

**Final Copy
Torrance County Board of Commissioners
Commission Meeting
June 10, 2015**

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

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

Call Meeting to Order:

Chairman Candelaria calls the meeting to order at 9:01 am; he welcomes all those present to the meeting and leads us in the pledge and the prayer.

Approval of the Meeting Minutes:

Chairman Candelaria asks for a motion to approve the May 20, 2015 Special Meeting Minutes. **ACTION TAKEN:** Commissioner Frost makes a motion to approve the May 20, 2015 Special Meeting Minutes. Madam Commissioner DuCharme seconds the motion. No further discussion. The Commissioners vote; all in favor. **MOTION CARRIED.**

Approval of the Meeting Minutes:

Chairman Candelaria asks for a motion to approve the May 27, 2015 Regular Meeting Minutes. **ACTION TAKEN:** Madam Commissioner DuCharme makes a motion to approve the May 27, 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. No further discussion. The Commissioners vote; all in favor. **MOTION CARRIED.**

Approval of the Consent Agenda:

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 asks about invoice #146115 in the amount of \$1283.00 for gift cards. Ms. Olivas replies that these gift cards were purchased from the Project Office, they are incentives for the Teen Outreach Program and are purchased with grant monies. No further discussion. The Commissioners vote; all in favor. **MOTION CARRIED.**

Action Items

Items to Be Considered and Acted Upon

***Department Requests/Reports:**

1. Updates:

Steve Guetschow, Planning & Zoning Director, speaks. Mr. Guetschow gives the Commission an update from the P&Z Board meeting. Keers Industries LLC was heard by the Board concerning their application for a Solid Waste Permit to operate their facility south of Mountainair. They received a Do-Pass recommendation from the P&Z Board. The Public Hearing for the Commission to hear this item is set for July 8th. Public Notice of this hearing will be published in the Telegraph.

Dorothy Sandoval, County Treasurer, speaks. The 2nd half taxes are being collected. The General Fund looks good with approx. 1.4 mil currently in the fund. Torrance County is currently 88.87% collected for 2014 taxes and 99.6% collected

for ten years. Delinquent notices have been mailed out. We mailed out 8,885 delinquent notices, approximately 1100 more notices than we did last year. The State was also here assisting; they red tag properties, send certified letters, make phone calls, etc. The main goal is always that the taxpayer come in and pay their taxes; we do not want people to lose their land to auction. The auction is scheduled for June 25th. 93 parcels were offered up for auction, but 5 or 6 have been paid and taken off, we hope more people will come in a pay and not lose their land.

David Saline, EVSWA, speaks. He thanks the Commission for the recent Joint meeting with the Authority, at which Gordon Environmental gave a presentation. Gordon Environmental recently did a study of the EVSWA landfill and its capacity. They estimate that there is approximately three years left with the current cell. The new cell is 2/3 completed and will be ready when it needs to be opened. Mr. Saline also informs the Commission that they have received a new compactor for the landfill and it is operating very well. He also comments about today's agenda item # 20. Discussion of Proposed JPA by the City of Moriarty for EVSWA. He states that about a month ago, at their Board meeting, the JPA was presented to them. The Board voted not to accept the JPA and to abandon all efforts to rewrite a JPA. The whole purpose of rewriting the JPA was to include the City of Santa Rosa and Guadalupe County. During the process of creating the JPA, Santa Rosa made the decision to pull out of the landfill; the Santa Rosa account was a \$120,000 account. The EVSWA was able to enter into a contract with Santa Rosa, giving them a rate of \$33.00 per ton to get them back. Madam Commissioner DuCharme asks how much Torrance County pays per ton. Mr. Saline replies that member entities of the JPA such as Torrance County pay \$31.00 per ton.

Commissioner Frost speaks. He has just returned from a trip back East and is happy to be back here in our rural atmosphere where people treat each other nicely. Our roads are also much better here; he thanks the Road Department for all their hard work.

Madam Commissioner DuCharme speaks. She informs all that the County will be auctioning off some vehicles on June 20th at 9:00 am. Triple S Auctions will be conducting the auction and the location will be 64 King Ranch Road. All are encouraged to attend.

Chairman Candelaria speaks. He congratulates Ms. Tracey Master and all who work with the youth of Torrance County. Concerning youth from 9th-12th grade, He has some exit audit stats he would like to share:

	<u>2003</u>	<u>2013</u>
Alcohol Drinking	47.5	24.4
Binge Drinking	35.2	13.5
First Drink before age of 13	35.6	18.4
Rode w/ Drinking Driver	28.7	18.4
Drinking and Driving	16.5	6.8

The reduction in these numbers is a great accomplishment! Hopefully we can get these down to zero!

Chairman Candelaria also states that recently he did a kind of ‘walk thru’ of our National Forest with representatives of Claunch Pinto and the Manzano Land Grant, etc. We have a lot of excess wood there that the National Forest has agreed to give to the people of those communities. There is over 150 cords that are cut and ready to be pulled out of there. The Land Grant is going to try and pull it out, but if not residents will have to try to go in there and are cautioned that the roads are very rough. It is in the Red Canyon area.

