

**Final Copy
Torrance County Board of Commissioners
Commission Meeting
February 11, 2015**

Commissioners Present: **LeRoy Candelaria -Chair
Julia DuCharme-Member
James Frost-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 meeting to order at 9:00 am, he welcomes all those present to the meeting and leads us in the pledge. Madam Commissioner DuCharme leads us in the prayer.

Approval of the Meeting Minutes:

Chairman Candelaria asks for a motion to approve the January 28, 2015 Regular Meeting Minutes. **ACTION TAKEN:** Madam Commissioner DuCharme makes a motion to approve the January 28, 2015 Regular Meeting Minutes. Commissioner Frost seconds the motion. No further discussion. The Commissioners vote; all in favor. **MOTION CARRIED.**

Approval of the Meeting Agenda:

Chairman Candelaria asks for a motion to approve today's Meeting Agenda. **ACTION TAKEN:** Commissioner Frost makes a motion to approve today's Commission Meeting Agenda. Madam Commissioner DuCharme seconds the motion. Madam Commissioner DuCharme states that at the last Commission meeting she made a motion to approve the consent agenda. She was not aware that she only had one part of the consent agenda for \$64,820.00. After the meeting, she became aware of another half, of another part, of the consent agenda for \$107,384.25. She wants to state for the record that when she made the motion to approve the consent agenda, she was not aware of the addition portion. No further discussion. The Commissioners vote; all in favor. **MOTION CARRIED.**

Approval of the Consent Agenda, approval of warrants, approval of indigent claims: Chairman Candelaria asks for a motion to approve the Consent Agenda.
ACTION TAKEN: Commissioner Frost makes a motion to approve the Consent Agenda. Madam Commissioner DuCharme seconds the motion. Madam Commissioner DuCharme states that she is not aware of any warrants or indigent claims for today's meeting. Ms. Ansley, County Manager, clarifies that the consent agenda is a list of what is identified as warrants. There is a check going out for each amount on the consent agenda- that is what a warrant is. The Commission does not receive the indigent claims as part of their packet because they are confidential; the Commission reviews and signs indigent claims at the end of the Commission meeting. There are no indigent claims for the Commission to review today. No further discussion. The Commissioners vote; all in favor. **MOTION CARRIED.**

Action Items

Items to Be Considered and Acted Upon

***Commission Matters:**

1. Updates:

Cindi Sullivan, Animal Shelter

Ms. Sullivan gives an update of the 2014 year.

Torrance County Animal Shelter

January 2, 2015

Cindi Sullivan Shelter Director

REPORT FOR: Recap 2014

Total number of animal-	474
Live exits:	287
Stray euthanized:	71
Owner turnover euthanized:	95

Area animals came from -

Torrance County-	447
Mountainair-	6
Morlarty-	17
Estancia-	4
Still in shelter-	15

DOGS:	382	CATS:	86	OTHER:	6	BITE CASES:	3
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EMPLOYEE STATUS : FULL-TIME EMPLOYEES 2 TIME PART- EMPLOYEES 2

Cindi Sullivan 12 yrs (FT) Danette Hucklins 7 years (FT) Elizabeth Tinnin 6/11/14 Zachary Dickey 10/18/14

NEWS AT THE SHELTER :

This is how our stats look for 2014 at a glance:

Decrease in number of intakes-22%

Live exlts-64%

Stray euthanasia-15% (National average is currently 50%-78 %)

Owner euthanasia-20%

DOA-1%

TORRANCE COUNTY LICENSES PURCHASED:

(2007: 4) (2008: 15) (2009: 92) (2010: 73) (2011:102) (2012: 76) (2013: 72) (2014: 137) TOTAL : 581

PET FINDER INTERNET HITS (VIEWS) and ADOPT A PET HITS (VIEWS)

*****WE ARE AVERAGING 10,500 VIEWS PER MONTH ..*****

****PLEASE NOTE -New format in report. **Stray means animals not reclaimed by their owners. ** Owner Turnover means animals brought in to the shelter by the owners. Euthanasia refers to animals not meeting the standards set forth as "adoptable" for reasons such as extremely aggressive, elderly , behavior problems ,injury or medical problems.**

Supplemental Report for 2014 Stats

In preparation of this report, I did some research on the current National Stats available.

Just some comparison figures: in the 1970's we were euthanizing over 15 million animals per year in shelters, in 2011 another study was done and the numbers dropped to 3.7 million. The most current statistics are seeing 3 million animals are being euthanized in shelters still. Although this number is still not where we would like it to be, it has improved. It is thought that this number will continue to decrease over time, much due to a strong push for funding for low and no cost sterilization and stronger law's regarding breeding and sterilization.

My research also showed that in 2014 most shelters saw a decrease in the numbers of animals entering the shelter, it is thought one of the big reasons is that shelters and rescues are providing sterilization and programs to help keep more animals in the home, rather than having them surrendered due to low income and unemployment.

