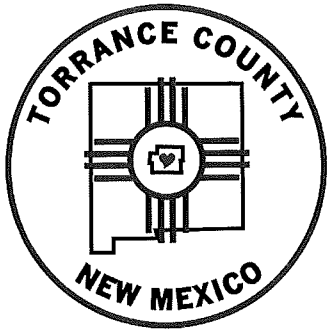


TORRANCE **C**OUNTY
COMMISSION MEETING
JANUARY 10TH, 2018
9:00 A.M.

FOR PUBLIC VIEW, DO NOT REMOVE



Torrance County Commission

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

AGENDA

January 10th, 2018

9:00 A.M.

Please Silence All Electronic Devices

Call Meeting to Order
Pledge of Allegiance
Invocation

Approval of Minutes: December 13th, 2017 Regular Meeting December 21st, 2017 Special Meeting

Approval of Meeting Agenda

Approval of Consent Agenda:

1. Approval of Warrants
2. Approval of Indigent Claims

ACTION ITEMS*:

ITEMS TO BE CONSIDERED AND ACTED UPON

***Commission Matters:**

1. Election of Commission Chair
2. Resolution 2018-03 Establishing County Policy Statute Compliance
3. Resolution 2018-04 Open Meetings
4. Solid Waste Discount(s) Resident Requests:
 - a. Low Income Senior(s) - Kay Stillion, Resident
 - b. Disabled Veteran – James Welch, Resident
 - c. Extension of Senior Discount – John McGrory, Resident
5. EVSWA Reform Conference
6. Follow-up on Road Department Workshop
7. Memorandum of Understanding between MRCOG & Torrance County
8. Award of RFP 2018-02 Teen Court Coordinator
 - a. Teen Court Coordinator Contract

***Presentation(s):**

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

*** Department Requests/Reports:**

10. Updates: a. Various County Departments b. Other Boards or Land Grants (upon request) c. Forest Service (upon request) d. Commission
11. FY2019 Local DWI Grant Application– Tracey Master, DWI Prevention
 - a. Resolution 2018-05
 - b. Statement of Assurances
 - c. Memorandum of Understanding
 - d. DOH Assurances and Cooperative Agreement

***County Manager Requests/Reports:**

12. Ratification of Copy Machine Contract(s)
13. Resolution 2018-02 Apply for Special Funding
14. Update

Public 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.

***Adjourn**



Minutes

Draft Copy
Torrance County Commission
Regular Meeting
December 13, 2017

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

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

Call to Order:

Chairman Sanchez calls the meeting to order at 9:05 AM, Leslie Olivas leads the Pledge of Allegiance and Linda Smith gave the Invocation.

Approval of Minutes:

Chairman Sanchez asks for a motion to approve the minutes from the December 13th meeting. **ACTION TAKEN:** Madam Commissioner DuCharme makes a motion to approve the December 13 2017 Regular Commission Meeting Minutes. Commissioner Frost 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:** Commissioner Frost 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 are none. No further discussion, all in favor. **MOTION CARRIED.**

*** Presentation(s):**

1. Vendor Demonstration on Solar Lighting on Traffic Signs-Gary Aragon

Mr. Aragon addresses the Commission with a concern about a couple of intersections off of Lexco road, Martinez & Lexco and Old Rt. 66 and Lexco. The visibility at these particular intersections are very bad, he would like to see lighting installed to help drivers see the stop signs. Mr. Aragon suggests solar lighting at the stop signs, he demonstrates to the Commission a solar light that is used to help with visibility. The particular solar light Mr. Aragon presented today to the Commission also had a camera which County Manager Garland asks about. She asked if the light could be purchased without the camera, the answer was, yes. Mr. Aragon is willing to allow the County to use one of the lights at the intersection of Lexco & Martinez for a period of time to see if this is something the County would like to purchase and install in the future. The price for the lighting alone is \$1080.00 with a 3yr warranty. There are different options for the pole that is used for the light that the County can decide will best suit their needs. Commissioner Frost mentions that there have been fatal car accidents in that area and feels that having the lighting can be very beneficial. He suggests a light without the camera.

Madam Commissioner DuCharme asks if these types of lighting are used anywhere else in NM. Mr. Aragon mentions that they are used in several places throughout the state, to help with lighting in parking lots as well at intersections. Madam Commissioner DuCharme asks about the battery life during cloudy days. Mr. Aragon mentions that the battery can last 3 days.

Commissioner Frost feels this is something the County should look into and try and budget monies at the next fiscal budget. He asks Leonard Lujan, Road Superintendent what he thinks about the lighting at the intersections. Mr. Lujan said it's a good idea, however he is worried that the lighting would not last long at some of these intersections. Some people may borrow them and not ever return them and then the County is out the money for the lighting. Mr. Aragon mentions again that he is willing to let the County use one of the lights he has, even if its just here in the parking lot to get the feel for the amount of lighting it puts out. The general consensus of the Commission is to revisit this during budget time.

They thank Mr. Aragon for his presentation today and they will keep in touch with him. **NO ACTION TAKEN, INFORMATION ONLY.**

***Department Request/Reports:**

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

a. Various County Departments

Leslie Olivas, Purchasing Director- she gives the Commission an update on some RFP's that the County currently has, the RFP for the Teen Court Coordinator is due by next Tuesday, December 19 at 3pm and the RFP's for Towing Vehicles will be published on the 21st for 2 consecutive weeks.

Jesse Lucero, Deputy Assessor- informs the Commission that the blue livestock forms have gone out and the Assessor's office will have satellite offices in communities to help people with the livestock forms and any other questions they may have about tax assessments. They will be in Encino on January 23, Corona on January 25, Mountainair on January 30, Moriarty on February 6, and in Edgewood on February 8. For all these locations the times will be from 9am to 2pm. Mr. Lucero also mentions that starting in the New Year the Assessor's office will be starting the reappraisal of Moriarty.

Steve Guetschow, P/Z Director- at the last P/Z meeting a Conditional Use Permit was issued for expansion for Patton met towers. They will be coming before Planning & Zoning and the Commission at the end of the first quarter in 2018 to renew their Special Use permit and give and update on their project. Also at this meeting the 2018 meeting schedule was approved for the first Wednesday of every month with the exception of July, that meeting will be held on Monday July 2.

Linda Jaramillo, County Clerk-would like to remind the Commission and those present at today's meeting that next year is an election year. On February 6, the Moriarty-Edgewood School District will have a special bond election. On March 6 the Municipalities will have their elections. March 13 is candidate filing day for the following offices; Sheriff, Assessor, Commission Districts 1 & 2, Probate Judge and Magistrate Judge. The following state offices are also up for reelection; Governor, Lt. Governor, Secretary of State, State Auditor, State Treasurer,

Attorney General, Commissioner of Public Lands, Judge of Court of Appeals, State Rep. for Districts 50 & 70 and Public Regulations Commissioner Districts 2 & 5. Ms. Jaramillo encourages everyone to participate in all these elections, your vote does count. She reminds people to get registered to vote and to exercise your right to vote. There are currently 9,463 registered voters in Torrance County, 3,241 are Democrats, 4,184 are Republican and 1,896 are declined to state. Ms. Jaramillo states that there is a lot of work put into ensuring that all 9,463 voters are given the opportunity to cast their vote.

Nick Sedillo, Risk Manager/Safety Officer- the County has just completed year 10 of the NMAC Risk Awareness Program (RAP). This year was a bit challenging for the County we only met one of our four goals which means the County's Workers Comp., Auto & Law Enforcement liability premiums will go up. This will cost the County more money unfortunately. The safety Committee will come up with new goals for the County in the New Year and we will start on RAP year 11 once we get all the material from the Assoc. of Counties.

Andy Miller, EVSWA Manager- on December 1 the authority mailed out 1,100 letters and the phones have been nonstop. The letter details the reason that some people may not be receiving a discount on their bills. Mr. Miller goes over some numbers; 65+ discount there were 439 letters sent out, 286 have responded 8 have qualified. Low income discount there were 250 letters sent out and Mr. Miller does not have a good number on any of these. For the exempt discounts there was 460 letters sent out, 75 have responded and given the discount. Madam Commissioner DuCharme asks what people are saying when they call in, Mr. Miller states that there has been various things stated but his staff have been able to answer all questions that they have received and have informed the customers the reason for the change in the discounts. County Manager Garland thanks Andy and his staff for his assistance with getting the letters out and mentions that the manager's office has also been receiving the same calls. She encourages the elderly customers to apply for LIHEAP, which helps with a one-time payment for their heating utility. Once they qualify for this assistance they will receive the discount with solid waste. Madam Commissioner DuCharme states that since Mr. Miller has started as the Manager of EVSWA he has worked hard on building customer relations and apologizes for the decision that Commission has made to hurt that relationship. Mr. Miller thanks Madam Commissioner DuCharme for the compliment but feels the Commission has made

the right decision. Mr. Miller is asked if he could stay for agenda item #9, Mr. Miller said he can but has a meeting at 10 he has to attend. Madam Commissioner DuCharme asks the Commission if they can move item #9 up on the agenda after department updates. The Commission agrees to this.

d. Commission

District 1: Commissioner Frost states that he attended an EVEDA meeting, which the EVEDA board is made up of local representation and we discuss what is going on in our communities. During this discussion the EMWT water station in McIntosh was brought up as well as Myra meeting with Rep. McQueen in regards to acequias in Torreon. These projects are on ICIP's in the County, either on the County's or by EMWT as well as other government entities that support EMWT water station. Commissioner Frost asks Myra to come to the podium to go over her discussion with Rep. McQueen. Myra Pancrazio-EVEDA director, informs the Commission that her meeting with Rep. McQueen was very informative, he outlined the process for additional funding for acequias projects. Rep. McQueen mentioned that the Acequias Assoc. works very closely with land grants to get funding for their acequias and recommends that Torreon should look into this to get funding for their project instead of going through the County. The Acequias Assoc. funding is direct funding, there is no competing with other projects on ICIP's lists, it goes straight where the funding is needed.

District 2: Madam Commissioner DuCharme wishes everyone a Merry Christmas & Happy New Year, there are miracles happening and the employees and volunteers at Bethel work year round to make sure these miracles happen. Madam Commissioner DuCharme asks Linda Smith to come to the podium and give an update on Bethel. Linda Smith-Bethel director, informs the Commission that Bethel served 798 families last month for the Thanksgiving holiday and expect to do the same or more this month for Christmas. She estimates that Bethel will have served over 22,000 people in the year. Only low income families are served through Bethel, every month they serve 1800 people that's a lot of food and volunteer time. They are still doing their holiday food drive, new toys & full stockings for children. Bethel serves 3 different counties, Southern Santa Fe, Eastern Bernalillo & Torrance County. The majority of their help does go to people in Torrance County. Ms. Smith mentions that they do work with different agencies to help Senior Citizens with some of their needs. The Commission thanks Ms. Smith for all her work in our Community.

***Commission Matters:**

9. Address the Commission in Regards to the Solid Waste Fees; Would Like to Request VA Benefits Recipients Receive Solid Waste Discount- Edward McCracken, Resident

Mr. Edward McCracken comes today to ask the Commission to think about giving disabled veterans a discount for solid waste fees. Mr. McCracken is a 50 % disabled vet and was affected by the change.

County Manager Garland mentions that she did do some research on VA benefits and those benefits are not considered to be public assistance. When the County was working on the discounts they went by what is state statute to be considered discounts and disabled veterans is not one of them. Madam Commissioner DuCharme asks if some of these people that are disabled veterans are already receiving the discounts it shouldn't cost the County more. County Manager Garland stats that it could cost the County more money because not all disabled veterans are over the age of 65, the Commission could tie the discount to over 65 for disabled vets.

Betty Cabber-Assessor tells the Commission that her office only applies the tax exemption for 100% disabled veterans on the tax rolls. She can get the Commission numbers for number of disabled veterans' exemptions this way the Commission will know how many could receive a discount with solid waste.

Michael Godey-resident cautions the Commission on defining age for disabled vets, people with disabilities will get upset.

Andy Miller-EVSWA Manager does not have any numbers for this year but can speak of the numbers from last year. The cost to the County last year was \$3,500.00 in discounts. Mr. Miller reiterates that the authority will do whatever the County decides is best.

County Manager Garland suggests that the Commission look over the numbers at the 1st of the year and then make any changes to the resolution at that time to include VA discounts if they feel that's the direction they want to go. The authority has spent a lot of money on sending out letters so would like the Commission to wait for the 1st of the year since the change will take place January 1 for the new quarter.

Chairman Sanchez feels that a step was skipped, the Commission needs to engage with the public and inform them that there was not an increase of price but that there was an error in management.

Myra Pancrazio-resident states that she is a wife and mother of a veteran and age has nothing to do with your disability, she also cautions the Commission on age defining with this discount if they chose to move forward with this.

Johnny Romero-resident tells the Commission that he is confused with the discounts and who qualifies for them. His parents received the discount and now they are not. County Manager Garland states that his parents should have received a letter that detailed all the discounts and those that will qualify.

Madam Commissioner DuCharme asks if the Commission is willing to look into Mr. McCracken's request, Commissioner Frost states that he is but reminds the Commission that no matter the decision there will always be reactions on whatever we decide. Chairman Sanchez agrees with Commissioner Frost and that is why he feels that engaging the public will help them with understanding what exactly is taking place.

Janet Douglas-resident states that she did not receive a letter from the EVSWA because she is an Estancia resident but she was aware of the change. People will always say they didn't know but it's the ignorance of the people, people feel entitled to everything.

Danielle Johnston-resident would like the Commission to be aware of the quality of service that has improved throughout the County, the roads are improved, the waste service has improved and the Planning & Zoning enforcement has improved. Its part of growing and taking care of the County, if we become complacent things could deteriorate.

Chairman Sanchez directs County Manager Garland to do more research on disabled veterans discounts **ACTION TAKEN:** Chairman Sanchez makes a motion to have County Manager Garland do research for Disabled Veterans discounts. Madam Commissioner DuCharme seconds the motion. No further discussion, Commission votes 2 in favor, Commissioner Frost against. **MOTION CARRIED.**

4. FY2017 DWI Program Report for DFA-Tracey Master, DWI Prevention Coordinator

Ms. Master presents the Commission with the DWI program report for 2017. The report had three different objectives: Objective 1 Keep a Clear Mind the rationale for use of this by Torrance County's DWI program was to change the attitudes among our youth and reduce DWI tomorrow. Objective 2 Protecting you, Protecting me was chosen due to it being an evidence-based program that also works to reframe attitudes and teach good behavior regarding alcohol to youth. Objective 3 Alcohol-free and or educational events and presentations was offered

to youths in Torrance County to see that alcohol isn't a necessity at every function where they anticipate having a good time. There were pre & post testing done with the youth that showed an excellent change in the desired direction. Some of the questions asked on the test were, do you think you can be hurt by use of alcohol, tobacco and marijuana and if they believed if they would use those substances when they reached their teenage years. Ms. Master informs the Commission that even with a decrease in the budget, TNT (Teen Needs Teen) had 109 students utilize the program. Report hereto attached. **INFORMATION ONLY, NO ACTION TAKEN.**

5. Assessor's Office Request to Re-Classify all Appraiser/Re-Appraisal Clerk Positions- Jesse Lucero, Deputy Clerk

Mr. Jesse Lucero introduces the certified appraisers from his office, Nick Sedillo, Bill Holt, Crystal Garcia-Salas and Steve Sasnow. The four of them cover the entire county, each of them have worked very hard to become certified appraisers. The classes they take are a semester's worth of schooling in 4 days. Deputy Assessor leads the Commission in a round of applause for these individuals. With Greg Richard retiring the Assessor's office has a vacant appraiser's position available, which brings Mr. Lucero to the Commission today to request the re-classification in the Assessor's office. This will not change or create a new position but re-classifies some positions. With the re-classification it gives room for other staff members to move up on the ranks within the office. Flyer hereto attached.

