

**Final Copy**  
**Torrance County Board of Commissioners**  
**Commission Meeting**  
**February 10, 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 February 10, 2016 meeting to order at 9:02 am. He welcomes all those present to the meeting and leads us in the pledge. Ms. Nicole Maxwell, reporter for the Mountain View Telegraph, gives the invocation.

**Approval of the Meeting Minutes:**

Chairman Candelaria asks for a motion to approve the January 27, 2016 Regular Meeting Minutes. **ACTION TAKEN:** Madam Commissioner DuCharme makes a motion to approve the January 27, 2016 Regular Meeting Minutes. Commissioner Frost 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 Commission DuCharme requests that agenda item #8 be removed from today's agenda. She states that the Commission does not have the authority to appoint an Executive Board Member to the Mid Region Council of Governments. Ms. Ansley states that this item must be on the agenda because it was tabled at the last Commission

meeting. No further discussion. The Commissioners vote; two in favor, Madam Commissioner DuCharme abstains. **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. Madam Commissioner DuCharme seconds the motion. No further discussion. The Commissioners vote; all in favor, none opposed. **MOTION CARRIED.**

**There are no indigent claims to be approved today.**

**\*Action Items\***

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

**Commission Matters:**

**1. Updates**

**Jesse Lucero, Deputy Assessor,** speaks. He reminds the Commission that very soon they will need to appoint and/or reappoint the County Assessor's Protest Board Members. If the Commission has anyone they want to recommend for this board, they need to inform either Mr. Lucero or County Assessor Betty Cabber as soon as possible. Commissioner Frost suggests Mr. Fred Sanchez for the board. This board consists of two members and two alternates. Mr. Lucero clarifies for the Commission that they already have people who can fill these positions, but they want to see if anyone new and qualified is interested. Mr. Lucero states that possible candidates should have some real estate background and/or assessment background.

**Linda Jaramillo, County Clerk,** speaks. She gives an election update:

- Mountainair just held a Special Bond Election. The bond passed. The election had very low voter turnout- 1.8%.
- The municipalities are currently holding their elections.
- Today is the first day of early voting for the municipalities.

- March 1<sup>st</sup> is Election Day for the municipalities.
- The Estancia Schools are having a Capital Outlay Election on April 12<sup>th</sup>.
- The Primary Election will be held on June 7<sup>th</sup>.
- Candidate filing day is March 8<sup>th</sup> in the County Clerk's Office from 9:00am to 5:00pm.

Ms. Jaramillo also informs all that she was on our local radio station-KXNM. Ms. Pat Lincoln interviewed her about the Clerk's Office. Ms. Jaramillo said the interview lasted about 20 minutes and was a lot of fun.

**Commissioner Frost** reiterates that he spoke with Mr. Sanchez about a possible place on the Assessor's Protest Board.

**Madam Commissioner DuCharme** speaks. She states that about three or four times a year, the New Mexico Association of Counties and the New Mexico State University organize classes for county employees. We have people here in the County who take those classes, not only to improve themselves, but to provide better service to the public. We have several employees that are certified by NMSU. Mr. Nick Sedillo and Ms. Leslie Olivas are two employees who have recently received certifications. Ms. Annette Ortiz, Deputy County Manager, comments that we have several employees throughout the County who have been able to take the classes. Several members of the Assessor's staff have been allowed to take classes in both Santa Fe and Albuquerque. She states that it is appreciated when Department Heads find the funding to send their employees to training. Ms. Ortiz is a certified public supervisor, and is one step away from getting her CAPE certification; Certified Advocate in Public Ethics. She states that it is up to the Department Heads to find the funding for these classes within their budgets and to allow their employees to attend.

**Chairman Candelaria** speaks. He took a trip up to Santa Fe last Monday to talk with our Legislators about Torrance County; what our concerns are, etc. The Legislators were very receptive and welcome calls and comments from anyone in the County. They want to hear the concerns of the residents. Chairman Candelaria states that he has a concern about House Bill 143; this bill is about elections. Chairman Candelaria states that his concern, being a member of the Soil and Water Conservation District, is how this bill will affect the Conservation Districts mill levy elections. He mentions that Ms. Linda Jaramillo, County Clerk, was the only Clerk who spoke out against the bill and its consequences. He asks Ms. Jaramillo to explain further.

