENANCE/REPAIR	260.43	.00
OFFICE SUPPLIES	2,238.82	.00
PRINTING/PUBLISHING/ADVERTISING	83.81	.00
FIELD SUPPLIES	45.49	.00
WEAPONS/AMMUNITION	588.60	.00
PROFESSIONAL SERVICES	354.08	.00
FINANCE DEPARTMENT	2,914.44	.00

DEBITS CREDITS

401-55-2064	FICA MATCHING	907.98	.00
401-55-2102	FULL TIME SALARIES	1,903.96	.00
401-55-2205	MILEAGE/PER DIEM	20.00	.00
401-55-2219	OFFICE SUPPLIES	82.50	.00
**DEPT	INFORMATION TECHNOLOGY DEPARTMENT	6,454.44	.00
401-65-2203	MAINTENANCE CONTRACTS	6,120.60	.00
401-65-2272	PROFESSIONAL SERVICES	333.84	.00
**DEPT	ANIMAL SHELTER	1,208.22	.00
401-82-2202	VEHICLE FUEL	208.58	.00
401-82-2208	ELECTRICITY	431.73	.00
401-82-2210	WATER/SEWER/TRASH	116.85	.00
401-82-2221	PRINTING/PUBLISHING/ADVERTISING	141.06	.00
401-82-2272	PROFESSIONAL SERVICES	310.00	.00
**DEPT	PROBATE JUDGE	140.12	.00
401-90-2219	OFFICE SUPPLIES	140.12	.00
**TOTAL	ROAD FUND	14,079.75	.00
**DEPT	COUNTY ROAD DEPARTMENT	13,464.48	.00
402-60-2102	FULL TIME SALARIES	787.43	.00
402-60-2201	VEHICLE MAINTENANCE/REPAIR	556.00	.00
402-60-2202	VEHICLE FUEL	11,797.44	.00
402-60-2203	MAINTENANCE CONTRACTS	72.18	.00
402-60-2244	MACHINERY MAINTENANCE/REPAIR	231.22	.00
402-60-2272	PROFESSIONAL SERVICES	20.21	.00
**DEPT	COUNTY ROAD SHOP	255.27	.00
402-61-2209	HEATING/GAS/PROPANE	72.40	.00
402-61-2210	WATER/SEWER/TRASH	182.87	.00
**DEPT	SP PROJECT	360.00	.00
402-64-2408	SP-5-17 (186)	360.00	.00
**TOTAL	DISTRICT 5 VFD	16,725.04	.00
**DEPT	STATE FIRE ALLOTMENT	16,725.04	.00
405-91-2201	VEHICLE MAINTENANCE/REPAIR	16,588.68	.00
405-91-2215	BUILDING MAINTENANCE/REPAIR	136.36	.00
**TOTAL	DISTRICT 2 VFD	1,744.46	.00
**DEPT	STATE FIRE ALLOTMENT	1,744.46	.00
406-91-2248	SAFETY EQUIPMENT	1,744.46	.00
**TOTAL	DISTRICT 1 VFD	176.68	.00
**DEPT	STATE FIRE ALLOTMENT	176.68	.00
407-91-2207	TELECOMMUNICATIONS	176.68	.00
**TOTAL	DISTRICT 3 VFD	339.98	.00
**DEPT	STATE FIRE ALLOTMENT	339.98	.00
408-91-2248	SAFETY EQUIPMENT	139.98	.00
408-91-2266	TRAINING	200.00	.00
**TOTAL	DISTRICT 4 VFD	2,221.55	.00
**DEPT	STATE FIRE ALLOTMENT	2,221.55	.00

DEBITS CREDITS

409-91-2201	VEHICLE MAINTENANCE/REPAIR	1,349.05	.00
409-91-2236	UNIFORMS	872.50	.00
**TOTAL	COUNTY FIRE PROTECTION FUND	670.25	.00
**DEPT	1/4¢ FIRE EXCISE TAX	670.25	.00
411-92-2248	SAFETY EQUIPMENT	162.30	.00
411-92-2266	TRAINING	507.95	.00
**TOTAL	COUNTY FAIR	3,892.47	.00
**DEPT	COUNTY FAIR	3,892.47	.00
412-53-2209	HEATING/GAS/PROPANE	24.94	.00
412-53-2210	WATER/SEWER/TRASH	112.33	.00
412-53-2235	AWARDS FOR COUNTY FAIR	42.50	.00
412-53-2247	FOOD/CONCESSION SUPPLIES	48.00	.00
412-53-2249	ANIMAL SALES AT COUNTY FAIR	3,664.70	.00
**TOTAL	FIRE DEPARTMENT ADMIN	2,745.72	.00
**DEPT	STATE FIRE ALLOTMENT	2,745.72	.00
413-91-2201	VEHICLE MAINTENANCE/REPAIR	1,846.72	.00
413-91-2248	SAFETY EQUIPMENT	899.00	.00
**TOTAL	INDIGENT FUND	2,000.00	.00
**DEPT	2ND 1/8 GROSS RECEIPTS TAX	2,000.00	.00
414-19-2293	INDIGENT MEDICAL CLAIMS	2,000.00	.00
**TOTAL	DISTRICT 6 VPD	1,044.00	.00
**DEPT	STATE FIRE ALLOTMENT	1,044.00	.00
418-91-2205	MILEAGE/PER DIEM	1,044.00	.00
**TOTAL	EVSWA CONTRACT	42,269.88	.00
**DEPT	COUNTY COMMISSION	42,269.88	.00
419-05-2292	EVSWA TIPPING FEES	42,269.88	.00
**TOTAL	JAIL FUND	15,114.83	.00
**DEPT	ADULT INMATE CARE	10,126.88	.00
420-70-2173	INMATE MEDICAL	10,126.88	.00
**DEPT	COMMUNITY MONITORING	1,485.45	.00
420-73-2218	EQUIPMENT MAINTENANCE/REPAIR	1,485.45	.00
**DEPT	TRANSPORTATION OF PRISONERS	3,502.50	.00
420-74-2272	PROFESSIONAL SERVICES	3,502.50	.00
**TOTAL	WIPP FUNDING	6,330.09	.00
**DEPT	EMERGENCY MANAGEMENT	6,330.09	.00
427-38-2655	WIPP FUNDING	6,330.09	.00
**TOTAL	SAFETY PROGRAM	2,512.27	.00
**DEPT	RISK MANAGEMENT	2,512.27	.00
600-06-2221	PRINTING/PUBLISHING/ADVERTISING	195.00	.00
600-06-2248	SAFETY EQUIPMENT	1,774.32	.00
600-06-2266	TRAINING	507.95	.00

