

**Final Copy  
Torrance County Board of Commissioners  
Special Commission Meeting  
January 14, 2016**

**Commissioners Present:**      **LeRoy Candelaria-Chairman  
James Frost-Member  
Julia DuCharme-Member**

**Others Present:**                **Joy Ansley-County Manager  
Annette Ortiz- Deputy County Manager  
Brandon Huss-County Attorney  
Michelle Jones -Clerical**

**Call Meeting to Order:**

Chairman Candelaria calls the January 14, 2016 meeting to order at 9:04 am. He welcomes all those present to the meeting and leads us in the pledge. Mr. Josh Knight, a student from Moriarty High School FFA, gives the invocation.

**Approval of the Meeting Agenda:**

Chairman Candelaria asks for a motion to approve today's agenda. **ACTION TAKEN:** Commissioner Frost makes a motion to approve today's Commission Meeting Agenda. Madam Commissioner DuCharme seconds the motion. No further discussion. The Commissioners vote; all in favor, none opposed. **MOTION CARRIED.**

**\*Action Items\***

***Items to Be Considered and Acted Upon***

**\*Public Hearing:**

As part of our efforts to keep residents, business owners, and other members of the public informed and involved in the decision-making process, the Torrance County Commission is seeking input regarding the proposed General Obligation Bond (GO Bond).

Chairman Candelaria speaks. He states that the Commission has a list of projects that are being considered for the GO Bond. The list of proposed projects is given to members of the audience and Chairman Candelaria reads the list below to the audience:

**Proposed GO Bond Projects**

<b>Project</b>	<b>Estimated Cost</b>
♦ New County Software	\$ 1,000,000.00
County Fairgrounds Improvements	\$ 400,000.00
County Road Yard	\$ 250,000.00
Asphalt Zipper for Road Department	\$ 150,000.00
♦ Rigs for Road Department (4 used)	\$ 100,000.00
Fire Engines	\$ 750,000.00
Improvements to Fire Stations (living quarters/wells)	\$ 500,000.00
♦ New Sheriff's Vehicles	\$ 200,000.00
Upgrades to Sheriff's Department Offices	\$ 100,000.00
Security for Treasurer's Office	\$ 50,000.00
♥ Ambulances for EMS (2)	\$ 200,000.00

Ms. Ansley, County Manager, takes this opportunity to introduce Mr. Harrigan, Financial Advisor and Mr. Allsup, Bond Counsel. County legal counsel, Ms. Ansley, Mr. Harrigan, and Mr. Allsup met and reviewed the proposed list and determined that some of the proposed projects are not permissible under GO Bond funds. The following projects were determined to be impermissible:

- New County Software
- Rigs for Road Department( 4 used)
- New Sheriff's Vehicles
- Ambulances for EMS (2)

Ms. Ansley states that there are IRS rules attached to the projects that state that whatever the County decides to purchase has to exceed the life of the bond.

Chairman Candelaria asks that anyone who wishes to speak today sign the **Public Hearing Request to Speak** signup sheet. Everyone who signs up to speak will be given 5 minutes. Any person who signed up to speak can give their 5 minutes to someone else if they wish. Persons can comment on the proposed projects or suggest new projects if they would like.

Chairman Candelaria clarifies that each bond project selected for consideration will be place on a ballot and voted on by the residents of the County.

**Ms. Marcie Wallin** speaks. She is here on behalf of the Fair Board. She has been a Fair Board member for approx. 3 ½ years. She is here to seek a question on the ballot related to bonds to provide funding for a multi-purpose structure for a Fair Building. Ms. Wallin talks about the rich tradition of the Fair, 4-H, and FFA. She states that our kids are our future as well as the future of Torrance County. As adults, we need to seek all possible routes to provide a safe, inviting environment for our County kids to exhibit their hard work.

**Ms. Charlene Guffey** speaks. She proposes a new Road Department building outside the city limits as one of the projects. She also suggests a Sheriff's Department building. She states that looking at the proposed list, she agrees with some of the suggestions and does not agree with others. She does not agree with dedicating a lot of money to County Fairground improvements, mainly because the Fairgrounds are currently located within the city limits of Estancia; the County does not own land that the Fairgrounds are on, we are just leasing it. She believes the Town of Estancia should be giving some money to make improvements. She is more in favor of directing funds towards the Roads, the Sheriff's Department, the

Fire Department and the other County departments. She also comments that she is in favor of an all-mail election for the bond questions.