ACTION TAKEN: Commissioner Frost makes a motion to approve the Re-classification of all Appraiser/Re-Appraisal Clerk Positions in the Assessor's office. Chairman Sanchez seconds the motion. Madam Commissioner DuCharme asks for clarification on the language of re-classify versus restructure. County Manager Garland explains that to re-classify these positions the pay will stay at the current rate for the vacant positions which can increase pay amount for other employees in the office that choose to advance up. Madam Commissioner DuCharme asks if these jobs have job descriptions, Mr. Lucero is working on them. No further discussion, all in favor. **MOTION CARRIED.**

6. Fire Department Job Specifications, Review & Approval

Chief Gary presents the Commission with the County Fire Department's organizational chart as well as job specifications. They are for Assistant Chief of Operations, Safety Officer, Assistant Chief of Support Services, EMS Coordinator,

Training Coordinator and Wildland Coordinator. This will help with rank structure and organizations of the departments.

County Manager Garland asks if the probation period can be 6 months to keep unified with the rest of the County positions.

Chairman Sanchez states that this is much needed in the departments.

Madam Commissioner DuCharme agrees with Chairman Sanchez. She asks Chief Gary for clarification on a few of the job specifications, there is a Safety Officer and in the job description of the Assistant Chief of Operations it states in there that they would be the Safety Officer.

Chief Gary explains that everyone will help cover different jobs throughout the departments, this ensures that if someone is unable to attend a fire someone else can jump into that roll and help cover those duties. Documentation hereto attached. **ACTION TAKEN:** Commissioner Frost makes a motion to the Fire Department Job Specifications. Chairman Sanchez seconds the motion. No further discussion, all in favor. **MOTION CARRIED.**

7. Resolution 2017-60 Budget Increase-Amanda Tenorio, Finance

Director

Ms. Leslie Olivas presents this resolution for Ms. Tenorio, this resolution is for a budget increase. Resolution hereto attached. **ACTION TAKEN:** Chairman Sanchez makes a motion to approve Resolution 2017-60 Budget Increase. Madam Commissioner DuCharme seconds the motion. No further discussion, all in favor. **MOTION CARRIED.**

8. Resolution 2017-61 Line Item Transfer-Amanda Tenorio, Finance

Director

Ms. Olivas presents the Commission with Resolution 2017-61 for Line item transfers. This does not change the overall budget, they are just transferring from line item to another. Resolution hereto attached. **ACTION TAKEN:** Chairman Sanchez makes a motion to approve Resolution 2017-61 Line Item Transfer. Commissioner Frost seconds the motion. Madam Commissioner DuCharme asks about the transfer in the road department funds road material to communications. Ms. Olivas states that they did not have enough in their budget to cover costs to fix their radios. **MOTION CARRIED.**

***Commission Matters:**

10. 2018 Commission Meeting Schedule

Ms. Annette Ortiz presents the Commission with the 2018 Commission meeting schedule. Documentation hereto attached. **ACTION TAKEN:** Commissioner Frost makes a motion to approve the 2018 Commission Meeting Schedule. Chairman Sanchez seconds the motion. No further discussion, all in favor. **MOTION CARRIED.**

11. 2018 Holiday Closure Schedule

Ms. Ortiz presents the Holiday Closure Schedule for 2018. Ms. Ortiz mentions that the County will observe Veterans Day on Monday November 12, 2018 due to the Holiday falling on a Friday. Documentation hereto attached. **ACTION TAKEN:** Chairman Sanchez makes a motion to approve the 2018 Holiday Closure Schedule. Commissioner Frost seconds the motion. No further discussion, all in favor. **MOTION CARRIED.**

12. Letter to Applicants for Special Projects

Chairman Sanchez requested this item be placed on the agenda, he feels that letters should be sent out to the applicants that took the time to present the Commission with their projects. The letter will give an update on the status of their projects and when the next funding cycle will be. The Commission has not approved them nor have we declined them either, this way the applicants know that we haven't forgotten their projects.

Ms. Annette Ortiz asks for direction on what exactly needs to be put in the letter, does the letter need to say the funding for the projects is put on hold or that they need to resubmit/reapply at the next funding cycle.

County Manager Garland mentions that the Commission will be having a Special Meeting next week and the Commission can decide at that point what exactly needs to be done with these projects, the Commission has not set a time line. So we need to know if the Commission wants to place these projects on hold or does the Commission want applicants to reapply and even submit new projects. We can put this on the next agenda for the Commission to decide what direction to go with these projects and then we can get letters out to all the applicants. Documentation hereto attached. **ACTION TAKEN:** Chairman Sanchez makes a

motion to table the Letter to Applicants for Special Projects. Madam Commissioner DuCharme seconds the motion. No further discussion, all in favor.
ITEM TABLED.

13. Schedule a Workshop to Review & Develop Road Plan

Chairman Sanchez would like to schedule a workshop in the New Year to create a "Review & Develop road plan. He would want to involve key stakeholders from throughout the County in this plan. It would be professional and strategic and something for future administration to use and continue to work on as times & things may change.

Madam Commissioner DuCharme comments that the public can come and voice their concerns.

Chairman Sanchez would like this workshop to be more of a professional workshop with good input and thoughts. Not one with complaints.

Commissioner Frost states that his thoughts are that we have several departments that know a lot about their departments. So are we going to have workshops for all the other departments we have in the County. The road department is no different, they know what their budget is and they know what materials work better on roads. They know everything it takes to run their department and to maintain roads.

Chairman Sanchez suggests having a small committee to include the County Manager, a Commissioner and the Road foreman to meet and design something to bring back to the Commission.

Madam Commissioner DuCharme states that her constituent's #1 concern is the roads, so she feels that this is a good direction to go in, we need to improve our roads.

Johnny Romero-resident thinks this a good idea, we have a big County and there should be public input, have someone from each district be part of the committee that is knowledgeable about roads. Even if their part is to give helpful suggestions, not to tell the road department how to do their job.

Michael Godey-resident comments that adoption of private roads is a problem in this County. The County needs to figure out funding for the roads it currently has. The Commission's main job is to ensure Safety, Infrastructure and Education.

Charlene Guffey-resident states that the county roads are an infrastructure project and the County needs to develop a 5 to 10 year plan for the roads with funding from the wind farm money. The workshop is a good idea but she feels that the Commission should limit the people that are involved.

Madam Commissioner DuCharme asks Chairman Sanchez what is the reason for the proposed plan, is it to address specific roads or was it for general road issues. Chairman Sanchez answered that it was more for general purposes and he agrees with Ms. Guffey the County should allocate some of the wind farm money for the roads.

Leonard Lujan-Road Foreman states that the 1st thing that needs to happen is to figure out where the money is going to come from. We just got new blades and we are getting a lot of thanks out in the County for the work being done. But people don't want graveled roads or chip sealed roads they want paved roads and that is expensive.

County Manager Garland mentions that we have gone over road issues several times and the road department is going back to the way they use to maintain roads.

Steve Guetschow-P/Z Director states that Leonard does an excellent job on the roads and does a great job with the money he has in his budget.

Commissioner Frost mentions that there was a time that we asked about raising taxes to help with the roads but apparently we are already at the highest we can be. We have also asked the voters and they have voted it down.

Annette Ortiz-Deputy County Manager states that she is hearing 3 different things here today, Chairman Sanchez wants a workshop, Madam Commissioner DuCharme wants maintenance and Commissioner Frost wants to leave well enough alone. Yes a workshop to develop a plan is a good idea but Ms. Ortiz feels that the public does not necessarily need to be involved. **ACTION TAKEN:** Chairman Sanchez makes a motion to task the Managers office to set up a preliminary meeting to include the Road department, County Manager and Chairman Sanchez to design the workshop. Madam Commissioner DuCharme seconds the motion. No further discussion, all in favor. **MOTION CARRIED.**

14. Request Approval of the Voting Membership for the Partnership for a Healthy Torrance

Ms. Tracey Master-DWI Prevention Coordinator, presents the Commission with the Partnership for a Healthy Torrance County voting member list. As a formality she is asking for approval of the voting members. The County does not fund this partnership, it is state funded and the Memorial for Perpetual Tears is the fiscal agent however this partnership does serve as the planning council for the DWI prevention program and for that reason is why we ask for approval from the County. Documentation hereto attached. **ACTION TAKEN:** Chairman Sanchez makes a motion to approve the Voting Membership for Partnership for a Healthy Torrance Community. Commissioner Frost seconds the motion. Madam Commissioner DuCharme asks how long the term is for the board members and how are the vacancy on the board announced. Tracey answers that the term is for 2 years and they are staggered terms. The advertising for the positions is done on social media and on the radio. No further discussion, all in favor. **MOTION CARRIED.**

***County Manager Requests/Reports:**

15. Ratification of 2018 Health Insurance Contract with Presbyterian

County Manager Garland informs the Commission that on December 7 there was in employee enrollment. The County received quotes from Presbyterian and BCBS. Cigna and United Health Care declined giving the County a quote. Presbyterian was lower than BCBS so the County chose to stay with Presbyterian. There will be a 29% increase cost for insurance with Presbyterian so Belinda states the County will do a little bit of research on medical next year. Contract hereto attached. **ACTION TAKEN:** Chairman Sanchez makes a motion to Ratify the 2018 Health Insurance Contract with Presbyterian. Madam Commissioner DuCharme seconds the motion. No further discussion, all in favor. **MOTION CARRIED.**

16. Request to Fund Two Transport Deputies

County Manager Garland comes before the Commission to request 2 additional transport deputies due to our prisoners being housed at the Santa Fe County

detention facility. She also presents the Commission with some numbers for overtime for that we are currently paying our transport deputies. As well as a letter from NMSP stating that they will no longer be transporting out of County. She mentions to the Commission that with the numbers given today, she wants to clarify that the initial cost for equipping the transport deputies is high due to getting uniforms and vehicles equipped. For the 1st six months the cost will be \$195,565.00 for transport deputies. She also informs the Commission that we are not providing security at the courts that we are required to do statutorily due to transport issues. \$520,000.00 dollars has been transferred from the general fund to the jail fund and she is requesting that \$200,000.00 cover the transport deputies. County Manager Garland explains that if CoreCivic were to open again these transport deputies will have the option to attend the law enforcement academy and become Sheriff's deputies. Documentation hereto attached.

ACTION TAKEN: Commissioner Frost makes a motion to approve funding for two transport deputies. Madam Commissioner DuCharme seconds the motion. Madam Commissioner DuCharme comments about the price comparison between the 6 months and year cost for the transport deputies, she can see that the 1 year cost is more beneficial for the County.

Betty Cabber-Assessor reminds the Commission that the 30 day Legislative session will be starting soon & encourages everyone to be active & to keep in contact with our Legislature's and Senator's. This can be a time that the County can ask for additional funding to help with additional costs the County is incurring due to the facility closing. She will be keeping in contact with County Manager Garland on the NMAC priorities & bring any information back to the Commission. Chairman Sanchez reiterates that no PILT monies will be used to help with the additional cost for this. No further discussion, all in favor. **MOTION CARRIED.**

17. Update

County Manager Garland reads her manager report:

The HR director interviews have been conducted, the Architect has brought in the draft designs for the new Counters for the County offices, interviews for the Road Dept. Executive Assistant have been done, on the 29th of November a meeting for ADA compliance was held & learned a lot of interesting ADA compliance issues that need to be addressed. Attended a MRCOG meeting, had in investment

committee meeting. Managers update hereto attached. **NO ACTION TAKEN, INFORMATION ONLY.**

Recess meeting at 12:40 PM

Reconvened at 1:12 PM

2. 1:00 P.M. Presentation on Proposed Land Exchange between State Land Office & BLM-Chris McNiel, NM State Land Office

Ms. Melanie Barns-Deputy State Director with the BLM office, she gives a brief introduction of the land exchange between the BLM office and the State Land Office. The exchange will consolidate federal lands in the Rio Grande Del Norte National Monument & Sabinoso Wilderness. October 4, 2017 was the initial start date of this exchange, the purposed exchange will be equal value as determined by appraisals, and the approximate amounts are as follows: 43,000 acres of NM State Trust Land & 70,500 acres of Federal lands (BLM). Ms. Barns explains that the exchange will enhance the NM State Land office economic development but will increase the price of grazing rights to ranchers. She also goes over the land exchange process overview, 1st Feasibility Report, 2nd Agreement to initiate, 3rd Notice of Exchange Proposal, 4th NEPA Analysis & 5th Notice of Decision. Right now they are at stage 3 Notice of Exchange Proposal. At this stage there is a comment period, the public has until December 15 to make any kind of comment on this exchange.

Ms. Laura Riley-Director with NM State Land office informs the Commission that there is land in Torrance County that will be affected by this. The land is mostly north of the Salt Lakes, which includes lands that are leased to the Wyre Ranch and by Kyle Sharp. She informs the Commission and those present that the BLM website has all the detailed information on this exchange. Mr. Riley gives a brief history on this process, this has been in the works since 2015 and the agreement was finally signed in October of this year. She does mention that the price of grazing will go up for those ranchers, the price for grazing on BLM lands is \$1.87 AUM versus \$6.15 AUM for land on State Land Trust. All ranchers and stake holders have been notified about the exchange and there has been no negative feedback. Ms. Barnes does inform the Commission that there will be a loss of 5% of revenue through the PILT monies the County receives with this exchange. There will be approximately 8,254 acres in Torrance County that will be affected in the exchange. But she informs the Commission that there is room for more wind towers to put up.

Ms. Barnes also goes over the right of way holder's options: 1. Maintain right of way under current terms & conditions including expiration date 2. Negotiate an easement with the NMSLO that would become effective at the time of patent issuance 3. Submit an application to the BLM to amend the right of way or portions thereof to a perpetual term & make a one-time payment of rental to the BLM 4. Submit an application to the BLM to amend the right of way or portions thereof to a perpetual easement & make a one-time payment rental payment to the BLM. The right of way holders have 60 days from the date of notification to respond. She also goes over the grazing rights, the MOU between the NMSLO & BLM should not interfere with ranching operations. Letters have been sent out to permittees/lessees in early November in regard to obtaining agricultural leases. Commissioner Frost states that the ranchers will be the main one affected by this exchange because of the price of grazing rights. Ms. Riley states that yes, the price will go up on grazing but the ranchers will have more control over public access to the lands, they will have to open up during hunting seasons.