	DEBITS	CREDITS
600-06-2270	REFUNDS 35.00	.00
**TOTAL	CIVIL DEFENSE FUND 120.88	.00
**DEPT	COMMUNICATIONS/EMS TAX 120.88	.00
604-83-2207	TELECOMMUNICATIONS 55.97	.00
604-83-2248	SAFETY EQUIPMENT 64.91	.00
**TOTAL	DWI PROGRAM FUND 873.95	.00
**DEPT	DWI DISTRIBUTION GRANT FY18 18.99	.00
605-03-2219	OFFICE SUPPLIES 18.99	.00
**DEPT	DWI COMMUNITY GRANT FY18 405.46	.00
605-04-2272	PROFESSIONAL SERVICES 405.46	.00
**DEPT	SMART CHOICE 449.50	.00
605-54-2221	PRINTING/PUBLISHING/ADVERTISING 449.50	.00
**TOTAL	PROPERTY VALUATION FUND 2,860.04	.00
**DEPT	COUNTY ASSESSOR 2,860.04	.00
610-40-2203	MAINTENANCE CONTRACTS 148.74	.00
610-40-2218	EQUIPMENT MAINTENANCE/REPAIR 2,178.30	.00
610-40-2248	SAFETY EQUIPMENT 333.00	.00
610-40-2266	TRAINING 200.00	.00
**TOTAL	CLERK'S EQUIPMENT FUND 439.01	.00
**DEPT	COUNTY CLERK 439.01	.00
612-20-2203	MAINTENANCE CONTRACTS 301.97	.00
612-20-2207	TELECOMMUNICATIONS .95	.00
612-20-2308	VOTING MACHINE STORAGE 136.09	.00
**TOTAL	CAPITAL OUTLAY GROSS RECEIPTS TX 15,328.07	.00
**DEPT	CAPITAL OUTLAY GROSS RECEIPTS TX 15,328.07	.00
621-96-2613	CO/ROAD CONSTRUCTION/RECONSTRUCT 15,328.07	.00
**TOTAL	HOME VISITING GRANT 255.61	.00
**DEPT	HOME VISITING GRANT FY18 255.61	.00
629-49-2205	MILEAGE/PER DIEM 68.76	.00
629-49-2218	EQUIPMENT MAINTENANCE/REPAIR 98.90	.00
629-49-2224	EDUCATIONAL SUPPLIES 87.95	.00
**TOTAL	JUVENILE JUSTICE GRANT 10,540.72	.00
**DEPT	CYFD JUVENILE JUSTICE GRANT FY18 10,540.72	.00
635-68-2272	PROFESSIONAL SERVICES 10,540.72	.00
**TOTAL	RURAL ADDRESSING 148.75	.00
**DEPT	RURAL ADDRESSING 148.75	.00
675-07-2203	MAINTENANCE CONTRACTS 148.75	.00
**TOTAL	P&Z COURT FEES 107.35	.00
**DEPT	PLANNING & ZONING 107.35	.00
685-08-2202	VEHICLE FUEL 107.35	.00
**TOTAL	DOMESTIC VIOLENCE GRANT 636.40	.00

DEBITS CREDITS

**DEPT					
690-09-2221	HIGH LONESOME WIND FILM	449.50			.00
	PRINTING/PUBLISHING/ADVERTISING	449.50			.00
**DEPT					
690-86-2218	DV CONTRACT FY18	186.90			.00
690-86-2272	EQUIPMENT MAINTENANCE/REPAIR	98.90			.00
	PROFESSIONAL SERVICES	88.00			.00
**TOTAL	EMERGENCY-911 FUND	43,741.84			.00
**DEPT					
911-80-2201	911-DISPATCH CENTER	43,005.39			.00
911-80-2203	VEHICLE MAINTENANCE/REPAIR	1,073.00			.00
911-80-2207	MAINTENANCE CONTRACTS	256.51			.00
911-80-2208	TELECOMMUNICATIONS	59.16			.00
911-80-2209	ELECTRICITY	1,394.27			.00
911-80-2218	HEATING/GAS/PROPANE	44.64			.00
911-80-2228	EQUIPMENT MAINTENANCE/REPAIR	37,697.20			.00
911-80-2248	SOFTWARE	2,330.00			.00
	SAFETY EQUIPMENT	150.61			.00
**DEPT					
911-85-2205	DFA TRAINING GRANT	736.45			.00
911-85-2266	MILEAGE/PER DIEM	297.00			.00
	TRAINING	439.45			.00
BANK01	WELLS FARGO	218,020.54			.00
	** BANK TOTALS **	218,020.54			.00



*Agenda Item  
No. 1*





# UPDATES

- ✓ Various County Departments
- ✓ Other Boards
- ✓ Forest Service
- ✓ Commission



*Agenda Item*  
*No. 2*



*Agenda Item*  
*No. 3*



Torrance County Grants Committee

Grant Review Summary

Department & Project Manager: Sheriff's Office / Stephanie Dunlap Date: 9/28/2017

Type of Grant: Reimbursable Match Other:

Table with 2 columns: Name of Grant, Grant/Agreement Number, Grantor, Grant Term, Grant Funding, Administration Fee, Report Requirements, Matching, Project Description, Legal Requirements, Committee Concerns.

Recommend: [X] Approve, [ ] Approve with conditions, [ ] Do Not Approve

Grants Committee: Belinda Stordland County Manager, Tracy Sedillo County Treasurer

Lester Olivas Purchasing Director, [Signature] Finance Director

CONTRACT NUMBER: \_\_\_\_\_

GRANTEE DUNS NUMBER: 095746517

VENDOR NUMBER: 0000054405

## GRANT AGREEMENT

This grant agreement is between the New Mexico Department of Transportation (**Department**) and County of Torrance (**Grantee**), collectively referred to as "the Parties." The Department and the Grantee agree as follows:

1. **Award.** The Department hereby awards the Grantee funding for the following projects:
  - a. Buckle Up ("**BKLUP**")/Click It or Ticket ("**CIOT**"), Project No. 18-OP-RF-103, \$1,475.00;
  - b. Selective Traffic Enforcement Program ("**STEP**")/100 Days and Nights of Summer ("**DNOS**"), Project No. 18-ST-RF-103, \$2,675.00;
  - c. Total Funding awarded per this agreement \$4,150.00.
2. **Scope of Work.** The Grantee shall perform the professional services stated in the following exhibits: **Exhibit B - BKLUP/CIOT** and **Exhibit C - STEP/DNOS**.
3. **Payment.** To be reimbursed for eligible expenses, the Grantee must submit timely, properly prepared reimbursement requests as provided in the Department's Traffic Safety Bureau Financial Management Manual June 22, 2016. The Grantee acknowledges that the Department will not pay for any expenses incurred prior to both Parties signing the agreement, after termination of the agreement, or in excess of the amount of the award noted in section 1. The Grantee must submit its final reimbursement request no later than thirty days after termination of this agreement, unless otherwise approved by the Department.
4. **Records and Audit.** The Grantee shall strictly account for all receipts and disbursements related to this agreement. The Grantee shall record costs incurred, services rendered and payment received, and shall maintain these financial records during the agreement and for three years from the date of submission of the final reimbursement request. On request, the Grantee shall provide the financial records to the Department and the state auditor, and shall allow the Department and the state auditor to inspect or audit these financial records during business hours at the Grantee's principal office during the term of this agreement and for three years from the date of submission of the final reimbursement request. If the financial records provided by the Grantee are insufficient to support an audit by customary accounting practices, the Grantee shall reimburse the Department for any expense incurred related to the insufficient documentation within thirty days of written

notice from the Department. If an audit or inspection reveals that funds were used for expenses not directly related to the project, or otherwise used inappropriately, or that payments were excessive or otherwise erroneous, the Grantee shall reimburse the Department for those funds or payments within thirty days of written notice.