2. Contract for Services between Torrance County and AECOM- Javier Sanchez, Emergency Manager Mr. Sanchez speaks. This contract has been reviewed by Legal and we are ready to move forward with it. Madam Commissioner DuCharme comments that she has heard that AECOM is a nationally recognized, reputable company. She inquires about some of the wording in the contract and is told that she has an old copy; the current draft has been corrected. Exhibit A of the contract states that AECOM will facilitate 3 meetings with the Torrance County Planning Team and produce a DRAFT and Final Hazard Mitigation Plan. The Final deliverable will include corrections for Comments from the State and FEMA. The Hazard Mitigation Plan will be prepared using material gathered from the existing plan, from the state plan, and provided by Torrance County. All documentation hereto attached. **ACTION TAKEN:** Madam Commissioner DuCharme makes a motion to approve the Contract for Services between Torrance County and AECOM. Commissioner Frost seconds the motion. No further discussion. All in favor, none opposed. **MOTION CARRIED.**

3. Request Approval of Santa Fe County Juvenile Resident Confinement Agreement

Ms. Ansley speaks. This is a contract for Juvenile Inmate confinement in the County of Santa Fe. At the last meeting, the Commission approved the contract for Juvenile confinement in the County of Bernalillo. All documentation hereto attached. **ACTION TAKEN:** Commissioner Frost makes a motion to approve the Santa Fe County Juvenile Resident Confinement Agreement. Madam Commissioner DuCharme seconds the motion. Madam Commissioner DuCharme asks about 11. Insurance. The contract states, "The County (Santa Fe) maintains public liability insurance for its operation of the SFCYDP. The Contractor (Torrance) shall maintain at all times a policy of public liability insurance (or approved program of self-insurance) for its activities under this Agreement." She asks if Torrance County has this insurance. Ms. Ansley replies yes, we have the same insurance as Santa Fe County. No further discussion. All in favor, none opposed. **MOTION CARRIED.**

4. Request Approval to Purchase Class A Engine Utilizing the HGAC Contracts- Andrew Milton, TCVFD Dept.

Mr. Milton, Fire Chief- District 3, speaks. This contract has been used before through Fire District 4 to purchase their tanker. This is a very necessary purchase. Madam Commissioner DuCharme asks how the HGAC contract works. Ms. Ansley explains. This is a Houston Galveston Area Contract; it is a Cooperative contract, much like the Cooperative Educational Services contract. This Cooperative has bid contracts for various services and those contracts are available for various entities to utilize without having to go out for bid themselves. If this purchase is approved through the HGAC contract, then the Fire Department would have to apply for a loan, most likely through the Finance Authority. Ms. Olivas, Purchasing Director, informs the Commission that this is the first time she is hearing about this. All documentation hereto attached.

ACTION TAKEN: Commissioner Frost makes a motion to approve the purchase of a Class A Engine Utilizing the HGAC Contract. Madam Commissioner DuCharme seconds the motion. No further discussion. All in favor, none opposed. **MOTION CARRIED.**

Madam Commissioner DuCharme takes this opportunity to commend Chief Milton on his professionalism, commitment, and hard work.

5. Presentation of the Executive Summary & Recommendations of the Lobos CO2 Pipeline Health Impact Assessment and Discussion- Pat Lincoln, Partnership for a Healthy Torrance County Ms. Lincoln speaks. She has presented the Commission with a booklet titled LOBOS CO2 PIPELINE HEALTH IMPACT ASSESSMENT JUNE 2015. *(A copy of this booklet is located in the file for this meeting)*. Ms. Lincoln is here today representing the Partnership for a Healthy Torrance County. She introduces this projects' Steering Committee Members:

Rebecca Anthony, Community Resident, Mountainair
Mark Clark, Health Promotions Specialist, NMDOH
Linda Filippi, TC resident and Member of the Partnership for a Healthy TC
Pat Lincoln, TC resident and Member of the Partnership for a Healthy TC
New Mexico Health Equity Partnership, Santa Fe Community Foundation
Human Impact Partners

She gives the Commission some background on this item. Recently, the Kinder Morgan Company had proposed to construct a CO2 pipeline to go from Arizona to a terminal in Torrance County. From there it would send CO2 in liquefied form to West Texas. Kinder Morgan has subsequently withdrawn their application with the BLM, but this Healthcare Assessment was already underway and has now been completed.

The Executive Summary of the Assessment states, in part:

Building a carbon dioxide (CO2) pipeline through Torrance County, New Mexico, has the potential to compromise safety, threaten water supplies and quality, and disrupt the special places, culture and historical connection to the land that unite the county's diverse communities. This Health Impact Assessment (HIA) of Kinder Morgan's Proposed Lobos CO2 Pipeline finds that the project offers few if any benefits to the health, well being and economy of the land.