Michael Godey-resident asks about the possibilities of economic growth, is there an idea of how much economic growth there will be. Ms. Riley answers that they have just started the process and have not been able to visit all of the 70,500 acres to determine that.

Betty Cabber-Assessor asks if there is any land in the Lucia project for the wind towers. Ms. Riley stated that not as of yet but it's an ongoing process. All documentation hereto attached. **NO ACTION TAKEN, INFORMATION ONLY.**

Adjourn

ACTION TAKEN: Chairman Sanchez makes a motion to adjourn the December 13, 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 1:50 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.

DRAFT COPY
Torrance County Board of Commissioners
Regular Commission Meeting
December 21, 2017

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

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

Call Meeting to order -

Chairman Sanchez: Calls the December 21, 2017 special commission meeting to order at 3:01PM
Pledge lead by Linda Jaramillo
Invocation lead by Annette Ortiz

Approval of Meeting agenda:

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

Approval of Consent agenda:

1. Approval of Checks
Commissioner Frost: Moves to approve consent agenda
Chairman Sanchez: Seconds the motion
Commissioner DuCharme abstains from the vote did not review.
2 in favor: MOTION CARRIED

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

***Department Requests/Reports:**

1. Updates:

a. Various County Departments

Steve Guetschow – Planning and Zoning: Linda Jaramillo and Steve attended the Estancia Basin Water Committee Meeting on Tuesday December 19th. John L Jones will be stepping down as chair and will be leaving Entramosa Water Company. Jack Crider will be taking Johns place at Entramosa Water Company. Lori Harris is the new appointee to the board for Bernalillo County. Art Swanker reported, they have all the project proposals for 2018. FIMA money for forest restoration projects for the Soil and Water Conservation Districts will amount to \$136,000. The Next Committee meeting will be February 8th in Moriarty. The Meetings are public.

d. Commission

Commissioner DuCharme: Commissioner DuCharme attended Mid Region Council of Governments workshop Friday December 15th. Mr. Manuel Romero Town of Estancia Trustee, brought attention to how Estancia is hurting since the prison closure. Commissioner DuCharme asked Mr. Cave Executive Director of MRCOG, what kind of assistance MRCOG can provide to the Town of Estancia and Torrance County. Mr. Cave promised to look into this issue. They have a road show where they go to different counties providing information as to what services/resources MRCOG has to offer, including job fairs.

2. Contract between Torrance County Clerk and Sound & Signal for Fire Alarm System for Voting Machine Storage Building

Linda Jaramillo – County Clerk: Torrance County Clerk is requesting funding because she does not have it in her budget, for fire alarm system in the amount of \$5,320.39 quote provided in meeting packet from Sound & Signal Systems of New Mexico, Inc. Nick Sedillo brought to Linda's attention that there is no fire protection in the building that the voting machines are stored. The building contains 24 machines, ballot boxes and printers which are worth approximately \$126,000 not including the building itself.

Belinda Garland – County Manger: Where will the alarm be heard?

Linda Jaramillo – County Clerk: It will be the same as the Administrative building. The building is located behind the Administrative building in the fenced in area with the Road Department.

Belinda Garland – County Manger: The Association of Counties did a survey of all of the County Buildings and Equipment. Did this show on the report as something we were lacking in?

Linda Jaramillo – County Clerk: I never thought of this because I have a security system with Sound and Signal that alerts the police if there is a break in. I thought that was all the necessary protection needed for the voting machines that belong to the Secretary of State. I have temperature control but had not thought of a fire alarm until Nick Sedillo brought this to my attention.

Belinda Garland – County Manger: If they belong to the Secretary of State, Are they insured by the Secretary of State?

Annette Ortiz – Deputy County Manager: We send an insurance certificate to the Secretary of State. We have an insurance pool we use and need to talk about adding the machines. Is the quote for the equipment and install, will it cover monitoring?

Linda Jaramillo – County Clerk: The quote is for the whole thing.

Commissioner Frost: Who gets notified?

Annette Ortiz – Deputy County Manager: The Alarm goes to dispatch, Sound and Signal will get notification and will dispatch Fire Department.

Commissioner Frost: Does that amount of money require bids?

Annette Ortiz – Deputy County Manager: No, Sound and Signal is on a state contract.

Linda Jaramillo – County Clerk: I pay a monthly fee to sound and Signal for monitoring, not sure if the amount will increase, can pay out of my budget, if it does.

Annette Ortiz – Deputy County Manager: One year of office monitoring is \$540.00. How do other counties house there machines, do they have the same issues?

Linda Jaramillo – County Clerk: Some counties don't house their machines in an environment as secure are ours. I will talk to the Secretary of State and explain situation.

Chairman Sanchez: Makes motion to table item #2 till more information is gathered.

Commissioner Frost: Seconds the motion

All in favor: MOTION CARRIED

*Commission Matters:

3. Review and Act on a Resolution Authorizing the Execution of Certain Documents Relating to the Release of Excess Land, the Addition of Omitted Land and the proposed Amendment of Indenture and Lease, and Sublease from El Cabo to Torrance County Relating to Torrance County, New Mexico Taxable Industrial Revenue Bonds (El Cabo Wind Project), Series 2015.

a. Resolution 2017-062

Ruth Schifani – Attorney for El Cabo Wind Project: An industrial revenue bond Ordinance was adopted in 2014, allowing the issuance of these bonds. The Bonds were issued to help support allowing some tax incentive for the construction of the wind farm, El Cabo is almost complete. El Cabo had a number of ground leases for the land they wanted to build this project. El Cabo assigned the leases to the county in 2015 and the county subleases all the land back to El Cabo to build the wind farm which is the traditional IRB structure. El Cabo now knows the exact footprint of their property. We are asking to amend the legal descriptions on the documents so they reflect what's on the ground, allowing some excess land to be released and add the missing pieces of land that need to be included. The 5 documents we are asking to authorize: 1. Partial termination, terminating land outside of the black line (map provided in meeting packet). 2. The second amended bill of sale and rescission agreement and assignment of ground leases. This document explains, back in 2016 we rescinded the assignment and subleased the property. 3. Amended and restated sublease agreement. In this, we are correcting the legal description. 4. Second amendment to indenture and lease agreement. 5. Amended and restated acknowledgment. This document states, what we have done here does not do anything to the lease and indenture except clarify the legal description. El Cabo needs this in order to have the project completely defined.

Commissioner Frost: Do the land owners know about these changes?

Ruth Schifani – Attorney for El Cabo Wind Project: They are aware of what land will be in the project and out of the project. They are not aware of the intricacies of the IRB. I am unaware of any opposition.

Dennis Wallin – County Attorney: If you are familiar with the concept of as built drawings. During the course of a construction project the contractor will make notations on the specifications on the drawing, at the end of the project they give the specifications to the land owner. Initially El Cabo took more land than they needed. As they scoped this project and further defined the land. We are finally getting the documentation down to a description as to what is in the project. This is important because phase II needs clear definition. El Cabo has sent copies of the documents any time there has been a change.

Commissioner Frost: In order to finish the IRB's we need to pass this?

Dennis Wallin – County Attorney: That is correct

Ruth Schifani – Attorney for El Cabo Wind Project: The land that is excess land goes back on the tax rolls until there is another request.

Dennis Wallin – County Attorney: The county Assessor asked me, if any of the wind towers are impacted by any of these changes? They need to know for assessment purposes.

Ruth Schifani – Attorney for El Cabo Wind Project: The wind towers that are in place will stay in place. The issues we have are related to the transmission line. Some of this is state leased land and El Cabo got the bid, an error was made that had to do with the maps showing the land description one way and GPS showing it another. We are working to see what the best legal description is to make sure everyone knows the 40 acers of land on the transmission line is part of the project. I propose if the balance of this is okay, if the legal description for the 40 acers changes, that I be allowed to show it to Dennis and we be allowed to substitute so we have a legal description that is consistent with the state land office. We will get this approved, signed and Dennis or I will hold until we know that state land office has the correct legal description.

Commissioner Frost: Moves to pass Resolution 2017-062

Chairman Sanchez: Seconds the motion

All in favor: MOTION CARRIED

4. Request Review & Approval of Safety Net Care Pool Agreement

Belinda Garland – County Manger: The County is requires to remit to the Human Services Department, funding for the safety net care pool fund. This is the contract that puts the funds in place for them to bill us. The last page in Meeting packet shows the total amounts. We are required to pay 1/12% \$220,750.01 of the \$264,900,008.57 for Torrance County, payable in quarters. This is one of the legislative priorities that the Association of Counties has spoken about, they are adamant about not all of the Medicaid cost fall back on the county. This is required for all counties.

Commissioner DuCharme: Who are the parties to this agreement?

Belinda Garland – County Manger: Human Services Department Medical Assistance division and Torrance County. Every county is bound to submit these funds back, we need to put contract in place so we can submit payments when we are billed.

Commissioner Frost: This is how we have been doing this every year, Correct?

Belinda Garland – County Manger: Yes

Commissioner DuCharme: What is the purpose of the contract?

Belinda Garland – County Manger: We put the contract in place for audit purposes.

Commissioner DuCharme: Mr. Wallin, is the county a part to any law suit against this kind of payments.

Dennis Wallin – County Attorney: Not aware of any current lawsuit.

Commissioner Frost: Can you explain what the money is used for?

Belinda Garland – County Manger: A. The Local Governmental Entity shall transfer Public Funds to the State of New Mexico for use as the non-federal share of the Safety-Net Pool supplemental Medicaid payments to one or more hospitals in accordance with the New Mexico Indigent Hospital and County Health Care Act. NMSA 1978, Section 27-5-1 to 12.1, specifically NMSA 1978, Section 27-5-6.1. B. All transfers of Public Funds by the Local Governmental Entity to the State to support payments to hospitals under the SNCP must comply with: 1. The applicable regulation that govern provider-related donation codified at section 1903 (s) of the Social Security Act (42 U.S.C. 1396b(w)), and Title 42, Code of Federal regulation, Part 433, subpart B, section 433.52 and 433.54; and 2. The conditions approved by the federal centers for Medicare and Medicaid Services (“CMS”) for governmental entities’ and hospitals’ participation in the SNCP. (SNCP- Safety Net Care Pool) It’s to help fund Medicaid payments to hospitals.

Commissioner Frost: Makes motion to approve the Safety Net Care Pool Agreement

Chairman Sanchez: Seconds the motion

Commissioner DuCharme: Mr. Wallin please explain why we are doing this now?

Dennis Wallin – County Attorney: I don’t have an explanation as to why you are doing it right now. Legislature has mandated that every county that does not have a hospital do this every year.

Commissioner Frost: We should all remember, when it comes to talk about having a hospital.

All in favor: MOTION CARRIED

5. Request to Allow Carry-Over of Over 100 Annual Leave Hours for Employees on FMLA

Annette Ortiz – Deputy County Manager: As stated in our policy, our employees are only allowed to carry over 100 hours of Annual leave, some employees are on FMLA. We are requesting they will be allowed to carry over more than 100 hours. Some employees have donated their Annual leave and don’t want it to go to waste when they are trying to help a fellow employee.

Commissioner DuCharme: Do you think we need to make changes to our policy?

Belinda Garland – County Manger: I would like to address this in our new personal policies. I recommend this, it is important to our employees. December 31st, we will deplete any annual leave over 100 hours.

Annette Ortiz – Deputy County Manager: Every year in December we will request approval, if needed.

Commissioner DuCharme: Moved to allow Carry-Over of over 100 Annual Leave Hours for Employees on FMLA.

Chairman Sanchez: Seconds the motion

All in favor: MOTION CARRIED

6. Contract between Torrance County and NCA Architects, LLC for the Animal Shelter Foyer

Belinda Garland – County Manger: Requesting approval to get Architectural designs for the foyer for the animal shelter. There is funding in the line item of the capital outlay. The amount is \$9600 + gross receipts tax. Contract here to attached.

Commissioner Frost: Makes motion to approve the Contract between Torrance County and NCA Architects, LLC for the Animal Shelter Foyer

Commissioner DuCharme: Mr. Wallin, Did you review this contract?

Dennis Wallin – County Attorney: No, it appears to be a standard building contract.

Chairman Sanchez: Seconds the motion

All in favor: MOTION CARRIED

7. Report from Road Viewing Committee

a. Consider and Act Upon Request to Vacate 7/10 of Marty Road

Annette Ortiz – Deputy County Manager: On the report the committee's recommendation states 1. The committee recommends that the Commission seek written confirmation from the New Mexico State Land Office regarding closure of the section of Marty Road. 2. The committee recommends that the Commission confirm who the authorized agent is for Chilton Inc. to confirm authority to seek closure on behalf of Chilton Inc. 3. The committee recommends adjoining family members/landholders generate an access agreement and to record that access agreement with the Torrance County Clerk's Office. Based on the Commissions review and consideration of the committee's recommendations listed above, the viewing committee would recommend closure of the proposed section of Marty Road. Pictures, summary of public comment and committee sight review in meeting packet. The Committee Members are: Tito Chavez, Fred Sanchez, and Edwina Hewett.

Belinda Garland – County Manger: If the Commission chooses to wait till the items are complete, we cannot authorize the road closure.

Annette Ortiz – Deputy County Manager: Not sure the third recommendation can be required. Marty Road has already been closed, we're only concerned about the 7/10 section.

Chairman Sanchez: On the summery of public comment, it doesn't seem to have consensus. Residence of Deer Canyon Subdivision are opposed to the closure. Is that correct?

Annette Ortiz – Deputy County Manager: Yes, but this closure does not affect Deer Canyon Preserve. In 2014 the road had already been closed.

Felipe Lovato-ABO land owner: The only person affected by this closure is me. Jason from State Land Office from Moriarty went out between 6-8 weeks ago and looked at my problems with the state land and said I could put up a gate. Mr. Lovato elaborates on how this road has affected his livelihood. Mr. Chilton owner of Deer Canyon has said if there is an **emergency** you are welcome to use that two tract road on his property. If there was a fire I'll be the first cutting fences or ramming gates to get the people out. I don't see what the big issue is. I will have someone from state land office here at the next meeting if necessary.

Commissioner DuCharme: The Committees recommendation is to request writing conformation from the New Mexico State Land Office.

Felipe Lovato-ABO land owner: I'm not going to ask Mr. Chilton for permission to go across his private land. We have a right-away, an agreement between us, including my family to go check our animals and water.

Continued discussion concerning the closure of Marty Road

Chairman Sanchez: Makes motion to table till committee recommendations 1 & 2 are met.
Commissioner Frost: Seconds the motion
All in favor: MOTION CARRIED

8. Memorandum of Understanding between Torrance County and Moriarty-Edgewood School District

Annette Ortiz – Deputy County Manager: We have found a company out of Albuquerque in a mobile unit to do our random drug testing. The price comes down with the number of employees needing to be tested. To make it worth it, we are asking that we work closely with the Moriarty-Edgewood School District so we have enough numbers to meet the discounted rate. We will be doing quarterly random drug testing. Moriarty-Edgewood holds the contract with the provider, so we are asking for a Memorandum of Understanding so we can work with them.

Commissioner DuCharme: How is drug testing currently done?

Annette Ortiz – Deputy County Manager: we sent them to the local clinic and they have to wait till there is someone available to do the draw. Several department heads have complained about the wait time for the employees to get back to work.

