

**Cibola County Commission
Special Meeting
Thursday January 9th, 2020**

The Cibola County Commission held a Regular Meeting on Thursday January 9th, 2020 at 5:00pm in the Cibola County Commission Center.

Elected Officials Present Staff

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

Kate Fletcher, County Manager
Michelle Dominguez, County Clerk
Marisa Baca, Filing/Recording

CALL TO ORDER

Commissioner Torrez, called the meeting to Order at 5:03 pm.

ROLL CALL

Commissioner Torrez does roll. call-5-0

Pledge of Allegiance

Recited by all. Led by Lucero.

4. Prayer

Commissioner Garcia led prayer.

5. Approval of Agenda

Motion to approve the agenda made by Commissioner Windhorst, second by Commissioner Lowery 5-0 affirmative.

6. Restructure of Commission

Resolution 20-01- Restructure of the Cibola County Commission.

Nomination and Election of Cibola County Commission Chairman.

Windhorst - I have been very pleased with Daniel Torrez leadership and how he keeps the meeting moving along. Being able to be available during the day, so I nominated Daniel Torrez. Lucero 2nd the nomination.

Commissioner Garcia – yes

Commissioner Lowery – yes

Commissioner Lucero – yes

Commissioner Windhorst – yes

Commissioner Torrez – yes

Torrez nominated by Windhorst, 2nd by Lucero. 5-0

Nomination and Election of 1st Vice County Commission Chairman.

Lucero – I motion to retain Mr. Windhorst as 1st Vice Chairman. Torrez, I 2nd that motion.

Commissioner Garcia, how do you vote? Garcia - looks like we are just going to have the same people in office. Torres - How do you vote?

Commissioner Garcia - No
Commissioner Lowery – Yes
Commissioner Lucero – Yes
Commissioner Windhorst – Yes
Commissioner Torrez – Yes
Windhorst Motion by Lucero 2nd by Torrez. 4-1

Nomination and Election of 2nd Vice County Commission Chairman
Lucero – I nominate Martha Garcia as 2nd Vice Chairman, 2nd by Windhorst.
Commissioner Garcia – yes
Commissioner Lowery – yes
Commissioner Lucero – yes
Commissioner Windhorst – yes
Commissioner Torrez – yes
Garcia Nominated by Lucero 2nd by Windhorst. 5-0

7. Consent Agenda – Action Mat Be Taken

- a. Consent Agenda: Beginning of Year Resolutions
- b. Consideration of resolution 20-02 Delegation of Authority to County Manager
- c. Consideration of resolution 20-03 Bank Depositories
- d. Consideration of resolution 20-04 Inspection of Records
- e. Consideration of resolution 20-05 Open Meeting Act (OMA)
- f. Consideration of resolution 20-06 Public Participation at Cibola County Commission Meetings
- g. Consideration of resolution 20-07 Parliamentary Procedures & Robert’s Rules of Order
- h. Consideration of resolution 20-08 Signature Authority on Checks

Kate - This a clean-up, special meeting every year we must approve a lot of resolutions that we do on a yearly basis, with today being that day. With consent A, B, C, D, E, F, G we can approve them unless you are wanting to have a discussion throughout. Go ahead Mr. Chairman start your consent. Torres – commissioner, have you looked over the packet are you fine with how we are moving along, who signing? Lowery – Could you review who is the current signature authority is? Torres the five for the signature, Kate this is the commission, so Five signatures. So, the Treasure has authority, Torrez - we have all of them in order, right Kathy? The five that I have seen, Kathy – yes we do I just did a new one yesterday with LGIP, the money we moved from the CD we had with TBK bank, we got the investment together to transfer the money it to LGIP, since it had matured and was closing. I sent the money to LGIP. I made a temple, for two other CDs that will be coming up, that one I had to redo yesterday, I will be forwarding the treasures offices ones that I have on there is Paul Ludi, Danny since you are Chairman, Wendy since she does the journal entry, also I have myself, I am not sure if you are aware that I no longer have a Chief Deputy, I do have an Administrative Assistant Nancy Jewell. I put her on there for information only, that way if I am out of the office and I need to know something is going to be coming up they will email me and email her just for information, the rest are signatures.