Although falling oil prices prompted Kinder Morgan in January 2015 to withdraw its application to the US Bureau of Land Management for the proposed Lobos CO2 Pipeline, the company reserves the right to revive the project if market conditions change. Facing this possibility, the partners who conducted the HIA completed this study to serve as a compendium of information that could be used to evaluate the impacts of a future proposed pipeline or similar projects. The HIA could also be useful to other communities facing such proposals.

The HIA focused on how the proposed pipeline would affect health and equity in these key areas:

- Culture and connection to the land
- Land Use
- Economic vitality
- Safety
- Water and quality and availability

The Assessment also provides the following recommendations:

The HIA concludes that the Lobos CO2 Pipeline project offers few benefits for Torrance County, conversely, there are numerous ways it could adversely impact the health and well being of local residents.

Recommendations to the Torrance County Commission to address these impacts include:

- Require Kinder Morgan to establish a mitigation fund to support the development and allocation of resources and services to address adverse impacts of the proposed pipeline to mental and physical health.
- In collaboration with the County Planning and Zoning Board, research and designate north/south and east/west utility corridors for infrastructure development. The process for determining these corridors should take into consideration broad community input, existing land use patterns, historical and cultural impacts, economic impacts, quality of way of life, fragile ecosystems and resources, and health and safety. They should also prioritize the use of existing industrial corridors and align with the County's updated Comprehensive Land Use Plan.
- Require that a comprehensive study of the economic impacts of the proposed pipeline be conducted. The study should include an analysis of loss of use costs, amount and distribution of tax revenues, award compensation and cost benefit analysis, and be made available for public review and comment.
- With Community input, relevant federal agencies should develop guidance for pipeline development in New Mexico, covering impacts to land use, culture and connection to the land, land use, economic vitality, safety and water quality and availability. The guidelines should provide examples of best practices for addressing impacts in

these categories, and specifically address the impacts of proposed project activities on health and equity.

These recommendations offer ways for decision makers and project stakeholders to ensure the protection and prioritization of the health and well being of Torrance County residents. The recommendations- and the values and principles deeply held and expressed by many residents as a part of the HIA- can serve as important guiding principles for future decisions that will affect many generations to come in Torrance County and beyond.

This is a very brief overview of this very important document. It can be viewed in its entirety on the Human Impact Partners website- www.humanimpact.org.

The Commission thanks all involved for their time and efforts in the creation of this assessment. NO ACTION, INFORMATION ONLY

6. Request Approval of Partnership for a Healthy Torrance County Membership for Fiscal Year 2016- Billie Clark, Partnership for a Healthy TC, Ms. Clark speaks. She presents the Commission with the PHTC Membership roster- July 1, 2015. The membership roster includes Officers, Voting Members, and Non-Voting Members and their specific 1 and 2 yr. terms, (non-voting members do not have a term). The members represent a wide spectrum of the Torrance County Community. Ms. Clark emphasizes that anyone interested in participating in the Partnership is encouraged to come to their meetings. They meet on the 1st Wednesday of every month at 12:00pm @ the Memorial of Perpetual Tears in Moriarty. All documentation hereto attached. **ACTION TAKEN:** Commissioner Frost makes a motion to approve the Partnership for a Healthy Torrance County Membership for Fiscal Year 2016. Chairman Candelaria seconds the motion. No further discussion. The Commissioners vote; two in favor, Madam Commissioner DuCharme abstains. **MOTION CARRIED.**

7. Request Approval of the Partnership for a Healthy Torrance County Health Improvement Plan for Fiscal Year 2016 Billie Clark, Partnership for a Healthy TC, Ms. Clark speaks. She presents the Commission with the Torrance County Health Improvement Plan. The Partnership for a Healthy TC developed this comprehensive plan to guide the community health improvement process. The Plan reflects current most pressing health needs and priorities as determined by community members, identifies community-wide goals and objectives for

addressing those priorities, and is intended to be fully re-evaluated every four years to adjust to changes in the community. It serves as a strategic plan for the community health improvement council (PHTC) but is also intended for use by resource developers, planners, community health service providers, and the community at large. The Community Health Improvement Plan is informed by data included in the Torrance County Community Health Profile. Both documents will be publicly available through the community libraries in Estancia, Moriarty and Mountainair, as well as through the TC website under downloads for the County Commission. All documentation hereto attached. **ACTION TAKEN:** Commissioner Frost makes a motion to approve the Partnership for a Healthy Torrance County Health Improvement Plan for Fiscal Year 2016. Madam Commissioner DuCharme seconds the motion. No further discussion. All in favor, none opposed. **MOTION CARRIED.**