Chairman Sanchez: Does the MOU have any cost?

Annette Ortiz – Deputy County Manager: This will allow for Moriarty to charge us their contracted amounts on our employees only and half the mileage.

Commissioner DuCharme: Is it more expensive this way than previous?

Annette Ortiz – Deputy County Manager: We received notification that our current provider will no longer be doing the testing. It will be about the same amount.

Commissioner Frost: Moves to approve the Memorandum of Understanding between Torrance County and Moriarty-Edgewood School District

Chairman Sanchez: Seconds the motion

All in favor: MOTION CARRIED

***County Manager Requests/Reports:**

9. Update

County Manager Belinda Garland gives update for what she has done since last Commission meeting. On, Thursday December 14th she met with the Road View Committee, Commissioner DuCharme and residents with road concerns and attended a community meeting for local government leaders. On Monday December 18th, she attended a State Wide Manager's Meeting via teleconference. Tuesday December 19th conducted interviews for the Road Department Executive Assistant position. Wednesday, December 20th she served on the Evaluation Committee to review the applicants for Teen Court Coordinator also attended community meeting to discuss funding for transporting inmates. On Thursday December 21st, second interviews for the HR position were conducted.

Torrance County Administrative Office will be closed Monday December 25th, Tuesday December 26th, 2017 and Monday January 1st, 2018 for Holidays.

Public Comment / Requests:

Fred Sanchez- Tajique Resident: I'm not in politics anymore and don't plan to be. I pay my taxes, garbage for both my houses, and follow the law as much as I can. I've talked to Commissioners Sanchez and DuCharme concerning the road conditions of Camino Del Norte. There are still rocks since the last rain we had 3 or 4 months ago and looks like an arroyo. It's supposed to be a paved road. There is no maintenance. The

road next to mine, Barelás road is well maintained. I asked you 2 months ago and nothing has been done. I used to move the rocks but now I leave them because it is not my job. Is that road going to be maintained? I'm asking for the county to do their work.

Michael Godey – Resident: A couple of weeks ago I mentioned it to Leonard and nothing happened. Not only are there rocks in the road, there are places in the road where the road is missing.

Commissioner DuCharme: Mrs. Garland, I receive complaints about roads on a regular basis. Can we give an answer to Mr. Sanchez? Can the Road be scheduled for maintenance?

Belinda Garland – County Manger: When we got all the new blades in we maintained every road in the county, then the winds came up with no moisture and as people drive dirt is kicked up.

Leonard Lujan-Road Department: After a commission meeting about 3 weeks ago Mr. Godey mentioned the condition to me, I went out to check it. The road is not washed out, the ditches are a little deeper. There are some rocks on the shoulder near his house. I will get out their when I get a chance.

Fred Sanchez- Tajique Resident: Disagreed with Leonard, feels it looks like an arroyo. His wife filed a complaint about a month ago and have not heard back.

***AJOURNMENT:**

Chairman Sanchez: Motion to adjourn regular session

Commissioner Frost: Seconds the motion.

All in favor: MOTION CARRIED

Meeting adjourned at 5:13 PM

Javier Sanchez-Chairman

Genell Morris – Administrative Assistant

Date

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



Consent Agenda

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

TOTAL CHECKS PRINTED 43

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 165,616.97 ON ACCOUNT OF OBLIGATIONS INCURRED FOR THE SERVICES AS SHOWN ABOVE FOR THE PERIOD ENDING 12/20/2017 . 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 O	102278	AWYTS, JOHN R	CONSULTING PHARMACY QUARTERLY	411-92-2272	1122017	12/20/2017		250.00
	12/20/2017		INSPECTION 12/14/2017					
			INVOICE # 39062					

1/4% FIRE EXCISE TAX	250.00							
01 O	102279	AMBITIONS TECHNOLOGY GROUP LLC MAINTENANCE CONTRACT		401-65-2203	2122017	12/20/2017		7072.16
	12/20/2017		10/01/2017-11/01/2017					
			INVOICE # 6555					

INFORMATION TECHNOLOGY	7072.16							
01 O	102280	B I INC	GPS/ADD NOVEMBER BILLING	420-73-2218	3122017	12/20/2017		1673.05
	12/20/2017		INVOICE # 1050738					

COMMUNITY MONITORING	1673.05							
01 O	102281	BELFORD, DAVID	PROFESSIONAL SERVICES	629-49-2272	4122017	12/20/2017		291.00
	12/20/2017		SERVICE DATE: 12/7/2017					
			INVOICE DATE: 12/8/2017					
			REFLECTIVE CONSULTATION 2-HOURS					
			INVOICE # TC-2					

HOME VISITING GRANT FY	291.00							
01 O	102282	BOUND TREE MEDICAL, LLC	4 - POWERHEART A&D BATTERIES	410-50-2222	5122017	12/20/2017		1799.96
	12/20/2017		INVOICE # 82698653					

COUNTY SHERIFF	1799.96							
01 O	102283	BRAD FRANCIS CAR CO LOS LUNAS	2018 CHEVY SILVERADO	420-74-2618	6122017	12/20/2017		30355.00
	12/20/2017		BACK UP CAMERA					
			BLUETOOTH					
			LOCKING REAR DIFFERENTIAL					
			REMOTE KEYLESS ENTRY					
			TRAILER TOW PACKAGE					
			UNASSIGNED DEPUTY					
			INVOICE # FCI8046					
			2 - 2018 DODGE CHARGERS	420-74-2618	7122017	12/20/2017		53190.00
			ALL-WHEEL DRIVE UPGRADE					
			SPOTLIGHT					
			SPARE TIRE REPOSITION					
			TRANSPORT DEPUTIES					
			SPA #70-000-16-00004					
			INVOICE # FDI8037/FDI8036					
			1 - 2018 DODGE CHARGER	420-74-2618	8122017	12/20/2017		26595.00
			1 - ALL WHEEL DRIVE UPGRADE					
			1 - SPOTLIGHT					
			1 - SPARE TIRE REPOSITION					
			PACKAGE					
			DEPUTY HOOVER					
			SPA #70-000-16-00004					
			INVOICE # FDI8016					

CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
12/20/2017			COURTHOUSE MONTHLY BILL	401-15-2208	/	/		2219.49
			COURTHOUSE	401-15-2208	/	/		6.39
			HEALTH DEPT. MONTHLY BILL	401-24-2208	/	/		142.16
			TC ANIMAL SHELTER MONTHLY BILL	401-82-2208	/	/		282.47
			VOTING MACHINE WAREHOUSE	401-21-2308	/	/		35.00
			TC PAIR BOARD MONTHLY BILL	412-53-2208	/	/		120.61
			DISPATCH MONTHLY BILL	911-80-2208	/	/		151.55
			DISPATCH POWERPOLE/WELL	911-80-2208	/	/		46.72
			DISPATCH BUILDING MONTHLY BILL	911-80-2208	/	/		1071.27
COUNTY COMMISSION	1189.39	JUDICIAL COMPLEX MAINT	2932.65	ADMINISTRATIVE OFFICES	2225.88			
HEALTH DEPT BLDG MAINT	142.16	ANIMAL SHELTER	282.47	ELECTIONS	35.00			
COUNTY PAIR	120.61	911-DISPATCH CENTER	1269.54					
01 O 102285		CINVAS CORPORATION NO. 2		DRIVER GLOVES/WORK	600-06-2248	10122017	12/20/2017	31494
	346.70			LARGE, XI, S, 2X, M				31494
				ROAD DEPARTMENT				31494
				INVOICE # 8403459566				
RISK MANAGEMENT	346.70							
01 O 102286		COMPUTER CORNER INC		1 - APC BACK-UPS BR600M1	401-55-2219	11122017	12/20/2017	31791
	339.95			4 - APC BACK-UPS BR600M1	610-40-2218	/	/	271.96
				INVOICE # 159682				
FINANCE DEPARTMENT	67.99	COUNTY ASSESSOR	271.96					
01 O 102287		CORRY COUNTY ADMINISTRATION		INMATE CARE	420-70-2172	12122017	12/20/2017	225.00
	225.00			AUGUST, 2017				
ADULT INMATE CARE	225.00							
01 O 102288		DE JAGE LANDEN FINANCIAL SERVICE/PROPERTY TAX, ADMIN. FEE		401-50-2218	13122017	12/20/2017		285.25
	285.25			INVOICE # 57066567				
COUNTY SHERIFF	285.25							
01 O 102289		DESERT MOON CRAFTS LLC		CPR/FIRST AID - COLLIER	401-50-2272	14122017	12/20/2017	31850
	20.00			INVOICE # ASHI-2017-5				20.00
COUNTY SHERIFF	20.00							
01 O 102290		DOCUMENT SOLUTIONS INC		MONTHLY COPIER MAINTENANCE	911-80-2203	15122017	12/20/2017	63.71
	63.71			W/SUPPLIES-NOVEMBER				
				INVOICE # IN8203				
911-DISPATCH CENTER	63.71							
01 O 102291		FLUORING CHEMICAL CO INC		SPRINKLESS STEEL CLEANER	401-15-2220	16122017	12/20/2017	31844
	133.44			INVOICE # 51495				133.44
ADMINISTRATIVE OFFICES	133.44							
01 O 102292		HONSTEIN OIL CO.		FUEL-11/16-11/30-2017	420-73-2202	17122017	12/20/2017	29.89
	1648.73			Z22220				
				FUEL CHARGES - 11/30/2017	610-40-2202	18122017	12/20/2017	79.40

CR#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
			ASSESSOR'S OFFICE FLEET UNITS					
			A01,T24 INVOICE # Z22220	401-50-2202	19122017	12/20/2017		722.60
			SHERIFF, FUEL 11/16-30/2017	Z22220	20122017	12/20/2017		665.65
			SHERIFF FUEL 11/1-15/2017	Z22219	21122017	12/20/2017		151.19
			TC ANIMAL SHELTER FUEL					
			INVOICE # Z22220					
			COMMUNITY MONITORING					
			ANIMAL SHELTER					
			151.19					
			COUNTY ASSESSOR					
			79.40					
			COUNTY SHERIFF					
			1388.25					
			COUNTY ASSESSOR					
			29.89					
			MEMBERSHIP DUES:NICK SEDILO	610-40-2269	22122017	12/20/2017		21.00
			INVOICE # 18-10159047					
			COUNTY ASSESSOR					
			21.00					
			ONGOING TIRE AMNESTY AD	628-34-2221	23122017	12/20/2017		31662
			INVOICE # 78602-78295-78383					
			COUNTY ASSESSOR					
			102294					
			INDEPENDENT NEWS LLC					
			486.27					
			12/20/2017					
			VOLUNTEER FIRE DEPARTM					
			486.27					
			SECRETARIAL DUTIES	412-53-2272	24122017	12/20/2017		350.00
			11/15/17-12/15/2017					
			INVOICE # 107					
			COUNTY PAIR					
			350.00					
			THEN COURT SERVICES	605-02-2272	25122017	12/20/2017		31714
			DECEMBER 1-15, 2017					
			INVOICE # 121-017					
			COUNTY PAIR					
			640.50					
			12/20/2017					
			DNT LOCAL GRANT FY18					
			640.50					
			12/20/2017					
			PHYSICAL, TB TINE TEST	401-50-2272	26122017	12/20/2017		800.88
			DRUG SCREEN, ANABOLIC STEROIDS					
			INVOICE # TORCITY 1117					
			COUNTY SHERIFF					
			800.88					
			LEASE PAYMENT SCAN PRO 1100	612-20-2203	27122017	12/20/2017		266.36
			INVOICE # 15528898					
			COUNTY SHERIFF					
			266.36					
			12/20/2017					
			MARLIN BUSINESS BANK					
			102298					
			266.36					
			12/20/2017					
			COUNTY CLERK					
			266.36					
			12/20/2017					
			MORFARY FOODS					
			102299					
			143.49					
			12/20/2017					
			HOLIDAY COOKIES, PASTRIES, CANDY	629-49-2224	28122017	12/20/2017		94.98
			CRACKERS, CHEESE, HOT COCOA,					
			NAPKINS, WRAPPING PAPER,					
			ORNAMENTS A WHITE PAINT					
			FOR HOLIDAY PARTY ON 12/11/2017					
			INVOICE # 7747					
			HOLIDAY COOKIES, TOOTHPICKS,	629-49-2224	29122017	12/20/2017		48.51
			APPLE CIDER, RED HOTS, LOAF OF					
			BREAD, CHICKEN SALAD, CINN.					
			STICKS AND NAPKINS FOR OPEN					
			HOUSE EVENT ON 12/12/2017					
			ADD: ALLSPICE, CLOVES					

CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
-----	------	------	-------------	-----------	-----------	------	------	--------

HOME VISITING GRANT FY 143.49

01 O 102300		MOUNTAIN VIEW TELEGRAPH	EMPLOYMENT AD HR DIRECTOR	401-05-2221	30122017	12/20/2017		70.96
			INVOICE # I001375988-1019					

COUNTY COMMISSION 70.96

01 O 102301		NAT'L FIRE PROTECTION ASSOCIATION	NATIONAL FIRE PROTECTION ASSOC.	600-06-2269	31122017	12/20/2017		175.00
			INVOICE # 7113735X					

RISK MANAGEMENT 175.00

01 O 102302		NEXTIVA INC	ASSESSOR	610-40-2207	31122017	12/20/2017		351.52
			CLERK	401-20-2207	/	/		189.28
			MANAGER	401-10-2207	/	/		135.20
			FINANCE	401-55-2207	/	/		81.12
			MAINTENANCE	401-15-2207	/	/		54.08
			PURCHASING	401-27-2207	/	/		27.04
			COMMISSION	401-05-2207	/	/		54.08
			PLANNING & ZONING	401-08-2207	/	/		54.08
			CODE ENFORCEMENT	685-08-2207	/	/		27.04
			DWI	605-22-2207	/	/		53.89
			IT	401-65-2207	/	/		27.04
			ROAD	402-60-2207	/	/		54.08
			PROBATE	401-90-2207	/	/		27.04
			RA-ASSESSOR	675-07-2207	/	/		27.04
			SHERIFF	401-50-2207	/	/		275.75
			COMM. MONITOR	420-73-2207	/	/		27.04
			TREASURER	401-30-2207	/	/		216.32
			TCEPO HV	690-86-2207	/	/		51.46
			TCEPO-DV	629-52-2207	/	/		51.46
			EXTENSION	401-05-2207	/	/		108.16
			CIVIL DEFENSE	604-83-2207	/	/		27.04

COUNTY ASSESSOR	351.52	COUNTY CLERK	189.28	COUNTY MANAGER	135.20
FINANCE DEPARTMENT	81.12	ADMINISTRATIVE OFFICES	54.08	PURCHASING DEPARTMENT	27.04
COUNTY COMMISSION	162.24	PLANNING & ZONING	81.12	DWI LOCAL GRANT FY17	53.89
INFORMATION TECHNOLOGY	27.04	COUNTY ROAD DEPARTMENT	54.08	PROBATE JUDGE	27.04
RURAL ADDRESSING	27.04	COUNTY SHERIFF	275.75	COMMUNITY MONITORING	27.04
COUNTY TREASURER	216.32	DV CONTRACT FY18	51.46	HOME VISITING GRANT FY	51.46
COMMUNICATIONS/EMS TAX	27.04				