I started a free food pantry in 2008, for this very reason. All food is donated by the community or local business's.

For the year 2014 we served at least 28 people at the pantry. We try to keep bags and cans of dog and puppy food. We also have dry and canned for cats. From time to time we also have some cat litter. We have also had donations of Rabbit , Chicken and some pellets.

In conclusion, It is clear that this shelter continues to be an asset to this community as a whole. We continue to take animals from The City of Moriarty, Mountainair and Estancia.

Madam Commissioner DuCharme asks if the Shelter does any advertising. Ms. Sullivan replies that they do not do any advertising. Most of their business comes from word of mouth throughout the County. The printing charges that Madam Commissioner DuCharme might be seeing is probably the printing they do for cage cards and contracts. They do have some money in their printing budget that could possibly be used for advertising sometime in the future.

Commissioner Frost asks about the decrease in intakes. Ms. Sullivan comments that nationally intakes have dropped; about 20%. Also, the County went for some time without an Animal Control Officer. Spay and neuter programs could also be lowering this number.

Nick Sedillo, Risk Manager/Safety Officer

Last month at the New Mexico Association of Counties closing session, Torrance County received our RAP Award for 2014. Currently we are in year 8 of this program. Mr. Sedillo introduces the RAP trainers:

Bobbi Brown, Dorothy Rivera-Dispatch

Bertha Espinosa-Moore, Michelle Castillo- TCPO
Bill Holt-Assessors Office
Carol Aragon-Treasurers Office
Cindi Sullivan, Elizabeth Tinnin- Animal Shelter
Hannah Sanchez- Manager's Office
Stephanie Dunlap- Sheriff's Office
Sylvia Chavez- Clerk's Office
Steve Guetschow- Planning and Zoning
Tracy Sedillo- Finance
Trish Chavez- Road Department

Our award for this year included: successfully reducing multi-line claims by 16%, workers compensation claims by 44%, and law enforcement claims by 100%! Kudos to the Sheriff's Department and a huge thank you to the employees for being safe every day and thank you and congratulations to Nick Sedillo for all his efforts, leadership and hard work!

In 2009, the Association of Counties began the Workers Compensation Injury Reduction Incentive program. Each year, Torrance County competes with Roosevelt, Hidalgo, Colfax, Sierra, Socorro, San Miguel, and Lincoln counties to win this incentive. This year we finally won! We received a check for \$7,000.00. Mr. Sedillo asks the Commission to ear mark this check to the Safety Committee line item and allow the committee to use this money to benefit all the departments within the Safety Committee.

Steve Guetschow, P&Z Coordinator

The Cortez Pipeline Company, who are wanting to put in an additional pump station at their Duran site, will be coming before the Commission on February 25th for their Public Hearing. The advertisements for this hearing will be in the newspaper tomorrow and next week and the proper signs have been posted.

Commissioner Frost

Commissioner Frost has a letter from the Moriarty School District thanking the Sheriff's Department and the Road Department for their help during the inclement weather in January. They had busses that were stuck and our Deputies came out very quickly to do reports and our Road Department assisted with the busses. We thank you Sheriff's Department and Road Department.

Madam Commissioner DuCharme

Madam Commissioner DuCharme wants to comment about the change to the agenda; placing the public comment portion at the end of the agenda. We just limited public comment from 5 minutes to 3 at the last Commission meeting and now we are putting public comment at the bottom of the agenda. People don't know exactly what time they can speak; not many people have the luxury of being able to be here for the whole meeting. And what is the purpose for speaking if the decisions are already made? Madam Commissioner DuCharme states that she thinks we are going in the wrong direction. She has already heard feedback about this change; it is upsetting many people who are present. She states that she went to the BIPO conference where they were told that if you make a decision on behalf of other people, be prepared to explain why. She states to Chairman Candelaria that he did not consult with Commissioner Frost or her about this change. She asks Chairman Candelaria to explain his decision.

Madam Commissioner DuCharme also comments that it was brought to her attention that there was a posting on the County website for a Commission meeting last Sunday. Ms. Annette Ortiz, Deputy County Manager replies that was an error. There are several Volunteer Fire Fighters in the audience today. Madam Commissioner DuCharme states that she attended the Fire Departments monthly meeting on January 30th. She stated at that meeting that she strongly believes that people need to know their representatives and that she wants to know the people she represents and that she understands the sacrifice they are making to do this job. She is very appreciative of the work the Fire Fighters do. She states that she invited the Fire Fighters to come here today. She asks them to come to the front of the room to receive a round of applause and be recognized for all they do. Fire Chief Cheryl Hamm states she appreciates that, but they will come to the front when she gives her update.

Commissioner Candelaria

On Feb.19th at approx. 6p.m. in the Mountainair Gymnasium, the Boys and Girls Mountainair Basketball teams will be honoring our Veterans. All Veterans are invited to attend so they can be honored and recognized for their service to our Country.