**5. Officials Not to Benefit.** The Parties intend that no member of the New Mexico legislature or the United States Congress, or any public official, public employee or tribal council member, in that person's individual capacity, will benefit from this agreement.

**6. Termination.** The Department may terminate this agreement for any reason, by giving the Grantee thirty days written notice. The Grantee may only terminate this agreement based on the Department's uncured, material breach of the agreement. On receipt of a "Notice of Cancellation," the Grantee shall suspend work unless otherwise directed by the Department in writing. The Parties acknowledge that termination will not nullify obligations incurred prior to termination.

**7. Appropriations.** The Grantee acknowledges that:

- a. this agreement is contingent upon sufficient appropriations and authorizations being made by the Congress of the United States or the New Mexico state legislature;
- b. if sufficient appropriations and authorizations are not made, this agreement will terminate upon written notice by the Department to the Grantee; and
- c. the Department will not expend any funds until they are approved for expenditure, and the Department's determination as to whether approval has been granted will be final.

**8. Compliance with Law.** The Grantee, its employees, agents and contractors, shall comply with the following:

- a. Title VI and Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Americans with Disabilities Act of 1990, the Environmental Justice Act of 1994, the Civil Rights Restoration Act of 1987, and 49 C.F.R. Section 21;
- b. all federal and state laws, rules, and regulations, and executive orders of the Governor of the state of New Mexico pertaining to equal employment opportunity, including the Human Rights Act, NMSA 1978, Sections 28-1-1 through 28-1-15 (In accordance with such, the Grantee states that no person, on the grounds of race, religion, national origin, sex, sexual orientation, gender identity, spousal affiliation, serious medical condition, age or handicap, will be excluded from employment with or participation in, denied the benefits of, or otherwise subjected to, discrimination in any activity performed under this agreement. If the Grantee it is found to be in violation of any of these requirements, the Grantee shall take prompt and appropriate steps to correct such violation);
- c. state laws applicable to workers compensation benefits for the Grantee's employees, including the Workers' Compensation Act, NMSA 1978, Sections 52-1-1 through

52-1-70, and related regulations; and

d. 2 C.F.R. 200, Subpart F - Audit Requirements, Sections 200.500 - 200.521.

e. those sections in **Exhibit D** labeled "applies to subrecipients as well as states."

**9. Notices.** For a notice under this agreement to be valid, it must be in writing; be delivered by hand, registered or certified mail return receipt requested and postage prepaid, fax or e-mail; and be addressed as follows:

to NMDOT at:  
New Mexico Dept. of Transportation  
Attn: Traffic Safety Division  
P.O. Box 1149  
Santa Fe, NM 87504

to the Grantee at:  
County of Torrance  
Attn: SHERIFF  
Torrance County SO, P. O. Box 498  
Estancia, NM 87016

**10. Severability.** The Parties intend that if any provision of this agreement is held to be unenforceable, the rest of the agreement will remain in effect as written.

**11. Tort Claims.** The Parties intend that (1) immunity from liability for tortious conduct under NMSA 1978, Section 41-4-4(A) will apply to all conduct relating to this agreement, (2) only the waivers of immunity from liability under NMSA 1978, Sections 41-4-4 through 41-4-12 will apply, and (3) this agreement does not waive immunity from liability for tortious conduct relating to this agreement of any employee of the Department or the Grantee.

**12. Jurisdiction and Venue.** The Grantee acknowledges the jurisdiction of the courts of the state of New Mexico for any adversarial proceeding arising out of this agreement, and that venue for any such proceeding will be in the First Judicial District Court for the county of Santa Fe, New Mexico.

**13. Project Responsibility.** The Grantee acknowledges that it bears sole responsibility for performing the services referred to in section 2.

**14. Term.** This agreement takes effect October 1, 2017 or upon signature of all Parties, whichever is later. If the Grantee does not deliver the signed agreement to the Department within sixty days of the Department's signature, the agreement will be voidable by the Department. The agreement terminates at midnight on September 30, 2018, unless earlier terminated as provided in section 6 or section 7.

**15. Applicable Law.** The laws of the state of New Mexico, without giving effect to its choice of law principles, govern all adversarial proceedings arising out of this agreement.

**16. Amendment.** No amendment of this agreement will be effective unless it is in writing and signed by the Parties.

**17. No Third-party Beneficiary.** This agreement does not confer any rights or remedies on

anyone other than the Department and the Grantee.

18. **Merger.** This agreement constitutes the entire understanding between the Parties with respect to the subject matter of the agreement and supersedes all other agreements, whether written or oral, between the Parties, except that this agreement does not supersede the Grantee's rights under any other grant agreement.

19. **Disadvantaged Business Enterprise.** The recipient shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any USDOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The recipient shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of USDOT-assisted contracts. The recipient's DBE program, as required by 49 CFR Part 26 and as approved by USDOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the recipient of its failure to carry out its approved program, the Department may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 *et seq.*).

Each party is signing this agreement on the date stated opposite that party's signature.

Date: \_\_\_\_\_, 2017

DEPARTMENT OF TRANSPORTATION

By: \_\_\_\_\_  
Cabinet Secretary or Designee

Date: \_\_\_\_\_, 2017

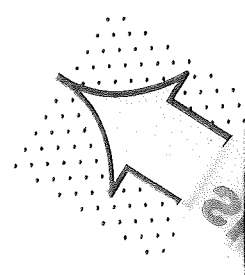
COUNTY OF TORRANCE

By: \_\_\_\_\_  
Title: \_\_\_\_\_

Approved as to form and legal sufficiency.

Date: September 14, 2017

By: Maia Pogelushka  
Assistant General Counsel  
Department of Transportation



Approved as to form and legal sufficiency.

Date: \_\_\_\_\_, 2017

By: \_\_\_\_\_  
Counsel for County of Torrance

Traffic Safety Division





## Exhibit B

### SCOPE OF WORK, TRAINING, REIMBURSEMENT AND REPORTING

**BUCKLE UP (BKLUP) and CLICK IT OR TICKET ("CIOT")** Project Number: 18-OP-RF-103

**1. Scope of Work.** The Grantee shall conduct occupant protection directed enforcement patrols (ODEPs) in high crash locations identified in data compiled by local, state or federal government agencies and the Grantee's Operational Plan. The Department encourages the Grantee to accompany the ODEPs with public information, media and educational activities. ODEPs must deploy officers in high crash locations consistent with the enforcement plan for occupant protection issues. If for any reason, the ODEPs were conducted in areas not consistent with the enforcement plan, the Grantee must submit a justification with the invoice for these services. The Department may choose to deny the invoice for ODEPs based on the justification. The Grantee is encouraged to schedule ODEPs throughout the grant period with a focus on participating during the Superblitz Period, 3 Mini Superblitz Periods, National DWI Mobilizations and the National Click It or Ticket Mobilizations identified below:

**2. Definitions.** For purposes of this exhibit, the following definitions apply:

**"Winter Superblitz Period"** means November 10, 2017 to January 6, 2018.

**"St. Patrick's Day Mini Superblitz Period"** means March 16 to March 24, 2018.

**"Cinco de Mayo May Mini Superblitz Period"** means May 1 to May 7, 2018.

**"Fourth of July Mini Superblitz Period"** means July 1 to July 8, 2018.

**"National DWI Mobilization Period"** means August 17 to September 3, 2018.

**"National Occupant Protection Mobilization Click It or Ticket period"** means May 21 to June 3, 2018.

**"Agency Coordinator"** means the person assigned by the Grantee to assume direct responsibility for administering all phases of the grant agreement.