01 O 102303		NM COMPILATION COMMISSION	1 - 2017 NM CRIMINAL TRAFFIC	401-50-2222	33122017	12/20/2017		39.00
			LAW MANUAL W/NEW COMPILED					31849
			LEGISLATION FROM 2017					31849
			LEGISLATIVE SESSIONS					31849
			SHIPPING					31849
			2017 CRIMINAL & TRAFFIC LAW MANU					31849
			INVOICE # 12465					

COUNTY SHERIFF	39.00							
01 O 102304		NM EMS BUREAU	EMD INITIAL LICENSE - N. GARCIA	911-85-2266	34122017	12/20/2017		25.00
			INVOICE # EMS11301707					
12/20/2017								
DPA TRAINING GRANT	25.00							

CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
01 0	102305	ORKIN INC.	JUDICIAL COMPLEX PC STANDARD-MONTHLY PC INVOICE # 164112899	401-16-2203	35122017	12/20/2017		118.25

CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
01 0	102306	ORKIN INC.	SCHEDULED SERVICE-DECEMBER INVOICE # 164599542	911-80-2215	36122017	12/20/2017		124.23

CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
911		DISPATCH CENTER		124.23				
01 0	102307	ORTIZ, JENEA R	CONTINUUM COORDINATOR GRT DECEMBER 2017 INVOICE # 62018	635-68-2272	37122017	12/20/2017		3166.66

CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
CYPD		JUVENILE JUSTICE		3166.66				
01 0	102308	PKC/TIGER DIRECT	10 - BATTERY BKR-DBS INVOICE # B06071950101	612-20-2218	38122017	12/20/2017		1750.00

CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
COUNTY		CLERK		1750.00				
01 0	102309	QWEST CORPORATION	SHERIFF FAX LINE NOV-2017	401-50-2207	39122017	12/20/2017		60.68

CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
COUNTY		SHERIFF		60.68				
01 0	102310	RICH FORD SALES	OTI CHANGE AND PREVENTIVE MAINTENANCE UNIT A01, A04, A05, T24 INVOICE # 2016195;2016193 2016191	610-40-2201	40122017	12/20/2017		410.89

CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
COUNTY		ASSESSOR		410.89				
01 0	102311	RICOH USA, INC	MR3354SP C86130949 9/23/17-10/22/17 RENT INVOICE # 99794535	401-30-2203	41122017	12/20/2017		222.78

CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
COUNTY		TRANSFER		222.78				
01 0	102312	RICOH USA, INC	REPLACES PO 28393 RICOH MFCW220SP WIDE FORMAT INVOICE # 5051433350	610-40-2203	42122017	12/20/2017		57.45

CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
COUNTY		ASSESSOR		57.45				
01 0	102313	RICOH USA, INC	EQUIPMENT:BLACKHT COPERS & COLOR 12/01/17-12/31/17 INVOICE # 5051433907	610-40-2218	43122017	12/20/2017		35.07

CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
HOME		VISITING GRANT FY		35.07				
01 0	102314	RMS SERVICES	MAINTENANCE CONTRACT ADMIN. BLDG 401-15-2203 MAINTENANCE CONTRACT JUDICIAL 401-16-2203 INVOICE # 3125/3126	44122017	12/20/2017			1222.01

Date: 12/20/17 15:27:44 (CHECK60)

CHECK LISTING CHECKS PRINTED 12/20/2017

Page: 7

CR# DATE Name

Description

Line Item

Invoice # DATE

PO #

Amount

=====
43 165616.97 / / TOTAL

** GRAND TOTAL ** 165,616.97

**TOTAL GENERAL FUND 26,056.59

**DEPT COUNTY COMMISSION 1,422.59

401-05-2207 TELECOMMUNICATIONS 162.24

401-05-2208 ELECTRICITY 1,189.39

401-05-2221 PRINTING/PUBLISHING/ADVERTISING 70.96

**DEPT PLANNING & ZONING 54.08

401-08-2207 TELECOMMUNICATIONS 54.08

**DEPT COUNTY MANAGER 630.20

401-10-2201 VEHICLE MAINTENANCE/REPAIR 495.00

401-10-2207 TELECOMMUNICATIONS 135.20

**DEPT ADMINISTRATIVE OFFICES MAINTENAN 3,723.29

401-15-2202 VEHICLE FUEL 87.88

401-15-2203 MAINTENANCE CONTRACTS 1,222.01

401-15-2207 TELECOMMUNICATIONS 54.08

401-15-2208 ELECTRICITY 2,225.88

401-15-2220 CLEANING SUPPLIES 133.44

**DEPT JUDICIAL COMPLEX MAINTENANCE 3,921.81

401-16-2203 MAINTENANCE CONTRACTS 989.16

401-16-2208 ELECTRICITY 2,932.65

**DEPT COUNTY CLERK 189.28

401-20-2207 TELECOMMUNICATIONS 189.28

**DEPT VOTING MACHINE STORAGE 35.00

401-21-2308 ELECTIONS 35.00

**DEPT HEALTH DEPT BLDG MAINTENANCE 142.16

401-24-2208 ELECTRICITY 142.16

**DEPT PURCHASING DEPARTMENT 27.04

401-27-2207 TELECOMMUNICATIONS 27.04

**DEPT COUNTY TREASURER 590.10

401-30-2201 VEHICLE MAINTENANCE/REPAIR 38.29

401-30-2202 VEHICLE FUEL 112.71

401-30-2203 MAINTENANCE CONTRACTS 222.78

401-30-2207 TELECOMMUNICATIONS 216.32

**DEPT COUNTY SHERIFF 7,612.03

401-50-2202 VEHICLE FUEL 6,130.47

401-50-2207 TELECOMMUNICATIONS 336.43

401-50-2218 EQUIPMENT MAINTENANCE/REPAIR 285.25

401-50-2222 FIELD SUPPLIES 39.00

401-50-2272 PROFESSIONAL SERVICES 820.88

**DEPT FINANCE DEPARTMENT 149.11

401-55-2207 TELECOMMUNICATIONS 81.12

401-55-2219 OFFICE SUPPLIES 67.99

**DEPT INFORMATION TECHNOLOGY DEPARTMENT 7,099.20

401-65-2203 MAINTENANCE CONTRACTS 7,072.16

401-65-2207 TELECOMMUNICATIONS 27.04

**DEPT ANIMAL SHELTER 433.66

DEBITS CREDITS

401-82-2202	VEHICLE FUEL	151.19	.00
401-82-2208	ELECTRICITY	282.47	.00
**DEPT	PROBATE JUDGE	27.04	.00
401-90-2207	TELECOMMUNICATIONS	27.04	.00
**TOTAL	ROAD FUND	54.08	.00
**DEPT	COUNTY ROAD DEPARTMENT	54.08	.00
402-60-2207	TELECOMMUNICATIONS	54.08	.00
**TOTAL	DISTRICT 5 VFD	310.50	.00
**DEPT	STATE FIRE ALLOTMENT	310.50	.00
405-91-2202	VEHICLE FUEL	310.50	.00
**TOTAL	DISTRICT 2 VFD	252.35	.00
**DEPT	STATE FIRE ALLOTMENT	252.35	.00
406-91-2202	VEHICLE FUEL	252.35	.00
**TOTAL	DISTRICT 3 VFD	371.03	.00
**DEPT	STATE FIRE ALLOTMENT	371.03	.00
408-91-2202	VEHICLE FUEL	371.03	.00
**TOTAL	DISTRICT 4 VFD	52.73	.00
**DEPT	STATE FIRE ALLOTMENT	52.73	.00
409-91-2202	VEHICLE FUEL	52.73	.00
**TOTAL	I. B. PROTECTION FUND	1,799.96	.00
**DEPT	COUNTY SHERIFF	1,799.96	.00
410-50-2222	FIELD SUPPLIES	1,799.96	.00
**TOTAL	COUNTY FIRE PROTECTION FUND	250.00	.00
**DEPT	1/4% FIRE EXCISE TAX	250.00	.00
411-92-2272	PROFESSIONAL SERVICES	250.00	.00
**TOTAL	COUNTY FAIR	470.61	.00
**DEPT	COUNTY FAIR	470.61	.00
412-53-2208	ELECTRICITY	120.61	.00
412-53-2272	PROFESSIONAL SERVICES	350.00	.00
**TOTAL	FIRE DEPARTMENT ADMIN	530.69	.00
**DEPT	STATE FIRE ALLOTMENT	530.69	.00
413-91-2202	VEHICLE FUEL	530.69	.00
**TOTAL	DISTRICT 6 VFD	105.16	.00
**DEPT	STATE FIRE ALLOTMENT	105.16	.00
418-91-2202	VEHICLE FUEL	105.16	.00
**TOTAL	TAIL FUND	114,358.94	.00
**DEPT	ADULT INMATE CARE	225.00	.00
420-70-2172	CARE OF INMATES	225.00	.00

**DEPT
 420-73-2202
 420-73-2207
 420-73-2218
 **TOTAL

COMMUNITY MONITORING 1,729.98 .00
 VEHICLE FUEL 29.89 .00
 TELECOMMUNICATIONS 27.04 .00
 EQUIPMENT MAINTENANCE/REPAIR 1,673.05 .00
 TRANSPORTATION OF PRISONERS 112,403.96 .00
 VEHICLE FUEL 2,263.96 .00
 CO/VEHICLES 110,140.00 .00
 SAFETY PROGRAM 521.70 .00

**DEPT
 600-06-2248
 600-06-2269
 **TOTAL

RISK MANAGEMENT 521.70 .00
 SAFETY EQUIPMENT 346.70 .00
 MEMBERSHIP DUES/SUBSCRIPTIONS 175.00 .00
 CIVIL DEFENSE FUND 141.61 .00

**DEPT
 604-83-2202
 604-83-2207
 **TOTAL

COMMUNICATIONS/EMS TAX 141.61 .00
 VEHICLE FUEL 114.57 .00
 TELECOMMUNICATIONS 27.04 .00
 DWI PROGRAM FUND 3,299.92 .00

**DEPT
 605-02-2202
 605-02-2272
 **TOTAL

DWI LOCAL GRANT FY18 3,246.03 .00
 VEHICLE FUEL 105.53 .00
 PROFESSIONAL SERVICES 3,140.50 .00

**DEPT
 605-22-2207
 **TOTAL

DWI LOCAL GRANT FY17 53.89 .00
 TELECOMMUNICATIONS 53.89 .00
 PROPERTY VALUATION FUND 1,270.54 .00

**DEPT
 610-40-2201
 610-40-2202
 610-40-2203
 610-40-2207
 610-40-2218
 610-40-2269
 **TOTAL

COUNTY ASSESSOR 1,270.54 .00
 VEHICLE MAINTENANCE/REPAIR 410.89 .00
 VEHICLE FUEL 157.72 .00
 MAINTENANCE CONTRACTS 57.45 .00
 TELECOMMUNICATIONS 351.52 .00
 EQUIPMENT MAINTENANCE/REPAIR 271.96 .00
 MEMBERSHIP DUES/SUBSCRIPTIONS 21.00 .00

**DEPT
 612-20-2203
 612-20-2205
 612-20-2218
 **TOTAL

CLERK'S EQUIPMENT FUND 2,038.44 .00
 COUNTY CLERK 2,038.44 .00
 MAINTENANCE CONTRACTS 266.36 .00
 MILEAGE/PER DIEM 22.08 .00
 EQUIPMENT MAINTENANCE/REPAIR 1,750.00 .00
 RECYCLING & ILLEGAL DUMPING GRAN 486.27 .00

**DEPT
 628-34-2221
 **TOTAL

VOLUNTEER FIRE DEPARTMENTS 486.27 .00
 PRINTING/PUBLISHING/ADVERTISING 486.27 .00
 HOME VISITING GRANT 543.40 .00

**DEPT
 629-49-2205
 629-49-2218
 629-49-2224
 629-49-2272
 **TOTAL

HOME VISITING GRANT FY18 491.94 .00
 MILEAGE/PER DIEM 22.38 .00
 EQUIPMENT MAINTENANCE/REPAIR 35.07 .00
 EDUCATIONAL SUPPLIES 143.49 .00
 PROFESSIONAL SERVICES 291.00 .00
 HOME VISITING GRANT FY17 51.46 .00

629-52-2207 TELECOMMUNICATIONS 51.46 .00

**TOTAL JUVENILE JUSTICE GRANT 7,351.66 .00

**DEPT CYFD JUVENILE JUSTICE GRANT FY18 7,351.66 .00

635-68-2272 PROFESSIONAL SERVICES 7,351.66 .00

**TOTAL RURAL ADDRESSING 84.49 .00

**DEPT RURAL ADDRESSING 84.49 .00

675-07-2203 MAINTENANCE CONTRACTS 57.45 .00

675-07-2207 TELECOMMUNICATIONS 27.04 .00

**TOTAL P&Z COURT FEES 64.40 .00

**DEPT PLANNING & ZONING 64.40 .00

685-08-2202 VEHICLE FUEL 37.36 .00

685-08-2207 TELECOMMUNICATIONS 27.04 .00

**TOTAL DOMESTIC VIOLENCE GRANT 86.53 .00

**DEPT DV CONTRACT FY18 86.53 .00

690-86-2207 TELECOMMUNICATIONS 51.46 .00

690-86-2218 EQUIPMENT MAINTENANCE/REPAIR 35.07 .00

**TOTAL EMERGENCY-911 FUND 5,115.37 .00

**DEPT 911-DISPATCH CENTER 5,090.37 .00

911-80-2202 VEHICLE FUEL 42.89 .00

911-80-2203 MAINTENANCE CONTRACTS 63.71 .00

911-80-2208 ELECTRICITY 1,269.54 .00

911-80-2215 BUILDING MAINTENANCE/REPAIR 124.23 .00

911-80-2218 EQUIPMENT MAINTENANCE/REPAIR 3,590.00 .00

**DEPT DPA TRAINING GRANT 25.00 .00

911-85-2266 TRAINING 25.00 .00

BANK01 WELLS FARGO 165,616.97 .00

** BANK TOTALS ** 165,616.97 .00



*Agenda Item
No. 1*



Agenda Item
No. 2



RESOLUTION 2018-03

WHEREAS, this resolution being duly written and executed this 10th day of January, 2018, and does hereby, in accordance with prevailing State Statute 10-15-1 NMSA, 1978 compilation, declare all commission meetings to be open to the public and shall be properly advertised and posted as prescribed by State Statutes.

WHEREAS, a county policy is hereby established whereby the County Commission may establish and prescribe its county rules, regulations and policy making decisions, and an affirmative action program.

NOW THEREFORE, be it resolved that a copy of the foregoing Resolution be included in the minutes of the Board of County Commissioners of Torrance County as a permanent record.

ADOPTED, and approved this 10th day of January, 2018.