Mr. Jerry Melaragno, the TC Senior Olympics Coordinator is in charge of the 2015 TC 50+ Games. This event will run from Feb.28-May 2. Your registration fee (\$5 for 1 sport, \$8 for 2-3 sports, or \$10 for 4 or more sports) and completed entry

form page with the event registration page must be submitted to Mr. Melaragno 5 days prior to your first event. Forms are available at the Estancia, Moriarty, and Mountainair Senior Centers. Participation in these local games is required in order to be eligible to compete in the State Senior Olympics to be held in Roswell June 3-6. Additional information is available on the NMSO website www.nmsenioropympics.org. Questions? Call Jerry Melaragno at 505-847-0402. Chairman Candelaria explains that the public comment section on the agenda was moved because not everybody that comes to this Commission meeting wants to hear what is going on especially when there are attacks on certain people, or on this Commission Board. This gives an opportunity to people who do not want to hear the negative comments to leave. Also, if people agree or disagree with a decision that was made during the meeting they can comment on it at the end of the meeting. Chairman Candelaria states that he received this agenda last Thursday and the agenda is posted on-line. People have time to contact a Commissioner if they have a problem with anything on it. He states that he also believes that in certain instances the public comment was creating a division and problems with certain people in the County. As the Commission Chair he has the right to make this change.

2. Ratification of USDA Forest Service Modification of Grant or Agreement- Martin Rivera, Undersheriff Undersheriff Rivera speaks. This is the same agreement that we have every year. It's with the Forest Service. The Sheriff's Department patrols the Forest and is paid by the Forest Service for the overtime. There is a change to the performance time. It is now from Jan1, 2015 – December 31, 2015. It has been signed, and now needs to be ratified. All documentation hereto attached. **ACTION TAKEN:** Madam Commissioner DuCharme makes a motion to ratify the USDA Forest Service Modification of Grant or Agreement. Commissioner Frost seconds the motion. No further discussion. All in favor, none opposed. **MOTION CARRIED.**

3. Status Update on Fire Districts 2 & 5- Cheryl Hamm, Fire Chief

Fire Chief Hamm speaks. She thanks Madam Commissioner DuCharme for the recognition earlier in the meeting. She now would like to recognize the family members of the volunteers who sacrifice their family time, their celebrations, and their milestones so the volunteers can respond.

She reads a prepared statement which is included in its entirety in the folder for this meeting. Here is an excerpt:

From January 1, 2012 until February 9, 2015, a little over 3 years. The Torrance County FD has been dispatched 5432 times. That is an average of 5 calls a day, 24/7. Every call brings a different level of anxiety and loss. We see the faces of the elderly, many alone, as they watch everything they spent a lifetime building reduced to piles of smoldering ash, we feel the anguish when we are unable to save a child as many of us are parents, the guilt of failing our neighbors, friends and family's from the loss of life or property even though we know we did everything we possibly could. The emotions and memories, the weight of every call we respond to, that is the work we take home from the office. Every responder has that moment we tell ourselves it is too much, we can't do it anymore, then the tones drop and we respond without reservation. Your Torrance County FD has been answering these calls with staffing levels that are about 35% of what is required by the National Fire Protection Agency to do the job safely. This means that the core group of about 40 responders total, county wide, that respond on a regular basis, excluding municipality departments, have answered the majority of these calls. 5432 calls, 1135 days, 40 Firefighters.

I personally have been with the Torrance County FD for almost 12 years and in that time I have witnessed many changes within the department. When Joy Ansley was hired as County Manager and Jason Trumbull as County Fire Marshal, the department finally had the support and a voice in local government that had been lacking, and in the last 8 years we have overcome many challenges and evolved into a professionally equipped and trained Fire and Rescue entity. In 2009 a Commissioner took office and with what can only be described as a very personal political agenda proceeded to tear this county apart. Allegations of fraud and mismanagement, political maneuvering fueled by an intentionally orchestrated media firestorm leading to criminal charges being filed against the county manager and a contractor. Lines were drawn, friends turned on friends, and progress in Torrance County came to an abrupt halt. The fire department didn't escape the fall out either, with 2 former members taking advantage of the upheaval and attempted to use the media and political avenues to further their own agenda against individuals they wanted removed.

But these individuals, none of which currently serve Torrance County in any capacity underestimated the commitment and loyalty of the vast majority of our responders and we came together and continue to this day to serve and move forward. In that spirit of commitment, dedication, and loyalty we have come here today to voice our concerns and dismay at the renewed efforts to shake our resolve.