Torrez A-G Motioned by Lucero 2nd by Windhorst 5-0

i. Consent Agenda: CDBG Resolution Required to be Updated Yearly

- a. Consideration of Resolution 20-09 Establishing A Local Residential Anti-Displacement, and Relocation Assistance plan and Certification (Housing and Community Act, CDBG), with exhibit 1-R
- b. Consideration of resolution 20-10, Establishing A Citizen Participation Plan,
- c. Consideration of Resolution 20-11, Establishing A Section 3 Plan with Exhibit 1-T
- d. Consideration of Resolution 20-12, Includes Resolution, Fair Housing Proclamation, and Self-Assessment

Kate - thank you commissioner Lowery for bring them to my attention, those are really good question as to why we have these in place before the new year, CDBG is a grant that we can apply for, there are a lot of regulations that we have to pass before we can get in the running. Judy would you like to explain.

Judy - these are just boiler plate forms that we are required to fill out for CDBG. They are requirement that must be passed every year. One of the questions asked, was about fair housing and the form filled out. I doubled checked my answer given to Kate with Evan, Evan was in concurrence with what I had told Kate that we are not in an urban area, that it mostly targeted toward urban areas. We smaller communities answer those question to the best we can, we do not have HUD housing in the area to answer those questions, or as you asked for to get those numbers because we are in such a small community.

Kate – These are resolutions we recommend passing, we are not going to be applying this year but that may change, we would like these resolutions to pass so we can move forward with the applications process.

Judy - even if we don't apply for CDBG construction funding, if we were in pinch and needing a planning grant, as you may know, we have a comprehensive plan expiring at the end of January, in order to do any other planning grants we would have to do a comprehensive plan again. Passing these resolution leaves, us open to be able to apply.

Torres 7. A-B Motioned by Windhorst 2nd by Torrez 5-0

j. Consent Agenda: DWI Resolution, M.O.U. and Statement of Assurances Required for DFALDWI FY 21 Grant Application

Kate- Thank you chairman, this is another one to review, DFA is the one that audit the DWI money, everything, they have to go through the recordings, they are auditors for that, so they are the ones that keep that in control. We need these to be able to continue with the program to continue working with DFA. So, I do recommend you pass these, thank you.

- a. Consideration of resolution 20-13 Authorizing Cibola County to Submit FY21 DWI Grant Application/Distribution Program and Delegating Authority to Cibola County Chairperson.

- b. Statement of Assurance
- c. Memorandum for Understanding Between County of Cibola DWI Program and NM Department of Finance.

Windhorst C. A-C Motioned by Windhorst 2nd by Lucero 5-0

k. Consideration of Resolution 20-14 Authorizing and Approving Submission of Completed application for Financial Assistance and Project Approval to NMFA

Kate - Thank you Mr. Chairman, some back history, the sheriff is needing radios, I'm sure you all have heard. Unfortunately he did not budget for that. So with that we have had a meeting and have discussed options and we have found options, I have asked Paul what we could do to use our LEPF funding, and to get a loan from NMFA, that is working, Paul has done that. I do want to let you know that there is good news with this, they do request our audit, I have received the okay to print yesterday on Monday, so that means the auditor are happy with it, unfortunately we cannot release it for five days, we are move along. With this perfect timing, I will not have to beg to much at NMFA because it will all be there.

Paul – The LEPF, Law Enforcement Protection Fund, A distribution thru the state, the Sherriff's Department get it every year when they apply, which they did this year. There is a base of \$20,000.00 dollars and then an additional \$600.00 for ever certified officer which can be verified thru the department of public safety registry, this current year we have received \$29,000.00 for LEPF funding. Planning wise, we are going to be on our fourth budget adjustment for LEPF budget, relining the budget would be a great application for using the LEPF funding. It will e a five-year loan for \$100,000.00 with an interest of .1%. I have put the schedule in your packets to show we would only be paying \$300.00 in interest over the five years. On top of that it will come right off the top of the distribution, NMFA work with DFA who does the distribution. It will be \$20,000.00 yearly to be payed for this grant. That is about the useful life on the radios, about five years we are thinking. We are thinking this would be a great way to spend this LEPF funds.