Torrance County Commission

James "Jim" Frost, District 1

Julia DuCharme, District 2

Javier E. Sanchez, District 3

Attest:

Clerk of the Board



*Agenda Item
No. 3*



Resolution 2018-04

WHEREAS, the Board of County Commissioners met in regular session at the Torrance County Administrative Offices on January 10th, 2018 at 9:00 A.M. as required by law; and

WHEREAS, Section 10-15-1(B) of the Open Meetings Act (NMSA 1978, Sections 10-15-1 to -4) states that, except as may be otherwise provided in the Constitution or the provisions of the Open Meetings Act, all meetings of a quorum of members of any board, council, commission, administrative adjudicatory body or other policymaking body of any state or local public agency held for the purpose of formulating public policy, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of such body, are declared to be public meetings open to the public at all time; and

WHEREAS, any meetings subject to the Open Meetings Act at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs shall be held only after reasonable notice to the public; and

WHEREAS, Section 10-15-1(D) of the Open Meetings Act requires the Board of County Commissioners to determine annually what constitutes reasonable notice of its public meetings;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners that:

1. All meetings shall be held at the Torrance County Administrative Offices, Commission Chambers at 9:00 A.M. or as indicated in the meeting notice.
2. Unless otherwise specified, regular meetings shall be held twice a month on the second and fourth Wednesday. The agenda will be available at least seventy-two (72) hours prior to the meeting from the County Manager, whose office is located in Estancia, New Mexico. Notice of any other regular meetings will be given ten days in advance of the meeting date. The notice shall indicate how a copy of the agenda may be obtained.
3. Special meetings may be called by the Chairperson or a majority of the members upon three days notice. The notice shall include an agenda for the meeting or information on how members of the public may obtain a copy of the agenda. The agenda shall be available to the public at least seventy-two (72) hours before any special meeting.

Emergency meetings will be called only under unforeseen circumstances that demand immediate action to protect the health, safety and property of citizens or to protect the public body from substantial financial loss. The Board of County Commissioners will avoid emergency meetings whenever possible.

Emergency Meetings may be called by the Chairperson or a majority of the members upon twenty-four (24) hours notice, unless threat of personal injury or property damage requires less notice. The notice for all emergency meetings shall include an agenda for the meeting or information on how the public may obtain a copy of the agenda. Within ten (10) days of taking action on an emergency matter, the Board of County Commissioners will notify the Attorney General's Office.

4. For the purposes of regular meetings described in paragraph two (2) of this resolution, notice requirements are met if notice of the date, time, place and agenda is placed in newspapers of general circulation in the state and posted in the following locations: Administrative Offices of Torrance County. Copies of the written notice shall also be mailed to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings. Agendas as well as corresponding packets shall be posted on the Torrance County website.

5. For the purposes of special meetings and emergency meetings described in paragraph three (3) and four (4) of this resolution, notice requirements are met if notice of the date, time place and agenda is provided by telephone to newspapers of general circulation in the state and posted in the Administrative Offices of Torrance County. Telephone notice also shall be given to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings.

6. In addition to the information specified above, all notices shall include the following language:

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Torrance County Manager's Office at 205 9th Street Room 12 Estancia, NM 87016 (505) 544-4700 at least one week prior to the meeting or as soon as possible. Public documents, including the agendas and minutes, can be provided in various accessible formats. Please contact the Torrance County Clerk's Office at 205 9th Street Room 1 Estancia, NM 87016 (505) 544-4350 if a summary or other type of accessible format is needed.

7. The Board of County Commissioners may close a meeting to the public only if the subject matter of such discussion or action is excepted from the open meeting requirement under Section 10-15-1(H) of the Open Meetings Act.

- (a) If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the Board of County Commissioners taken during the open meeting. The authority for the closed meeting and the subjects to be discussed shall be stated with reasonable specificity in the motion to close and the vote of each individual member on the motion to close shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in the closed meeting.
- (b) If a closed meeting is conducted when the Board of County Commissioners is not in an open meeting, the closed meeting shall not be held until public notice, appropriate under the circumstances, stating the specific provision of law authorizing the closed meeting and the subjects to be discussed with reasonable specificity, is given to the members and to the general public.
- (c) Following completion of any closed meeting, the minutes of the open meeting that was closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state whether the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.
- (d) Except as provided in Section 10-15-1(H) of the Open Meetings Act, any action taken as a result of discussion in a closed meeting shall be made by vote of the Board of County Commissioners in an open public meeting.

PASSED by the Torrance County Board of Commissioners on January 10th, 2018.

TORRANCE COUNTY COMMISSION

James "Jim" Frost, District 1

Julia DuCharme, District 2

Javier E. Sanchez, District 3

Attest:

County Clerk



Agenda Item
No. 4

PO Box 48
205 9th Street
Estancia, NM 87016
(505) 544-4700 Main Line (505) 384-5294 Fax
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: Kay Stillion NONE
First Last Department / Company / Organization Name

Today's Date: 12-19-17 Mailing Address: PO BOX 416 Mountainair, NM
(Departments/employees of Torrance County need not include their address) 87036

Telephone number/Extension: 505 847-2301 Fax Number: NONE
Would you like this Agenda Faxed to you? Yes No

Email Address: NONE

Is this request for the next Commission meeting? YES NO If no, date of Commission Meeting: 1/10/18

Brief explanation of business to be discussed:

Seniors ~~shoud~~ who are low income who could apply for well fairs, but don't want to receive benefits, need to be able to just show their social security information letter or letters to pay low rate for solid

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: _____

PO Box 48
205 9th Street
Estancia, NM 87016
(505) 544-4700 Main Line (505) 384-5294 Fax
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: JOHN McGRORY RET
First Last Department / Company / Organization Name

Today's Date: 04 JAN 2018 Mailing Address: 133 MADRID AVE MORIARTY 87035
(Departments/employees of Torrance County need not include their address)

Telephone number/Extension: 505-832-6773 Fax Number: _____
Would you like this Agenda Faxed to you? Yes No

Email Address: USCG LORAN@AOL.COM

Is this request for the next Commission meeting? YES NO If no, date of Commission Meeting: Jan. 10th

Brief explanation of business to be discussed:
EXTENSION OF SENIOR DISCOUNT FOR TRASH

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: _____

PO Box 48
205 9th Street
Estancia, NM 87016
(505) 544-4700 Main Line (505) 384-5294 Fax
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: James Welch
First Last Department / Company / Organization Name

Today's Date: 1-1-18 Mailing Address: 3247 E. Martinez Rd. Moriarty
(Departments/employees of Torrance County need not include their address)

Telephone number/Extension: 440-8367 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: 1-10-18

Brief explanation of business to be discussed:
Centering track Bill
Disabled Veterans

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: _____



*Agenda Item
No. 5*



Agenda Item

No. 6

PO Box 48
205 9th Street
Estancia, NM 87016
(505) 544-4700 Main Line (505) 384-5294 Fax
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: Commissioner Sanchez
First Last Department / Company / Organization Name

Today's Date: 1-3-18 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:

Follow Up On Road Department Workshop

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.

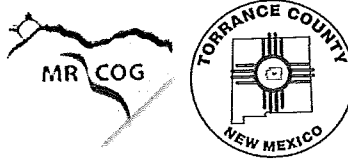
Has this been reviewed by the Finance Dept? YES NO Comptroller Initials: _____

- 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: _____



*Agenda Item
No. 7*



**MEMORANDUM UNDERSTANDING BETWEEN THE
TORRANCE COUNTY
AND THE
MID REGION COUNCIL OF GOVERNMENTS**

This Agreement, hereinafter referred to as “MOU” is entered into on _____ day of _____, 2018 between the Mid Region Council of Governments (“MRCOG”) a regional planning organization of the State of New Mexico and Torrance County (“County”), collectively referred to as the “Parties”.

RECITALS

WHEREAS, MRCOG was established pursuant to the Regional Planning Act, Sections 3-56-1 NMSA 1978, *et seq.* and is the regional council of state planning and development district number 3 as provided in the Planning District Act, Sections 4-58-1 NMSA 1978, *et seq.* and is a local public body as defined in Article 6, Local Government Finances Section 6-6-1 NMSA 1978; and

WHEREAS, the County is a member of MRCOG; and

WHEREAS, the County received a Community Development Block Grant Planning Grant (CDBG # 17-C-RS-I-06-G-101) from the Department of Finance in the amount of \$50,000 to fund the update to the Torrance County Comprehensive Plan; and,

WHEREAS, Executive Order 2013-006 issued May 2, 2013 provides that a grantee for appropriations may not receive such funds if its audit does not meet certain requirements unless such funds are received by another appropriate entity acting as a fiscal agent; and,

WHEREAS, the County requires assistance from a qualified local body to serve as fiscal agent to receive the legislative appropriations for the Project; and;

WHEREAS, the County requires oversight with any and all contracts issued pursuant to any Request for Proposals or Invitation for Bids for the Project; and;

WHEREAS, MRCOG has the necessary expertise, staff and experience to serve as the fiscal agent to the County and to oversee the Procurement Process including issuance of contracts and payment for services for the Project; and;

WHEREAS, the County has requested that MRCOG serve as the fiscal agent and oversee the procurement process, issuance of any contracts and process payment for services for the Project.

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL PROMISES AND REPRESENTATIONS IN THIS MOU, THE PARTIES AGREE AS FOLLOWS:

Section 1. DUTIES.

A. MRCOG:

MRCOG will provide the following administrative services for the Project.

1. MRCOG will provide oversight to the County in preparing the request for bids or RFP in accordance with the NM Procurement Code, NMSA § 13-1-1 et. seq.
2. MRCOG shall appoint a staff liaison to coordinate with the purchasing agent designated by the County to oversee the procurement process and administration of any contracts awarded for the Project.
3. The MRCOG procurement manager will approve invoices associated with the Project.
4. MRCOG shall ensure safeguarding of grant funds and assets acquired with grant funds and proper accounting thereof in compliance with applicable laws, regulations and grant agreement and shall assist the County with reporting required by the appropriate New Mexico State Agencies.
5. MRCOG will charge the county for direct labor costs that are associated with oversight of the Project. The amount paid to MRCOG shall not exceed 2.5 percent of the total amount of the CDBG Planning Grant.

B. County:

1. The County will prepare and manage the Request for Bids ("RFB") or Request for Proposals ("RFP") pursuant to the state Procurement Code for all equipment purchases, design documents and the necessary information to issue a request for proposals or invitation to bid for the Project.
2. Upon completion of the Project, the equipment purchased shall be the property of the County. All purchased equipment shall be placed on the County's inventory.
3. The County will designate a purchasing agent to oversee the issuance of the request for bids or RFP, manage the procurement process and administer any and all contracts issued for the Project. The purchasing agent will work in conjunction with the procurement manager provided by MRCOG.
4. The County shall pay MRCOG for direct labor costs associated with oversight of the Projects. In no event shall the administrative fee be paid from the CDBG funds granted by the Local Government Division of the Department of Finance and Administration and funded by the US Department of Housing and Urban Development. The administrative fee shall be paid by the County out of County funds.
5. The County shall provide MRCOG with a copy of the executed grant agreement for the CDBG project.

Section 2. COMPENSATION AND METHOD OF PAYMENT. The County shall pay MRCOG an amount equal to the direct labor costs associated with oversight of the Projects not to exceed 2.5 percent of the total amount of the appropriations. Payment shall be made on a payment

schedule to be negotiated by the Parties, with final payment to be received upon completion of the Project.

Section 3. TERM. This agreement shall be from the date of approval to the final closeout of the CDBG planning Grant. This agreement may be renewed or terminated upon the written consent of both parties.

Section 4. TERMINATION. Either party may terminate this MOU upon 30 days written notice. Such early termination shall not nullify obligations incurred for performance or failure to perform prior to termination.

Section 5. AMENDMENT. This MOU may be amended at any time by mutual agreement of the parties. Any amendment shall be in writing and executed by the Parties.

Section 6. COMPLIANCE WITH LAWS: The laws of the State of New Mexico shall govern this agreement, without giving effect to its choice of law provisions. Venue shall be proper in the Seventh Judicial District Court in Estancia, New Mexico.

Section 7. STATUS. MRCOG, its employees and agents performing the services pursuant to this MOU are not employees of the County. The MRCOG and its agents and employees shall not accrue leave, retirement, insurance, bonding, use of County vehicles, or any other benefits afforded to employees of the County.

Section 8. ASSIGNMENT. The MRCOG shall not assign or transfer any interest in this agreement or assign any claims for money due or to become due under this agreement without the prior written approval of both Parties.

Section 9. SUBCONTRACTING. The MRCOG may not subcontract portions of the services to be performed under this agreement without the prior written approval of the County.

Section 10. RELEASE. The MRCOG, upon final payment of all amounts due under this MOU, shall release the County, its officers and employees from all liabilities, claims and obligations whatsoever arising from or under this MOU.

Section 11. LIABILITY. Each Party shall be solely responsible for its own actions and for the actions of its employees, officers or agents under this MOU. Nothing herein shall be deemed to waive any and all limitations on liability and other protections under the New Mexico Tort Claims Act. All of the privileges and immunities from liability, exemptions from laws, ordinances and rules, all pension, relief, disability, workmen's compensation and other benefits which apply to the activity of officers, agents or employees of any Party when performing their respective functions within the territorial limits of their respective public agencies, shall apply to them to the same extent while engaged in the performance of their functions and duties extraterritorially under the provisions of this MOU.

Section 12. SCOPE OF AGREEMENT. This MOU incorporates all the agreements and understandings between the Parties concerning its subject matter, and all agreements and understandings have been merged into this MOU. No prior or contemporaneous agreement or

understanding, verbal or otherwise, of the parties or their agents concerning the subject matter of this MOU is valid or enforceable unless included in this MOU.

Section 13. NOTICE. The contact person for each Party and to whom any notice hereunder shall be given are as follows:

TORRANCE COUNTY
Belinda L. Garland
County Manager
P O Box 48
Estancia, NM 87016
(505) 544-4702
(505) 384-5294

MID REGION COUNCIL OF GOVERNMENTS
Dewey V. Cave
Executive Director
809 Copper Avenue, NW
Albuquerque, NM 87102
(505) 247-1750
(505) 247-1753

IN WITNESS WHEREOF, the parties have executed this MOU on the dates specified below.

MID REGION COUNCIL OF GOVERNMENTS

By: _____
Dewey V. Cave, Executive Director

Date: _____, 2018

Approved as to form and legal
sufficiency by the MRCOG legal counsel

By: _____

Date: _____, 2018

BOARD OF COUNTY COMMISSIONERS OF TORRANCE COUNTY

APPROVED, ADOPTED, AND PASSED on this ___ day of _____, 2018.

