

Regular Meeting
July 9, 2019

The Colfax County Board of Commissioners met on this date in Regular Session in the Commission Chambers with the following members present:

Bobby LeDoux, Chairman
Landon Newton, Vice-Chairman
Roy Fernandez, Member
Sara Torres, County Chief Deputy Clerk
Mary Lou Kern, County Manager
Terrence Kamm, County Attorney

1. Call to Order

Chairman LeDoux called the meeting to order at 9:00 a.m.

2. Pledge of Allegiance

Commissioner Newton led the Pledge of Allegiance.

3. Salute to the New Mexico Flag

Commissioner Fernandez led the Salute to the New Mexico Flag.

4. Approve Agenda

Chairman LeDoux asked if there were any changes to the Agenda. County Manager Kern requested the Board Table Item #11 Discuss/Action - Claim of Exemption #11, Margaret Van Buskirk and Item #20 Discuss/Action - NMCSPD Sheriff's Department Agreement. Commissioner Fernandez made a motion to approve the Agenda as amended Tabling Item #11 and Item #20. Commissioner Newton seconded the motion. The motion carried unanimously.

5. Approve Regular Meeting Minutes and Public Hearing Minutes for June 25, 2019

Chairman LeDoux stated the Commission received the Minutes prior. He stated the Board reviewed the Minutes and asked if there were any comments, but none were raised. Commissioner Newton made a motion to approve Regular Meeting Minutes and Public Hearing Minutes for June 25, 2019 as presented. Commissioner Fernandez seconded the motion. The motion carried unanimously.

6. Recognize Visitors

Others present: Amanda Segura, Deseray Sisneros, Anita Mallory, David Wilson, Carol Bridge, Bunny Bunker, Mark McDonald, Stacie Ewing, Leonard M. Baca Jr., Joana Apodaca, Danielle Martinez, Atlee Cullison, Sharon S. Cullison, Robert Thompson, Mike Thomason, Rose Bernal, Eric L. Whaley, Tom Vigil, Susan Norris, Kristi Graham, Kathy M. Trujillo, Lydia M. Garcia, Nick Cardenas, Nancy Klein, Gene Klein, Michael Turner, Dynelle Turner, Roger Smith, Laura Brewer, Erika Manfredi, Stacy Gulick, and Shelly Quartieri.

7. Public Comment

There were no comments.

8. Discuss/Action – Approved Expenditures

General Fund	\$ 506,435.16
General Hold Harmless GRT	0.00
Hold Harmless GRT	0.00
Corrections Fund	58,914.82
County Property Valuation	8,903.47
Vermejo Debt Service	0.00
County Road Department	81,847.77
French Tract Fire Fund	15,206.99

Miami Fire Fund	1,277.72
Farley Fire Fund	14,713.87
Ute Park Fire Fund	1,445.23
Philmont Fire Fund	6,360.65
Moreno Valley Fire Fund	6,641.40
County Fire Marshal Fire Fund	11,331.58
Rapid Response Fire Fund	1,220.71
Vermejo Park Fire Fund	2,589.72
Moreno Valley Wildfire	0.00
Farley Wildfire Suppression	0.00
French Tract Wildfire Suppression	0.00
Philmont Wildfire Suppression	5,402.73
Ute Park Wildfire Suppression	0.00
Vermejo Wildfire Suppression	0.00
CC Rapid Response Wildfire Suppression	0.00
Law Enforcement Protection	0.00
YES Program	8,745.23
YES BHSD Prevention	0.00
Maternal/Child Healthcare	0.00
NM Transportation Grants	0.00
WIPP	0.00
Legislative Appropriations	0.00
Indigent Care Gross Receipts	58,866.76
Fire Protection – Fire Excise Tax	21,630.24
Community DWI – TSB	0.00
DWI Distribution	9,628.68
LDWI Grant	1,250.00
State Farm	0.00
DWI-ALC	0.00
Recording/Filing Fund	0.00
Sheriff Forfeiture Fund	0.00
MCMC Hospital Fund	0.00
Capital Improvement	115,317.44
CAP IMP HHGRT/2015	0.00
Angel Fire Airport Improvements	0.00
Angel Fire Airport FFA	0.00
Revenue Bonds Debt Service	863.00
Bond Series Jud Ctr	0.00
French Tract Debt Service	0.00
Miami Fire Debt Service	0.00
Philmont Debt Service	0.00
Moreno Fire Debt Service	0.00
Solid Waste Fees	34,321.16
Colfax County Airport Operations	<u>8,563.60</u>
Total	\$ 981,477.93

