

**Final Copy
Torrance County Board of Commissioners
Commission Meeting
January 27, 2016**

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

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

Call Meeting to Order:

Chairman Candelaria calls the January 27, 2016 meeting to order at 9:01 am. He welcomes all those present to the meeting and leads us in the pledge. Mr. Fred Sanchez, resident, gives the invocation.

Approval of the Meeting Minutes:

Chairman Candelaria asks for a motion to approve the January 13, 2016 Regular Meeting Minutes. **ACTION TAKEN:** Madam Commissioner DuCharme makes a motion to approve the January 13, 2016 Regular Meeting Minutes. Commissioner Frost seconds the motion. The Commissioners vote; all in favor, none opposed. **MOTION CARRIED.**

Approval of the Meeting Minutes:

Chairman Candelaria asks for a motion to approve the January 14, 2016 Special Meeting Minutes. **ACTION TAKEN:** Commissioner Frost makes a motion to approve the January 14, 2016 Special Meeting Minutes. Madam Commissioner DuCharme seconds the motion. The Commissioners vote; all in favor, none opposed. **MOTION CARRIED.**

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. Chairman Candelaria seconds the motion. Madam Commissioner DuCharme asks to delete or withdraw agenda item #4. **Appoint Executive Board Member to the Mid Region Council of Governments.** She states that she thinks that the Commission does not have the authority to do that. She states that the Commission cannot appoint anybody to the Executive Board of the MRCOG; the Commission can only appoint to the MRCOG Full Board. She adds that the Commission has already discussed this issue recently. Ms. Ansley comments that she put this item on the agenda at the request of Mr. Cave, the Executive Director of the MRCOG; he indicated that there are still some issues with regards to who the Executive Board member is. He understands that the Commission appointed a member to the Executive Board, but that does not seem to be satisfactory to our Full Board members that are attending the meetings so he asked that we put this on the agenda and take care of the issue. Madam Commissioner DuCharme states that she also talked with Mr. Cave and asked him if he had been provided with the information from our recent meeting where the decision was made and he told her he was not provided with that information. Madam Commissioner DuCharme states that Ms. Ansley told Mr. Cave that she was going to put this item on the agenda; he did not request it. Ms. Ansley responds that Mr. Cave requested that the County decide who the Executive Board member was going to be so Ms. Ansley stated that she would put it on the agenda. Madam Commissioner DuCharme states that she has the articles of agreement establishing the Middle Rio Grande Council of Governments of New Mexico. She states that under definitions, under Executive Board, it says 'Executive Board shall mean that group of representatives selected by and from the Board of Directors to act as the primary policy and direction implementing body of the COG'. Commissioner Frost comments that we will have another Commission meeting in two weeks and suggests that the Commission request a written opinion from Mr. Cave on this issue. Ms. Ansley states that she asked Mr. Cave about the Full Board appointing one of our Commissioners to the Executive Board. She states that he told her that the County Commission makes this appointment. Madam Commissioner DuCharme disagrees. After some discussion, it is decided that this item will be tabled and a written opinion on this issue will be requested from Mr. Cave before the next Commission meeting. No further discussion. The Commissioners vote; two in favor, Madam Commissioner DuCharme is opposed. **MOTION CARRIED.**

Approval of the Consent Agenda:

Chairman Candelaria asks for a motion to approve today's consent agenda. **ACTION TAKEN:** Commissioner Frost makes a motion to approve today's Consent Agenda. Chairman Candelaria seconds the motion. At the last Commission meeting, Madam Commissioner DuCharme asked about the Road Department Grader/Equipment Lease payment in the amount of \$17,262.01; stating that it was much higher than usual. At that time, Ms. Ansley commented that it might have been a double payment and that she would look into it. Madam Commissioner DuCharme asks Ms. Ansley about this. Ms. Ansley replies that she apologizes, she has not looked into this, but will have an answer for Madam Commissioner DuCharme by the end of the day. No further discussion. The Commissioners vote; all in favor, none opposed. **MOTION CARRIED.**

Approval of the Indigent Claims:

Chairman Candelaria asks if there are any indigent claims to be approved today. Ms. Annette Ortiz replies yes, there are two: one for \$972.00 and one for \$300.00. **ACTION TAKEN:** Commissioner Frost makes a motion to approve today's Indigent Claims. Chairman Candelaria seconds the motion. Madam Commissioner DuCharme asks if these claims are listed on the consent agenda. Chairman Candelaria replies that they are not; they are medical and they are private. Ms. Ortiz comments that they are part of the consent agenda because they get paid by the County, but they are confidential. No further discussion. The Commissioners vote; all in favor, none opposed. **MOTION CARRIED.**

Action Items

Items to Be Considered and Acted Upon

Commission Matters:

1. Elect Vice-Chair of Commission ACTION TAKEN: Commissioner Frost makes a motion to appoint Madam Commissioner DuCharme as Vice-Chair of the Commission. Madam Commissioner DuCharme thanks Commissioner Frost for the nomination, but states that she is not interested. Chairman Candelaria makes a motion to appoint Commissioner Frost as Commission Vice-Chair. Commissioner

Frost seconds the motion. No further discussion. The Commissioners vote; two in favor, Madam Commissioner DuCharme abstains. **MOTION CARRIED**