**Gene Winn** speaks. He is with the Cooperative Extension Service, 4-H and Ag, Agent. He is also here to speak in favor of the County Fairgrounds Improvement project. He comments that the Fairgrounds are being utilized more and more throughout the year. The social and economic benefits are tremendous to the County, as well as the Town of Estancia. Economically, the more the County invests in the Fairgrounds, the greater the return will be. A multi-use facility on the Fairgrounds could have an endless amount of uses: weddings, car shows, dances, etc.

**Laura Winn** from the Moriarty FFA and 4-H, and **Josh Knight** from the State 4-H Office and Moriarty FFA come to the podium to speak. They also speak in favor of the County Fairgrounds Improvement project. Ms. Winn states that over the years she has been able to show sheep and pigs and has been involved in other 4-H opportunities. Mr. Knight states that he has had the opportunity to compete in cattle and lamb showing as well as competitive shooting, archery, and many other activities. Ms. Winn and Mr. Knight talk about their experiences in FFA and 4-H and explain how valuable a multi-use facility on the Fairgrounds would be for themselves, as well as their peers and other kids who will be entering FFA and 4-H. They strongly encourage the Commission to consider this project.

**Joseph Luna** speaks. He also speaks in support of County Fairground Improvements and the building of a multi-use facility on the Fairgrounds. He suggests the possibility of moving the Fairgrounds to a location outside of the city limits of Estancia also stating that it is beautiful right next to our park. He reiterates what Mr. Winn stated about a multi-use facility paying for itself in the long run. The facility could be rented out for a myriad of activities.

**Edwina (George) Hewett** speaks. She states that she is 100% behind a new Fairgrounds. She agrees with Ms. Guffey in that she does not believe that the County needs to borrow money to improve municipal properties. We have our own County property, it should benefit the people that bear the cost of the loan. Ms. Hewett suggests that if a new Fairgrounds was put on the 20 acres that the County has either bought, or is buying, it would be a great benefit to all the County residents. She prepared a written Q&A for the Commission, *which is included in the file for this meeting*. She also wanted to talk about the proposed idea of holding a Special election for the bond questions and also about it being an all-mail ballot. She spoke with Ms. Jaramillo, County Clerk, about this. The last e-mail she

received from Ms. Jaramillo stated that she would not be comfortable conducting an all-mail ballot election. Ms. Hewett also asks why a Special election is necessary; why can't the bond questions go on the ballot for the upcoming General election. She states that she understands that there are timelines involved; she asks if the bond cycle is the main reason for the push for a Special election. Ms. Ansley replies that the existing bond matures in August 2016. In order to try to move the bonds together and keep property taxes level, the election has to be held before the tax rates are certified, which would be before the General election. If the bond questions go on the General election ballot in November, property taxes will have already lowered so we would be asking the voters to approve a tax increase. Mr. Harrigan explains that since the bonds were issued in 2001, the County's assessed valuation has grown. That allows the County to issue a higher amount of debt at the same debt service tax rate than the bonds that were issued in 2001. DFA sets the debt service tax rate for the following year in September. If the election was in November the tax rate for the following year would drop to zero. If approved by voters, then the debt service tax rate would go up the following year after. It also affects the timing of the sale of the bonds because you don't have any tax rate to support debt; you would have to wait about 8-10 months before you could issue those bonds so that the debt service would fall in the following tax year, when there would be tax collections to pay the debt service on the bonds. Ms. Hewett asks if the County's borrowing capacity would change after the tax drop. Mr. Harrigan explains no; the capacity for the bonds, (which is approx. 3.8 million), is based upon 1 mil of property tax to support that debt assuming no growth in the County's assessed valuation over a 15 year period. The capacity stays the same whether the bonds are approved this year, or next year. Ms. Hewett suggests a few more public hearings so the public would better understand this entire issue and have more opportunity to give more input; why rush.

**Matthew Sedillo**, County Council 4-H Treasurer and Estancia FFA Vice-President and **Annie Everett**, County Council 4-H President and Estancia FFA Reporter come to the podium to speak. Mr. Sedillo states that they are here today to speak in favor of the County Fairground Improvements project. He states that he believes we need a new Fairground multi-purpose building. It could bring in more money to our community and in time it would pay for itself. It would also be safer for this generation and the next. He states that we could use the facility to hold FFA and 4-H dances, etc. Ms. Everett states that she has been showing animals at the County fair since she was about 4. She has seen many events come and go through the fair. Just this last winter, she watched the Kids, Kows, and More event and she states that," you could not have seen how excited those kids were to get to see all

those different animals, get to pet them, get to touch them, get to experience what that was like for the first time. That might not have been as easy if it hadn't been at the Torrance County Fairgrounds. I hold that place very dear in my heart and I think a multi-purpose building would be a very smart move because, like you said, it would keep our animals a lot safer. And we spend time and money and sweat and tears on these animals. These are an extension of us; this is our life at this point. So, if we can make a way for it to be safer for our animals, safer for us, and easier for us, it would pay for itself and I promise you, you would get the gratitude of all the kids who are gonna show and who have past showed- because, believe me, they love this place and they don't want it to have to suffer. I really think it would be a good plan."