On January 31st of this year Commissioner DuCharme addressed our monthly business meeting. While we encourage and appreciate all public and official attendance at our meetings on this occasion Commissioner DuCharme informed the attendees that the ¼% tax that was on the November ballot had not passed and the Fire Admin Hierarchy had made promises they could not keep and we would not be getting any money for recruiting or stipends. This statement intended or not, is a disrespectful attack on each one of us. As a sitting Commissioner even though it has been a little over a month you should be aware of the status of tax monies that you have been entrusted to oversee. As First Responders we put our lives in each other's hands and uninformed comments that cast doubt on a Leader's integrity and motives puts all of us at risk. I

have the honor of working everyday with honorable, dedicated, individuals who serve without reservation and without prejudice. I do not speak for the Sheriff's Dept, but in my daily interactions with them as responders I can state with certainty that they also serve with the highest level of dedication and integrity. The intent behind the tax was to free up monies from the General Fund to assist both the Sheriff's and Fire Departments with recruiting and retention. A lot of work went into formulating this plan including bringing in an outside consultant for the Fire Department, and it was put to voters and approved and your attempts to politicize and derail this initiative is a disservice to the members and if successful not only places responders at greater risk but also the community in general as membership would continue to decrease and eventually emergency fire/rescue/medical services would no longer be sustainable.

I want to be absolutely clear, this is not about money. ... I currently have two people going to the Fire Academy in Socorro now and are paying their own way because even though they were able to get all of their pre-requisites for the Firefighter 1 Course they had not been with the Department long enough to meet all the County requirements for Per Diem, but they were eager to train and they had two weeks now available to take off from their place of employment and every member at one time or another has paid their own training costs.

At this time I would like to state for the record that I believe there is evidence you have a conflict of interest with the Fire Department and two of its top leaders that I would like to address in a closed session only because it involves personnel matters that relate directly to you. I am also requesting that while the full Commission and the County attorney address my concerns that any inquiries Commissioner DuCharme has with respect to the Department be deferred until this matter is resolved.

I have one final question for this Commission. With respect what kind of Commission are you going to be?

Are we to expect 4 more years of individual targeting with a politically charged agenda that has no remorse for the negative impacts on the individuals or businesses/vendors that get caught in these internal feuds, keeping us on the nightly news and discouraging family and business growth turning us into the NM Dustbowl, or are you going to be able to find common ground and work together to restore trust from the citizens of this county, help us all move forward, address the economic problems that we are facing, bring jobs back to the county, work on solutions to keep our kids from having to leave the valley, keep the legacy of agriculture in the valley viable and sustainable, and more to the reason I am here, honoring all of these people that give so much of themselves to protect you, your families, and everything you worked hard to build. As you decide which direction this Commission is going to take I ask you to look around this room and remember every face of every responder and family member here today counting on you for your support and to do what is in the best interest of every citizen of this county. We are all obligated to fulfill our duties to this county and act in the best interest of everyone and whatever direction this Commission takes in the next 4 years we will be here, fulfilling our obligations, because We Got This.

Chairman Candelaria asks about the per diem issue that Chief Hamm mentioned. She clarifies that the County and the State requires that anyone receiving per diem must have already taken defensive driving. The two individuals that Chief Hamm spoke about were not able to take our defensive driving class before they left for

training, so could not receive per diem. Chairman Candelaria asks if these individuals can be reimbursed for their per diem once they are able to take the defensive driving class. Mr. Wallin will look into this. Ms. Ortiz, Deputy County Manager, clarifies that the per diem policy states that, for new employees, you are eligible for per diem as long as you take the defensive driving class within your first 6 months of employment. This should apply to the volunteer firefighters as well.

Commissioner Frost comments that he also appreciates all that the TC firefighters do and Chief Hamm's concerns and her dedication. He is in agreement with Chairman Candelaria about the per diem question.

Madam Commissioner DuCharme asks Chief Hamm if she was at the January 31st meeting. Chief Hamm replies that she was not. Madam Commissioner DuCharme asks Chief Hamm what gives her the right to comment about a meeting that she was not at. Chief Hamm replies that the volunteers came to her to discuss what had happened and that they were very upset. Chief Hamm and the volunteers decided to address their concerns here at the Commission meeting. Chief Hamm states that at a prior meeting Madam Commissioner DuCharme had expressed that she was opposed to the tax and then after the election, she came and told the firefighters that the tax had not passed and that they had been lied to by the hierarchy. Madam Commissioner DuCharme asks for specifics about what Chief Hamm thinks she did wrong. There is discussion. To summarize, Chief Hamm believes that Madam DuCharme, while asking questions about many departments in the County, has been especially critical of her fire districts and Chief Hamm believes this is personal and has to do with personal personnel matters. Madam Commissioner DuCharme disagrees with this assumption. Madam Commissioner DuCharme states that when she went to talk to the firefighters on January 31st, she did not intend to discuss the tax at all. She had a report from the Secretary of State that showed that the tax had not passed. Linda Jaramillo, County Clerk, clarifies for all present that the report showed "unofficial results". Ms. Jaramillo states that the report did not come from the County website and that unofficial results should not have been used. If Madam Commissioner DuCharme had a question about the results, she could have called the Clerk's office for official results. Madam Commissioner DuCharme states again that she did not go to the meeting with the intention of discussing the tax, she only commented on it when she was asked and she said what she knew at the time. She apologizes that her comments caused confusion and upset the firefighters at the time. Audrey Martinez, firefighter for District 3 also comments on this issue. The personnel matter concerning the firefighters will be put in the agenda for the next meeting. All documentation hereto attached. **NO ACTION, DISCUSSION ONLY.**