Kate -When talking about this managing and planning, and how there are options. We need to know about them, this is a good lesson for all of us. There are option out there, and it does matter about our audit and budget. Making sure we do not exceed. It does matter that we know what revenues we can use for certain things. Example, We do have to go, and if you approve this myself, and hopefully the Sherriff and Paul, will be able will have to go to NMFA, we will have to give a good argument on why we need this funding.

Paul last time we went for the fire station in Bluewater. We got grilled really bad, we had 19 audit findings. This new audit, like Kate has said is coming out which we can't talk about just yet, but we are happy that it will be available for us when we go to NMFA, we will have less explaining to do. So, they will be taking 20,000.00 off the top of the distribution, if we keep the same number of officers the sheriff will be get \$9,000.00 a year to spend from the LEPF.

Kate – it will not be coming from the general funds.

Lowery – With planning and if in five years we will need to purchase another set of radios what will be the plan then? Will that be a part of his budget?

Paul – What my plan is this year, is to get us on a national standard of budget reporting, I have given you a budget books, now with that I will be discussing with every department. A three-year plan or five-year plan, there mission, the vision, and their priorities in place. Example, I just heard from IT not the Sherriff that the Sherriff will be needing new laptops, this is something that I will be discussing with them for their budget.

Kate - We must keep trying, to keep helping/directing. It is a lot of trial and error,

Paul - we have to be consistent. A big part of planning is up to the departments. They are the ones that know that they are needing. We don't know what they are needing, so commutation is key, with us starting early this year with the budget. Trying to get a long-term plan, hoping that will address these issues.

Kate – No department has exceeded their budget as of now, which is very good, and we are already half ways thru the year.

Torres – Does the Sherriff communicate with you? Kate – No. Paul - not about the laptops. I just found that out thru IT.

Lucero – Milan got new computers this year, I don't know if they went thru Mr. Garcia or Mr. Alcon or someone else, got them the money for the computers and all the updated equipment for the police cars. Is there a way we can go approach it that route?

Kate - This is the capital budget, so this is the planning with ICIP. It really would not be fair we already have priorities on that list, the Sherriff has the opportunity to put his request on the ICIP list which he does have, we then prioritize, list, and then vote on the request. Which as you know we have a very bad road. That we are needing to move the Sheriff's department out of the detention area. For the future, absolutely that is another avenue, there are avenues everywhere.

Judy – then there is strategic planning as well, we have done the first part of strategic planning, we can now weed out more of the funding & avenues we can take in the next five to ten years of strategic planning.

Lucero – My concern is that anytime we have law enforcement out there they should be priority, especially when they are out there in the middle of nowhere all by themselves. I think that should one of our priorities this year.

Paul – that is one of the difficulties the Sherriff did not come participate in his budget preparation this year, that is what I am looking to do, trying to build, trying to be there to build on.

Kate – we need to know about the computer so we could put them on the budget. I am going to try to get it on the loan.

Paul – if there is priority on the budget preparation, if there is a disagreement between management and the departments we can try to hash it out before we come to governing bodies, but there is always the opportunity for the commissioners to vote.

Lucero - if the Sherriff does not come in and participate, doesn't want to do his job, we cannot place those officers in danger, just because he does not want to come in or have anything to do with this body, and request for stuff, it is not the officers fault, it is his fault.

Paul – we are projecting to have a lot of growth this year. We have started to see property taxes come in, now at the projection of 3.6 million this first half of the year. Are gross receipt are coming in strong. My recommendation to you above our current reserve requirements is to maintain a balance of three million dollar cash balance at the end of the

fiscal year to start with, that give us the operational expenses in case anything happens, so we do not have to get into our reserve.

Torrez – are we still on track for what we calculated for the end of the year?