Mr. Sedillo adds that, "our animals, during the summertime, are like our job. We have to get up every day and take care of them....this is like you coming to work, in your environment, you want it to be nice. Just like us, we want it to be taken care of also."

**Art DuCharme** comments that he is in support of funding the County Fairgrounds Improvements project. He states that the only caveat he has is, like others have stated, that he believes that the money should be invested in property that is owned by the County. He understands that the current lease with the Town of Estancia expires in 2019. He believes we should move the Fairgrounds and a multi-purpose facility to County property. He also supports Road improvements; certain roads could even be listed on the ballot. He believes there should also be better management of the Road Department with citizen oversight; many counties have watchdog committees. He thinks the current Sheriff's offices are inadequate for the importance of their position. In terms of the bond issue itself, he thinks citizen input is vital and we should do this at a General election. It might be later for us to get the funds, but it would be a better representation of what the people want.

**Lonnie Freyburger** speaks. He states that he is also in full support of a multi-purpose building if it is legal and the County maintains ownership of the building. He believes this is critical. He clarifies with Mr. Harrigan that residents in and out of the municipalities would be paying for this. Mr. Harrigan states that yes, this tax would be countywide. He knows that right now the City of Moriarty is building a Fire training center. They have received support from the State and support from Santa Fe County. It will save the expense of sending people to train in Socorro. He now states that he believes we are rushing into this election. We need to take more time to look at this and possibly get more input from the municipalities and residents.

**Robert Chavez** speaks. He is the Mayor of the Village of Willard. He takes this opportunity to thank Ms. Ansley and the Commission for getting the Joint Powers Agreement to take over the Fire Department. He is here to give support to Ms. Marcie Wallin and the Fair Board. He speaks in support of the County Fairgrounds Improvements project. He emphasizes how important it is for our kids. He encourages the Commission to work on this.

**Morrow Hall** speaks. He is a member of the Board of Trustees for the Town of Estancia. He comments that the first time he attended the County Fair he was about 4 years old and the Fair was in Willard. At some point, the Town of Estancia was willing to lease to the Fair Board the property adjacent to the Park. He remembers the lease being created. He does not know when it will expire, but does not think there will ever be a problem with it. He believes that the 20 acres that is being spoken about is also within the city limits. He does not see the advantage of moving the Fairgrounds. That said, he is here to speak in favor of the County Fairground Improvements project and the addition of a multi-purpose facility. He has been working with the Fair to try to increase participation from our Art community. The Fairgrounds is a great place to showcase local talent. Estancia, Torrance County and the Fair Board have cooperated forever and he does not see any reason why that would not continue.

**Michael Godey** speaks. He suggests insuring that the County has a very long lease with the Town of Estancia for the Fairground, perhaps 99 years. He also comments that Roads are very important. The main responsibility of the Commission is safety and infrastructure; roads and buildings. Infrastructure needs to be the top priority.

**Michelle Jones** (myself) speaks. She thanks the members from the Moriarty FFA and the Torrance County 4-H for being here today. She states that their presentation was one of the more professional, compelling, passionate, respectful arguments that she has heard. Their presentation was wonderful and cannot be ignored. She is in full support of the County Fairgrounds Improvements project and the building of a multi-purpose facility.

At this time, Chairman Candelaria asks Ms. Jaramillo, County Clerk, about the estimates for running an all-mail or a precinct election. Ms. Jaramillo comments that she first heard about the possibility of conducting this Special election in an email from Ms. Ansley last September. A spring election was discussed, which would be held in April. At that time, it seemed like a feasible thing to do. After more discussion and further research, Ms. Jaramillo gave rough estimates to the Commission of \$18,000.00 for an all-mail election and \$28,000.00 for a full blown

election with precinct workers. Today, Ms. Jaramillo states that, after further research, she is not comfortable with holding an all-mail election. She states that we have approximately 9,120 voters in Torrance County. She would have to mail ballots to all 9,120 voters. Of all those ballots, maybe 50% would be voted and returned. There would be approximately 4000 ballots that would be unaccounted for. Ms. Jaramillo states that she is used to running absentee elections where a voter will request an absentee ballot; there is documentation that they requested a ballot, we send them a ballot, they vote it and send it back. If these ballots are mailed out, people might think they are just campaign material and throw them in the trash. She states that she does not like the idea of ballots that she sends out not being accounted for. Other counties also pay return postage for the ballots, which would be an additional expense. Ms. Jaramillo states that it is at the discretion of the Commission how the election is conducted, but she is not comfortable with all-mail. There would also be undeliverable ballots. Ms. Jaramillo consulted with other County Clerks in order to make her decision.