4. Resolution 2015-04 Budget Increase- Tracy Sedillo, Comptroller This resolution is for a budget increase for the Sheriff's Department. They were able to get a brand new vehicle donated to the County from the US Marshalls. In addition to that, the Marshalls reimbursed us \$5,000.00 to equip the vehicle with lights and radios. This is a request for a budget increase for the Sheriff's Department for \$5,000.00. All documentation hereto attached. **ACTION TAKEN.** Commissioner Frost makes a motion to approve Resolution 2015-04 Budget Increase. Madam Commissioner DuCharme seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED.**

5. Resolution 2015-05 Line Item Transfers- Tracy Sedillo, Comptroller This resolution is for line item transfers within various departments. The departments need to transfer monies for various reasons. These transfers do not increase or decrease the overall budget. All documentation hereto attached. **ACTION TAKEN.** Commissioner Frost makes a motion to approve Resolution 2015-05 Line Item Transfers. Chairman Candelaria seconds the motion. Madam Commissioner DuCharme has some questions about transfers within the Road Department. Leonard Lujan, Road Department Foreman, explains that during the course of the year, there are times when funds have to be moved based on the needs of the department. Madam Commissioner DuCharme asks about a transfer for repair service on Capilla Peak. Mr. Lujan explains the repair is for their radios. Madam Commissioner DuCharme asks about transfers in the EMS fund. Ms. Ansley replies that in November, the Commission took action to restructure the Fire Departments and money was taken out of EMS funds to make arraignments for the salary changes. Madam Commissioner DuCharme asks if the Commission approved the salary changes. Ms. Ansley replies yes, the Commission approved the reorganization, but the salary changes were discussed in closed session because those are administrative decisions. Madam Commissioner DuCharme asks who decides on salary increases. Ms. Ansley replies that she does; the Commission authorizes her in closed session and she does the paperwork. Madam Commissioner DuCharme questions whether the Fire Department can be classified as part of the Emergency Communication Center. Dorothy Rivera, 911 Director and Mr. Wallin, County Attorney, reply that yes, the Fire Department is part of the Emergency Communication Center; they are first responders and they provide first responder and paramedical responses on a daily basis. After further discussion, the Commissioners vote. Two in favor, one opposed. **MOTION CARRIED.**

6. Tracy Master, DWI Coordinator:

- a. Approval of Professional Services Contract between Torrance County and Lucia M. Lucero for Teen Court Coordinator and Drug & Alcohol Prevention Specialist**
- b. Approval of Professional Services Contract between Torrance County and Kathy Swope for DWI Program Assistant**
- c. Amendment of Professional Services Contract between Torrance County and Kathy Swope for Services Provided under Tri-County Juvenile Justice Board**

Ms. Leslie Olivas, Purchasing Director, presents this item. This contract is the result of the RFPs we put out. We discussed this at the January 14th Commission meeting. The Commission voted to approve the recommendations from the RFPs. This contract puts these appointments into place for the end of the fiscal year to comply with Ms. Masters grant money requirements. We will come back in June to get this renewed for the following year. All documentation hereto attached.

ACTION TAKEN. Commissioner Frost makes a motion to approve items 6a, 6b, and 6c- Approval of the Professional Services Contract between Torrance County and Lucia M. Lucero and Kathy Swope for services provided. Chairman Candelaria seconds the motion. Madam Commissioner DuCharme expresses her concern that, while she knows that these ladies are very highly qualified, she questions whether it is legal for Ms. Swope to enter into this contract if she is a board member of the Juvenile Justice Board. It is clarified that Ms. Swope is not a board member, she is the board coordinator. Madam Commissioner DuCharme questions how the Juvenile Justice Board selected Ms. Swope and Ms. Lucero to receive this contract. Mr. Wallin and Ms. Olivas clarify that who the Tri-County Juvenile Justice Board selects is not the County's concern. After further discussion, the Commissioners vote. Two in favor. Madam Commissioner DuCharme abstains. **MOTION CARRIED.**

7. Request Out-of-State Travel and Actuals for Home Visiting Program Employees attend Training in St. Louis- Michelle Castillo, TCPO Director Ms. Castillo speaks. The Home Visiting Program is wanting to attend training for PAT, Parents as Teachers. This is an evidence based curriculum that is highly recommended by their grantors. The Project Office has the funds in their budget to pay for this training. This training is not available in-state this year. The training is in St. Louis and five employees will be attending. All documentation hereto attached. **ACTION TAKEN** Madam Commissioner DuCharme makes a motion to approve the Request for Out-of-State Travel and Actuals for Home Visiting

