Cibola County Commission
Regular Meeting
Thursday September 26th, 2019

The Cibola County Commission held a Regular Meeting on Thursday September 26th, 2019 at 5:00 pm in the Cibola County Commission Center

Elected Officials Present Staff

Daniel Torrez, Chairman
Robert Windhorst, 1st Vice Chairman
Ralph Lucero, 2nd Vice Chairman
Martha Garcia, Commissioner
Christine Lowery, Commissioner

Kate Fletcher, County Manager
Paul Ludi, Finance Director
Natalie Grine, Chief Deputy
Denise Salcido, Filing/Recording

A. CALL TO ORDER
Chairman Torrez, called the meeting to Order at 5:00 pm.

B. ROLL CALL
Chairman Torrez does roll call-5-0 all Commissioners in attendance.

C. Pledge of Allegiance Recited by all.

D. Prayer Commissioner Garcia led us in prayer.

E. Approval of Agenda
Motion to approve the agenda made by Commissioner Windhorst, second by Commissioner Lucero 5-0 affirmative.

F. Commissioner's Report
Commissioner Garcia- Within her District she has had the opportunity to attend the Ramah Navajo Fair and Rodeo. It was a wonderful four days everything went well, there were a lot of events. The portion the County may have been able to help with is the Junior Livestock which is getting bigger every year. There was 40 plus livestock and they had the 4-H clubs from the Northwest portion of New Mexico. Also attended the Fence Lake annual Food Market and Swap Shop last week. Talked to a lot of people and they said what they are faced with right now is the roads. Apparently, the operators are just taking care of the roads South for about 3 or 4 miles. They don't go down to Catron County line and they would like to see that happen. Had a visit with the ex Fire Chief of El Morro Fire Department, she had some concerns told her I would be sharing those with the Manager and people that are in charge and will be doing that after this

meeting. The other one attending was a meet and greet meeting with the Department of Transportation, secretary Michael Sandoval was there along with all the Commissioners from different Districts. We were able to do a lot of networking and talk about some of the issues we are faced with in Cibola County. They assured us that we can pick up some of the road materials they are not using anymore but it would be at the cost of whoever is picking up. Acoma had a wonderful feast day on the second. Attended the Cibola County Fair her grandson was showing there, he placed but withdrew livestock from sales. Went on to Navajo Nation Fair and won Grand Champion and Best of Show and was able to sell.

Commissioner Lowery- We are very fortunate in Cibola County to have so many Fall Festivals and Fairs. We Attended the Bi-County Fair in Prewitt and saw the 4-H projects and got to talk to the 4-H manager. We attended the Ramah Fair and enjoyed the Rodeo there. Seboyeta has not had a feast day in some period of years and they had their first on September 15th, small but very successful. They have many vendors and championship for Horseshoes with various scoring techniques. San Mateo also had a feast day with wonderful salsa for sale and jams and jelly's. They had a real old-fashioned mass complete with music, songs in Spanish. In Laguna we have the Village Feasts in Mesita and Encinal. At the Laguna feast we shared a float with the County around the Census and had a booth for Voting and the Census on the 19th. Yesterday was Paguate feast which is why I didn't attend any of the activities yesterday. We have one more coming up Paraje Feast on October 17th. Also attended three edge classes in Albuquerque really appreciate the opportunity to the educational part of this job.

Commissioner Lucero- Also attended the meet and greet yesterday with the Highway Dept at the Golf Course. Today we had a meeting with the Highway Dept they showed us all the projects they have going within our District and in the State of New Mexico. They also discussed the great amount of money they are putting in roads in Southeast New Mexico. Also had a meeting at the Chamber of Commerce and they are trying to implement Big Brothers, Big Sisters in the area. They are going to try and run it out of Mckinley County in Gallup because they don't have the funding in this area. Was watching the news and they were talking about this Forest Service thing that just happened were there will be no logging and no firewood in the forest because a judge in Flagstaff ordered that to stop because of the Spotted Owl. They are asking the Governor to open up state lands for firewood extraction.

Commissioner Windhorst- Also enjoyed the county Fair they had a bigger attendance and the rodeo was great. We have taken a break for about a month on the cleanup schedule. We do have cleanups in Grants and Milan this week, we also have a cleanup planned for Saturday October 5th in San Fidel with Commissioner Lowery. We are also working on scheduling a cleanup in San Rafael with Chairman Torrez tentatively October 19th. This past Tuesday night we had State Senator Munoz speak to the Cibola County Republican group. He heard from Matt Allen who is a business owner who owns Mt Taylor Millworks. They have about 50 employees and this injunction is devastating to our state. If it is allowed to continue it will cost many many jobs in our state and in Arizona. Mt Taylor Millworks depends on the wood they have enough harvested for about 7-8 weeks that has been cut and can be removed. There's also Paul Spencer in our area who makes his living cutting wood for people. We need to be concerned

about this and petition these people and ask for help. I will be writing a Federal Delegation about this matter.