2. Update on El Cabo Wind Project- Mark Stacy, Iberdrola Renewables
Ms. Ansley speaks. Mr. Stacy is not able to attend today's meeting. He will check his schedule and try to get on a future agenda. **NO ACTION**

3. Request to Move "Public Request" Section of Commission Agenda to the Beginning of Meeting Madam Commissioner DuCharme speaks. She put this item on the agenda. She states that we, as a Commission, and she, individually, received a lot of complaints about this. People are upset that they basically don't know the exact time when they will be allowed to speak. Also, they have to sit through the whole meeting to be able to speak. People also feel that the Commission is not interested in hearing their opinions; that the Commission believes it can make decisions without their opinions and that their opinions are not relevant. Madam Commissioner DuCharme states that she wants the Commission to hear those complaints and listen to the people. **ACTION TAKEN:** Madam Commissioner DuCharme makes a motion to put the Public Request section of the Commission agenda at the beginning of the meeting. There is no second. **MOTION DIES**

4. Appoint Executive Board Member to the Mid Region Council of Governments **ACTION TAKEN:** Commissioner Frost makes a motion to table this item. Chairman Candelaria seconds the motion. Madam Commissioner DuCharme states that she wants to repeat again that the Commission does not have the power to do this and it should not appear on the agenda again with this wording and in this form. No further discussion. The Commissioners vote. Two in favor, Madam Commissioner DuCharme is opposed. **MOTION CARRIED**

5. Resolution 2016-05- NMAC Healthcare Policy Committee Ms. Ansley speaks. The Association of Counties drafted and approved a resolution for the Healthcare Policy Committee. They sent out an emergency email asking all the Counties to approve the same. All documentation hereto attached. **ACTION TAKEN:** Madam Commissioner DuCharme makes a motion to approve Resolution 2016-05 – NMAC Healthcare Policy Committee. Commissioner Frost seconds the motion. Chairman Candelaria explains that this resolution concerns the monies that were being paid from counties that do not have hospitals to pay for

counties that do have hospitals. Ms. Ansley adds that this resolution stops any further financial obligation from those counties. No further discussion. The Commissioners vote. All in favor, none opposed. **MOTION CARRIED**

6. Report on Jail Inspection, Conducted on January 14, 2016. Ms. Ansley speaks. She informs the Commission that prior to 2011, state statute indicated that the Commission was supposed to conduct bi-annual jail inspections and then draft a letter to the District Judge indicating that the inspection had been conducted. In 2011, the statute was revised and changed to read as listed below:

33-3-4. Inspection of jails and detention centers; report. (2011)

Each governing body of a county or municipality shall conduct an annual site visit to the jail or detention center under its jurisdiction to inspect the overall conditions at the facility. Following a site visit, an inspection report shall be presented at a regular meeting of the governing body. History: Laws 1865-1866, ch. 19, § 3; C.L. 1884, § 470; C.L. 1897, § 823; Code 1915, § 3035; C.S. 1929, § 75-103; 1941 Comp., § 45-203; 1953 Comp., § 42-2-3; Laws 1983, ch. 181, § 5; 1984, ch. 22, § 6; repealed and reenacted by Laws 2011, ch. 142, § 1.

Ms. Ansley comments that she is unclear as to whether the inspection report needs to be written or not. Mr. Wallin, County Attorney, comments that the statute is unclear on this point, however he thinks a verbal report read into the minutes is appropriate. Chairman Candelaria gives the verbal report.

Chairman Candelaria states that he, Ms. Ansley, and Madam Commissioner DuCharme went to inspect the jail. He states that, in his opinion, it is a well-run organization. Having our prisoners in CCA saves the County a lot of money because it keeps a lot of the liability off the County. If we had our own private jail, it would cost a lot more money than we could probably afford. He comments that during the Association of Counties meetings, Luna County gave a report about their jail; they were responsible for many costs associated with the jail, where we have a contract with CCA. He states that CCA took them to their medical facility, their dental facility, and the pods where the prisoners are kept. It was clean and very orderly. Chairman Candelaria states that he had a good feeling about how our prisoners are being taken care of; according to the rules and regulations. Madam Commissioner DuCharme comments that she has the same good opinion about the jail. She also comments about the Association of Counties meetings and hearing about problems with jails in some of the other counties. She states that she is so glad that we don't have the headache that other counties experience with their jails. She further states that she has noticed that year after year CCA tries to be a good neighbor to the County; CCA participates in the County Fair and buys a lot of

animals and support our youth. We are very fortunate to have them here in Torrance County.