**"Directed Enforcement Patrols"** means activities that enforce traffic laws in areas consistent with the agency's operational plan.

**"Operational Plan"** means a plan based on the most current crash data that identifies the problem to be addressed, goals to be achieved, and the performance measures to be employed. The Grantee may update its operational plan as needed to align with current trends.

**3. Training and qualifications.** The Agency Coordinator must attend the Department's Law Enforcement Coordinators symposium and other Department training as required. The Grantee should notify the Department of any changes in the Agency Coordinator as soon as possible. The

Grantee's participating officers must have law enforcement certifications in all areas necessary to conduct the services noted in Section 1 of this exhibit. The Grantee shall keep documentation of training and provide the Department with a list of certified officers on request.

**4. Reimbursement.** The Department will pay the Grantee for the actual cost of personnel that worked the ODEPs. Claims for payment must specify officers' actual hourly rate of pay including overtime pay (hourly rate X 1.5); the Department will not pay any amount in excess of that rate or for any amount that is not above and beyond the officers normal duties. The Grantee should submit claims at minimum quarterly no later than January 30<sup>th</sup>, April 30<sup>th</sup> and July 30<sup>th</sup> during this Agreement period. The final claim shall be submitted no later than October 31, 2018. If the final claim is submitted after October 31, 2018, the claim must be accompanied by a justification letter. The Department may choose to deny the claim based on the justification. The claim must be on a form approved by the Department. The Department will pay the Grantee for the following:

- a. pay, including overtime, for officers conducting traffic safety occupant protection focused enforcement in areas consistent with the enforcement plan;
- b. attendance at, and excess per diem for, operation safe kids training and the four-day NHTSA standardized child passenger safety training; and
- c. assistance at child safety seat clinics or car seat fitting stations.

**5. Reporting.** The Grantee must submit activity reports by the 10<sup>th</sup> of each month using the activity report form provided unless otherwise directed by the Department. Activity reports must include the type of activity and types of citations issued. The Grantee must report all citations to the Motor Vehicle Division of the New Mexico Taxation and Revenue Department and to the appropriate court in accordance with New Mexico state statute. The Grantee must submit timely crash reports to the Department in accordance with NMSA 1978, Section 66-7-207. If the Grantee is not submitting crash reports in accordance with NMSA 1978, Section 66-7-207, the Department may hold reimbursement claims until this provision is met.

**6. Funding.** The Department expects the funding source to be state road fund. However, the funding source is subject to change at the Department's discretion. The Grantee may transfer funds between budget categories only with prior written approval from the Department. The project's itemized budget is as follows:

Personal Services	\$1,475.00
Contractual Services	\$0.00
Commodities	\$0.00
Indirect	\$0.00
Other	\$0.00
TOTAL	\$1,475.00

**7. Goals.** The Department's performance goals for the state are to:

a. Limit the increase in five-year average unrestrained fatalities to 8 percent from 99 in 2015 to 107 by December 31, 2018, (FARS, annual).

b. Increase the seatbelt use percentage by 1 percent from 92 in 2016 to 93 by December 31, 2018, (State, annual).

**8. Equipment.** The Grantee may only purchase equipment under this agreement with prior approval of the Department.

## Exhibit C

### SCOPE OF WORK, TRAINING, REIMBURSEMENT AND REPORTING

#### **SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (“STEP”) and 100 DAYS AND NIGHTS OF SUMMER (“DNOS”)** Project Number: 18-ST-RF-103

**1. Scope of Work.** The Grantee shall conduct directed enforcement patrols (DEPs) in high crash locations identified in data compiled by local, state or federal government agencies and the Grantee’s Operational Plan. The Department encourages the Grantee to accompany the DEPs with public information, media and educational activities. DEPs must deploy officers in high crash locations consistent with the Operational Plan. If for any reason, the DEPs were conducted in areas not consistent with the Operational Plan, the Grantee must submit a justification with the invoice for these services. The Department may choose to deny the invoice for DEPs based on the justification.

**2. Definitions.** For purposes of this exhibit, the following definitions apply:

**“Agency Coordinator”** means the person assigned by the Grantee to assume direct responsibility for administering all phases of the grant agreement.

**“Directed Enforcement Patrols”** means activities that enforce traffic laws in areas consistent with the agency’s operational plan.

**“Operational Plan”** means a plan based on the most current crash data that identifies the problem to be addressed, goals to be achieved, and the performance measures to be employed. The Grantee may update its operational plan as needed to align with current trends.

**3. Training and qualifications.** The Agency Coordinator must attend the Department’s Law Enforcement Coordinators symposium and other Department training as required. The Grantee should notify the Department of any changes in the Agency Coordinator as soon as possible. The Grantee’s participating officers must have law enforcement certifications in all areas necessary to conduct the services noted in Section 1 of this exhibit. The Grantee shall keep documentation of training and provide the Department with a list of certified officers on request.

**4. Reimbursement.** The Department will pay the Grantee for the actual cost of personnel that worked the DEPs. Claims for payment must specify officers’ actual hourly rate of pay including overtime pay (hourly rate X 1.5); the Department will not pay any amount in excess of that rate or for any amount that was not above and beyond the officer’s normal duties. The Grantee should submit claims at minimum quarterly no later than January 30<sup>th</sup>, April 30<sup>th</sup> and July 30<sup>th</sup> during this Agreement period. The final claim shall be submitted no later than October 31, 2018. If the final claim is submitted after October 31, 2018, the claim must be accompanied by a justification letter. The Department may choose to deny the claim based on the justification. The claim must be on a form approved by the Department. The Department will pay the Grantee for the following:

- a. Pay, including overtime pay, for officers conducting the traffic safety enforcement described in paragraph 1 of this Exhibit C; and
- b. training for officers not previously trained in STEP.

**5. Reporting.** The Grantee must submit activity reports by the 10<sup>th</sup> of each month using the activity report form provided unless otherwise directed by the Department. Activity reports must include the type of activity and types of citations issued. The Grantee must report all citations to the Motor Vehicle Division of the New Mexico Taxation and Revenue Department and to the appropriate court in accordance with New Mexico state statute. The Grantee must submit timely crash reports to the Department in accordance with NMSA 1978, Section 66-7-207. If the Grantee is not submitting crash reports in accordance with NMSA 1978, Section 66-7-207, the Department may hold reimbursement claims until this provision is met.