8. Request Approval of Treatment Contracts for Torrance County DWI Program/Juvenile Adjudication Fund. Ms. Tracey Master, DWI Coordinator and Juvenile Adjudication Fund Program Manager, presents the following Professional Services Contracts for approval:

a. FY-2016-01-JAF Torrance County Counseling, alcohol/substance abuse treatment for Teen Court Youth All documentation hereto attached. **ACTION TAKEN:** Madam Commissioner DuCharme makes a motion to approve contract FY-2016-01-JAF Torrance County Counseling, alcohol/substance abuse treatment for Teen Court Youth. Commissioner Frost seconds the motion. No further discussion. The Commissioners vote. All in favor none opposed. **MOTION CARRIED.**

b. FY-2016-03-DWI Sharon “Trish” Daino, treatment of offenders charged in alcohol-involved domestic violence incidents All documentation hereto attached. **ACTION TAKEN:** Commissioner Frost makes a motion to approve contract FY-2016-03-DWI Sharon “Trish” Daino, treatment of offenders charged in alcohol-involved domestic violence incidents. Madam Commissioner DuCharme seconds the motion. No further discussion. The Commissioners vote. All in favor none opposed. **MOTION CARRIED.**

c. FY-2016-04-DWI Sharon “Trish” Daino, treatment of convicted DWI Offenders All documentation hereto attached. **ACTION TAKEN:** Commissioner Frost makes a motion to approve contract FY-2016-04-DWI Sharon “Trish” Daino, treatment of convicted DWI Offenders.

Chairman Candelaria seconds the motion. No further discussion. The Commissioners vote. All in favor none opposed. **MOTION CARRIED.**

d. FY-2016-05-DWI Torrance County Counseling, treatment of convicted DWI Offenders All documentation hereto attached. **ACTION TAKEN:** Madam Commissioner DuCharme makes a motion to approve contract FY-2016-05-DWI Torrance County Counseling, treatment of convicted DWI Offenders. Commissioner Frost seconds the motion. No further discussion. The Commissioners vote. All in favor none opposed. **MOTION CARRIED.**

9. Request Approval of Contracts between Torrance County and Tri-County Juvenile Justice Board Ms. Master, DWI Coordinator presents these contracts for approval:

a. FY-2016-DWI-01, Lucia Lucero, Teen Court Coordinator/Prevention Specialist All documentation hereto attached. **ACTION TAKEN:** Commissioner Frost makes a motion to approve contract FY-2016-DWI-01, Lucia Lucero, Teen Court Coordinator/Prevention Specialist. Madam Commissioner DuCharme seconds the motion. No further discussion. The Commissioners vote. All in favor none opposed. **MOTION CARRIED.**

b. FY-2016-DWI-02, Kathy Swope, Program Assistant All documentation hereto attached. **ACTION TAKEN:** Madam Commissioner DuCharme makes a motion to approve contract FY-2016-DWI-02, Kathy Swope, Program Assistant. Commissioner Frost seconds the motion. No further discussion. The Commissioners vote. All in favor none opposed. **MOTION CARRIED.**

10. Request Approval of Local DWI Grant Agreement #16-D-J-G-31, between Torrance County and the State of NM, Dept. of Finance and Administration Ms. Master presents this Grant Agreement for approval. This agreement is to continue funding for the LDWI program in Torrance County. All documentation hereto attached. **ACTION TAKEN:** Commissioner Frost makes a motion to approve the Local DWI Grant Agreement #16-D-J-G-31, between Torrance County and the State of NM, Dept. of Finance and Administration. Madam Commissioner DuCharme seconds the motion. No further discussion. The Commissioners vote. All in favor none opposed. **MOTION CARRIED.**

11. Request Approval of Amendment One to CDWI Project Agreement #15-CDWI-05-103 Ms. Master speaks. This amendment will allow \$1,282.00 in funding to purchase prevention materials for outreach events, drug testing kits for convicted DWI offenders, a new intoxilyzer and mouthpieces. All documentation hereto attached. **ACTION TAKEN:** Commissioner Frost makes a motion to approve Amendment One to CDWI Project Agreement #15-CDWI-05-103. Madam Commissioner DuCharme seconds the motion. No further discussion. The Commissioners vote. All in favor none opposed. **MOTION CARRIED.**

12. Request Approval of Agreement Amendment No. 1 to Grant No. 15-D-J-G-31, between Torrance County & the State of NM Dept. of Finance and Administration Ms. Master speaks. This amendment will allocate monies as listed in the amendment. All documentation hereto attached. **ACTION TAKEN:** Commissioner Frost makes a motion to approve Agreement Amendment No. 1 to Grant No. 15-D-J-G-31, between Torrance County & the State of NM Dept. of Finance and Administration. Chairman Candelaria seconds the motion. No further discussion. The Commissioners vote. All in favor none opposed. **MOTION CARRIED.**

13. Resolution 2015-23 Budget Increase- Tracy Sedillo, Comptroller Ms. Sedillo speaks. This resolution is a budget increase in the amount of \$93,203.00. All documentation hereto attached. **ACTION TAKEN:** Chairman Candelaria makes a motion to approve Resolution 2015-23 Budget Increase. Commissioner Frost seconds the motion. The Commissioners vote. All in favor none opposed. **MOTION CARRIED.**