County Manager Kern presented the June 2019 Expenditures to the Board and requested approval. Chairman LeDoux asked if there were any questions but none were raised. Commissioner Fernandez made a motion to Approve the June 2019 Expenditures as presented. Commissioner Newton seconded the motion. The motion carried unanimously.

9. Discuss/Action – Employee of the Quarter

Sheriff Leonard M. Baca Jr. presented an Employee of the Quarter Certificate to Detective Clay Moore. He stated Undersheriff Montoya nominated Detective Moore for the award. Sheriff Baca stated Detective Moore is a passionate and self-motivated individual who works with the Internet Crimes Against Children Task Force and the Attorney General’s Office. He stated Detective Moore is a role model and leader within the department and other Deputies seek advice from him regarding other cases. Sheriff Baca spoke of cases Detective Moore was able to successfully conduct leading to an arrest and the conviction of individuals. He stated Detective Moore assisted the State Police with cases and he is working with Homeland Security on an investigation for the BNSF Railroad. Sheriff Baca stated he is an asset to the Sheriff’s Office and he displays commendable job performance. Commissioner Newton stated conducting investigations includes dedication and increased workload. He commended Detective Moore for receiving the Employee of the Quarter award. Detective Moore stated he was honored and expressed his gratitude and appreciation to the County. He stated the types of cases he works are difficult and they require increased working hours.

Detective Moore commended his superiors and the Commission for their support which allow him to provide these services to the County. County Manager Kern commended Detective Moore on his diligent work for the County. Chairman LeDoux questioned how employees are nominated for Employee of the Quarter. County Manager Kern stated anyone including the public can nominate an employee. She stated the award is given quarterly and if there are several submissions the Department Heads will meet to select an employee. County Manager Kern stated if there are minimal submissions then she will select the individual who receives the award. She stated this quarter there were 3 employees nominated. There were no further comments.

10. Presentation – Behavioral Health Task Force, Mark McDonald

Chairman of the Re-start Program Mark McDonald presented a packet to the Board with client and program information. He stated Breaking the Cycle is one of the Associations formed from the Re-start Program. He introduced the Re-start team consisting of: Program Director Anita Mallory, Vice-President and Vice-Chairperson Carol Bridge, and Program Supporter Deseray Sisneros. Mark stated the packet demonstrates the programs accomplishments and they wish to form a preeminent partner with the County. He stated the Re-start Program is a non-profit organization which was formed to assist with behavioral health and addictions within the County. Mark stated a survey was conducted in the County which requested information to determine the needs for a successful recovery program. He stated Breaking the Silence is an organization which models the Oxford Housing Model. Mark stated residents consisting of CYFD clients, neighbors, corrections, addicts, PR personnel, PE personnel, and court systems were all in agreement to the drug and addiction concern within the County. Mark stated the community agrees the system currently in place locally, at the State, and at the National level are deficient. He stated addicts within the County provided information expressing the gaps within the current system. Mark stated one identified necessity for a recovering addict is the inability to access services which is appropriate for the success of their sobriety and recovery. He stated when individuals return from a rehab center they do not have a supporting home to live in. Mark stated the individual might seek out an addict's home due to the abolished relationships with family and friends. He stated there were County assets which were identified during a second survey. Mark stated some of the assets in the County are the Sheriff's Department, Emergency Medical Services, and Miners Colfax Medical Center. These facilities were questioned over the amount of funds dispensed towards addictions within the County and how many staff are required to assist with addictions. Mark stated out of 1 million-dollar budgets it is estimated 50% to 90% of those budgets are used towards addiction matters and up to 90% of their staff are working with the addicts. He stated Breaking the Cycle is the term used which provides transitional housing with an 80% success rate. Mark stated the tenants living in the homes will be provided with life skills, job training, education, drug & alcohol classes, and weekly meetings as part of the Re-start Breaking the Silence Program. Anita stated she is conducting Narcotics Anonymous Meetings at Mesa Church. She stated the program has incorporated a younger group of addicts ages 18 to 21 years of age. She stated she is a mentor for women and she assists with obtaining birth certificates, social security cards, ID's, job searches, interviews, budgets, checking accounts, and saving accounts. Anita stated she follows the individuals progress and will assist with any need they may have. She stated she believes in the Re-start Breaking the Silence Program and the success of the program. Mark stated regular drug testing will be conducted for a potential relapse. He stated if a tenant is asked to leave the home they will be provided a time to leave and alternative options with professionals. Mark stated the homes are self-sustained and a job will be obtained by all tenants to live in the home. He stated there were calls concerning addictions within the County and his team is taking the proper steps to carry out a plan. Mark presented a marketing plan, financial calculator, and an agreement to the Board with financial projections. He is requesting support from the County for a partnership. Commissioner Fernandez questioned how individuals are recruited. Mark stated they are referred from drug courts, rehab centers, jails, and various people for referrals. He stated there is a provision which states an individual must enter a rehab center before entering a home. Commissioner Newton questioned if there is a specific facility already obtained and if the tenants pay rent. Mark stated the addresses are private, but homes were provided by specific individual in the County and the tenants must obtain a job to live in a home. Chairman LeDoux questioned if Mark obtained an administrative building for the team and if the Re-start has a contact phone number. Mark stated he is using his office at the Center for Community Innovation and provided a business card for contact information. Anita shared her own life experiences and her desire to see the program succeed. She stated she is the product of a successful individual who was an addict. Anita stated she and Judge Walton will be conducting the intakes along with other agencies for potential housing of recovering individuals. There was no more discussion.