**6. Funding – STEP (Execution of Agreement through September 30, 2018).** The Department expects the funding source to be State Road Fund. However, the funding source is subject to change at the Department’s discretion. The Grantee may transfer funds between budget categories only with prior written approval from the Department. The project’s itemized budget is as follows:

Personal Services	\$2,000.00
Contractual Services	\$0.00
Commodities	\$0.00
Indirect	\$0.00
Other	\$0.00
<b>TOTAL</b>	<b>\$2,000.00</b>

**7. Funding – DNOS (June 23 through September 30, 2018).** The Department expects the funding source to be State Road Fund. However, the funding source is subject to change at the Department’s discretion. The Grantee may transfer funds between budget categories only with prior written approval from the Department. The project’s itemized budget is as follows:

Personal Services	\$675.00
Contractual Services	\$0.00
Commodities	\$0.00
Indirect	\$0.00
Other	\$0.00
<b>TOTAL</b>	<b>\$675.00</b>

**8. Goals.** The Department’s performance goals for the state are as follows:

- a. Reduce the number of five-year average speeding-related fatalities by 4.6 percent from

131 in 2015 to 125 by December 31, 2018, (FARS, 5-year averages).

b. Limit the increase in five-year average alcohol-impaired fatalities to 21 percent from 103 in 2015 to 125 by December 31, 2018, (FARS, 5-year averages).

c. Increase the seatbelt use percentage by 1 percent from 92 in 2016 to 93 by December 31, 2018, (State, annual).

d. Reduce the number of fatalities in distracted driving crashes by 9 percent from 160 in 2015 to 146 by December 31, 2018, (State, 5-year averages).

**9. Equipment.** The Grantee may only purchase equipment under this agreement with prior approval of the Department.

**Exhibit D –CERTIFICATIONS AND ASSURANCES**

**APPENDIX A TO PART 1300—  
CERTIFICATIONS AND ASSURANCES  
FOR HIGHWAY SAFETY GRANTS  
(23 U.S.C. CHAPTER 4; SEC. 1906, PUB. L. 109-59,  
AS AMENDED BY SEC. 4011, PUB. L. 114-94)**

*[Each fiscal year, the Governor's Representative for Highway Safety must sign these Certifications and Assurances affirming that the State complies with all requirements, including applicable Federal statutes and regulations, that are in effect during the grant period. Requirements that also apply to subrecipients are noted under the applicable caption.]*

State: New Mexico

Fiscal Year: 2018

By submitting an application for Federal grant funds under 23 U.S.C. Chapter 4 or Section 1906, the State Highway Safety Office acknowledges and agrees to the following conditions and requirements. In my capacity as the Governor's Representative for Highway Safety, I hereby provide the following Certifications and Assurances:

**GENERAL REQUIREMENTS**

The State will comply with applicable statutes and regulations, including but not limited to:

- 23 U.S.C. Chapter 4—Highway Safety Act of 1966, as amended
- Sec. 1906, Public Law 109-59, as amended by Sec. 4011, Public Law 114-94
- 23 CFR part 1300—Uniform Procedures for State Highway Safety Grant Programs
- 2 CFR part 200—Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
- 2 CFR part 1201—Department of Transportation, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards

**INTERGOVERNMENTAL REVIEW OF FEDERAL PROGRAMS**

The State has submitted appropriate documentation for review to the single point of contact designated by the Governor to review Federal programs, as required by Executive Order 12372 (Intergovernmental Review of Federal Programs).

**FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT (FFATA)**

The State will comply with FFATA guidance, OMB Guidance on FFATA Subward and Executive Compensation Reporting, August 27, 2010, ([https://www.fsr.gov/documents/OMB\\_Guidance\\_on\\_FFATA\\_Subaward\\_and\\_Executive\\_Compensation\\_Reporting\\_08272010.pdf](https://www.fsr.gov/documents/OMB_Guidance_on_FFATA_Subaward_and_Executive_Compensation_Reporting_08272010.pdf)) by reporting to FSR.gov for each sub-grant awarded:

- Name of the entity receiving the award;
- Amount of the award;



- Information on the award including transaction type, funding agency, the North American Industry Classification System code or Catalog of Federal Domestic Assistance number (where applicable), program source;
- Location of the entity receiving the award and the primary location of performance under the award, including the city, State, congressional district, and country; and an award title descriptive of the purpose of each funding action;
- A unique identifier (DUNS);
- The names and total compensation of the five most highly compensated officers of the entity if:
  - (i) the entity in the preceding fiscal year received—
    - (I) 80 percent or more of its annual gross revenues in Federal awards;
    - (II) \$25,000,000 or more in annual gross revenues from Federal awards; and
  - (ii) the public does not have access to information about the compensation of the senior executives of the entity through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986;
- Other relevant information specified by OMB guidance.

### **NONDISCRIMINATION**

**(applies to subrecipients as well as States)**

The State highway safety agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination (“Federal Nondiscrimination Authorities”). These include but are not limited to:

- **Title VI of the Civil Rights Act of 1964** (42 U.S.C. 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin) and 49 CFR part 21;
- **The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970**, (42 U.S.C. 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- **Federal-Aid Highway Act of 1973**, (23 U.S.C. 324 *et seq.*), **and Title IX of the Education Amendments of 1972**, as amended (20 U.S.C. 1681-1683 and 1685-1686) (prohibit discrimination on the basis of sex);
- **Section 504 of the Rehabilitation Act of 1973**, (29 U.S.C. 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability) and 49 CFR part 27;
- **The Age Discrimination Act of 1975**, as amended, (42 U.S.C. 6101 *et seq.*), (prohibits discrimination on the basis of age);
- **The Civil Rights Restoration Act of 1987**, (Pub. L. 100-209), (broadens scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the Federal aid recipients, sub-recipients and contractors, whether such programs or activities are Federally-funded or not);
- **Titles II and III of the Americans with Disabilities Act** (42 U.S.C. 12131-12189) (prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain

- testing) and 49 CFR parts 37 and 38;
- **Executive Order 12898, Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations** (prevents discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations); and
- **Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency** (guards against Title VI national origin discrimination/discrimination because of limited English proficiency (LEP) by ensuring that funding recipients take reasonable steps to ensure that LEP persons have meaningful access to programs (70 FR 74087-74100)).

The State highway safety agency—

- Will take all measures necessary to ensure that no person in the United States shall, on the grounds of race, color, national origin, disability, sex, age, limited English proficiency, or membership in any other class protected by Federal Nondiscrimination Authorities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of its programs or activities, so long as any portion of the program is Federally-assisted.
- Will administer the program in a manner that reasonably ensures that any of its subrecipients, contractors, subcontractors, and consultants receiving Federal financial assistance under this program will comply with all requirements of the Non-Discrimination Authorities identified in this Assurance;
- Agrees to comply (and require any of its subrecipients, contractors, subcontractors, and consultants to comply) with all applicable provisions of law or regulation governing US DOT's or NHTSA's access to records, accounts, documents, information, facilities, and staff, and to cooperate and comply with any program or compliance reviews, and/or complaint investigations conducted by US DOT or NHTSA under any Federal Nondiscrimination Authority;
- Acknowledges that the United States has a right to seek judicial enforcement with regard to any matter arising under these Non-Discrimination Authorities and this Assurance;
- Insert in all contracts and funding agreements with other State or private entities the following clause:

“During the performance of this contract/funding agreement, the contractor/funding recipient agrees—

- To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;
- Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in appendix B of 49

CFR part 21 and herein;

- c. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State highway safety office, US DOT or NHTSA;
- d. That, in event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the State highway safety agency will have the right to impose such contract/agreement sanctions as it or NHTSA determine are appropriate, including but not limited to withholding payments to the contractor/funding recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and
- e. To insert this clause, including paragraphs a through e, in every subcontract and subagreement and in every solicitation for a subcontract or sub-agreement, that receives Federal funds under this program.