Commissioner Torrez- Have had cleanups, mowing with Gary and chipping and sealing roads that haven't been done. They are doing a great job. Contact your representatives about the Spotted Owl.

G. Public Comment

Thomas Whalen- Position Recruitment- Over the last 6-7 months we have been able to recruit three hospitalists, these positions only work in the hospital. This is helping keep patients here and not flying them out to Albuquerque. We have also recruited Primary Care providers in the clinic, we have three Family Medicine Providers. We just started one new Pediatrician Dr. Sena and we are working on recruiting an Internal Medicine Physician. Just signed last week an Orthopedic Surgeon that is starting in January, so those types of cases will not have to go to Albuquerque. We have a new group of ER doctors as well.

As far as the audit our Board Meeting was held on Monday and Commissioner Windhorst raised a concern about the hospital's 2018 audit which impacts the 2019 audit. The 2019 audit we are using the same accounting group that the County is using. They did get started a little late, the 2018 State Audit was just released last week. This next week JAG will be able to get the previous auditors work. Contacted the state auditor and told them we would likely not hit the October 15th date, but will make sure it is submitted in January with the County submission. Asked the County Manager if this impacts any Capital gain for the County and she said it does not. This should get us back in line so the 2020 audit is submitted on time.

Lastly financials, for the last 5 of 8 months we have had profitable months. August unfortunately was not one of those months. August we had a loss of about $200,000 and a large part of that was both of our surgeons were out. Our staffing is basically minimally staffed. Year end budget we should be back in black $100,00

H. Minutes

a. Minutes from August 19th, 2019 Workshop and Special Commission Meeting

b. Minutes from August 22nd, 2019 Regular Commission Meeting

Motion to approve both Minutes from August 19th, 2019 Workshop and Special Commission Meeting and Minutes from August 22nd, 2019 Regular Commission Meeting made by Commissioner Windhorst, second made by Commissioner Lowery 5-0 affirmative.

I. Reports

a. **Manager Report- Kate Fletcher, County Manager-** Anna, Judy and myself have been tossing ideas and thinking about what we could possibly do to have a meeting for the gun range. this is the plan we had put forth for when everything was a go with all the entities. It stopped because of the archaeological site. Wants to have a discussion about the main areas of the gun range. The property is owned by BLM and they will not transfer it to Game and Fish because of the archaeological site that needs to get mitigated. State Game and Fish do not want to take the property with the arch site.

We are really busy on the roads. we are in the process of adding and removing roads. We are waiting on the signs for the public to know these are the roads being looked at to either Vacate or add. This is a process we will continue. Next we have the census we have been approved for our grant for $42,000, to help us educate and work on our 2020 Census. We want to get the Census numbers right. Clean and beautiful grant is already ready to go. Cibola County was given $2,880 this year. We want to start with two communities one is Bluewater Village and the other is San Rafael.

b. **Finance Report- Paul Ludi, Finance Director-** This single accounting file budget approval from DFA. This is what the budget looks like when we submit to DFA. You may notice this report is off a dollar or because that's because when you report in the LGBMS data base if you got one penny over it throws it up another dollar. So we got some rounding differences, dfa is aware it so are we the budget was still approved. This is our internal budget that was approved, so when DFA gets their final approval whatever they approved is our legally binding document. The LEPF this is funding we get from the state every year we are required to budget to extend the whole distribution, and any carry over balances. This was oversight we had carry over balances and there weren't supposed to have been, DFA adjusted that for us. Fire Marshall has got a new vehicle and we have gotten all of their carry over cash balances approved by the state fire marshall department. The fire departments are also working on applying for grants up to $200,000. We had several outside funded agencies being funding Recycle Cibola, EDF, USDA and a couple others we sent a letter out to them, with the new requirements and how they need to report to us. We have some great news for the County. There is a new gross receipts tax distribution HB6 was passed in the Legislation and we received our first distribution now in September. So the rest of the year up until August 2021 getting extra almost $10,000 a month. Reached out to DFA Jolene Gonzales the special projects analyst she deal with small counties assistance. We have submitted our correctional ordinance to DFA. We do qualify and they have enough funding to give us an additional $50,000 this year. Still receiving delinquent taxes and were almost up to budget.

c. **Maintenance Report- Juanita Rodriguez, Maintenance Supervisor-** Maintenance has been working very hard and our contractors are as well. Received a grant and ordered some heavy equipment. The contractors are currently working at the detention center and after that we are hiring a vendor to kill some weeds. The landscaper is a local company called Pride.

d. **Cibola General Hospital Update- Kate Fletcher and Dave Pato-** Dave has continued to have conversations with hospital attorneys Dave Johnson and Bob. We have scheduled a meeting with the state auditor for October 7th to visit about framework for addressing the concerns that each party has. We still remain optimistic that we will negotiate a resolution.