11. Discuss/Action – Claim of Exemption #11, Margaret Van Buskirk

Tabled under Item #4.

12. Discuss/Action – Special Dispenser Permit, Colfax Tavern for the Festival Electica Event

County Manager Kern presented to the Board the Special Dispenser Permit Application concerning Colfax Tavern for the Festival Electica Event. She stated the Festival Electica is the 2nd annual fundraiser event for the Angel Fire Shuter Library. County Manager Kern stated the event will take place at the Angel Fire Airport and the permit enables Colfax Tavern to sell alcohol on the premises during the event. She stated the Sheriff's Department will provide security at the Festival Electica and she is recommending approval. Commissioner Newton stated the Festival Electica proceeds will assist with the Shuter Library in Angel Fire and it was successful in the previous year. Commissioner Newton made a motion to approve the Special Dispenser Permit, Colfax Tavern for the Festival Electica Event. Commissioner Fernandez seconded the motion. The motion carried unanimously.

13. Discuss/Action – Resolution #2019-16, Opposing the Housing of Immigrants in Colfax County and the Use of County Government Resources to Support Immigrants

Chairman LeDoux stated community members came forward at a previous Regular Meeting and presented their concerns. He asked if anyone would like to address the Commission who had not expressed themselves previously. There were no comments from visitors. Commissioner Newton made a motion to approve Resolution #2019-16, Opposing the Housing of Immigrants in Colfax County and the Use of County Government Resources to Support Immigrants. There was no second to the motion. The motion did not carry.

14. Discuss/Action – Resolution #2019-17, Budget Adjustment – Various Funds

Financial Specialist Joana Apodaca presented to the Board the Resolution #2019-17, Budget Adjustment – Various Funds. She stated the budget adjustment is for the Miami Wildfire Fund for Increase in Revenue for Reimbursement/Refunds in an amount of \$7,475.31; Increase in Expenditures for Temporary Positions in an amount of \$2,356.00, FICA – Regular in an amount of \$146.00, and FICA – Medicare in an amount of \$34.15; DWI Distribution Fund for Increase in Expenditures for Refunds & Reimbursements in an amount of \$7,199.00 and Supplies in an amount of \$800.00; Increase of Revenue District 8 Debt Service Fund NMFA Loan Proceeds in an amount of \$554,078.59 transferred from District 8 Debt Service Fund and transferred to the Capital Projects Fund in an amount of \$554,078.59; Increase in Expenditures for Capital Outlay – BLDG & Structure in an amount of \$5,246.00 and Rapid Response Station 2 in an amount of \$506,311.48; Transfer from General Fund in an amount of \$200,000.00 and transferred to the Correction Fund in an amount of \$200,000.00. Chairman LeDoux asked if there were any questions but none were raised. Commissioner Fernandez made a motion to approve Resolution #2019-17, Budget Adjustment – Various Funds. Commissioner Newton seconded the motion. The motion carried unanimously.