Kate – Yes, we are, actually we are doing better. The numbers that we got; we are doing very well. I am listening to you and understand you. I feel that if we work together and try to communicate better, being there for the departments and we are here for them. Lucero, I don't see that we are not, we have reached out to him, and he just slaps it away.

Garcia – you have an application here for communications, radio equipment and the amount listed is that what we will need? Is the staff here the ones filling it out, without the confirmation on how many are needed?

Paul – no we have received the quote from the Sherriff Department, from Deanna, we have a accurate description for what is needed, and what the loan is based on.

Garcia – so what we see here is what they need. Paul- per the request of the department, it is not decided by us.

Motioned by Windhorst 2nd by Torrez 5-0

I. Consideration of appointment of County Member to the New Mexico Counties Board for Multiline Pool Voting Representatives and Alternates.

Kate- e and f are the board for multiline and workman's compensation, last year the board decided to merge, so that it is one. Last year you appointed me as the representative and commissioner Lowery as the alternate. We have a meeting in legislate session in a week, I am needing to know when to leave for the board which is separate from the representative. I have put my letter of interest in, since they are voting now for new board members, they are starting fresh now that they have merged. This is the request for you to appoint myself or who ever you would like to be the multiline/workman's compensation representative, this happens once a year.

Motioned b Garcia 2nd by Lucero to keep the same as last year. Kate representative/Lowery alternate. 5-0 for **E.&F.**

- a. Annual Meeting Wednesday, January 16th, 2020 8:00 am
- b. Eldorado Hotel, Santa Fe, NM

m. Consideration of Appointment of County Member to the New Mexico Counties Board for Worker's Compensation Voting Representatives an Alternates

- a. Special Meeting Wednesday, January 16th, 2020 8:00 am
- b. Eldorado Hotel, Santa Fe, NM

n. Consent Agenda: FY 2021Grants EMS Fund Act Application

- a. Superior Ambulance
- b. Pine Hill EMS
- c. Laguna EMS
- d. Cubero EMS

Paul – what is happening here is each of our EMS companies are applying on behalf of their own station with the state. The money is not coming from our general funding. This is based on criteria from each EMS station, which they must put in the application. Depending on the funding available for these fire department. Thus, the different amounts for each EMS. This is state funding I recommend approving this.

Kate- The more revenue funds we have the less general fund we use. We did summarize a letter stating how much they are requesting and what they are using it for. All EMS are great to work with they do keep up their budget and make sure they are correct and that they are not miss using the funds.

Paul - a correction, the Cubero EMS they are applying for \$3,000.00 which is split \$1,000.00 for training and \$2,000.00 for supplies.

Lucero – what consists of supplies?

Kate – Medical supplies the sheet, bandages, the red duffle bags that they care everything in. those are all considered supplies.

Motioned by Lucero 2nd by Lowery 5-0

o. Consideration of Resolution 20-15 Opposing Placing Private Prison Legislation on the Governor's Call for the 2020 legislative session.

Kate – I have sent you all the email of the resolutions. I want to say thank you to representative Garcia, he has been a tremendous help with this the last couple of days. Other counties have put the same resolution in front of the commission, I know that Socorro has, and it has passed to oppose it. With that, the biggest thing here is that we work with a private prison. We contract with a private prison. US Marshalls and ICE contract with us because we are the flow thru, we are the local government. Federal and us ICE contract with us which we then contract with Corecivic. I know that representative Garcia may want to say something on this right now, thank you representative Garcia for wanting to add something.

Representative Garcia – thank you commissioners and manger for letting me speak on this. I spoke to Angelica Munoz on this bill. About what is happen in our community that we where not made aware of this, I asked her to reconsider because of it having such a big effect on our community, at the end of our conversation she told me she would be willing to not present the bill this year, but she would preset it next year. Kate, she said we would also have a meeting.

Garcia Yes, we will have a meeting with her. That gives us a year to work with the new board. She thinks she may not even have the votes required to pass the bill, but we do not know that, we can not assume that she does or doesn't have the votes to do so.