**THE DRUG-FREE WORKPLACE ACT OF 1988 (41 U.S.C. 8103)**

The State will provide a drug-free workplace by:

- a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- b. Establishing a drug-free awareness program to inform employees about:
  - o The dangers of drug abuse in the workplace.
  - o The grantee's policy of maintaining a drug-free workplace.
  - o Any available drug counseling, rehabilitation, and employee assistance programs.
  - o The penalties that may be imposed upon employees for drug violations occurring in the workplace.
  - o Making it a requirement that each employee engaged in the performance of the grant be given a copy of the statement required by paragraph (a).
- c. Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will—
  - o Abide by the terms of the statement.
  - o Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.
- d. Notifying the agency within ten days after receiving notice under subparagraph (c)(2) from an employee or otherwise receiving actual notice of such conviction.
- e. Taking one of the following actions, within 30 days of receiving notice under subparagraph (c)(2), with respect to any employee who is so convicted—
  - o Taking appropriate personnel action against such an employee, up to and including termination.
  - o Requiring such employee to participate satisfactorily in a drug abuse

- assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.
- f. Making a good faith effort to continue to maintain a drug-free workplace through implementation of all of the paragraphs above.

**POLITICAL ACTIVITY (HATCH ACT)**  
**(applies to subrecipients as well as States)**

The State will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

**CERTIFICATION REGARDING FEDERAL LOBBYING**  
**(applies to subrecipients as well as States)**

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

**RESTRICTION ON STATE LOBBYING**  
**(applies to subrecipients as well as States)**

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

### **CERTIFICATION REGARDING DEBARMENT AND SUSPENSION**

**(applies to subrecipients as well as States)**

#### Instructions for Primary Certification (States)

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1300.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.
4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms *covered transaction, debarment, suspension, ineligible, lower tier, participant, person, primary tier, principal, and voluntarily excluded*, as used in this clause, have the meaning set out in the Definitions and coverage sections of 2 CFR part 180. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart

9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by NHTSA.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1300.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the list of Parties Excluded from Federal Procurement and Non-procurement Programs.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, the department or agency may disallow costs, annul or terminate the transaction, issue a stop work order, debar or suspend you, or take other remedies as appropriate.

*Certification Regarding Debarment, Suspension, and Other Responsibility Matters—Primary Covered Transactions*

(1) The prospective primary participant certifies to the best of its knowledge and belief, that its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of record, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses

enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

#### Instructions for Lower Tier Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1300.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms *covered transaction, debarment, suspension, ineligible, lower tier, participant, person, primary tier, principal, and voluntarily excluded*, as used in this clause, have the meanings set out in the Definition and Coverage sections of 2 CFR part 180. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by NHTSA.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1300.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9,

subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the list of Parties Excluded from Federal Procurement and Non-procurement Programs.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, the department or agency with which this transaction originated may disallow costs, annul or terminate the transaction, issue a stop work order, debar or suspend you, or take other remedies as appropriate.

*Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions*

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

**BUY AMERICA ACT**

**(applies to subrecipients as well as States)**

The State and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase only steel, iron and manufactured products produced in the United States with Federal funds, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification to and approved by the Secretary of Transportation.

**PROHIBITION ON USING GRANT FUNDS TO CHECK FOR HELMET USAGE**

**(applies to subrecipients as well as States)**

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.



## **POLICY ON SEAT BELT USE**

In accordance with Executive Order 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, the Grantee is encouraged to adopt and enforce on-the-job seat belt use policies and programs for its employees when operating company-owned, rented, or personally-owned vehicles. The National Highway Traffic Safety Administration (NHTSA) is responsible for providing leadership and guidance in support of this Presidential initiative. For information on how to implement such a program, or statistics on the potential benefits and cost-savings to your company or organization, please visit NHTSA's Web site at *www.nhtsa.gov*. Additional resources are available from the Network of Employers for Traffic Safety (NETS), a public-private partnership headquartered in the Washington, DC metropolitan area, and dedicated to improving the traffic safety practices of employers and employees. NETS is prepared to provide technical assistance, a simple, user-friendly program kit, and an award for achieving the President's goal of 90 percent seat belt use. Visit its Web site at *www.trafficsafety.org*.

## **POLICY ON BANNING TEXT MESSAGING WHILE DRIVING**

In accordance with Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, and DOT Order 3902.10, Text Messaging While Driving, States are encouraged to adopt and enforce workplace safety policies to decrease crashes caused by distracted driving, including policies to ban text messaging while driving company-owned or -rented vehicles, Government-owned, leased or rented vehicles, or privately-owned when on official Government business or when performing any work on or behalf of the Government. States are also encouraged to conduct workplace safety initiatives in a manner commensurate with the size of the business, such as establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving, and education, awareness, and other outreach to employees about the safety risks associated with texting while driving.

## **SECTION 402 REQUIREMENTS**

1. To the best of my personal knowledge, the information submitted in the Highway Safety Plan in support of the State's application for a grant under 23 U.S.C. 402 is accurate and complete.
2. The Governor is the responsible official for the administration of the State highway safety program, by appointing a Governor's Representative for Highway Safety who shall be responsible for a State highway safety agency that has adequate powers and is suitably equipped and organized (as evidenced by appropriate oversight procedures governing such areas as procurement, financial administration, and the use, management, and disposition of equipment) to carry out the program. (23 U.S.C. 402(b)(1)(A))
3. The political subdivisions of this State are authorized, as part of the State highway safety program, to carry out within their jurisdictions local highway safety programs which have been approved by the Governor and are in accordance with the uniform guidelines promulgated by the Secretary of Transportation. (23 U.S.C. 402(b)(1)(B))
4. At least 40 percent of all Federal funds apportioned to this State under 23 U.S.C. 402 for this fiscal year will be expended by or for the benefit of political subdivisions of the State in

carrying out local highway safety programs (23 U.S.C. 402(b)(1)(C)) or 95 percent by and for the benefit of Indian tribes (23 U.S.C. 402(h)(2)), unless this requirement is waived in writing. (This provision is not applicable to the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.)