15. Discuss/Action – Resolution #2019-18, Arterial Program Cooperative Agreement between NM DOT and Colfax County for FY 2019/2020

Road Superintendent Robert Thompson presented to the Board Resolution #2019-18, Arterial Program Cooperative Agreement between NM DOT and Colfax County for FY 2019/2020. He stated the total project is estimated at \$166,496.00 to be funded in proportional share of 75% provided by NM DOT in an amount of \$124,872.00 and 25% provided by the County in an amount of \$41,624.00. There was discussion over the project cost. Commissioner Fernandez made a motion to approve Resolution #2019-15, Arterial Program Cooperative Agreement between NM DOT and Colfax County for FY 2019/2020. Commissioner Newton seconded the motion. The motion carried unanimously.

16. Discuss/Action – Resolution #2019-19, School Bus Route Agreement between NM DOT and Colfax County for FY 2019/2020

Road Superintendent Robert Thompson presented to the Board Resolution #2019-19, School Bus Route Agreement between NM DOT and Colfax County for FY 2019/2020. He stated the total project is estimated at \$93,203.00 to be funded in proportional share of 75% provided by NM DOT in an amount of \$69,902.00 and 25% provided by the County in an amount of \$23,301.00. Commissioner Newton made a motion to approve Resolution #2019-19, School Bus Route Agreement between NM DOT and Colfax County for FY 2019/2020. Commissioner Fernandez seconded the motion. The motion carried unanimously.

17. Discuss/Action – Resolution #2019-20, County Cooperative Agreement between NM DOT and Colfax County for FY 2019/2020

Road Superintendent Robert Thompson presented to the Board Resolution #2019-20, County Cooperative Agreement between NM DOT and Colfax County for FY 2019/2020. He stated the total project is estimated at \$81,991.00 to be funded in proportional share of 75% provided by NM DOT in an amount of \$61,493.00 and 25% provided by the County in an amount of \$20,498.00. Commissioner Fernandez made a motion to approve Resolution #2019-20, County Cooperative Agreement between NM DOT and Colfax County for FY 2019/2020. Commissioner Newton seconded the motion. The motion carried unanimously.

18. Discuss/Action – Resolution #2019-21, Designating the Location of Election Day Polling Places for all Statewide Elections Conducted in 2020 and 2021; County Canvassing Board Duties through the end of 2021

County Chief Deputy Clerk Sara Torres presented Resolution #2019-21, Designating the Location of Election Day Polling Places for all Statewide Elections Conducted in 2020 and 2021; County Canvassing Board Duties through the end of 2021. She stated the resolution designates polling places as required by state law for the 2020 through 2021 elections. County Chief Deputy Clerk Torres stated all locations will be Voter Convenience Centers. Commissioner Fernandez made a motion to approve Resolution #2019-21, Designating the Location of Election Day Polling Places for all Statewide Elections Conducted in 2020 and 2021; County Canvassing Board Duties through the end of 2021. Commissioner Newton seconded the motion. The motion carried unanimously.

19. Discuss/Action – Amtrak Build Grant Support

County Manager Kern stated the County supported the Tiger Grants applications previously, but the FRA no longer provides the Tiger Grant but offers a Build Grant. She stated Trinidad is the sponsor of the grant application and if the FRA does not award the grant then a match is not required. County Manager Kern stated if the grant is awarded then a match will be necessary to obtain the grant. She is recommending the County obligate \$12,500.00 towards the grant efforts pending the award of the Build Grant which Trinidad is applying for. County Manager Kern stated other Counties are assisting with the funding. She stated if the grant is awarded it will wrap up the funding necessary to complete the projects concerning the Tiger Grants. Commissioner Newton stated Mr. Sauble reached out to surrounding communities for the support of the Build Grant and they did voice their support. Commissioner Fernandez made a motion to approve the Amtrak Build Grant Support in an amount of \$12,500.00. Commissioner Newton seconded the motion. Chairman LeDoux expressed his support of the Build Grant. The motion carried unanimously.