Department Requests/Reports:

7. Updates

Leonard Lujan, Road Foreman, speaks. All the guys are out working. They were going to start blading tomorrow, but another snow storm is coming Sunday-Wednesday. They are working on the road over by the dairy and are hauling material to Shondale Road and to Windmill East to work on those roads. Mr. Lujan also presents the Commission with three proposed State project handouts for their review:

- **Project #2016/17 SP Project –Appaloosa Rd.**
- **Project #2016/17 SB Project – Rocking RL Rd, Pumpkin Rd, Watson Rd**
- **Project #2016/17 CAP Project – Camino Del Norte, Riley Rd, Solomon Rd N, Howell Rd, Marshall Rd, Ice Plant Rd W, Ice Plant Rd E, Willow Lake Rd E**

(These handouts are included in the file for this meeting)

Betty Cabber, County Assessor, speaks. She states that they are getting ready to close out all of their 2016 assessments for 2016 Notices of Value mailing. She is going out for bid for the printing of the Notices of Value, which will be mailed out at the end of March. If anyone has any issues with their Notices of Value, they have 30 days from the date of the mailing to protest. If property owners have a change of mailing address, they are asked to submit that to the Assessor's Office before the Notices are mailed. Last November, the local radio station had Ms. Janice Barela, County Treasurer, on and they asked her about the Treasurer's Office. It was very informative. This year Ms. Cabber will be interviewed and will talk about her office. Ms. Cabber informs all that the Special Method of Valuation Reporting forms have been mailed out, as well as Business Personal Property Reporting forms. Mr. Bill Holt, one of Torrance County's State Certified Appraisers, is concentrating on agricultural land as to the proper use of it: grazing, irrigation, or other agricultural production. Her office also sent out applications for Special Method of Valuation with all their rendering forms. She states that, per statute, her office has to have an application on file that tells them how an agricultural property owner is using his property; if it's being used for grazing or

irrigation, etc. Her office conducts field visits to insure that those properties are being used as agricultural properties. If not, they will remove those values and list the property as non-residential, which will increase the value of the property, which could increase the taxes.

Ms. Cabber is on the Board of Directors for the NMAC; they had a meeting last Tuesday and will have another one on Saturday, February 5th, in Santa Fe. If there is anything in particular that anyone wants Ms. Cabber to ask or find out about, they can contact her.

Madam Commissioner DuCharme thanks Ms. Cabber for her efforts to keep the Commission informed.

Steve Guetschow, Planning and Zoning Director, speaks. At the NMAC Conference last week, the Regulation and Licensure Board offered to come to Torrance County and give a presentation to our Planning and Zoning Board members about what they do concerning land divisions. The Regulation and Licensure Board are the people in Santa Fe who review professional licenses and issue them. Chairman Candelaria suggested that they present during a Commission meeting. In this way, everyone can hear the presentation and understand how they go about their regulation process. Mr. Guetschow is working with Ms. Ansley to make this happen.

Mr. Guetschow also states that last week the Regulation and Licensure Board praised Torrance County for their efforts in ensuring that these licensed professionals are doing their due diligence for their customers.

Commissioner Frost comments that last Wednesday he transported a number of senior citizens to the Capital Building in Santa Fe to sit in on a session and learn about what was going on up there. He also took along his Senior Program Director, Rick Gonzales. Commissioner Frost and Mr. Gonzales were able to meet with Representative Matthew McQueen. They discussed Torrance County matters as well as senior citizen matters. Hopefully, the discussion will benefit our County in the future.

Madam Commissioner DuCharme takes this opportunity to thank Mr. Nick Sedillo. She also attended the NM Association of Counties meetings last week and at one of the meetings, Torrance County was presented with an award for its Safety Program. She states that she can't describe how proud she was. She thanks Mr. Sedillo and everyone who participates in this program and makes it possible. It

isn't easy to compete with so many other counties from around the State, but Torrance County can.

Chairman Candelaria also thanks Mr. Nick Sedillo for his diligence on safety. Keeping our employees safe saves money for the County. Torrance County received a check for \$7,000.00 from our insurance pool for being safe. Torrance County also received an award for reduction of accidents by more than 55%. Chairman Candelaria comments that the Commission is not immune from the safety program; he spent 6 hours in Defensive Driving Class yesterday. One of the reasons our safety program is so successful is that everyone participates. Chairman Candelaria states that Mr. Sedillo gives a lot of credit to the employees, which is the right thing to do, but if we didn't have someone pushing all of us to be safe, we would slack off.

Chairman Candelaria now states that he met with several Commissioners, one being Commissioner Wayne Johnson, about Kirtland Air Force Base. Commissioner Johnson asked Chairman Candelaria if Torrance County would consider being supportive of Kirtland Air force Base. As our neighbors to the west, the base, along with Sandia Labs, brings a lot of jobs to our area. Commissioner Johnson will be sending Chairman Candelaria more information about this.

Chairman Candelaria now states that he and Ms. Ansley are planning to schedule a meeting with Senator Ted Barela in the very near future. They will ask Senator Barela for help with capital outlay requests for the County as well as the municipalities within the County.

Lastly, Chairman Candelaria takes this opportunity to thank the Road Department for their continued hard work, stating that they are doing what they can do with all the recent moisture.