She researched the minutes from the last bond election. According to the minutes, the Commission had discussion with Bond counsel in May and then the Commission approved the resolution in August. Ms. Jaramillo did not see any discussion in between; no public hearings. She thinks it is a good idea to have public hearings. During her research, Ms. Jaramillo talked with Ms. Ansley and with the Lincoln County Clerk and learned that she can have this election in August. This would give the Commission more time to discuss the potential projects and it would still be held before the tax rates were set in September. Chairman Candelaria thanks Ms. Jaramillo for the clarification.

**Ms. Leota Harriman** with the Independent newspaper asks Ms. Jaramillo if there is anything preventing the Special election from being combined with the Primary election. Ms. Jaramillo replies that you cannot have it with the Primary because the Primaries are designated only for Republican or Democrat voters; all the other voters would be disenfranchised.

Commissioner Frost asks Ms. Jaramillo about the cost of an August election. Ms. Jaramillo reiterates at it would cost \$28,000.00. Commissioner Frost asks what it would cost to include the bond questions with the General election ballot. Ms. Jaramillo clarifies that she would be conducting the General election anyway, so it would just be the addition of the bond question on the ballot and it would be absorbed into the cost of this election.

**Michael Godey** states that he supports having the Special Election in August; this would give time for another public hearing and more information gathering.

**Edwina Hewett** again asks why the urgency to hold a Special Election. Why not wait till the General election and save the taxpayers \$28,000.00. It just extends the time to borrow the money and move forward on the projects. Why support August vs November. Ms. Ansley replies that this hasn't been a hasty decision, the County has been discussing this for a few years now, knowing that the bonds were going to mature in 2016. She states that we wanted to coincide to extend them. She thinks that the reasoning behind that was so that the campaign would be to keep taxes steady. If we wait until November, the taxes are going to go down and then we are voting to increase taxes again.

Commissioner Frost comments that if we wait until the General election, this will give more people time to understand what we are going to do and he thinks that if County Fairground improvements and a multi-purpose building and road repairs are a good idea now, they will still be a good idea in November. He further states that now that we know that some of the ideas on the list are ineligible, there will be time now for a revised list that could be discussed.

There is more discussion about the dollar estimates listed for each project. Ms. Ansley clarifies that these are very rough estimates, based mainly on prior knowledge.

Ms. Ansley states that there will most likely be about three bond questions on the ballot, although the County can have as many bond questions on the ballot as they want. County Fairground Improvements could be one, for example, with a dollar estimate that the voters could vote on. Chairman Candelaria states that the Commission cannot and will not campaign for any individual project; the voters will decide. Bond counsel will assist with the formulation of the bond questions.

Mr. Harrigan states that the questions will have an "Up To" amount. The question will show a project and an 'up to' amount for that project. If approved, the County cannot spend over that amount; they can spend less, but not more.

Ms. Edwina Hewett asks if the County budget would have to fund the pre-planning work (surveys, architect, etc.) for any of the projects or could that money also come from the bond. Mr. Daniel Allsup answers that yes, the pre-planning dollars can come from the bond. For example, a bond question could be worded as follows:

Shall Torrance County be authorized to issue up to \$500,000.00 to plan, design, construct, equip, repair, and improve County Fairground buildings?

Mr. Allsup further explains that if a question like this was approved by the voters, then when the County was ready to begin the process of borrowing money and undertaking the project, before actually issuing the bonds, the County could expend money out of the General fund, for example, for preliminary expenditures and then, once the bonds are issued, take some of that money from the bond proceeds and reimburse the County's fund.