5. The State's highway safety program provides adequate and reasonable access for the safe and convenient movement of physically handicapped persons, including those in wheelchairs, across curbs constructed or replaced on or after July 1, 1976, at all pedestrian crosswalks. (23 U.S.C. 402(b)(1)(D))
6. The State will provide for an evidenced-based traffic safety enforcement program to prevent traffic violations, crashes, and crash fatalities and injuries in areas most at risk for such incidents. (23 U.S.C. 402(b)(1)(E))
7. The State will implement activities in support of national highway safety goals to reduce motor vehicle related fatalities that also reflect the primary data-related crash factors within the State, as identified by the State highway safety planning process, including:
  - Participation in the National high-visibility law enforcement mobilizations as identified annually in the NHTSA Communications Calendar, including not less than 3 mobilization campaigns in each fiscal year to—
    - Reduce alcohol-impaired or drug-impaired operation of motor vehicles; and
    - Increase use of seatbelts by occupants of motor vehicles;
  - Submission of information regarding mobilization participation into the HVE Database;
  - Sustained enforcement of statutes addressing impaired driving, occupant protection, and driving in excess of posted speed limits;
  - An annual Statewide seat belt use survey in accordance with 23 CFR part 1340 for the measurement of State seat belt use rates, except for the Secretary of Interior on behalf of Indian tribes;
  - Development of Statewide data systems to provide timely and effective data analysis to support allocation of highway safety resources;
  - Coordination of Highway Safety Plan, data collection, and information systems with the State strategic highway safety plan, as defined in 23 U.S.C. 148(a).
  - (23 U.S.C. 402(b)(1)(F))
8. The State will actively encourage all relevant law enforcement agencies in the State to follow the guidelines established for vehicular pursuits issued by the International Association of Chiefs of Police that are currently in effect. (23 U.S.C. 402(j))
9. The State will not expend Section 402 funds to carry out a program to purchase, operate, or maintain an automated traffic enforcement system. (23 U.S.C. 402(c)(4))
- 10.



*Agenda Item  
No. 4*

PO Box 48  
205 9<sup>th</sup> Street  
Estancia, NM 87016  
(505) 544-4700 Main Line (505) 384-5294 Fax  
[www.torrancecountynm.org](http://www.torrancecountynm.org)



County Commission  
Commissioner James "Jim" Frost, District 1  
Commissioner Julia DuCharme, District 2  
Commissioner Javier E. Sanchez, District 3  
**County Manager**  
Belinda Garland  
**Deputy County Manager**  
Annette Ortiz

**REQUEST TO BE PLACED ON THE TORRANCE COUNTY  
COMMISSION AGENDA**

This form must be returned to the County Manager's Office ONLY!

Deadline for inclusion of an item is WEDNESDAY, NOON prior to the subsequent meeting.  
All fields must be filled out for consideration.

Name: Javier Sanchez Commissioner  
First Last Department / Company / Organization Name

Today's Date: 9/27/17 Mailing Address: \_\_\_\_\_  
(Departments/employees of Torrance County need not include their address)

Telephone number/Extension: \_\_\_\_\_ Fax Number: \_\_\_\_\_  
Would you like this Agenda Faxed to you? Yes No

Email Address: \_\_\_\_\_

Is this request for the next Commission meeting?  YES  NO If no, date of Commission Meeting: \_\_\_\_\_

Brief explanation of business to be discussed:  
Mo. Dial interested in Selling / Leasing Hope Medical Building  
Potential Purchase of Real Estate owned by County.

Is this a Resolution , Contract, Agreement, Grant Application, Other? \_\_\_\_\_

Has this been reviewed by Grant Committee?  YES  NO If yes, corresponding paperwork must be attached.

Has this been reviewed by the County Attorney? YES NO

If this is a contract, MOU, or Joint Powers Agreement there must be a signature line for the County Attorney on the original contract.

Has this been reviewed by the Finance Dept?  YES  NO Comptroller Initials: \_\_\_\_\_

- No Impact
- Change in current fund
- Raise Budget (allow 45 days after Commission approval)
- Change in funds (allow 45 days after Commission approval)
- Reduction
- Transfer funds (allow 45 days after Commission approval)

**COPY**

Other: \_\_\_\_\_



*Agenda Item*  
*No. 5*

**67-5-4. [Discontinuance; procedure; viewers; county-line roads.]**

Whenever, in the opinion of the board of county commissioners of any county, any road or part of road then established and maintained as a public highway is not needed, or the repairs of the same are burdensome and in excess of the benefits therefrom, they may at a regular meeting appoint a board of commissioners of three freeholders of the county as viewers, to view such road or part of road, and make report thereof to the board of county commissioners at their next regular meeting, setting forth fully their finding, and if they recommend a discontinuance of such road or part of road, then the board of county commissioners may order the same vacated: provided, that if such road runs on the county line between two counties, the county commissioners of both the counties interested shall appoint viewers and the concurrence of the county commissioners of both counties shall be necessary to vacate it.

**History:** Laws 1905, ch. 124, § 3; Code 1915, § 2655; C.S. 1929, § 64-704; 1941 Comp., § 58-404; 1953 Comp., § 55-4-4.



*Agenda Item  
No. 6*



RESOLUTION \_\_\_\_\_

**Establishing the Solid Waste Management Fee as provided in Ordinance 94-12**

**WHEREAS**, the county of Torrance has entered into a contract for collection and billing of solid waste services for the residents of unincorporated Torrance County, with the Estancia Valley Solid Waste Authority; and,

**WHEREAS**, said contract with Estancia Valley Solid Waste Authority identifies costs associated with providing collection and billing of solid waste services to residents of unincorporated Torrance County; and,

**WHEREAS**, the Torrance County Board of Commissioners does levy the Solid Waste Management Fee enacted in Ordinance 94-12, to offset the costs of solid waste services for the citizens of unincorporated Torrance County; and,

**WHEREAS**, the Torrance County Board of Commissioners, upon revising solid waste ordinance 94-12; does wish to grant certain discounts of the solid waste management fee to residents of unincorporated Torrance County, by resolution;

**NOW THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Torrance County that the Solid Waste Management Fee will hereby be established at the base rate of \$19.21 plus tax per month per billable account, and so instructs the Estancia Valley Solid Waste Authority to proceed as contracted; and,

**NOW THEREFORE, BE IT FURTHER RESOLVED**, that the Board of County Commissioners instructs the Estancia Valley Solid Waste Authority to offer the following discounts to County residents who qualify:

1. Any responsible party, as herein defined, may make application to the Solid Waste Authority, on forms approved by said Authority, for a reduced monthly fee as set out above, and by furnishing to the Authority with said application proof that the responsible party is an individual that qualifies for Supplemental Nutrition Assistance Program (SNAP), according to the standard of need as set forth in Sections 27-2-3 and 27-2-4 NMSA 1978, as they currently exist or may hereafter be amended. Upon approval of the application, the solid waste management fee for any such responsible person shall be 50% (Fifty Per Cent) of the established solid waste management fee.



2. Any responsible party contracting with a private hauler franchised to collect and transport solid waste within the county shall be entitled to a reduction of the established county solid waste management fee. The reduced rate is hereby set \$6.40 per month, plus tax. Proof of contract with a private hauler shall be the responsibility of the property owner, and shall be submitted biannually. If it is determined that the contract with the private hauler has been terminated, the Estancia Valley Solid Waste Authority will change the billing for that property owner to the full amount.

**NOW THEREFORE BE IT STILL FURTHER RESOLVED that the Board of County Commissioners**

Further instructs the Estancia Valley Solid Waste Authority to waive the solid waste management fee to any responsible party owning or possessing a vacant residence, upon affidavit and verification that the residence is indeed vacant. Affidavit shall be the responsibility of the property owner, and shall be submitted biannually. Any property owner falsely certifying that a residence is vacant is in violation of the Solid Waste Ordinance, and is subject to penalties set forth in Section 16.A.