Program Employees to attend Training in St. Louis. Commissioner Frost seconds the motion. No further discussion. The Commissioners vote. All in Favor, none opposed. **MOTION CARRIED.**

8. Transfer Surveillance Equipment to EVSWA Ms. Ansley speaks. She received an email from Mr. Ellis that he is withdrawing his request for this equipment; they are going to pursue getting equipment on their own. The Commission instructed her to get quotes on the value of the equipment. Ms. Ansley has one quote in her possession and one quote on the way. When she has both quotes she will give that information to the Commission. **NO ACTION, INFORMATION ONLY**

9. Consent Agenda Procedures Ms. Tracy Sedillo, Comptroller, speaks. At the last Commission meeting, Chairman Candelaria requested that a committee be formed and meet regarding how the County's checks were going to be issued and approved by the Commission through the consent agenda procedures. Ms. Sedillo-Comptroller, Madam Commissioner DuCharme, Ms. Olivas- Purchasing, and Ms. Lujan- Finance Department met. Madam Commissioner DuCharme's concern is that we are paying bills weekly and checks are going out. The checks have already been issued at the time that the Commission is actually approving them. Ms. Sedillo states that her office is not opposed to issuing checks at the Commission meeting. There are several repercussions to issuing the checks this way. Smaller vendors in our county could be hurt by checks being delayed. If a check needs to be issued in between Commission meetings, a Special Meeting must be called, etc. Ms. Kathy Swope, Ms. Dorothy Sandoval, Ms. Betty Caber, and Mr. Lance Brown all speak on this issue. Madam Commissioner DuCharme asks what about our fiduciary responsibility, and what about the recommendation in the Special Audit we received from the State Auditor's Office. Also, it is in our purchasing procedures and on our consent agenda where we say we approve and what we approve, but actually it is already spent. Chairman Candelaria states that the Commission can make a ruling that those checks are paid prior to the Commission meeting. Ms. Ansley reminds all that when the previous Commission decided to allow checks to be issued weekly, they also designated one Commissioner to review the consent agenda prior to checks being issue. That way, if the designated Commissioner had an issue with a payment, he/she could request that payment be held for review by the full Commission. Madam Commissioner DuCharme comments that she does not want that responsibility taken from her and she does not want to take that responsibility away from another Commissioner. After

further discussion, the Commission votes. **ACTION TAKEN** Commissioner Frost makes a motion to keep the current procedure for approving the consent agenda “as is” (weekly payments, one designated Commissioner reviewing the consent agenda before checks are issued). Chairman Candelaria will approve the consent agenda. Chairman Candelaria seconds the motion. The Commissioners vote. Two in favor, One Against. **MOTION CARRIED.**

10. Appoint Board of Registration for Purging of Voters- Linda Jaramillo, Clerk Ms. Jaramillo speaks. As per statute 1-4-34 The Board of County Commissioners shall, at its first regular scheduled meeting in February of each odd numbered year, appoint three voters who shall constitute the Board of Registration for the County. The Board will consist of Gloria Pohl, Bernardine Dial, and Michelle Jones. We are getting ready to purge voters. By mid-March, the purge will be completed. This Board of Registration will go through the entire list of voters who are scheduled to be purged. The list comes from the Secretary of State and consists of voters who are inactive (have not received voter mailings) and people who have not voted in the last 2 General elections. We are anticipating approximately 1000 voters will be on the list for review by the Board. Ms. Jaramillo states to the Commission if they have suggestions of voters that they would like to see on the Board, she will gladly take those suggestions now. Currently, the Board consists of two Republicans and one Democrat. All documentation hereto attached. **ACTION TAKEN** Madam Commissioner DuCharme makes a motion to appoint Ms. Gloria Pohl, Ms. Bernardine Dial, and Ms. Michelle Jones to the Board of Registration for Purging of Voters. Commissioner Frost seconds the motion. No further discussion. The Commissioners vote. All in Favor, none opposed. **MOTION CARRIED.**

11. Amendment No. 1 to Grant Policies & Procedures Ms. Tracy Sedillo, Comptroller, speaks. This amendment is before the Commission today because we have been asked by the Department of Justice to address audit findings from our FY12 Audit regarding federal grant management. The findings are pertaining to the Meth/Amphetamine Initiative Grant that the County has. There were a couple of reports that were not submitted on time and a draw down that was not in complete compliance with the administrative procedures of the grant which resulted in the audit findings. The Department of Justice has asked us to implement policies to insure that this does not happen again. We did an amendment to our grants procedures & policies to address three points of federal grant administration that were directly in the audit finding. All documentation hereto attached.