14. Resolution 2015-24 Line Item Transfers- Tracy Sedillo, Comptroller Ms. Sedillo speaks. This resolution is for line item transfers. Several departments have requested to transfer funds within their budget. This does not change their overall budget amounts. All documentation hereto attached. **ACTION TAKEN:** Madam Commissioner DuCharme makes a motion to approve Resolution 2015-24 Line Item Transfers. Commissioner Frost seconds the motion. No further discussion. The Commissioners vote. All in favor none opposed. **MOTION CARRIED.**

**Commission Matters:*

15. Memorandum of Understanding between Torrance County and the Village of Willard for the Operation of the Willard Fire Department Ms. Ansley speaks. The item is not ready to be presented. All documentation hereto attached. **ACTION TAKEN:** Commissioner Frost makes a motion to table this item. Madam Commissioner DuCharme seconds the motion. No further discussion. The Commissioners vote. All in favor none opposed. **ITEM TABLED.**

16. Interview and Appoint Fair Board Vacancies- Ms. Ansley speaks. We advertised for these vacancies and have not received any letters of interest for the Fair Board. We are waiting to hear comment from the Fair Board. All documentation hereto attached. **ACTION TAKEN.** Chairman Candelaria makes a motion to table this item. Madam Commissioner DuCharme seconds the motion. No further discussion. The Commissioners vote. All in favor none opposed. **ITEM TABLED.**

17. Interview and Appoint Estancia Valley Solid Waste Board Vacancy Ms. Ansley speaks. Two people have submitted letters of interest: Michael Godey and Leanne Tapia. Both Mr. Godey and Ms. Tapia come to the podium, give a short speech outlining their unique qualifications and answer questions from the Commission. After some discussion, the Commission votes. All documentation hereto attached. **ACTION TAKEN.** Commissioner Frost makes a motion to appoint Ms. Leanne Tapia to the EVSWA Board. Chairman Candelaria seconds the motion. Madam Commissioner DuCharme states that she opposes this nomination because she believes that Ms. Tapia was involved in prohibited political activity. Also, she believes that Ms. Tapia did not fulfill the requirements for the application for this position. Madam Commissioner DuCharme further states that she does not see that Ms. Tapia will provide oversight based on her presentation. No further discussion. The Commissioners vote. Two in favor, Madam Commissioner DuCharme is opposed. **MOTION CARRIED.**

Madam Commissioner DuCharme believes there is still a vacancy on the EVSWA Board. Ms. Ansley disagrees. Mr. Wallin is already researching this question; Mr. Huss will ask Mr. Wallin about this.

18. Interview and Appoint Estancia Basin Water Planning Board Vacancy

Ms. Ansley speaks. We advertised for this vacancy and have not received any letters of interest. Ms. Cheri Lujan, recorder for the Estancia Basin Water Planning Committee, speaks. One if the positions that is vacant is the TC Government position. Ms. Lujan suggests Mr. Guetschow for this position. He can represent Torrance County and he is already attending the meeting. Mr. Guetschow agrees to fill this vacancy. (Thanks Steve!). They still need one Ag position if anyone from the Ag community is interested. All documentation hereto attached. **ACTION TAKEN.** Chairman Candelaria makes a motion to appoint Mr. Steve Guetschow to the Estancia Basin Water Planning Board. Commissioner Frost seconds the motion. No further discussion. The Commissioners vote. All in favor none opposed. **MOTION CARRIED.**

19. Appointment of the 2016 Juvenile Justice Board Ms. Kathy Swope, Coordinator for the Tri-County Juvenile Justice Board, presents the Commission with the 2015/2016 TCJJB Board Members roster. The roster outlines the Executive Board, Regular Voting Members, and Advisory members (non-voting). The Board represents several facets of our Community, many required by CYFD. All documentation hereto attached. **ACTION TAKEN.** Commissioner Frost makes a motion to approve/appoint the 2016 Juvenile Justice Board. Chairman Candelaria seconds the motion. No further discussion. The Commissioners vote. Two in favor, Madam Commissioner DuCharme abstains. **MOTION CARRIED.**

20. Discussion of Proposed JPA by the City of Moriarty for EVSWA Madam Commissioner DuCharme speaks. She requested this item be put on the agenda. She reads the following letter from the Mayor Ted Hart of the City of Moriarty:



www.cityofmorlarty.gov

Mayor
Ted Hart

April 30, 2015

City Councilors
Steve Arroyo
Kim Garcia
Robert Ortiz
Dennis Shanfeldt

Village of Encino
Village Council
PO Box 163
Encino, NM 88321

Torrance County
County Commission
PO Box 48
Estancia, NM 87016

City Clerk
Shelba Larrabaga-Murphy

Town of Estancia
City Council
PO Box 166
Estancia, NM 87016

Town of Vaughn
Town Council
PO Box 278
Vaughn, NM 88353

City Treasurer
Linda Fischer

Town of Mountainair
Town Council
PO Box 115
Mountainair, NM 87036

Village of Willard
Village Council
PO Box 204
Willard, NM 87063

Municipal Judge
Dorothy Diehlus

Police Chief
Bobby Garcia

Fire Chief
Steve Spain

Superintendent of
Public Works
Daniel Tenorio

City Attorney
Adolfo J. Mendez II

RE: Follow-up Regarding Proposed Draft Amendment for Estancia Valley Solid Waste Authority Joint Powers Agreement