Madam Commissioner DuCharme comments that she agrees with Commissioner Frost that the proposed list of projects needs to be revised and that we should have less projects that are quality projects. She states that she also agrees with Commissioner Frost about including the bond questions with the General election ballot and not have a Special election. We don't need to spend \$28,000.00 on a Special election when our Sheriff's Department is understaffed and our roads are in dire need of repair. She further states that she would support Fairground Improvements, but she would like to see those improvements on County owned property. She states that we need to improve infrastructure in the County and not try to improve the infrastructure of the municipalities. She understands Mr. Hall's comments; he is trying to protect his constituents. She states that our responsibility is to protect the constituents of Torrance County. She states that it only makes sense to make the investment on our own property. Commissioner Frost comments about the lease the County has with the Town for the Fairgrounds; he believes it is a 99 year lease. There is a question about when this lease expires. Commissioner Frost further comments about the expense of moving the entire Fairground facility to another location; it's not just moving a multi-purpose building. The cost to build the Fairgrounds in another location would be very expensive. Madam Commissioner DuCharme states that it would be money well spent. She reiterates that she wants to see less projects of a higher quality.

Chairman Candelaria comments that our Fairgrounds and Estancia complement each other, with the great park that we have right there, the facilities complement each other. As far as constituents, both the city of Estancia and the unincorporated areas are our constituents. The bond questions will give everybody in the County a choice to vote for the projects or not. He states that he believes the Fairgrounds should stay where they are and we should continue that relationship with of complimenting each other.

Madam Commissioner DuCharme states that Mr. and Mrs. Harrell informed her that they are in support of the County Fairground Improvements project. They also informed her that the lease will expire before the County Fair of 2019. She asks Ms. Ansley for comment. Ms. Ansley states that she is not sure what Madam

Commissioner DuCharme is talking about; the land lease is for 99 years. Ms. Ansley states that it may be the Fairgrounds agreement that the County has with the Town.

**Mr. Albert Chavez** from Moriarty comments that he has been on the Fair Board for many years. He states that ever since he can remember we have had lease with the city for \$1.00 for 99 years and he does not think it will expire. He states that he is a contractor and asks, "Can you imagine how much it would cost to move all the buildings that we have now? Everything is set up for us. It would be nice, but it would cost a lot of money." "We are just asking for a building so we can have our kids there." He states that his kids show animals too and we need a new building. He states that a new building would be good for everybody. He states that a lot of the buildings that are currently at the Fairgrounds were donated. The Fairgrounds don't just benefit the town, they benefit the entire County. Madam Commissioner DuCharme suggests moving the Fairground a little at a time to County owned property.

**Marcie Wallin** comments that Marrow Hall has worked tirelessly trying to get area artists to bring their art in to the Fair building. This is a problem because the Fair building leaks. Art exhibited by the kids as well as art donors is as worthy as any famous artist and it's imperative that we provide a safe place for this art to be displayed.

Madam Commissioner DuCharme states that she talked with the Finance Director of Santa Fe County and she told Madam Commissioner DuCharme that once they did a referendum and it was not successful. They have had much better luck putting bond questions on the ballot of a General election. Ms. Jaramillo comments that the County always has more participation during a General election; people tend to not vote during Special elections. She clarifies, however, that more people voting does not mean a better chance that the bond will pass. Mr. Harrigan comments that he is the financial advisor for Santa Fe County and they do have their general obligation bonds at the General election. He states that every county, every city, every school district is different. Los Alamos likes the mail in ballot; other counties like to have a Special election so that when the voters go out, they know exactly what they are voting for. He states that, in his opinion, there is no one tried and true way, but the most important thing is communication with the public on what the questions are. Madam Commissioner DuCharme states that the Finance Director of Santa Fe County also told her that the voters like it when the projects are pre-planned and thought out. Lastly, Madam Commissioner DuCharme states that considering the magnitude of the General election, the

County Clerk should be able to concentrate on that and do a fine job; there is no need for us to spend money we don't have.

This concludes the Public Hearing.

**Detention Facility Inspection:**

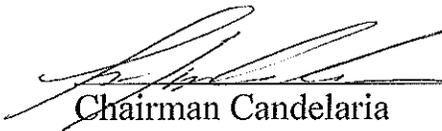
The County Commission will conduct an inspection of the CCA facility in Estancia, NM.

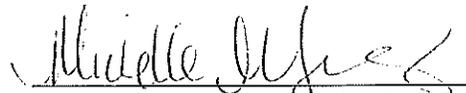
The Commission adjourns the Special meeting and heads to the CCA facility.

**\*Adjourn**

**ACTION TAKEN:** Commissioner Frost makes a motion to adjourn the January 14, 2016 Commission Meeting. Chairman Candelaria seconds the motion. No further discussion. The Commissioners vote. All in favor, none opposed.

**MOTION CARRIED.** Meeting adjourned at 10:46 am

  
Chairman Candelaria

  
Michelle Jones, Clerical

1/27/16  
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.**