ACTION TAKEN. Commissioner Frost makes a motion to approve Amendment No.1 to Grant Policies & Procedures. Madam Commissioner DuCharme seconds the motion. Madam Commissioner DuCharme asks who oversaw the implementation of those grants. Ms. Sedillo answers that it was the Sheriffs Administrator who is no longer employed here. The Commissioners vote. All in favor, none opposed. **MOTION CARRIED.**

12. Inclement Weather Procedures- Annette Ortiz, Deputy County Manager, speaks. Ms. Ortiz speaks. She has given the Commission a copy of our current procedures for inclement weather. This is given to all new employees. This procedure applies mostly to the employees of the administrative office of Torrance County. The procedure reads, ‘ The purpose of closing or delaying services is to provide for the safety of county employees and to enhance the safety of highway travel by allowing for the efficient and effective clearing of roads, and to facilitate law enforcement and emergency vehicle responsiveness to accidents.’ In our last Department Head meeting, several Department Heads requested that the Commission consider having the Administrative Offices follow the school schedule. We have never done this before. Currently, in the event of inclement weather or emergency, the County Manager and the Deputy County Manager confer with the Road Department and the Sheriff’s Office and then make the decision whether to recommend closing the offices, or delaying the opening. The County Manager and Deputy County Manager give their recommendation to the Commission Chair who makes the final decision. There are many factors to consider. Which school’s schedule would we follow? If the schools are closed because of safety issues and we are open, many of our employees who are parents must drive with their kids in the car; taking them to babysitters or bringing them here to work. Parents are forced to take the day off to stay with their kids; is that fair for the employee? Sometimes the schools will close in Moriarty, but the weather here in Estancia is fine. After further discussion, the Commission decides that the current procedure appears to be the most effective and fair to all. All documentation hereto attached. **ACTION TAKEN.** Commissioner Frost makes a motion to continue to follow our current inclement weather procedures. Madam Commissioner DuCharme seconds the motion. No further discussion. The Commissioners vote. All in favor, none opposed. **MOTION CARRIED.**

13. Proposed IPRA Policy Ms. Ansley speaks. IPRA is the inspection of public records act. This item was on the agenda before the Commission in 2013. At that time, Ms. Ansley asked the Commission to consider approving a policy which is the Notice of Right to Inspect Public Records because the County does not currently have one. The Commission asked Ms. Ansley to get input from the Department Heads. The Department Heads reviewed it, but no final decision on it has been made yet. The problem is that we do not have a designated records custodian in the County. IPRA requests can be made of several different departments and have different response times, without a designated custodian, things can get lost. This policy was an attempt to unify the process and procedure and designate a records custodian; one person who would be responsible for making sure that all the statutory requirements are followed. Ms. Ansley asks for input from the Commission. She has provided the Commission with a sample of a proposed request form that we could modify for our use. It has a checklist we could use and a pricing guide. There is also Freedom of Information Act software available that we might consider using in the future. Chairman Candelaria comments that he thinks it is very important that we put a policy in place. Commissioner Frost suggests forming a committee to review the proposed policy and come up with a policy for our County that the Commission could approve. Chairman Candelaria suggests making the Clerk's Office the designated records custodian as their main function is to record and keep documents for public viewing. Ms. Ansley comments that many departments keep records; however, she is open to the suggestion of the Clerk's Office. Madam Commissioner DuCharme suggests the Clerk's Office as well. Ms. Jaramillo, County Clerk, states that she would be willing to discuss being the designated records custodian. Chairman Candelaria suggests putting this item on the next Commission meeting agenda. Mr. Wallin wants the committee that discusses this issue to really consider all possible IPRA request situations; he will be part of the committee. We do need a policy that is consistently applied. The committee will include Betty Cabber – Assessor, Linda Jaramillo – Clerk, Mr. Wallin – Attorney, Dorothy Sandoval and Janice Barela – Treasurer and Deputy Treasurer, Joy Ansley and Annette Ortiz- County Manager and Deputy County Manager. **NO ACTION, DISCUSSION ONLY**

14. UPDATE

Ms. Ansley presents the following update to the Commission:

Manager's Report
February 12, 2015

1. At the last meeting, I reported to the Commission on the Coast2Coast prescription program and the Commission indicated that they would like to see a presentation on the program. Zach Barrett will be at the next meeting to give that presentation.
2. The deadline for capital outlay requests at the 2015 legislature is Monday. I'm submitting requests based on the approved ICIP.
3. Mr. Wallin has prepared the deed and the MOU for the Tajique Community Center transfer, which was approved in November. I have the documents on the agenda for the 25th.
4. I'd like to keep moving forward with the proposed road policy, and I'd like the Commission to consider some dates for a public hearing to discuss.
5. I am also going to ask the Commission to select a project to apply for 2015 CDBG funds. In the past, the Commission has accepted recommendations for projects from my office. Applications are due March 18, 2015.

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.

Michelle Jones, resident, speaks.