Dear Mayors, Councilors, Trustees and Commissioners,

On April 2, 2015, I sent you a letter along with a proposed Joint Powers Agreement (JPA) for the Estancia Valley Solid Waste Authority (EVSWA). I have not received any feedback from your respective governing bodies.

The purpose of the proposed JPA amendment is to strengthen the EVSWA for the benefit of all the member entities for the long term. The proposed JPA amendment includes several important reforms designed to address the financial management and governance of the EVSWA. I respectfully encourage you to review the City of Moriarty's proposed JPA amendment and consider those important reforms.

The City of Moriarty became concerned with the financial health of the EVSWA while working on the earlier JPA amendments proposals concerning including the City of Santa Rosa and Guadalupe County as members. For example, the actual costs of operating the landfill are not clear. Unlike other landfills in the region which have tipping fees generally in the \$25-\$35 per ton range, the EVSWA landfill charges its members \$47 per ton. Why the EVSWA landfill is so much higher is a question that has not been satisfactorily addressed. As I mentioned in my last letter, the proposed JPA amendment would require that EVSWA take the first step of figuring out what EVSWA should be charging for services to make the EVSWA financially self-sufficient and competitive in the marketplace. This is an important step for the financial health of the EVSWA.

As the leaders of the member entities that make up the EVSWA, I believe that we have an obligation to try to resolve issues concerning the governance and financial management of the EVSWA. We are entrusted with the scarce resources of our constituents and we should work towards using those resources as efficiently as possible. If there are parts of the proposed JPA that your governing body does not like, I respectfully request that your governing body propose changes. If your governing body would like a different approach altogether, then please propose a different JPA amendment. Again, the City of Moriarty will review and consider any proposal your entity proposes.

Sincerely,



Ted A. Hart
Mayor

Madam Commissioner DuCharme now comments that as you can see in the letter, Mayor Hart is stating that the EVSWA charges its members \$47/per ton which is very different from what we heard from Mr. Saline earlier. Also, the EVSWA received a letter from the State Auditor's office asking them to change their auditor. Ms. Ansley comments that she is on the EVSWA Board and the \$47/per ton quote is incorrect; it is \$31/per ton for member entities. Ms. Ansley further states that in November 2014, all the members of the JPA had a joint meeting and every member approved the proposed JPA at that time, except the City of Moriarty. The City of Moriarty decided to come up with different JPAs to try to get the other member entities interested. The other entities were not interested in the JPA excluding Santa Rosa and Guadalupe County. That is why the EVSWA voted to not move forward with a new JPA at this time. Madam Commissioner DuCharme comments that Mr. Saline stated today that the EVSWA has a contract now with Santa Rosa. She further states that Mayor Hart wants to open a dialogue about their proposed JPA. She states that she sees no willingness to discuss this problem. Chairman Candelaria and Commissioner Frost both comment that they

are satisfied with the current status of the EVSWA. **NO ACTION, DISCUSSION ONLY**

21. County Treasurer Retirement & Appointment Ms. Dorothy Sandoval, Treasurer, speaks. Ms. Sandoval reads the following letter:

June 3, 2015

Torrance County Commission and Torrance County Manager,

I am pleased to inform you that with time and age I have completed my service in the Torrance County Treasurer's office to be able to retire my position of Torrance County Treasurer.

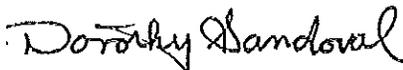
My last day of employment is June 25, 2015. That is the last day of the pay period. The end of the year also falls on June 30, 2015 and I felt it would be better for the new appointed Treasurer to start balancing the books on July 1, 2015.

My term in office will not end until December 31, 2016. I am recommending my Chief Deputy Treasurer, Janice Barela, to be appointed as Torrance County Treasurer for the remainder of my term.

Janice Barela is very intelligent, honest, trustworthy, and experienced. Torrance County needs someone like Janice to handle county funds. I know that Janice will continue to give the public great service and public relations that I built with my staff, the many years that I have been Treasurer.

I want to thank all current and prior Elected Officials, Managers, County Employees, and the Citizens of Torrance County for giving me the opportunity to serve as Torrance County Treasurer for several years.

Sincerely,



Dorothy Sandoval

Torrance County Treasurer

Chairman Candelaria thanks Ms. Sandoval for her service, commenting that he and 'Dorothy' go way back; they were classmates and very good friends at Mountainair High School. He shares memories of their friendship and thanks Ms.