8. Professional Services Agreement with Tri County Juvenile Justice Board for Board Coordinator Ms. Ansley speaks. The Juvenile Justice Board has been trying to find a new Board Coordinator and a new RAC Services Provider. The recommendation from the Board was to contract with Ms. Jenea Ortiz as the Continuum Board Coordinator. This contract is only from February thru June 30th, the end of the fiscal year; funds for the next fiscal year have not yet been received. This is a contract in the amount of \$11,589.00. Judge Page is the Chair of the Juvenile Justice Board and he asked that the Commission approve this contract with Ms. Ortiz. All documentation hereto attached. **ACTION TAKEN:** Commissioner Frost makes a motion to approve the Professional Services

Agreement with the Tri County Juvenile Justice Board for Board Coordinator Jenea Ortiz. Ms. Ansley adds that this position was published and the Board had an interview and hiring committee. Ms. Ortiz was the only applicant, but the Board has faith that she will do the job to the best of her ability. Ms. Kathy Swope, who is still acting as the Board Coordinator, has agreed to help train her. Chairman Candelaria seconds the motion. Madam Commissioner DuCharme states that the title of this agreement says '(Multi-term)', and under section I. Period of Agreement, it states 'subject to the annual reviews'. Madam Commissioner DuCharme asks Mr. Wallin what this means. Mr. Wallin explains that it basically means that Ms. Ortiz's performance will be reviewed on an annual basis and then a determination about whether or not to reinstitute the agreement for an additional year will be made at that time by the Juvenile Justice Board. Madam Commissioner DuCharme asks if Ms. Jenea Ortiz is a family member of Ms. Annette Ortiz, Deputy County Manager. Ms. Annette Ortiz replies that Jenea is her husband's cousin through marriage. Mr. Wallin comments that Ms. Jenea Ortiz is sufficiently removed from consanguinity under the nepotism act. Also, she will not be under Ms. Annette Ortiz's direct supervision. No further discussion. The Commissioners vote. All in favor, none opposed. **MOTION CARRIED**

9. Professional Service Agreement with Tri County Juvenile Justice Board for RAC Service Provider

Ms. Ansley speaks. This agreement is also for the Juvenile Justice Board. This is for the RAC Service Coordinator position. The contractor is Mr. Sid Ware. Ms. Ansley states that she believes there were three applicants who were interviewed by the Juvenile Justice Board hiring committee and Mr. Ware was selected. All documentation hereto attached. **ACTION TAKEN:** Commissioner Frost makes a motion to approve the Professional Service Agreement with the Tri County Juvenile Justice Board for RAC Service Provider Sid Ware. Chairman Candelaria seconds the motion. No further discussion. The Commissioners vote. All in favor, none opposed. **MOTION CARRIED**

10. Request for Fiscal Assistance with Senior Programs in Torrance County

Ms. Cheri Nipp speaks. She is a Regional Director for Presbyterian Medical Services. She introduces Mr. Rick Gonzales, Presbyterian Medical Services Administrator, to the Commission. Ms. Nipp first states that PMS has been committed to Torrance County and every county in New Mexico for many years. PMS has been committed to Torrance County since the early 1990s, with the Senior Citizen program beginning around 2002. She states that PMS has bared the risk of the contract that has been funded to PMS with the partnership of the County

for the majority of that time. Through a recent legislative mandate, Long term and Aging has sent out an RFP and the dollars through the Non-Metro AAA, who PMS contracts with to provide meals and transportation for seniors in Torrance County. In that legislative mandate, they stated that would only pay \$4.00 cap per meal for congregate meal service, \$6.00 for home delivered meal service, and \$10.00 for transportation, etc. These price cuts are across the state of New Mexico; no one is exempt. Ms. Nipp shares the following email and portion of the RFP with the Commission:

From: CHERI NIPP <Cheri.Nipp@pmsnm.org>
Sent: Monday, January 18, 2016 5:39 PM
To: lcandelaria@tcnm.us
Cc: Torrance County, Manager
Subject: Torrance Sr. Program

Hi, I think I emailed you from your county web site on Frlday, but now not sure It went through.

As you are aware the state has dropped funding for senior meals to the following:

*\$4.00 for Congregate Meal, cost runs close to \$11 a meal for all cost applied
\$6.00 for Home Delivered Meal , cost runs close to \$12 a meal for all cost applied
\$10.00 for Transportation Units*

This will begin in July 2016 contract. We submitted our contract with normal budget cost, but it was sent back stating no further funding. They are asking counties to step up and take some of the cost, a legislated decision. I talked with Joy last week also as PMS has to decide this week if we can continue the contract with your help. I am writing this week into the United Way application, to help defer the extra loss of revenue for meals, for the amount of \$44K, that is the cap for that grant. I need to know by the end of this week if the county can take over the maintenance of the building, daily cleaning (all but the kitchen, we can do that); Vehicle, maintenance and all utilities. This would be additional dollars estimated at; Custodial your cost, not sure of this salary for county but for PMS it was \$13K a year, Vehicle estimated at \$8K a year; Utilities at \$30K a year, which equals \$51,000.00 a year. Please let me know if there is any way the county can work on this request to support in this year budget or if the answer is not at this time.

Thanks and I can come to Santa Fe, Torrance or call by phone to discuss this week if you let me know. Thanks Cheri

Strive to know and understand!

Cheri Nipp
REGION DIRECTOR
CENTRAL REGION

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NCNMBDD Non – Metro AAA reserves the right to alter any proposed allocation by program area based on review of all the competitive proposal applications and any legislative mandates included in the appropriations. **Population Distribution Download** lists the target population by county.

E. PAYMENT PROVISION

Payment will be provided through a maximum/capped unit rate contract in accordance with the approved service. Final contract rate will be based on final negotiations with the Non-Metro AAA based on historical data, funding availability and other reasonable factors.