Javier Sanchez
Chairman, District 3

Jim Frost
Commissioner, District 1

Julia DuCharme
Commissioner, District 2

Attest:

Linda Jaramillo, County Clerk

Approved as to form and legal
sufficiency by the Torrance County legal counsel

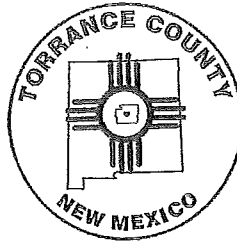
By: _____

Date: _____, 2016



Agenda Item
No. 8

PO Box 48
205 9th Street
Estancia, NM 87016
(505) 544-4700 Main Line (505) 384-5294 Fax
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 _____
First Last Department / Company / Organization Name

Today's Date: _____ 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:
Award of RFP-2018-02 Teen Court Coordinator
& Approval of Teen Court Coordinator Contract

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: _____

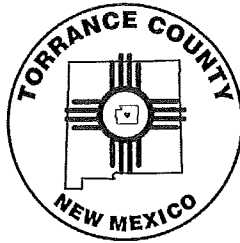
- No Impact
- Change in current fund
- Raise Budget (allow 45 days after Commission approval)
- Change in funds (allow 45 days after Commission approval)
- Reduction
- Transfer funds (allow 45 days after Commission approval)

Other: _____



Agenda Item
No. 9

PO Box 48
205 9th Street
Estancia, NM 87016
(505) 544-4700 Main Line (505) 384-5294 Fax
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: NICK E. BEDILLO FBK MANAGEMENT
First Last Department / Company / Organization Name

Today's Date: 12-27-2017 Mailing Address: _____
(Departments/employees of Torrance County need not include their address)

Telephone number/Extension: 544-4310 Fax Number: _____
Would you like this Agenda Faxed to you? Yes No

Email Address: BEDILLO@TCM118

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

Brief explanation of business to be discussed:

2017 SAFETY PERFORMANCE AWARD
PRESENTATIONS

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.

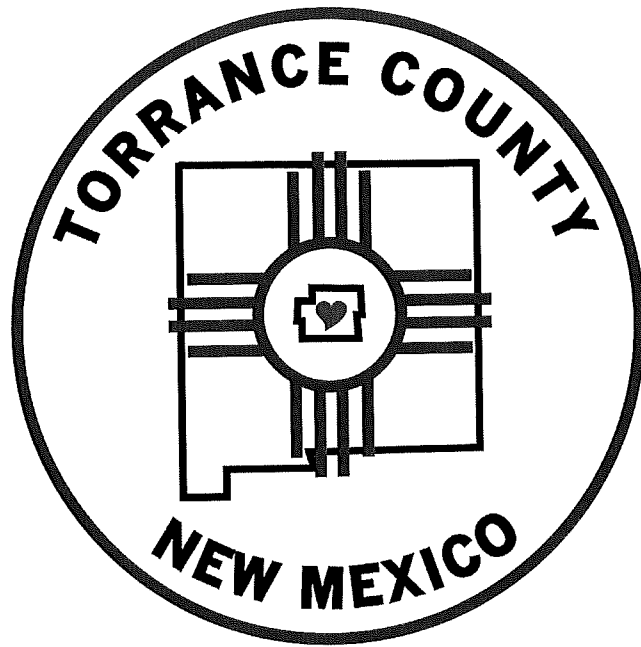
Has this been reviewed by the Finance Dept? YES NO Comptroller Initials: _____

- 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: _____



Agenda Item
No. 10



UPDATES

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



*Agenda Item
No. 11*

RESOLUTION FOR COUNTY AS FISCAL AGENT

COUNTY OF TORRANCE

Resolution No. _____

A RESOLUTION

AUTHORIZING THE COUNTY TO SUBMIT AN APPLICATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION, LOCAL GOVERNMENT DIVISION TO PARTICIPATE IN THE LOCAL DWI GRANT AND DISTRIBUTION PROGRAM.

WHEREAS, the Legislature enacted Section 11-6A-1 through 11-6A-6 NMSA 1978 as amended to address the serious problems of Driving While Intoxicated (DWI) in the State; and

WHEREAS, a program is established to make grant and distribution funding available to counties and municipalities for new, innovative or model programs, services or activities to prevent or reduce the incidence domestic abuse related to DWI, DWI, alcoholism and alcohol abuse; and

WHEREAS, the county DWI planning council and other governmental entities approval must be received in order to apply for grant and distribution funding; and

WHEREAS, the County along with participating agencies is making application to the Department of Finance and Administration, Local Government Division for program funding.

NOW THEREFORE, BE IT RESOLVED by the governing body of the TORRANCE COUNTY that the County Chairperson on behalf of the County and all participating entities is authorized to submit an application for Distribution and/or Grant FY19 program funding under the regulations established by the Local Government Division.

APPROVED AND ADOPTED by the governing body at its meeting of JANUARY 10 2018.

County Commission Chairperson

Attest:



DWI Planning Council Representative

County Clerk (SEAL)

STATEMENT OF ASSURANCES

Local DWI Grant and Distribution Program

Project Year FY19: July 1, 2018 – June 30, 2019

The applicant hereby assures and certifies compliance with the following statutes, rules, regulations, and guidelines associated with the acceptance and use of funds under the New Mexico Local DWI Grant and Distribution Program:

1. Compliance with the provisions of the New Mexico Local DWI Grant Program Act, Sections 11-6A-1 through 11-6A-6 NMSA 1978 as amended, the regulations, and the approved LDWI Guidelines.
2. The applicant has the responsibility and legal authority to receive and expend funds as described in the grant and distribution project description, as well as to finance the grantee share (if any) of costs of the project, including all project overruns.
3. Compliance with the State Procurement Code, with the exception of Home Ruled Governments, and submission of all related procurement documents to the Local Government Division for administrative review and approval, prior to execution, including, but not limited to: requests for professional services (RFPs); advertisements; minutes of pertinent meetings; contract selection and award criteria. All project-related services, activities or programs done through a service provider must be implemented through a professional services contract. Any project-related contract, subcontract, or agreement and related amendments, providing services to the grant or distribution program, must be submitted for administrative review by the Division prior to execution.
4. Adherence to all financial, accounting, and reporting requirements of the Department of Finance and Administration. Distribution programs will include with each quarterly narrative progress report the Grant Fund Agreement Exhibit F, The Local DWI Distribution Program Financial Status Report. Grant programs will include with each quarterly narrative progress report the Local DWI Program Request for Payment/Financial Status Report, Exhibit D. The said reports shall contain narrative and/or bulleted highlights of accomplishments and/or problems and delays encountered to date, a detailed budget breakdown of expenditures to date, a summary of any fees collected and/or expended, the Managerial Data Set, Planning Council meeting agendas and minutes, and such other information following the objectives of the county's evaluation as may be of assistance to the Division in its evaluation.
5. Compliance with the requirement to not budget, nor expend, any of the grant amount awarded or the amount distributed for **indirect administrative costs** incurred during the grant or distribution fiscal period. Requests for payment or financial status reports shall document all direct program administrative expenditures and in-kind/match administrative expenditures.

6. Compliance with the requirement to not budget, nor expend, greater than **ten percent** of the grant amount awarded or the amount distributed for **capital outlay expenditures** incurred during the grant or distribution fiscal period. Requests for payment or financial status reports shall specify all capital outlay expenditures. **The ten percent cap for capital outlay expenditures does not exist with detoxification funding grants.**
7. Compliance with all required reports, including but not limited to: the first quarter narrative and fiscal reports due on the last working day of October; the second quarter narrative and fiscal reports due on the last working day of January; and the third quarter narrative and fiscal reports due on the last working day of April; the fourth and the final quarter narrative and fiscal reports for the fiscal year due the 15th of July; required screening, treatment, and compliance monitoring protocols; required evaluation plans; required fiscal reports; required screening and tracking managerial data reports; and required annual reports.
8. Compliance with the current Local DWI Grant Program Screening Guidelines. To avoid any conflict of interest, or appearance of conflict of interest, screeners should not be affiliated with any contracted treatment agency. Clients will be given options for treatment and will not be *mandated* to treatment with the same agency that does the screening.
9. If applicable to the applicant, compliance with the requirements of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the Department of Health and Human Services regulation entitled "Standards for Privacy of Individually Identifiable Health Information", 45 CFR Parts 160 and 164, applicable to entities covered by HIPAA; (the HIPAA Regulations).
10. Any distribution program under run amount for the fiscal year must be returned to the Local DWI Grant Fund by September 30 of the following fiscal year. Failure to remit an under run to the Local DWI Grant Fund will cause suspension of grant reimbursements and/or future distributions until the remittance is made.
11. Grant program under runs revert to the Local DWI Grant Fund.
12. Compliance with all applicable conditions and requirements prescribed by the Division in relation to receipt/accountability of state General Funds.
13. The grant applicant will follow the scope of work for the grant program, as negotiated with the Local Government Division, and in accordance with the local planning council's approved plan. The applicant will submit any proposed modifications/amendments to the scope of work to the Division for its approval, prior to execution.
14. The distribution program applicant will follow the local planning council's application as approved by DWI Grant Council in the application review process. The applicant will submit any proposed modifications/amendments to this proposal to the Division for its written approval, prior to execution of changes to programs.

15. Compliance with conflict of interest prohibitions whereby no member, officer, or employee of the grant or the distribution program, or its designee or agents, no voting member of the local planning council or of the governing body of the locality in which the program is situated, and no other public official of such locality who exercises any functions or responsibilities with respect to the program during his/her tenure (or for one year thereafter) shall have any interest, direct or indirect, in any contract or subcontract for work to be performed in the program. The grant and/or the distribution program shall incorporate, in all such contracts or subcontracts, a provision prohibiting such interest pursuant to the purposes of these stated provisions.

16. Compliance with the maintenance of records as will fully disclose the amount and disposition of the total funds from all sources budgeted for the grant or distribution agreement period, the purpose of undertaking for which such funds were used and the amount and nature of all contributions from other sources, and such other records as the Division shall prescribe. Such records shall be preserved for a period of not less than six (6) years following completion of all the conditions of the grant agreement and the distribution program administrative guidelines.

17. The applicant will provide access to authorized State officials and representatives of all books, accounts, records, reports, files, and other papers, things, or property pertaining to the project in order to make audits, examinations, excerpts and transcripts.

18. The applicant will provide DFA's auditor and evaluator timely access to all program records and information. Additionally, the applicant will assure that records of subcontractors working for the applicant are retained and made available to DFA's auditor and evaluator.

County Commission Chairperson (or Municipal Mayor)

(Please Print)

Signature

Date

MEMORANDUM OF UNDERSTANDING

The County/City of TORRANCE DWI Program (hereinafter referred to as the "Program") and the New Mexico Department of Finance and Administration/Local Government Division/Driving While Intoxicated Program (hereinafter referred to as "Division") hereby exchange the following assurances and enter into the following Memorandum of Understanding (MOU):

The Division assures:

1. That the Division is in full compliance with the provisions concerning research activities in accordance with Federal confidentiality regulations, 42 CFR 2.16 and 2.25.
2. That the client identifying information will not be re-disclosed except back to the Program from which the information was obtained, or according to the terms of this MOU.
3. That in receiving, storing, processing, or otherwise dealing with any information from the Program about the clients in the Program, the Division acknowledges it is bound by the provisions of the Federal confidentiality regulations, 42 CFR Part 2.
4. That the Division shall undertake to resist any effort to obtain access to information pertaining to patients otherwise than as expressly provided for in the Federal confidentiality regulations, 42 CFR Part 2.
5. That the Division is not a "covered entity" as defined by the Department of Health and Human Services Regulations entitled "Standards for Privacy of Individually Identifiable Health Information", 45 CFR Parts 160 and 164, implementing the Health Insurance Portability and Accountability Act of 1996 (HIPAA); (the HIPAA Regulations).
6. That the Division shall not keep treatment information or maintain any "individually identifiable health information" or transmit "protected health information" as defined by the HIPAA Regulations and in the Health Information Technology for Economic and Clinical Health Act of 2009 (HITECH Act).

The Program agrees to:

1. Upon request, provide the Division or other parties authorized with client records for those clients provided services through the Local Government Division DWI Grant Program, for the purpose of conducting outcome

monitoring research activities, and evaluation of LDWI Program interventions.

2. If applicable, comply with the requirements of the Health Insurance Portability and Accountability Act of 1996 (HIPAA), the Health Information Technology for Economic and Clinical Health Act of 2009 (HITECH Act) and the Department of Health and Human Services Regulation entitled "Standards for Privacy of Individually Identifiable Health Information", 45 CFR Parts 160 and 164, applicable to entities covered by HIPAA; (the HIPAA Regulations).
3. Report or transmit data to the Division that deletes and contains no "individually identifiable health information" or "protected health information" as defined by the HIPAA Regulations and the Health Information Technology for Economic and Clinical Health Act of 2009 (HITECH Act).

County Commission Chairperson (or Municipal Mayor)

(Please Print)

Signature

Date

Executed this _____ day of _____ 20_____.

Rick Lopez, Director
Local Government Division

DOH ASSURANCES AND COOPERATIVE AGREEMENT

The LOURANCE County/City DWI Program referred to as the "Program" and the New Mexico Department of Health (DOH), Epidemiology and Response Division hereby receives the following assurances and enters into the following cooperative agreement, to carry out the requirements of the evaluation MOU between DOH and the Department of Finance and Administration:

The DOH:

1. Acknowledges that it is in full compliance with the provisions concerning research activities in accordance with Federal confidentiality regulations, 42 CFR 2.16 and 2.25, including:
 - a. That a research protocol is maintained in accordance with the security requirements of 42 CFR 2.16; and
 - b. That client identifying information will not be re-disclosed except back to the Program from which the information was obtained; and no individual client will be identified in any report resulting from any epidemiologic research; and
 - c. That the Epidemiology and Response Division has provided a satisfactory written statement that a group of three or more individuals who are independent of the research project has reviewed the protocol and determined that:
 - (i) The rights and welfare of clients will be adequately protected; and
 - (ii) The risks in disclosing client identifying information are outweighed by the potential benefits of the research.
2. Acknowledges that in receiving, storing, processing, or otherwise dealing with any information from the Program about the clients in the Program, the Epidemiology and Response Division is fully bound by the provisions of the Federal confidentiality regulations, 42 CFR Part 2: and
3. Resists any effort to obtain access to information pertaining to patients otherwise than as expressly provided for in the Federal confidentiality regulations, 42 CFR Part 2.

The Program:

1. Agrees to allow the Epidemiology and Response Division access to client records from the web based client screening and tracking system for those clients provided services through the Local Government Division DWI Grant

Program, for the purpose of conducting outcome monitoring research activities.

This agreement will become effective on July 1, 2018.

This agreement will expire on June 30, 2019.

County Manager or other authorized official

(Please Print)

Signature

Date

Michael Landen, MD, MPH,
State Epidemiologist and
Director Epidemiology and Response Division
New Mexico Department of Health
Harold Runnels Building
1190 St. Francis Drive
Santa Fe, NM 87502

Date



*Agenda Item
No. 12*

Approved for use by New Mexico State Agencies and Local Public Bodies

Exhibit A to Master Lease Agreement

Master Lease Agreement Number: 50-000-15-00065

Schedule Number: #3091

State and Local Government Master Lease Purchase Agreement

SCHEDULE

Pacific Office Automation ("Lessor") and Torrance County (Lessee) are parties to the State and Local Public Bodies Agreement identified by the Master Lease Agreement Number specified above (the Master Lease Agreement). This Schedule (which shall be identified by the Schedule Number specified above) and the Master Lease Agreement comprise a separate Lease between the parties. The terms and conditions of the Master Lease Agreement are hereby incorporated by reference into this Schedule. All capitalized terms used in this schedule without definition have the meaning ascribed to them in the Master Agreement. As with the Master Lease Agreement, Lessor and Lessee agree that any Lease entered into under the provisions of the Schedule is a "True Lease" with an option to purchase equipment at fair market value, and is not an installment or financing lease agreement.