Ms. Jaramillo, County Clerk, comments on the bill. She explains that this bill changes all Special Elections to odd numbered years. The bill also stipulates, among other things, that bond elections will be conducted along with regular elections. She explains that currently, if the Soil and Water Conservation District has debt, they do not have to hold an election for the mill levy; they can do a proclamation within their Conservation District to allow the mill levy to continue. She states that Ms. Deirdre Tarr brought to her attention that the portion of the bill that would allow this had been marked out of the bill, so Ms. Jaramillo wrote the Affiliate. Ms. Jaramillo states that she agrees with changing the dates for the elections, but she does not agree with changes that would affect the revenue streams of different entities.

**2. NM Department of Homeland Security & Emergency Management FEMA-4152-DR-NM Sub-Grant Agreement Amendment (Extension) –Javier Sanchez, Emergency Manager** Mr. Sanchez speaks. This Sub-Grant Agreement extends the grant to August 27<sup>th</sup>. The current agreement expires at the end of this month. This is for projects #80 and #37. The total amount of the grant is \$169,855.72 and there is a \$21,231.97 in kind match. All documentation hereto attached. **ACTION TAKEN:** Commissioner Frost makes a motion to approve the NM Department of Homeland Security & Emergency Management FEMA-4152-DR-NM Sub-Grant Agreement Amendment (Extension). Madam Commissioner DuCharme seconds the motion. Mr. Sanchez explains that this grant is from the disaster that was declared in 2013. We still need to work on projects #80 and #37; the Road department was not able to finish these projects due to our recent storm. He believes that the two final projects can be completed by August 27<sup>th</sup>. These projects are primarily for roads down towards Encino. All of the projects were related to flood damage. Mr. Sanchez will provide a complete list of the roads involved to the Commission. No further discussion. The Commissioners vote. All in favor, none opposed. **MOTION CARRIED**

**3. NM department of Homeland Security & Emergency Management Sub-Grant Agreement 2015 Emergency Management Performance Grant Program- Javier Sanchez, Emergency Manager** Mr. Sanchez speaks. This is a grant to provide funds for training and drills. The grant totals \$11,000.00; \$1,000.00 for per diem and \$10,000.00 for training and drills. There is a 50% in kind match. Mr. Sanchez explains that his time and the time of the stake holders will cover the match. All documentation hereto attached. **ACTION TAKEN:** Madam Commissioner DuCharme makes a motion approve the NM department of

Homeland Security & Emergency Management Sub-Grant Agreement 2015  
Emergency Management Performance Grant Program. Commissioner Frost  
seconds the motion. The Commissioners vote. All in favor, none opposed.

**MOTION CARRIED**

**4. Resolution 2016-07 FY2016/2017 Financial Hardship- Leonard Lujan,**

**Road Foreman** Mr. Lujan speaks. This resolution will enable the Road  
Department to go to Santa Fe and participate in the State auction where they can  
purchase used equipment. All documentation attached. **ACTION TAKEN:**

Madam Commissioner DuCharme makes a motion to approve Resolution 2016-07  
FY2016/2017 Financial Hardship. Commissioner Frost seconds the motion. No  
further discussion. The Commissioners vote. All in favor, none opposed.

**MOTION CARRIED**

**5. Participation Letters for County Arterial Program, School Bus Program,**

**County Cooperative Program- Leonard Lujan, Road Foreman** Mr. Lujan  
speaks. These are the participation letters for our proposed state projects for next  
year. Mr. Lujan provides the Commission with a list of the proposed projects at the  
last Commission meeting for their review. These letters need to be approved by the  
Commission and then submitted to the State. All documentation hereto attached.