Congregate Meal Service - \$4 per meal

Home Delivered Meal Service - \$6 per meal

Transportation Service - \$10 per one-way-trip

Assisted Transportation Service - \$15 per one-way-trip

Case Management Service - \$16 per hour

Homemaker Service - \$15 per hour

Chore Service – Seasonal \$16 per hour Year Round - \$15 per hour

Adult Day Care Service - \$12 per hour

Caregiver Respite Care Service - \$15 per hour

Grandparent Raising Grandchildren Respite Care Service - \$15 per hour

Caregiver Access Assistance - \$ per contact (negotiable)

Caregiver Counseling Service - \$ per session (negotiable)

Caregiver Information Service - \$ per activity (negotiable)

Caregiver Supplemental Service - \$ per distribution event (negotiable)

Evidence Based MyCD Service - \$4 participant hour

Evidence Based EnhanceFitness Service - \$6 participant hour

Maximum/capped unit rate: An agreement under which a specific, set rate is paid for a specific unit of service. The rate is fixed for the term of the contract, regardless of the applicant's cost unless otherwise specified in the terms of the agreement with Non – Metro AAA. When a rate is negotiated and agreed upon, the payment of funds each month is dependent on the number of units provided by the applicant up to the amount awarded.

F. PROCUREMENT MANAGER

The Non-Metro AAA has designated a Procurement Manager who is responsible for the conduct of this procurement whose name and e-mail is listed below. It is the intent of Non – Metro AAA that the RFP response process is open and fair and that the funds are allocated in a manner that provides the greatest possible benefit to New Mexico residents. The name, address, and telephone number of the individual responsible for the conduct of this procurement is;

Name: Matthew P. Lopez

E-mail: rfp@ncnmedd.com

Ms. Nipp wants to make it very clear that this is not Long Term and Aging cutting funds, this is not PMS cutting funds, this is nothing but the legislature saying that they will no longer fund the senior programs based upon costs. Rather the legislature set cost caps; no negotiations. There was some discussion in November

about rural communities receiving a supplemental budget, but that was done away with. The goal of the legislative mandate is to push counties to pick up more of the tab for these expenses. Ms. Nipp reiterates that Torrance County has been a partner with PMS to help our seniors for many years. She is here today to request assistance from the County with some of these costs. She will also be talking with the municipalities. She is basically asking for the County to take over the costs as listed in her email above; building maintenance and custodial costs, vehicle maintenance costs, and utilities for the three centers.

Chairman Candelaria asks if the senior citizen program has a volunteer program. Ms. Nipp answers yes, the seniors help when they feel that their health can handle it within certain boundaries. Senior volunteers cannot go into someone else's home without a background check, for example.

Commissioner Frost states that he will recuse himself from voting on this item as he works part-time for PMS. However, he does want to speak a bit about the program. He drives the bus that takes senior citizens to doctor appointments, eye appointments, ear appointments, dentists, etc. He also drives them to the thrift store from time to time. He has taken one senior citizen to his dialysis treatments for over five years now and often takes veterans to the VA Hospital for their appointments. He has also helped out with the home delivery program, taking meals to seniors in Mountainair, Estancia, Moriarty, and in the surrounding areas. He talks about delivering food to the seniors and the social interactions that go along with helping these residents in need.

Ms. Nipp clarifies for the Commission that she needs an answer from the Commission on this issue by Friday. Chairman Candelaria comments that he does not think the Commission can make a commitment today. Ms. Ansley comments it depends on what the Commission is considering; there are some funds that the Commission can use at their discretion. Ms. Nipp states that PMS is not asking for funds, they are asking the County to take over some costs. For example, it would cost the County approximately \$30,000.00 a year to take over the utilities for the three centers. She adds that this would not start until the beginning of the new fiscal year in July 2016. After further discussion, the Commission agrees to commit to \$30,000.00 for fiscal year 2016. All documentation hereto attached. **ACTION TAKEN:** Chairman Candelaria makes a motion to approve \$30,000.00 for the Senior Program. Madam Commissioner DuCharme asks Mr. Wallin if the Commission can do this. Mr. Wallin replies that the County has a contract agreement right now with PMS. Basically, it is like a rental agreement; they are managing our buildings. In a portion of that contract, they had taken over the

utilities and the cleaning. When that contract is renegotiated, the County can negotiate those terms if that is the desire of the Commission. Ms. Nipp states that if this motion passes, the contract can be amended beginning in July. Madam Commissioner DuCharme seconds the motion. No further discussion. The Commissioners vote. Two in favor, Commissioner Frost recuses himself.