Sandoval again for her service, stating that she did a great job and had a great career! Congratulations Dorothy!

Ms. Sandoval thanks all for their votes and support all these years. Ms. Sandoval started her career with the County in 1984 as a clerk and now states that it is time to for her to hand it over to the younger generation to take over her office. She has recommended the Commission appoint her Chief Deputy Janice Barela as County Treasurer for the remainder of her term. The Commission has also received letters of recommendation for Ms. Barela from Mr. Pat Varela- NM Treasurers Affiliate Chairman, Ms. Tracy Sedillo, Comptroller, Ms. Betty Cabber- County Assessor, Ms. Linda Jaramillo- County Clerk, and Mr. Leo Marquez II- Chief Financial Officer, NM State Treasurer's Office.

All documentation hereto attached. **ACTION TAKEN.** Chairman Candelaria makes a motion to appoint Ms. Janice Barela to the position of Treasurer for Torrance County. Commissioner Frost seconds the motion. No further discussion. Chairman Candelaria calls for a roll call vote. District 1: Yes, District 2: Yes, District 3: Yes **MOTION CARRIED.**

Congratulations Ms. Barela!

***County Manager Requests/Reports:**

22. Request Acceptance of Quail Trail for Maintenance- William Carrell, Resident Mr. Carrell speaks. He is here to request that Quail Trail be accepted for maintenance by the TC Road Department. He states that this is a process that has been going on for over 20 years. The road was first inspected by the County in 1994. It was installed per County specs at that time. The road was denied at that time due to County financial hardship. Several times between then and now the road has been brought up to County specs, and the request for adoption has been denied or just ignored. Quail Run is a Subdivision and Commissioner Frost states that he read the Covenants which state, among other things: '...to insure aesthetic continuity, the overall character of the subdivision, to enforce these covenants and to assess themselves for roadway maintenance.'

Chairman Candelaria comments that it is very difficult for the County to take subdivision roads for maintenance. Subdivision members typically pay dues that go toward the maintenance of their roads.

Mr. Leonard Lujan, Road Foreman, states that he is very familiar with this road. He comments that the proposed Road Policy needs to be passed so we have clear direction when these kinds of issues come up. Mr. Carrell comments that it is in the County's best interest to maintain their roads. **NO ACTION, DISCUSSION ONLY**

23. Request Ratification of Rural Primary Health Care Act Memorandum of Agreement Ms. Ansley speaks. This is the annual RPHCA Grant that we use for the daily operations of the Mountainair Health Clinic. It's a grant for the DOH, and they fund PMS to run the primary health care services out of the Mountainair Health Clinic. The County has to be the pass-through for this funding. The Grant Committee reviewed this document and had no issues or concerns with it. Due to time constraints this grant had to be signed prior to today's meeting. Ms. Ansley signed the agreement and is now asking the Commission for ratification. All documentation hereto attached. **ACTION TAKEN.** Commissioner Frost makes a motion to ratify the Rural Primary Health Care Act Memorandum of Agreement. Chairman Candelaria seconds the motion. No further discussion. The Commissioners vote. All in favor none opposed. **MOTION CARRIED.**

24. NMFA Loan Documents for the Willard Apparatus Ms. Ansley speaks. The County has taken over the Willard Fire Department. Part of this agreement includes the County assuming the Willard Fire Department debt of their Fire Engine. The loan has a balance of approximately \$100,000.00. The County has to approve the following required formal documents in order to assume the debt:

a. Resolution 2015-025 All documentation hereto attached. **-ACTION TAKEN:** Commissioner Frost makes a motion to approve Resolution 2015-025. Chairman Candelaria seconds the motion. No further discussion. The Commissioners vote. All in favor none opposed. **MOTION CARRIED.**

b. Loan Agreement Amendment All documentation hereto attached. **ACTION TAKEN:** Commissioner Frost makes a motion to approve the Loan Agreement Amendment. Chairman Candelaria seconds the motion. No further discussion. The Commissioners vote. All in favor none opposed. **MOTION CARRIED.**

c. Intercept Agreement Amendment All documentation hereto attached. **ACTION TAKEN:** Chairman Candelaria makes a motion to approve the Intercept Agreement Amendment. Commissioner Frost seconds the motion. No further discussion. The Commissioners vote. All in favor none opposed. **MOTION CARRIED.**

25. Agreement with Cibola National Forest for Road Maintenance Ms. Ansley speaks. There is one road in the Cibola National Forest that the County maintains on their behalf. The Cibola National Forest pays the County \$720.00 annually for this maintenance. This is the annual contract that the County needs to approve in order to invoice for these funds. All documentation hereto attached. **ACTION TAKEN:** Chairman Candelaria makes a motion to approve the Agreement with Cibola National Forest for Road Maintenance. Madam Commissioner DuCharme seconds the motion. No further discussion. The Commissioners vote. All in favor none opposed. **MOTION CARRIED.**