**ACTION TAKEN:** Commissioner Frost makes a motion to approve the  
Participation Letters for the County Arterial Program. Chairman Candelaria  
seconds the motion. Madam Commissioner DuCharme asks what the requirements  
are for a road to be submitted for these projects. Mr. Lujan replies that the roads  
selected are basically roads that need the most material, roads that are bus routes,  
and roads that are heavily traveled by the public. Mr. Lujan further explains that  
the Road Department picks the roads for these projects and that they try to spread  
the projects throughout the County. Madam Commissioner DuCharme states that  
she went out and looked at the proposed roads for her Commission District. She  
and Mr. Lujan have an extensive discussion about the proposed roads in her  
district. She asks why some roads with very few residents are being selected. Mr.  
Lujan explains that many roads with few residents are still very heavily traveled.  
No further discussion. **ACTION TAKEN:** Commission Frost amends his motion  
to approval of the Participation Letters for the County Arterial Program, the School  
Bus Program, and the County Cooperative Program. Madam Commissioner  
DuCharme seconds the motion. The Commissioners vote. All in favor, none  
opposed. **MOTION CARRIED**

**6. 2016-08 Line Item Transfer(s) – Amanda Tenorio, Finance Director** Ms. Tenorio speaks. She is requesting approval of Resolution 2016-08 Line Item Transfers. These requested line item transfers are within the County’s budgeted funds for the FY15/16 budget. All documentation hereto attached. **ACTION TAKEN:** Commissioner Frost makes a motion to approve 2016-08 Line Item Transfer(s). Madam Commissioner DuCharme seconds the motion. No further discussion. The Commissioners vote. All in favor, none opposed. **MOTION CARRIED**

**7. 2016-09 Budget Increase – Amanda Tenorio, Finance Director** Ms. Tenorio speaks. She requests approval of Resolution 2016-09 Budget Increase. The budget increases are listed on Schedule A of the Commission packet and are included in the file for this meeting. The total amount of the budget increase is \$ 259,750.00. All documentation hereto attached. **ACTION TAKEN:** Madam Commissioner DuCharme makes a motion to approve Resolution 2016-09 Budget Increase. Commissioner Frost seconds the motion. No further discussion. The Commissioners vote. All in favor, none opposed. **MOTION CARRIED**

**8. Appoint Executive Board Member to the Mid Region Council of Governments** Chairman Candelaria asks for a motion. There is no motion. **NO ACTION TAKEN, ITEM DIES**

**9. Interview & Appointment of Steering Committee for Comprehensive Plan** Ms. Ansley speaks. The following people submitted letters of interest, which are included in the file for this meeting. Each gave a brief introduction and answered questions from the Commission:

Andrew Gutierrez

Jeff Laird

Juan Sanchez

Cody Brister (Mr. Brister submitted a letter of interest, but was not at today’s meeting.

All are uniquely qualified for this committee and all are thanked for submitting their name for consideration.

Ms. Ansley comments that it looks like the County will need to republish for this committee as the Commission would like to have 11 members. The Commission would like to have two individuals from each of the following:

- TC Planning and Zoning
- Estancia Basin Water Planning Committee
- EVEDA
- NMSU Cooperative Extension Service
- All Soil and Water Conservation Districts
- Each Commission District

Ms. Ansley states that Mr. Gutierrez, Mr. Laird, and Mr. Sanchez are all from Commission District 3 and Mr. Brister is from Commission District 1. Chairman Candelaria states that these people submitted letters of interest and want to be on this committee and they should be appointed. All documentation hereto attached.

**ACTION TAKEN:** Chairman Candelaria makes a motion to appoint Andrew Gutierrez, Jeff Laird, Juan Sanchez, and Cody Brister to the Steering Committee for the Comprehensive Plan. Commissioner Frost seconds the motion.

Commissioner Frost clarifies that we will still continue to seek out more members. Chairman Candelaria agrees, but states that we need to get started. Chairman Candelaria states that Mr. Steve Guetschow from Planning and Zoning will be on the committee; he suggests Deirdre Tarr from the Soil and Water Conservation District. Ms. Jaramillo, County Clerk, states that she is a member of the Estancia Water Board Committee. She states that she has only been to one meeting and is not sure if anyone else on that committee would be interested, but if they aren't she would be willing to volunteer. Johnny Romero, resident, states that he is not interested in being on the steering committee, but he would be willing to help. He suggests the Commission to reach out to some ranchers and farmers. Madam Commissioner DuCharme hopes that residents from Commission District 2 will consider volunteering. Commissioner Frost suggests contacting Morrow Hall. Madam Commissioner DuCharme states that she would prefer volunteers from the County and not from the municipalities. Commissioner Frost states that he too is in favor of having volunteers from the County, but not necessarily all of them. No further discussion. The Commissioners vote. All in favor, none opposed.