MOTION CARRIED

11. Approval of Juvenile Adjudication Fund Grant No. 16-J-31, Amendment 1- Tracey Master

Ms. Leslie Olivas, Purchasing Director, speaks. Ms. Master is unable to be here today, so as Chair of the Grant Committee, Ms. Olivas agreed to present this item. This is an amendment to Ms. Master's current Juvenile Adjudication Fund Grant. Ms. Master is requesting to reallocate funds within the grant. Ms. Master's initial plan was to have a contractor teach defensive driving and pay to train the contractor. This turned out to be an anti-donation issue, so Ms. Master would like to reallocate that money into the personnel portion of the grant, which will allow County employees to teach the class. All documentation hereto attached. **ACTION TAKEN:** Commissioner Frost makes a motion to approve the Juvenile Adjudication Fund Grant No. 16-J-31, Amendment 1. Madam Commissioner DuCharme seconds the motion. No further discussion. The Commissioners vote. All in favor, none opposed. **MOTION CARRIED**

12. Torrance County Ordinance 94-12 – Public Request by Manuel Romero

Mr. Romero speaks. He thanks the Commission for giving him this opportunity to speak and thanks Ms. Nipp for all her work with the Torrance County senior citizens. He also thanks Ms. Linda Jaramillo, County Clerk, for introducing Estancia High School student Lauren Jones to the Commission at the last meeting. At that meeting, Ms. Jaramillo stated that Ms. Lauren Jones had been accepted to a Pre-College program and was fundraising to help pay for tuition. Mr. Romero states that he has a \$600.00 scholarship and that he was very impressed with Ms. Jones and that she is going to receive that scholarship. He further states that he established the scholarship by preparing a book of Estancia High School graduates from 1918 to 2015. The first book came out and every penny he makes from the book will go to the scholarship fund. He states that he is giving back to the High School that gave him a great education.

Mr. Romero also informs all that he is running for the vacant seat on the Town Council of Estancia. He states that the \$200 that he gets he is going to return to the people of Estancia. He states that, "we are going to declare war on the

tumbleweeds!” We have got a lot of tumbleweeds and those people in the town that are poor, or widowed that need help cleaning are going to get help from his \$200.00.

Mr. Romero now talks about 94-12. He states that he did some research and heard all the complaints from the residents so he volunteered his time to help the people of Torrance County. He states that there are items in the statutes that are being violated, one being collecting dues from people who do not use the facility.

Mr. Romero states that the statutes clearly say that you can charge dues providing you use the facility. He has prepared a letter to the Attorney General. It has approximately 200 signatures on it and he is hoping for 200 more. The letter is requesting that the Attorney General look into this matter and see if we are in fact in compliance. He recommends that the Commission go through the ordinance in its entirety and rewrite it. He states that he knows it’s a complex document, but, in his opinion, it must be rewritten to be in compliance with state law.

Lastly, Mr. Romero comments that he was asked by a resident what his priorities are for the Town. He states that his first priority is the audit. He read in the Mountainview Telegraph that Estancia had received an unfavorable audit and that the auditor is coming to Estancia and conduct an audit. He states that if he gets on the board, they are going to follow the statutes. **NO ACTION, INFORMATION ONLY**

County Manager Requests/Reports:

13. Proposed Agreement with Ambitions Consulting Group for IT Services

Ms. Ansley speaks. As the Commission knows, the County has a contract with Ambitions Consulting Group. They provided technical support and guidance when the County was converting to fiber optic. Their knowledge and services have been very impressive. They have a state contract for a lot of services that they are providing IT across the board. Ms. Ansley does not have a proposed contract with them; this is just a preliminary step. She states that as it is now, the County has staff that is already on board providing IT services to the County. This has worked very well and there have been no issues, but the staff that we have providing IT are also very highly demanded in other parts of the County; both are staff of the Assessor’s Office. The Assessor and the Deputy Assessor have indicated that ideally they want to move towards a time when their staff can be dedicated to their functions. Ms. Ansley asks the Commission what their thoughts are about

outsourcing IT. Chairman Candelaria comments that he is concerned about IT because, these days, there is a lot of critical information that could be lost or stolen; personal information. He wants the County to have an IT department that knows what exactly they are doing; this is a profession, we should not be getting people out of the Assessor's office, for example. We need someone that is licensed and contracted to protect the County. Chairman Candelaria states that yesterday, during the Defensive Driving class, Mr. Nick Sedillo was called out several times to deal with computer problems. We need experts. It will be costly, but the cost of a lawsuit would be worse. Madam Commissioner DuCharme states that she does not want to offend anyone who is responsible for IT right now, but she likes the idea of having professionals, experts in that field responsible for that work. Also, they will be able to devote all their attention to IT only. She clarifies that she likes the idea, but needs to see a proposed agreement. Commissioner Frost concurs with his fellow Commissioners. He also does not want to criticize the people who are doing IT right now, stating that we all owe them a big thanks. He further states that this could be a win-win. The current employees doing IT will have more time to focus on their main jobs, and the County would be moving ahead towards a professional organization that specializes in IT. After further discussion, the Commission directs Ms. Ansley to move forward with this idea. All documentation hereto attached. **NO ACTION, INFORMATION ONLY**

14. Update Ms. Ansley gives a brief update.

1. There is construction going on at the Fair Grounds. Ms. Ansley received an invoice for half of the contract amount. She will go out there and look and see how the work is progressing. The toilets and vanities in the bathrooms were replaced without a change order; the County purchased the new equipment.
2. Ms. Ansley received a letter this week regarding the Mountainair Senior Center. There is not very good drainage on the north side of the building and it gets icy. She states that we are going to have to look at some options and see what can be done about addressing the ice and trying to speed up the melting of the ice in that area which is the main entrance into that building.
3. The Animal Shelter is having a construction issue. The entryway is detaching from the main building. We have to look at options about how to get that fixed and resealed.
4. Ms. Ansley needs feedback about how the Commission would like to proceed with the Solid Waste Ordinance; we have had a public hearing, but

we need to keep moving forward. We also need to keep moving forward with the GO Bond issue.