20. Discuss/Action – NMCSPD Sheriff's Department Agreement

Tabled under Item #4.

21. Discuss – Quarterly Department Reports

Road Superintendent Robert Thompson presented an overview of duties the Road Department is carrying out. He stated there are projects awaiting funding from the state. Robert stated his department started up the Firewise Chipping Program and they began chipping. He stated a 30-foot culvert was inserted in Ute Park, they are cleaning cattleguards, and they will continue to cut trees.

County Assessor Kristi Graham stated on the PTD-02 Net Property Tax Values Certificates was where the tax base was done and they set the mill rates. She stated from 2018 to 2019 it increased \$16,444,487.00. County Assessor Graham stated she was unable to attend meetings due to the Certification and Sales Ratio Study due date of July 1st. She stated the next Loss Prevention Meeting will be July 18th at 9:00 a.m.

VMDC Warden Rose Bernal stated she is working towards receiving accreditations for VMDC and she is working with the Sheriff's Department on investigation measures. There was discussion over the number of inmates being housed at VMDC and out of the County. Commissioner Fernandez stated the Commission would be touring VMDC in a couple of weeks.

Emergency Manager Thomas Vigil stated his department is working on WIPPTREX 2020 skill exercise with federal and state agencies. He stated the I-25 corridor will be a WIPP route. Thomas stated there will be a realistic exercise engaging 1st responders in the event of a WIPP Truck accident. He stated the exercise will be completed using a partial HAZMAT and a partial mass casualty scenario. Thomas stated the fire departments, County, Municipalities, MCMC, and ambulance services have all participated in the trainings.

He stated the 2-day exercise will be held in October 2020 and the Commission will be invited to attend as observers. Thomas stated partners will be invited to give admissions during a tabletop exercise planned for October 2019. He stated the National Weather Service and himself toured the Ute Park burn scar area after a storm. Thomas stated the storm passed over the lower Sawmill Canyon into CimarronCita drainage with 1-inch rainfall. Thomas stated only half of the volume came down around the Highway 21 bridge. He stated the recovery efforts are producing positive results as well as the work completed by Philmont, the County, and the small amount of vegetation growing in the area. Thomas stated the NRCS funding which was obtained for the recovery efforts of the Ute Park Fire will expire at the end of July 2019. He stated Philmont does not perceive completion of all the projects funded through the NRCS. Thomas stated most of the required repair is in the Cimarron River basin area and they have exceeded the allowed extensions given by NRCS. Commissioner Fernandez expressed his concern on I-25 between exit 451 and exit 452 being congested with traffic which may cause accidents if the highway is not expanded. Commissioner Newton encouraged Commissioners LeDoux and Fernandez to attend the NERTPO monthly meeting. He stated it is during the NERTPO Meetings where necessary projects are introduced for discussion. Sheriff Baca stated he can provide CAD's to support the calls made by motorist for the concerns on I-25 between exit 451 and exit 452.

Sheriff Leonard M. Baca Jr. stated his department is working diligently with VMDC on the confiscation of contraband. He stated the Airport Committee and himself met to discuss security for upcoming events. Sheriff Baca stated his office is working with BNSF and Homeland Security on an investigation. He stated there was a strong turn out in Eagle Nest over the 4th of July weekend which required the Sheriff's Office presence. Sheriff Baca stated his department is fully staffed except for the new position which will assist at the Detention Center and at District Court.

County Manager Kern stated the departments presented written reports to the Board which included: VMDC March 2019 Monthly Report, VMDC April 2019 Monthly Report, VMDC May 2019 Monthly Report, VMDC June 2019 Monthly Report, VMDC Quarterly Report, Sheriff's Quarterly Report, County Clerk's Quarterly Report, County Assessors' Quarterly Report, Assessors' Office 2019 Protest Report, Assessors' Sales Study Form, Maintenance Quarterly Report, Loss Prevention Committee Report, and Road Department Quarterly Report. There was no further discussion.