**MOTION CARRIED**

**10. Proposed Contract between Torrance County and Ambitions Technology Group for IT Services** Ms. Ansley speaks. She requests that this item be tabled. All documentation hereto attached. **ACTION TAKEN:** Madam Commissioner

DuCharme makes a motion to table this item. Commissioner Frost seconds the motion. No further discussion. The Commissioners vote. All in favor, none opposed. **MOTION CARRIED**

## **11. Update**

Ms. Ansley give the following written update:

### **Manager's Report February 10, 2016**

1. We have been working on the planning for the firefighter appreciation training/banquet. The date will be March 12, 2016, at the Moriarty Civic Center and the training will begin around 2:00. Dinner will be around 6:00. We have invited the volunteers for the municipalities as well. We're planning for 200.
2. The construction is moving along nicely at the fairgrounds. They should be finished in the next week. I would estimate completion at about 85% now.
3. We need to add the Solid Waste Ordinance, 94-12, to a future agenda for consideration. I'm not certain how to pursue this at this time, as I believe the commission should have another work session to discuss possible modifications to the ordinance. When would you like me to add the ordinance to the agenda, and do you want to have a work session prior to taking action?
4. We've had a couple multi-jurisdictional meetings regarding communications in the County, for emergency services and public works, and it's the general consensus that the communications systems in the county aren't sufficient for these agencies. We're working on a general and immediate assessment, which will include repairing and/or replacing 3 repeaters, two in Mountainair and 1 in Moriarty. We're also looking into the possibility of a longer-term needs assessment, to determine how many more towers and repeaters would be needed to minimize dead spots in the County. All agencies concur that officer/responder safety needs to be a more urgent priority and the problems addressed.

Madam Commissioner DuCharme thanks Ms. Ansley for her report. She asks Ms. Ansley a follow-up question about an invoice payment that was on the consent agenda for a prior Commission meeting. She was asking about a payment in the amount of \$6,938.64. Ms. Ansley responded to her in an email stating that it was for the annual personal property taxes on the machines, stating that because the machines are leased, and Caterpillar depreciates the values of the machines, they are required to pay personal property tax on them. The amount of the tax is \$6,938.64. Madam Commissioner DuCharme asks Ms. Ansley why we are paying this tax. Ms. Ansley replies that Caterpillar has to pay the tax because it's a lease, and passed the tax on to us. However Caterpillar has since reimbursed the County for this tax; the check was received by the County on January 28<sup>th</sup>. Madam

Commissioner DuCharme asks why they did that. Ms. Ansley replies that she guesses that Caterpillar thought that the County should not be paying these taxes.

**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, resident,** speaks. He commends the Commission for moving forward with appointing members to the Comprehensive Plan steering committee. He is concerned that there is not good representation from each Commission district yet. He has heard that there could be a gross receipts tax imposed on groceries. He is strongly against this.

**Linda Jaramillo, County Clerk,** speaks. She apologizes to Michelle Jones (me) for not stating her name for the record when she spoke earlier. She knows this is a pet peeve of mine and she encourages everyone to remember to state their name for the record when they come to the podium to speak. Thank you Ms. Jaramillo!

**Mike Anaya, resident,** speaks. He is running for Senate District 39, which encompasses 6 counties: Santa Fe, San Miguel, Torrance, Valencia, Lincoln, and Bernalillo. He gives a brief history of his life growing up in New Mexico. He states that this is not his first trip to Torrance County, and it won't be his last. He lists his many public service positions and accomplishments. He states that he is running for Senator because he knows the issues that surround counties in the state of New Mexico. He states that he will be announcing his candidacy on Saturday, February 20<sup>th</sup> at the Village of Galisteo, where he grew up, at 2:00pm. He is currently seeking signatures for petitions. He states that if you are a registered Democrat in District 39, he would love your signature. He thanks the Commission and the community for their time.