Ms. Jones comments about the suggestion of evening meetings. Evening meeting during the winter are not good, unsafe and not necessary. We could have every other meeting during the summer in the evening.

Michael Godey, resident, speaks.

He suggests giving employees a few free days that they could use if inclement weather prohibits driving to work. He thanks Madam Commissioner DuCharme for bring up issues that are important to the residents in the County. He also suggests possibly having Commission meetings once a week for a while to help clear up some of the issues that have come up due to the lack of transparency in our County.

Hank Van Es, resident, speaks. With respect to the IPRA situation, State law has defined who the records custodian is, and that is the person who is in possession of the records. It sounds like what the County is looking for is someone who does oversight, or bird dog duty, making sure that the request is fulfilled properly. Mr. Van Es states that he read the State Auditor's report as well as Mr. Candelaria's response and he sees problems. The State Auditor's report stated that the County did not comply with certain sections of the state law, specifically the state procurement code, as well as County procurement regulations. A portion of the response stated that in the opinion of the County, she has always done her job in a highly professional and competent manner. Somehow these two conflict with each other. You can't violate State statutes and comply with a highly professional and competent job. The Auditor's report stated that \$450,000.00 in change orders were given to CCS Construction, approximately 200% of what the original bid was. Mr. Candelaria's response stated that the County submits that this contractor was not treated differently than any other contractor over the many years of County business. The criminal charges were dropped by the State Attorney General. In Mr. Van Es' opinion, that was a political favor. The previous County Manager also had problems overseeing the budget; there was ½ million dollars appropriated without his approval, or at least his oversight. Mr. Van Es states that there have been two County Managers in a row that, in his opinion, have been less than professional and perhaps it's time the County get a real County Manager and a professional.

Nick Sedillo, Safety Officer, speaks. Our parking lot is in desperate need of attention; we have pot holes and dirt. Something to consider now that the weather is warming up. The fascia and soffit on the roof is starting to get some damage as well.

Fred Sanchez, resident, speaks. The best interest of the public is transparency and accountability by our Commissioners. Input and feedback by all of us is very important; sometimes people come up with great ideas which is invaluable. Placing the public comment section at the end of the agenda is not practical. To make it difficult for people to say what they need to say is not good. Also, Mr. Sanchez wants to thank the volunteer Fire Department, they are great. Chief Hamm made a comment about the press. Mr. Sanchez states that he thinks the press is imperfect, but very important and he supports the press.

Myra Pancrazio, EVEDA, speaks. On behalf of EVEDA, she would like to thank our Fire Departments that are here today. We cannot do economic development effectively if we do not have our infrastructure in place. Ms. Pancrazio states that she did not know that our firefighters were all volunteer. She thanks them very much.

Dorothy Sandoval, Treasurer, speaks. She informs the Commission that our G.O. Bond for the Judicial Complex will be paid off in 2016. This is the time to start thinking about putting ideas in place for future bond projects. If we continue the bond with another project, the voters will vote for the bond and we need to be honest with the voters and inform them that their taxes will increase if they vote for the bond. The last time many voters were misinformed and told their taxes would not increase. The voters also thought our administrative offices would move to the Judicial Complex. If we continue the bond, taxes will increase a small amount, but it will be a big benefit to the County.

EXECUTIVE SESSION

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

- a. Personnel Matters: Pursuant to Section 10-15-1 (H) (2), discuss Limited Personnel Matters regarding the County Manager

ACTION TAKEN: Commissioner Frost makes a motion to go into Executive Session. Chairman Candelaria seconds the motion. Roll Call Vote: District 1 Yes, District 2 Yes, District 3 Yes. **MOTION CARRIED.** Executive session starts at 12:31 pm.

***Reconvene from Executive Session**

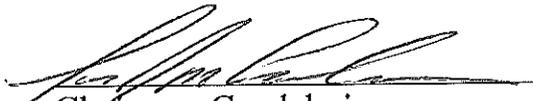
- b. Consider and act upon personnel matters regarding the County Manager, if necessary.

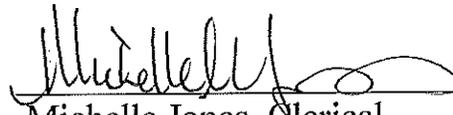
Reconvened at 1:47 pm

ACTION TAKEN: Commissioner Frost makes a motion to reconvene from Executive Session. Madam Commissioner DuCharme seconds the motion. No further discussion, all in favor. **MOTION CARRIED.** Chairman Candelaria states that no action was taken and no other items were discussed in Executive Session.

***Adjourn**

ACTION TAKEN: Madam Commissioner DuCharme makes a motion to adjourn the February 12, 2015 Commission Meeting. Commissioner Frost seconds the motion. No further discussion. The Commissioners vote. All in favor none opposed. **MOTION CARRIED.** Meeting adjourned at 1:48pm


Chairman Candelaria


Michelle Jones, Clerical

2/25/15
Date