J. <u>Public Hearing-</u>

a. **Proposed Ordinance 2019-002 Local Business Registration-** We already have an existing ordinance it was in 1991 so this is an update to the ordinance. Providing the difference on the application. Most everything is the same, the fees and the dates are the same. The difference is the better enforcement. Updating the definitions of who's responsible to engage in business and register.

K. New Business- Action May Be Taken-

a) **Consideration of Ordinance 2019-002 Local Business Registration**

Motion to Approve Ordinance 2019-002 Local Business Registration made by Commissioner Windhorst, second made by Commissioner Lucero 5-0 affirmative

b) **Consideration of Correction of Deed for Lot 2 Block 1-A Bluewater Acres- Transfer Station Site**

Motion to Approve Correction of Deed for Lot 2 Block 1-A Bluewater Acres- Transfer Station Site made by Commissioner Windhorst, second made by Commissioner Torrez 5-0 affirmative

c) **Consideration of Resolution 2019-61 Nominal Purchases Policy**

Motion to Table Resolution 2019-61 Nominal Purchases Policy made by Commissioner Windhorst, second made by Commissioner Torrez 5-0 affirmative

d) **Consideration of Resolution 2019-62 Budget Adjustment #3**

Motion to Approve Resolution 2019-62 Budget Adjustment #3 made by Commissioner Lowery, second made by Commissioner Lucero 5-0 affirmative

e) **Consideration of Allowing Magistrate Court Judges to Sentence Defendants to Cibola Maintenance Dept. for work detail assignments in lieu of Incarceration**

Motion to table Allowing Magistrate Court Judges to Sentence Defendants to Cibola Maintenance Dept. for work detail assignments in lieu of Incarceration made by Commissioner Torrez, second made by Commissioner Lowery 5-0 affirmative

f) **Consideration of Staff Recommendations in Amending Commission Meeting Dates/ Times in Nov. and Dec.**

Motion to Amend Commission Meeting Dates/ Times in Nov. and Dec. to the second Thursday in both Nov. and Dec. made by Commissioner Torrez, second made by Commissioner Windhorst 5-0 affirmative

g) **Consideration of Requisitions over $20,000**

a) **Melloy Dodge- Vehicles for Sheriff's Office**
b) **Cibola General- Indigent**
c) **Presbyterian Hospital- Indigent**

Motion to Approve Requisitions over $20,000 for a.) Melloy Dodge- Vehicles for Sheriff's Office, b.) Ciboa General- Indigent and c.) Presbyterian Hospital- Indigent made by Commissioner Torrez, second made by Commissioner Lucero 5-0 affirmative

h) Consideration of APPO Lease

Motion to Approve APPO Lease made by commissioner Windhorst, second made by Commissioner Garcia 5-0 affirmative

i) Consideration of Approval of 2019 Property Tax Rate

Motion of Approval of 2019 Property Tax Rate made by Commissioner Windhorst, second made by Commissioner Lowery 5-0 affirmative

L. Executive Session

Pursuant to Section §10-15-1 (H) (2) & (7) the following matters may be discussed in closed session:

- Motion and roll call vote to go into executive session and that, pursuant to New Mexico State Statute Section §10-15-1, only the following matters will be discussed in closed session: made by Commissioner Windhorst, second made by Commissioner Lowery 5-0 affirmative at 6:36p.m.

Real Property

a) Relocation of Magistrate Court to County Property

Threatened/ Pending Litigation

a) Opiod Litigation

Motion and roll call vote to return to Regular Session made by Commissioner Windhorst, second made by Commissioner Lowery 5-0 affirmative at 7:24p.m.

Motion that matters discussed in Closed Session were limited to those specified in Motion for Closure, and that no final action was taken, as per New Mexico Statutes Section §10-15-1 was made by Commissioner Windhorst, second made by Commissioner Lowery 5-0 affirmative

M. New Business Action May Be Taken

a) Consideration of Actions Taken with Respect to Relocation of Magistrate Court
b) Consideration of Actions Taken with Respect to Opiod Litigation

N. Announcements

The Next Regular Commission Meeting will be held on Thursday, October 24th, 2019 at 5:00p.m. in the Cibola County Commission Chambers. Cibola County Offices will be closed Monday, October 14th, 2019 in observation of Indigenous People's Day.

O. Adjounment

Commissioner Torrez adjourned the meeting at 7:26 p.m.

PASSED, APPROVED, and **ADOPTED** this 24th day of October 2019

BOARD OF COUNTY COMMISSIONERS

Daniel Torrez, Chairman

Robert Windhorst, 1st Vice Chairman

Ralph Lucero, 2nd Vice Chairman

Martha Garcia, Commissioner

Christine Lowery, Commissioner

ATTEST:

Michelle E. Dominguez, Cibola County Clerk

Date: Oct 24, 2019

SEAL

CIBOLA COUNTY COUNTY CLERK SEAL STATE OF NEW MEXICO