Kate – I think with this resolution and all the other resolution that will be going across the desk, that they will see we are serious, that we are concerned. That we will be losing employment. There will be 516 employees that work at Coercive, if this bill would go through Corecivic would not stay here, because they would not be able to house ICE detainee here which is the biggest contract with have with Corecivic not ICE, federal can not have a contract with a private entity which is why they go through us since we are the flow through. I know you have read it but that is the main part of it. With the help from Garcia, Alcon, and I know

Sanchez has seen this. We must do our homework, sometimes we must yell and talk about things or they will just slip by.

Garcia - at the end of the conversation she told me she would be calling me back today to re affirm that she would not be presenting this bill this year. This is a budget year, this will have to go in front of the governor which she may not have time, or where it will be on this. But we will be talking with her on this. This was brought up due to how the immigrants are treated, how they are split from their families which that is not the case. That is just media.

Lucero - From what I have heard about this issue is that there is a big prison down in Hobbs, which is nothing but federal inmates. And the way they are held is cruel from what I am understanding. The only thing that I see and liked in this was that they are giving over site to the state for these private prisons, that the attorney general could walk in there and check the prisons. That is the only one good idea on this, because we can not lose anymore jobs. We got the word today that tri-state will be done by December of this year.

Motioned by Garcia 2nd by Lowery 5-0

8. Executive Session

Pursuant to Section 10-12 (H) (2) & (7) the following matter 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: motioned by Lucero 2nd by Windhorst 5-0 at 5:48pm

Real Property

- a. Cibola General Hospital and Medical Office Property 1016 E. Roosevelt Ave and 1423 E. Roosevelt Ave Grants NM 87020

Motion to come out of Executive session by Windhorst 2nd by Lowery 4-0
closed session New Mexico State Statute Section 10-15-1

So moved by Torrez 2nd Windhorst 4-0

9. New Business – Action May Be Taken

- a. Direction to Staff Regarding CGHC and Medical Office Property
Torrez - No action was taken.

10. Announcements

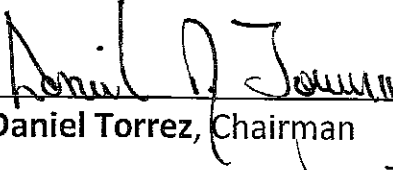
a. The Next Commission Meeting will have to be a Special Commission Meeting. Held on January 30th, 2020 at 5:00pm in the Cibola County Commission Chamber Room 700 E. Roosevelt Ave, Suite 50

b. Cibola county office will be closed on January 20th, 2020 in observation of Martin Luther King Jr. Day.

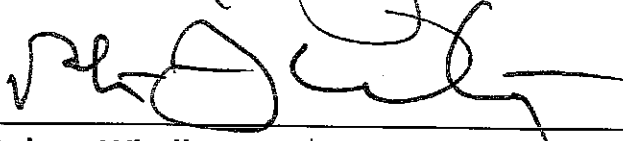
10. Adjournment 7:26pm

PASSED, APPROVED, and ADOPTED this 30th day of January 2020


BOARD OF COUNTY COMMISSIONERS



Daniel Torrez, Chairman



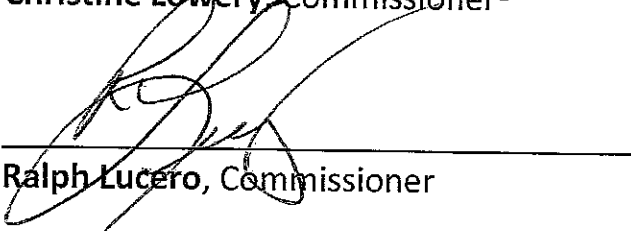
Robert Windhorst, 1st Vice Chairman



Martha Garcia, 2nd Vice Chairman

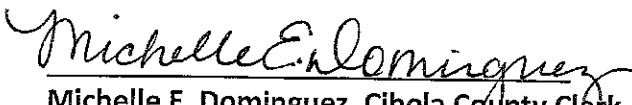


Christine Lowery, Commissioner



Ralph Lucero, Commissioner

ATTEST:



Michelle E. Dominguez, Cibola County Clerk

Date: 01/30/20