5. Last week at the Association of Counties Conference Chairman Candelaria and Ms. Ansley met with Senator Barela. She states that she told the Senator that the Town of Moriarty has requested funds for a fire training facility and the Town of Estancia has requested funds for Fair Ground improvements. She states that given their forecasted revenues and what the legislators have to appropriate, there will not be much there. She told Senator Barela that she thought it would be a great idea for the County to be supportive of those requests that the municipalities have been submitting. What are the Commissions thoughts?
6. Ms. Ansley states that we received invoices for our multi-line insurance, which is our property and liability insurance, and also our law enforcement insurance payments. We saw significant increases in both. There was about a \$7000.00 increase in the multi-line and about a 50% increase in law enforcement. She states that she paid the invoices, but we are going to have to pull that money from somewhere. She states that it is not fair for the Sheriff to come up with another \$70,000.00 for something that was sent down from the State. We are going to have to address this at budget time.

Chairman Candelaria comments that law enforcement is becoming a huge liability for counties throughout the State. There is talk about the Counties having to come up with their own insurance for their Sheriff's Departments. We are going to have to address this at some point in the future. Ms. Ansley adds that law enforcement insurance covers our officers, but it also covers detention facilities and detention officers. There is so much liability in the detention centers with regards to civil rights violations and standard operating procedures, etc. We are fortunate that we only insure our Sheriff's Department and not our detention facilities. But even at that, we saw the 50% increase. Law enforcement insurance is going to become much more difficult to obtain in the years to come.

Madam Commissioner DuCharme asks Ms. Ansley about the proposed banquet for the volunteer fire fighters. Ms. Ansley replies that she will check with Ms. Cheryl Hamm about this, as Ms. Hamm was taking the lead in organizing it. Ms. Ansley has spoken with the all the Mayors of the municipalities to see if they would be interested in participating and they all are. She states that they are now in the process of getting a meeting together with all of the fire chiefs to start discussing training options and menus and getting quotes together.

Madam Commissioner DuCharme now asks about the progress of getting stipends for the volunteer fire fighters. Ms. Ansley comments that at the last Commission meeting when this was discussed, there was discussion about revising the SOGs for the fire departments to allow this. Ms. Ansley believes that we are going to try to copy the SOGs that Sandoval County has. Ms. Hamm and Ms. Ansley have a meeting scheduled for tomorrow to discuss this further. Ms. Ansley states that she does not have any money to pay them; funds for this would have to be allocated by the Commission. Madam Commissioner DuCharme states that there should be funds already because the fire fighters were promised that if the capital outlay tax was approved, they would receive some sort of compensation. Ms. Ansley agrees, but states that nothing has been promised or allocated by the Commission. She states that she does not have the authority to allocate funds; that would be up to the Commission. The Commission will wait to hear feedback from Ms. Ansley about her meeting tomorrow with Ms. Hamm about revising the SOGs.

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.

Michael Godey, Tajique resident, speaks. There will be a neighborhood watch meeting on Sunday at the Tajique Community Center at 3:00pm. All are encouraged to attend. He states that the rural counties are getting ripped off on the gross receipts tax by the big county where the big box store is. He believes this concern really needs to be addressed. He feels there are two New Mexicos- the big counties and the little counties that don't get what they deserve of the GRTs. Lastly, he comments that he agrees with the idea of Torrance County taking over the billing for the solid waste services.

Fred Sanchez, Tajique resident and Land Grant member, speaks. He thanks Mr. Romero for his community service. He states that this is the type of person that we need as an elected official in Torrance County. He states that on a personal level, he likes each of the Commissioners; however, as a unit, he believes the Commission is ethically challenged. He states that he has been attending Commission meetings for the last two or three years, and he has seen conflict of interest, decisions based on favoritism- not merit, misuse of funds, etc. He states this is the bad news; the good news is that by replacing one commissioner, we the people can finally make a positive change. He wants to emphasize 'We the People'- not republicans, not democrats, not independents, all of us-can do it.

Katy Grantham, resident, speaks. She states that she resides in Sweetwater Hills, which used to be 'Stinkin Springs', in Moriarty. She lives outside the city limits, she is disabled and she lives on a dirt road. She states that it was her understanding that the County Commission was supposed to receive extra money to start repairing all these roads. She states that the County has been out to her road twice in one year; once last summer the grader rode down the road and left and once this winter when we had two feet of snow. After they did all the other roads, they came out and scraped part of the snow off into the ditch and that was it. Ms. Grantham states that she pays taxes and she has for years; she pays everything she is supposed to pay. Where are they and why aren't they fixing our roads? Everybody gets raises, everybody gets everything, but our roads do not get fixed; I want that fixed.