26. Contract between Torrance County and CYFD for Juvenile Justice Board 2016 Ms. Kathy Swope speaks. This is the contract between Torrance County and CYFD for the Juvenile Justice Board for 2016. It is very similar to last year. Funding for the ScOutreach has been increased and there is an increase in funding to pay for a provider in the Mountainair and possibly the Estancia area. All documentation hereto attached. **ACTION TAKEN.** Commissioner Frost makes a motion to approve the Contract between Torrance County and CYFD for Juvenile Justice Board 2016. Chairman Candelaria seconds the motion. No further discussion. The Commissioners vote. All in favor none opposed. **MOTION CARRIED.**

27. Update

Ms. Ansley presents the following update:

1. According to the minutes of the May 13 meeting, the Commission decided to have a work session to consider edits to the proposed road policy. When

would the Commission like to schedule the work session? (*The Commission agrees to have the Work Session on July 13th @ 9:00am here in the Commission room*)

2. The County Fair Board is looking to fill two (2) positions on the board. The positions were advertised on May 21 and 28. We received no responses.
3. Several Southeastern Counties have adopted a resolution opposing the “Safeguard for American Food Exports Act of 2015”, which makes it illegal to knowingly sell or transport equines or equine parts in interstate or foreign commerce for purposes of human consumption. They’ve asked other Commissions to consider similar resolutions; is this something this Commission would be interested in considering?
4. My staff has been looking into the possibility of leaving the State’s insurance plan and hiring a broker to contract insurance privately, for health, vision, dental, disability and life. We’ve made some progress, and we’d like to publish an RFP, so that we can hire a broker to move towards negotiating new insurance. There are some ramifications of leaving the state’s plan, which include buying out 3 months of claims for participants. There are also some risks associated, but we believe that we can obtain comparable insurance at much lower rates, which would be a great benefit to the County employees. Currently, only about half of our employees can afford the insurance that we offer, because the premiums are so high. We’d like to get more employees covered and possibly increase the percentage that the County pays, which would be an increase in take-home pay for the employees. However, we need to know if the Commission is ok with moving in this direction, and if you’re not ok with it, how should we proceed? (*The Commission instructs Ms. Ansley to move forward with an RFP*)
5. The end of the fiscal year is quickly approaching, and there are a lot of close outs and deadlines that need to be met with regards to grants and finance; that being said, today is the deadline for purchase orders for this year. Also, with regards to the required budget hearing, would the Commission prefer a separate meeting to address budget or have it combined with the regular July meeting? (*The Commission instructs Ms. Ansley to add the budget hearing to a Commission meeting agenda*)

Public Requests: At the Discretion of the Commission Chair. For Information Only (**No Action Can Be Taken**). Comments are limited to five (5) minutes per person on any subject.

Michael Godey, resident, speaks. With regards to the presentation given by Gordon Environmental about the EVSWA, there were different rates for different people. It sounds like there is some confusion concerning this pricing. Mr. Godey would like to see who pays what. Who pays \$44 and who pays \$31?

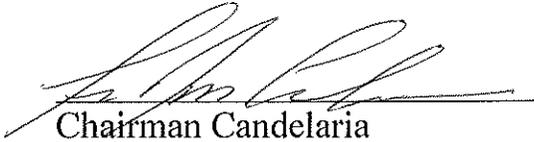
Fred Sanchez, resident, speaks. In order to have true community involvement, you have to have fair representation; they go together. Today we saw that our area, supposedly represented by Mr. Candelaria, again is not represented on the trash board. What's happening is we are recycling the same people.

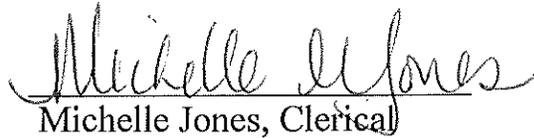
Cheryl Hamm, resident, speaks. She had recently reached out to Madam Commissioner DuCharme to try and talk and work together to figure out what would be best for the Fire Department. Ms. Hamm states that after listening to the meeting today she has two questions for Madam Commissioner DuCharme. Do you, as a sitting Commissioner represent the interests of the citizens of Torrance County or are you representing the interests of Art DuCharme and Lonnie Freyburger? And when the other Commissioners have to deny these roads, do you think there could be more road work done in this County if so much of the budget wasn't being spent on defending against your husbands and Lonnie's frivolous attacks on the County which are running in the tens of thousands of dollars?

***Adjourn**

ACTION TAKEN: Commissioner Frost makes a motion to adjourn the June 10, 2015 Commission Meeting. Madam Commissioner DuCharme seconds the motion. No further discussion. The Commissioners vote. All in favor none opposed.

MOTION CARRIED. Meeting adjourned at 1:04pm


Chairman Candelaria


Michelle Jones, Clerical

6/24/15

Date

These minutes provide a summary of the meeting.

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.