22. Commissioners' Docket

Commissioner Fernandez did not have anything to report.

Commissioner Newton stated there is a Northcentral NM Economic Development Executive Committee Meeting on July 10th. He stated County Manager Kern and himself will meet with Mayor Chuck Howe of Angel Fire and Representative Tim Hagerman of the Economic Development Department on July 10th. Commissioner Newton stated Mayor Howe is instrumental with many projects in Angel Fire. He stated Mayor Howe and himself will speak with Mr. Hagerman about an Economic Development project which will take place in Cimarron. Commissioner Newton stated the project will be presented to the Board at a later meeting for support. He stated the next NERTPO Meeting is in Las Vegas at NM Highlands University on July 24th. Commissioner Newton stated on July 13th at 2:00 p.m. there is a Ute Park Home Owners Association Meeting. He stated at the NM Counties Annual Conference in Clovis, the Boards of the Multi-Line Insurance Pool and the Workers Compensation Insurance Pool voted to combine the separate pools into one pool. Commissioner Newton stated Affiliates met to discuss the upcoming US Census which will take place in 2020 and a Resolution will require approval. He stated State Legislators spoke of past and upcoming legislative sessions. Commissioner Newton stated the State Transportation concerns were discussed by Senator Clement Sanchez and State Representative Bobby Gonzales. He stated the next NM Counties Board Meeting will be held on August 2nd in Artesia, the Gathering of Counties will be held on September 12th at the NM State Fair, NMC Board Meeting and Legislative Review will be held on October 3rd through October 5th in Sierra County, and NACO Convention will be held on July 12th through July 15th in Clark County Nevada. Commissioner Newton stated the Executive Director Steve Kopleman spoke of a filing of the Writ of Mandamus with the NM Supreme Court for a determination of the extension of terms as proposed in HB407 and if it is constitutional.

Chairman LeDoux stated he will schedule a meeting with Senator Martin Heinrich and a DOT Representative. He stated he received a letter from DFA approving the Preliminary Budget and will await the final approval.

23. Manager's Docket

County Manager Kern stated her report is on the Portal and presented a copy to the Board. She stated

there are approximately 3 locks in need of repair and gate repair at VMDC before the completion. County Manager Kern stated the Commission will do a walk through on July 23rd for observation of the completed expansion. She stated a PO for the AWOS System at the airport will be issued due to the confirmation of grant funds from NMDOT. County Manager Kern stated the Amtrak scope of work was finalized and are awaiting 406 clearance from FRA. She stated agreements are being devised between the County, FRA, BNSF, and NM Metro. County Manager Kern stated Colorado Environmental is on track but have clearance concerns with the 406 SHIPPO and the next call with Amtrak is July 23rd. She stated department heads and herself have met regarding personnel policy revisions, the salary schedule, safety issues, destruction of old records, and 3- and 5-year capital needs. County Manager Kern stated there is a meeting in Cimarron on July 9th regarding ICIP capital outlay projects. She stated the Vector Control is going well and the Managers Office is preparing for the next audit. County Manager Kern stated the County is still taking public admissions concerning the Wind Ordinance. She requested on behalf of County Clerk Trujillo if the canvass concerning the Hospital District can be scheduled on July 18th. The Commission stated July 18th at 9:00 a.m. will be an adequate time to hold the canvassing. County Manager Kern commended her office on the previous audit and stated Joana will be in charge while she is out. Chairman LeDoux questioned the progress of a Lodgers Tax Board. County Manager Kern stated she received 4 applications and she is receiving Letters of Interest, questions, and admissions concerning the Lodgers Tax and Board. There was no further discussion.

24. Attorney's Docket

County Attorney Kamm did not have anything to report.

25. Adjourn

Commissioner Newton made a motion to adjourn. Commissioner Fernandez seconded the motion. The motion carried unanimously. The meeting adjourned at 10:32 a.m.

COLFAX COUNTY BOARD OF COMMISSIONERS

Chairman

Vice-Chairman

ATTEST:

Member

Clerk of the Board