Mary Ann Ende, resident, speaks. She states that she is very disappointed that the Commission did not move the comment section back to the beginning of the commission meetings. She thanks Madam Commissioner DuCharme for bringing this up again. She states that she has spoken to Commissioner Frost about this and hopefully he will bring it up again. She asks the Commission if there is a timeline with respect to the solid waste situation. Chairman Candelaria responds that he would like to see this done as soon as possible, stating that in this way, if we're wrong it gives us the opportunity to follow the court system. Ms. Ende asks the Commission to please insure that when any action is planned on this issue, that there is plenty of public notice. Chairman Candelaria states that he agrees.

Johnny Romero, resident, speaks. He wants to talk about the advertisement that the County put in the local paper asking for volunteers to help work on the comprehensive plan. Mr. Romero states that he volunteered when Pat Lincoln did it about 12 years ago. He states that, according to the paper, the Commission is looking for approximately 11 people to be on the committee to work on the plan. He asks if that means 11 people including representatives from the departments that the Commission wants to participate. Chairman Candelaria states that he believes it is including the departments. Mr. Romero states that the Commission is asking for two people from about 5 or 6 departments, there will be no room left for anyone else. He thinks the Commission is not going about this in the correct way. He states that the Commission needs to include the Land Grants and the smaller towns in the County. He states that the history of this County is not Moriarty or Estancia; the history of this County is the whole County. He suggests that the Commission request one representative from the departments and leave some openings to get the Land Grants involved. Chairman Candelaria states that he believes that the Commission is only requesting one person from the departments

and two people from each of their Commission districts. *The ad in the paper will be reviewed.*

Michelle Jones, resident, (myself) speaks. She thanks Mr. Romero for the kind words earlier about her daughter, Lauren Jones. She thanks Leota from the Independent and Nicole from the Telegraph for each doing a story in their paper about Lauren. She also thanks everyone who approached her at the last Commission meeting and gave her a donation to help Lauren attend her Pre-College program at Brown University; the donations are greatly appreciated.

Rick Gonzales, resident, speaks. He is the Administrator for Torrance Senior Services. He thanks the Commission for their quick action concerning PMS and our senior programs. He states that he is proud to be a resident of Torrance County and thanks the Commission for their consideration and for helping them with our national treasures- our senior citizens.

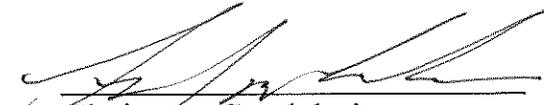
Chad Hamilton, resident, speaks. He states that he has dealt with this committee for about 8 years now concerning Mi Ranchitos Road. He states that on Sunday, a State Trooper got stuck on this road. Paramedics are not able to get through the road and the Fire Department is not able to get through either. He states that he knows that the County needs him to upgrade the road before they adopt it, but according to book he was given about the county specifications, the current County roads are not up to spec either. He wants something put on the agenda that would allow people to work together to try to get these roads passable. He wants Mi Ranchitos on the docket. If our roads are good, people will come here.

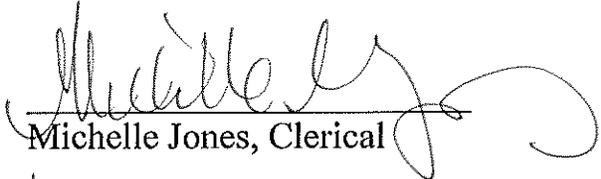
Jeff Anderson, resident, speaks. He is the General Manager of the Clines Corners Travel Center. He is here at the request of the EVSWA. He states that they were recently given 6 bills for solid waste. When he inquired about this he was told that the EVSWA received information from the County Assessor that he has 5 homes. Mr. Anderson said that he explained that he takes care of his own trash, it is picked up by Waste Management at a fee of about \$350.00 a month. He states that EVSWA now wants to charge him an additional \$100 dollars a month for the residences that are on zoned commercial property. He was offered a discount; he does not want a discount because they take care of their own trash. He hopes someone will get back to him on this and get it clarified for him. He does not think it is fair to be double billed for something that they have been taking care of for years and years.

Charlene Guffey, resident, speaks. She talks about the EVSWA. She states that people need to understand that the EVSWA does not set the trash fees, the County does under the solid waste ordinance. People complain that this is a tax, it is not; it is a fee for service. If you use a private hauler, you pay a fee for a service. For the ones who complain that they are not receiving a service, yes they are. Every time they use a transfer station, they are receiving a service; the transfer station is the service. All counties offset the service with monies from either their general fund, county GRTs, PILT funds, etc. This County needs to start subsidizing. This ordinance is only about how EVSWA handles trash and getting rid of discounts; nothing about the County taking over billing or changing fees. The recommendation that was presented on January 13th about the costs shows wrong amounts. Stop making it look like the County will be paying more or that if the County takes over billing, it will save the County money and get the residents a small discount. EVSWA is doing the service that the County agreed to. If it's not broke don't fix it. Get rid of the discounts.

***Adjourn**

ACTION TAKEN: Madam Commissioner DuCharme makes a motion to adjourn the January 27, 2016 Commission Meeting. Commissioner Frost seconds the motion. No further discussion. The Commissioners vote. All in favor, none opposed. **MOTION CARRIED.** Meeting adjourned at 11:47 am.


Chairman Candelaria


Michelle Jones, Clerical

2/10/16
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.