**Chad Hamilton, resident,** speaks. He states that he has come before the Commission before and that he is contesting with the County to get his road, Mi Ranchitos, repaired. He has some pictures of some work that was done out there last week. He states that in the pictures you can see where the County Road Department left mounds of dirt on his road. He states that if a car hits that dirt, it will flip. He reads a letter from his neighbor, Todd Sibley, NM State Police Patrolman. The letter is about Mi Ranchitos road and expresses how impassable and dangerous the road is. He asks the County to maintain the road to better serve the community in that area. He states again that the road is in shambles. He states

that if someone dies out there because rescue units cannot get through, Torrance County will be sued.

**Charles Smith, resident,** speaks. He is a Torrance County resident and he lives on Heather Court. He states that he calls it Mi Ranchitos Mud Bog because people come out there to try out their 4-wheel drives when it's muddy. He reiterates Mr. Hamilton's sentiments about the road. He states that he has been stuck out there three times. He states that when he first moved there 16 years ago, Mi Ranchitos was a County maintained road and they just decided that they didn't want to do it anymore. He asks who's in charge of that; it's ridiculous.

**Charlene Guffey, resident,** speaks. She reads the following statement:

Living in Rural America or some call it the country. The countryside is not only a beautiful place to live it offers peace, quiet and serenity. You may crave the open air and have greater space between your home and those of your neighbors. You also might have to deal with unwanted pests and critters.

It is true that the city offers more opportunities than in the country. There are more jobs, transportation systems, more stores, malls, movie theaters, hospitals, social life, better technologies, health care, educational systems, mail, water, gas, sewer and trash services. All roads in the city are black top or concrete, more equipment and man power to cover the care. All within reach or right at your curb side.

Think about how much farther away from many basic services there are here in the country. Few job opportunities, shopping, health care, and services. In the country things are at a distance from us. To plan activities and arrive on time or even going to the store. It is nothing to drive 10 or more miles to get the things that are necessary. That is just normal country living, it's not around the corner like in a city or town.

If you live in the country, it is essential that you own a vehicle, no access to public transportation. In the country roads are dirt or gravel, few have black top, not enough equipment and fewer man power to cover the miles of roads.

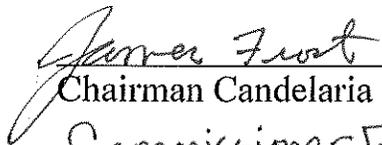
If you want curbside service, there are no curbs in the country. Most water, gas, and sewer are either wells, propane and septic. If you expect your trash to be picked up, your mail delivered, where are the curbs for the service? There are transfer stations, post offices or road side boxes. Which we all have to drive to. We just can't walk out our front door to get these things.

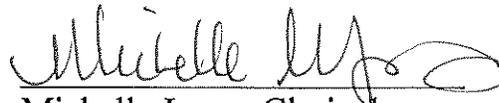
When you make your trips to pick up your mail, go to the store, take your trash with you. Remember the road you drive down is not the only road in the county. Don't expect services at your front door if you live in the country. If you wish to have the city life, don't move to the country. Charlene Guffey, Torrance County

**Michelle Jones, resident and clerical for the Commission**, speaks. She thanks County Treasurer Janice Barela and Senator Ted Barela for allowing her daughter Lauren to shadow Senator Barela for a day earlier this week. Lauren is a high school student at Estancia and a member of the Business Professionals of America. As a member of BPA, one of her requirements to go to Nationals was to speak with a State Government official. Senator Barela invited Lauren to the Round House, where she was introduced to the Legislature, watch bills get passed, met other Government officials and visited the Governor's office. It was a thrilling and educational day for her. Senator Barela is a great resource for the residents of Torrance County. Ms. Jones encourages other parents to look into having their child spend the day at the State Capital with Senator Barela.

**\*Adjourn**

**ACTION TAKEN:** Madam Commissioner DuCharme makes a motion to adjourn the February 10, 2016 Commission Meeting. Commissioner Frost seconds the motion. No further discussion. The Commissioners vote. All in favor, none opposed. **MOTION CARRIED.** Meeting adjourned at 10:30 am.

  
Chairman Candelaria by  
Commissioner Frost

  
Michelle Jones, Clerical

2/24/16

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.**