**PASSED, APPROVED AND ADOPTED** this 11<sup>th</sup> day of October, 2017.

**TORRANCE COUNTY COMMISSION**

---

Javier Sanchez, Chair

---

Jim Frost, Member

---

Julia DuCharme, Member

Attest:

---

Linda Jaramillo, Clerk of the Board



*PO Box 48 ~ 205 Ninth Street  
Estancia, NM 87016  
(505) 544-4700 (505) 384-5294 Fax  
[www. Torrancecountynm.org](http://www.Torrancecountynm.org)*

**Proposed Definition of "Vacant" for Ordinance 94-12, Solid Waste  
Ordinance Section 13.E.**

Vacant is defined as: When something is without content or occupant. A dwelling with furniture by no occupant is not considered vacant, it is unoccupied. The Code Enforcement Officer will verify the vacant status of the residence through legal means with permission from the home owner or an inspection order issued by the Court. Home owners or the party responsible for the property may appeal the Code Enforcement Officer's determination to the County Commission by submitting in writing on prescribed forms obtainable from the Zoning Director upon payment of the applicable fee. Appeals not submitted within 30 days after determination shall not be considered by the County Commission.



*Agenda Item  
No. 7*

PO Box 48  
205 9<sup>th</sup> Street  
Estancia, NM 87016  
(505) 544-4700 Main Line (505) 384-5294 Fax  
[www.torrancecountynm.org](http://www.torrancecountynm.org)



County Commission  
Commissioner James "Jim" Frost, District 1  
Commissioner Julia DuCharme, District 2  
Commissioner Javier E. Sanchez, District 3  
County Manager  
Belinda Garland  
Deputy County Manager  
Annette Ortiz

**REQUEST TO BE PLACED ON THE TORRANCE COUNTY  
COMMISSION AGENDA**

This form must be returned to the County Manager's Office ONLY!

Deadline for inclusion of an item is WEDNESDAY, NOON prior to the subsequent meeting.

All fields must be filled out for consideration.

Name: Belinda Garland Manager of Port  
First Last Department / Company / Organization Name

Today's Date: 9-26-17 Mailing Address: \_\_\_\_\_  
(Departments/employees of Torrance County need not include their address)

Telephone number/Extension: \_\_\_\_\_ Fax Number: \_\_\_\_\_  
Would you like this Agenda Faxed to you? Yes No

Email Address: \_\_\_\_\_

Is this request for the next Commission meeting?  YES  NO If no, date of Commission Meeting: \_\_\_\_\_

Brief explanation of business to be discussed:

Findings of Facts & Conclusions of Law for Dennis  
May Public Hearing

Is this a Resolution, Contract, Agreement, Grant Application, Other? \_\_\_\_\_

Has this been reviewed by Grant Committee?  YES  NO If yes, corresponding paperwork must be attached.

Has this been reviewed by the County Attorney? YES NO

If this is a contract, MOU, or Joint Powers Agreement there must be a signature line for the County Attorney on the original contract.

Has this been reviewed by the Finance Dept?  YES  NO Comptroller Initials: \_\_\_\_\_

- No Impact
- Change in current fund
- Raise Budget (allow 45 days after Commission approval)
- Change in funds (allow 45 days after Commission approval)
- Reduction
- Transfer funds (allow 45 days after Commission approval)

Other: \_\_\_\_\_

**TORRANCE COUNTY, NEW MEXICO  
BOARD OF COUNTY COMMISSIONERS**

The Board of County Commissioners, having heard testimony and considered evidence at its regular meeting on August 23, 2017 considered the decision of Torrance County Planning and Zoning determination that Dennis May exceeded the limitations of his Certificate of Non-Conforming Use for his property located at #4 Turner Ridge Rd. on multiple lots in Tract D of the Bella Vista Subdivision, and enter the following Findings of Fact and Conclusions of Law:

**FINDINGS OF FACT**

1. Mr. May's property is zoned "PL."
2. Mr. May's property contains more than twenty-five unregistered and/or inoperable vehicles.
3. Mr. May's property contains several unpermitted structures containing solid waste as that term is used in the Torrance County Solid Waste Ordinance.
4. Mr. May's property also contains solid waste that is kept outside of structures or containers on the property.
5. Neither the collection of unregistered vehicles, the unpermitted structures, nor the solid waste fall under any permissive or conditional use of PL zoning under the Torrance County Zoning Ordinance, Section 10.
6. Mr. May's property was subject to a valid Non-Conforming Use certificate issued in October, 1990.

7. The Non-Conforming Use certificate allowed Mr. May to continue to use his land in the manner in which it was used prior to April, 1990 regardless of whether that use would be permitted under the Zoning Ordinance.
8. Mr. May expanded his use of the land beyond the use protected by his Non-Conforming Use certificate by adding additional structures, adding additional vehicles, and accumulating additional solid waste since April 1990.
9. The Board of County Commissioners conducted a hearing on this matter on August 23, 2017 during which it permitted sworn testimony and cross-examination of witnesses both for and against Mr. May's requested determination.
10. The Board of County Commissioners considered the following prior to rendering its decision:

A. Whether a valid Certificate of Non-Conforming Use gives a landowner the rights to expand or extend their Non-Conforming Use of their property beyond the use that existed when such certificate was issued.

11. The testimony and written evidence left no dispute as to the original scope of the Non-Conforming Use certificate or the fact that Mr. May's use of the property had expanded beyond the usage that existed in April, 1990.

### **CONCLUSIONS OF LAW**

1. Section 20(D) of the Zoning Ordinance does not allow a landowner to extend the scope of a non-conforming use of their property beyond the scope that existed at the time that the Non-Conforming Use certificate was issued.
2. The decision of Torrance County Planning and Zoning is Affirmed.

Entered this \_\_\_\_ day of September, 2017.

Attest:

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
Chairman, Torrance County Commission

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner



*Agenda Item  
No. 8*





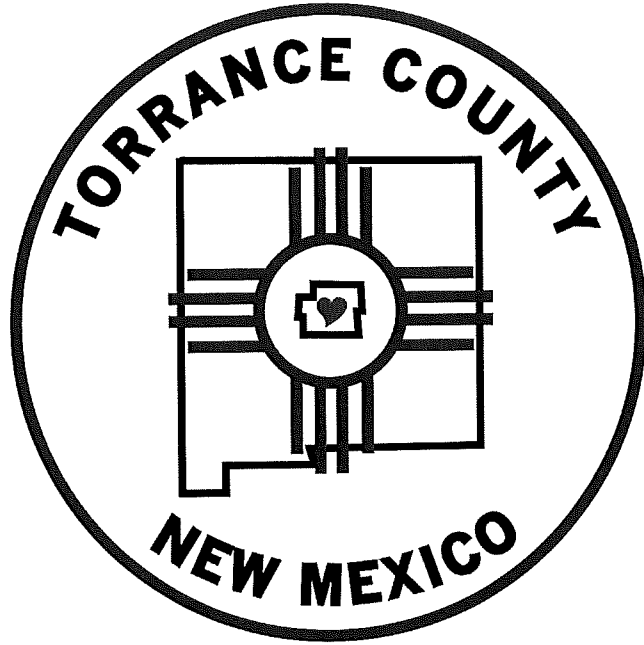
*Agenda Item*  
*No. 9*



*Agenda Item  
No. 10*



*Agenda Item  
No. 11*



# COUNTY MANAGER UPDATE