1. Lease. 1 KM C458 1 KM 4050

A. Description of Items of Lease Equipment: See rebate form Total Cost: \$24,563.52

B. Term: 36 Months (plus the number of days from and including the Acceptance Date through and including the last day of the calendar month or quarter in which the Acceptance Date occurs).

2. Rent. \$682.32

3. Pricing Expiration Date: Install Date Lessor's obligation to purchase and lease the Equipment is subject to the Acceptance Date being on or before pricing Expiration Date.

4. Equipment Location: 205 9th Street, Estancia, NM 87016

5. Seller: Pacific Office Automation

6. Additional Provisions: _____

7. Fiscal Period: (Annual) _____

Lessor agrees to Lease and Lessee agrees from Lessor the Equipment described in Section 1.A above. Such Lease will be covered by the Master Lease Agreement and this Schedule including important

additional terms and conditions set forth above, if any. In the event of any conflict between the terms and conditions of this Schedule and the Master Lease Agreement, the terms of the Master Lease Agreement shall govern.

Lessor: Lessee: Kristen McKenna

LESSOR: Konica Minolta Business Solutions U.S.A., Inc.

BY (Name and Title): Kristen McKenna, State Contract Manager DATE: 12/21/15

LESSEE Belinda Garland

BY (Name and Title): Belinda Garland
Torrance County Manager

DATE: 12-19-17

Service Included

C458 with service option 1 (5,000 B/W monthly allowance - \$.0070 B/W & \$.047 color)	\$35.00 per/month
4050 with service option 1 (1,500 B/W monthly allowance \$.015 B/W)	\$22.50 per/month
Square 9 Software solution 36 Month Lease (Includes Service) *Includes 4 users with the option to add on more	\$165.00 per/month



PACIFIC OFFICE AUTOMATION

— PROBLEM SOLVED —

Image Management Contract

No. _____

SOLD TO:

Torrance County
 CUSTOMER NAME
 205 9th Street
 BILLING ADDRESS
 Estancia NM 87106
 CITY STATE ZIP
 ()
 TELEPHONE

SHIP TO:

SAME
 CUSTOMER NAME
 SHIPPING ADDRESS
 CITY STATE ZIP
 ()
 TELEPHONE
 KEY OPERATOR

ORDER DATE		PO#	ORDERED BY	SOLD BY	
				Josh Martinez	
QTY	ITEM	TYPE	DESCRIPTION	UNIT PRICE	TOTAL
1		NEW	KONICA MINOLTA C458 COPY/PRINT/SCAN/FAX		
1		NEW	STAPLE FINISHER WITH 2/3 HOLE PUNCH KIT		
1		NEW	2 LARGE CAPACITY PAPER CABINETS		
1		NEW	KONICA MINOLTA 4050 COPY/PRINT/SCAN/FAX		
1		NEW	SQUARE 9 SOFTWARE SOLUTION WITH FOUR USERS		
			*SERVICE INCLUDES DELIVERY/INSTALLATION, TONER, MAINTENANCE, PARTS AND LABOR		
Minimum Monthly Payment (plus applicable taxes) \$ 682.32				Term 36	Months
Service/Supply Commitment		Models	Monthly Minimum Number of Images	Excess Per Image Charge	Excess Billing Cycle
B/W		C458	5000	.0070	<input type="checkbox"/> Monthly <input checked="" type="checkbox"/> Quarterly <input type="checkbox"/> Semi-Annual <input type="checkbox"/> Annual
Color		C458	0	.047	
B/W		4050	1500	.015	
CONDITIONS OF SALE, CONTINGENCIES OR COMMENTS					Device Management
NASPO #3091					Automated Meter Reading
					Auto Toner Replenishment
					Advanced Scanning
					Security
					MFP Network Support
					Power Filter
					Delivery
				Subtotal	
				Sales Tax	
				Total	

By signing this Contract, Customer acknowledges and agrees: (a) this Contract is NON-CANCELABLE; (b) all terms and conditions on the reverse side are an integral part of this Contract; (c) to fully understand all terms and conditions stated herein; and (d) this Contract is the entire Agreement between Customer and Pacific Office Automation relating to the equipment and services described herein, and can be changed only by written agreement signed by both parties.

Customer Authorization

Belinda Garland
 SIGNATURE
 Torrance County Manager
 DATE 12/20/2017
 TITLE

Approved by Pacific Office Automation

BY _____
 TITLE _____ DATE _____

SERVICE/SUPPLY COMMITMENT TERMS AND CONDITIONS

As consideration for Customer's payment as set forth on the front of the Contract, Pacific Office Automation ("POA") agrees to provide parts and labor service for the equipment purchased or leased hereunder pursuant to the following terms and conditions. POA will provide:

- Replacement of all parts found defective or worn as a result of normal equipment use.
- Labor to repair and properly maintain the equipment.
- All preventative maintenance done at intervals specified by the manufacturer.
- Loaner equipment in the event the equipment requires shop work to repair.
- Replacement of photoconductors and heater rollers found defective or worn as a result of normal use.
- Replacement of black and color toner, black developer, brushes, and filters.
- Factory recommended retrofits and improvements in the equipment.

If color toner is included in the Service/Supply Commitment, the color toner will be supplied within the cost per copy charge based upon the standard manufacturer's yield. Excess toner will be billed at standard manufacturer's retail price. Not included in the Service/Supply Commitment are paper, staples, and network support. Service calls by POA covered under the Service/Supply Commitment will only be made during the hours of 8 a.m. to 5 p.m., Monday through Friday, excluding holidays. Service billed at any other time will be billed at standard overtime rates. For products or services acquired hereunder, the terms of payment are net ten (10) days.

Customer agrees to pay POA the minimum monthly payment and overage charges agreed to on the front of the Contract and agrees that excess images over the allotted minimum amount during the billing cycle will be billed to Customer at the agreed to rate. If not noted, excess images will be charged at POA's book rates. If the Service/Supply Commitment combines two or more pieces of equipment of different operating costs, POA reserves the right to adjust image allocation and pricing to fairly reflect actual usage should the actual usage rate of the equipment vary by more than 10% from the expected usage rates. Customer agrees that POA may increase the Minimum Monthly Payment each year during any term by an amount not to exceed 10% of such charge. Service may include reasonable use of Customer's image allotments and materials. Customer's failure to abide by all payment obligations may result in termination of service.

This Service/Supply Commitment shall continue for the term stated on the front of the Contract. The Service/Supply Commitment shall automatically renew for successive one (1) year terms, unless either party provides written notice to the other party of their intent to terminate prior to thirty (30) days before the expiration of the original term or any subsequent renewal term.

GUARANTEES

POA extends to Customer the following express limited guarantees under the Service/Supply Commitment.

1. **STANDARD LIMITED WARRANTY:** POA warrants New equipment to be free of defect in materials and workmanship for a period of 90 days from installation. This warranty does not extend to replacement of supply items or consumables, including, but not limited to photo conductors, heater rollers, fuser, cleaning kits, toner, developer, or paper. For purposes of this paragraph, New equipment shall be defined as equipment with usage up to 5,000 copies. Used equipment will receive a 30-day warranty.
2. **LIFETIME POWER PROTECTION GUARANTEE:** If a POA Power Filter is included in the Service/Supply Commitment, repairs of damage to covered equipment caused by power surges and/or lightning will be covered.
3. **RESPONSE TIME WARRANTY:** POA guarantees four hour average response time for emergency services for equipment that is within fifty miles of POA branch offices. If POA does not perform guaranteed response time for a period of one year, upon written request, Customer will receive a 5% credit towards Customer's next service or supply purchase from POA.
4. **UPGRADE, TRADE-IN LIMITED GUARANTEE:** For all New equipment purchased hereunder continuously covered under a POA Service/Supply Commitment, POA will guarantee a trade-in value on New equipment sold by POA up to 90% during the first 36 months after acquisition and a minimum guaranteed trade-in value of 10% thereafter.

GENERAL TERMS & CONDITIONS

(1) Unless provided, the terms of sale are ten (10) days net. POA agrees to provide reasonable assistance to Customer in its efforts to finance the purchase or lease of the equipment and/or Service/Supply Commitment; however, Customer understands and acknowledges such financing cannot be guaranteed by POA. Customer shall be ultimately responsible for payment of the purchase price of equipment sold or leased. If not provided, the purchase price is the Manufacturer's Suggested Retail Price of the equipment and/or solutions plus the cost of any lease buyouts, delivery charges, installation charges, and the total Service/Supply Commitment.

(2) If equipment is delivered to Customer before final payment, Customer shall grant to POA a security interest in the equipment and agrees to execute and deliver all documentation necessary to perfect such interest.

(3) If customer defaults in the payment of the purchase price or any other obligation as provided herein, Customer agrees to pay to POA a service charge of 1.5% per month and all of POA's related attorney's fees and collection costs, even if no suit or action is filed.

(4) The sales price herein includes the initial installation of the manufacturer's software onto Customer's computers. Prior to such installation, Customer shall perform and complete a system backup. POA shall not be liable for loss or damage of any kind to data or equipment as a result of the installation of the manufacturer's software. Customer shall be solely responsible for the cost of any cables or additional hardware required to connect equipment to a network. POA shall not be responsible for any updates or problems arising after the initial installation due to a change in Customer's computers and/or Network.

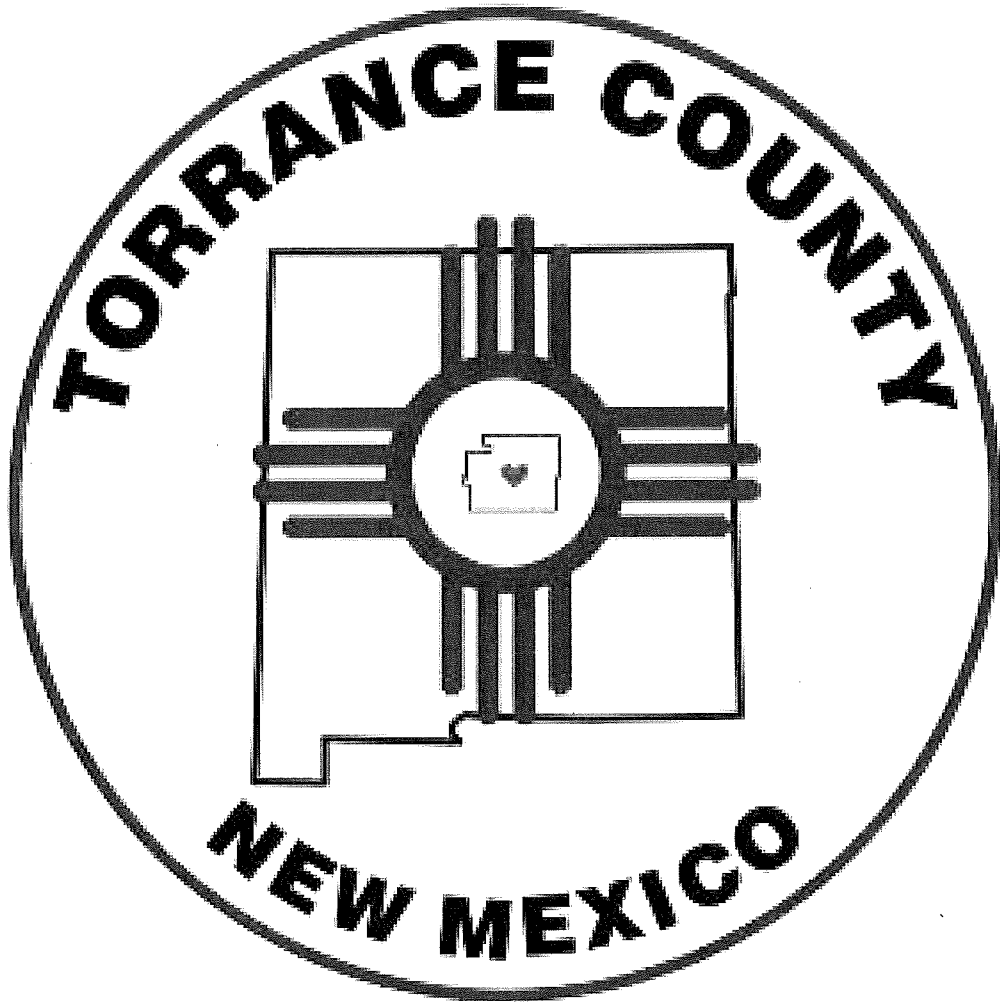
(5) POA MFP Network Service solely provides coverage for services related to the connectivity between the covered equipment and the Customer's Network. MFP Network Service does not provide coverage for services for the Customer's Network itself.

(6) **DISCLAIMER: EXCEPT AS SPECIFICALLY PROVIDED HEREIN, POA DISCLAIMS ALL WARRANTIES, EXPRESS OR IMPLIED, INCLUDING, WITHOUT LIMITATION, ALL IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. EQUIPMENT IS SUBJECT TO A MANUFACTURER'S WARRANTY. UNDER NO CIRCUMSTANCES WILL POA BE RESPONSIBLE FOR ANY CONSEQUENTIAL OR INCIDENTAL DAMAGES.**

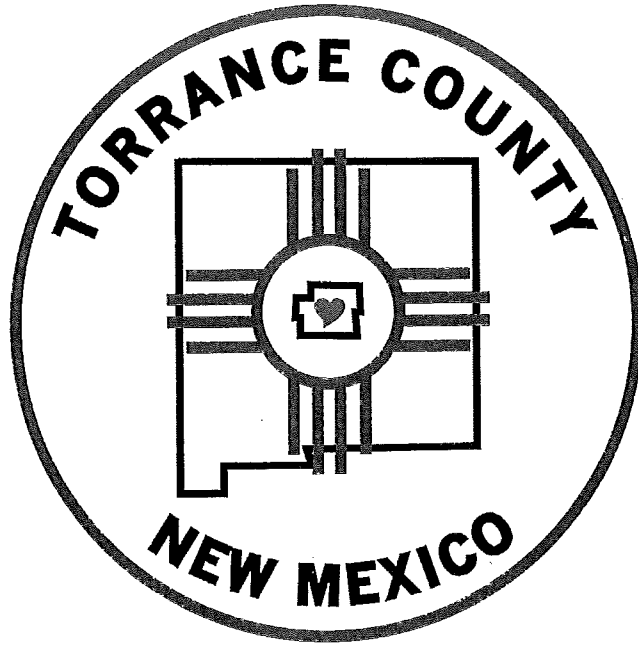
(7) Customer shall make arrangements to protect or remove sensitive and private data that may become stored on Customer's equipment. While POA may provide options for data removal and protection, Customer is solely responsible for selecting an appropriate data removal standard that meets Customer's business needs. POA is not recommending any particular option; and POA is not liable for damages arising from Customer's failure to fully remove and protect its data. Please note that regardless of which standard Customer chooses, Customer must return leased equipment in full working order at the end of any lease term.



Agenda Item
No. 13



*Agenda Item
No. 14*



COUNTY MANAGER UPDATE