



TORRANCE COUNTY  
COMMISSION MEETING  
NOVEMBER 8<sup>TH</sup>, 2017  
9:00 A.M.

FOR PUBLIC VIEW, DO NOT REMOVE



# Torrance County Commission

**Regular Meeting to be Held at:**  
*Administrative Offices of Torrance County*  
*Commission Chambers*  
*205 9<sup>th</sup> Street*  
*Estancia, NM 87016*

## AGENDA

November 8<sup>th</sup>, 2017

9:00 A.M.

Please Silence All Electronic Devices

Call Meeting to Order  
Pledge of Allegiance  
Invocation

Approval of Minutes: October 25<sup>th</sup>, 2017

Approval of Meeting Agenda

Approval of Consent Agenda:

1. *Approval of Checks*
2. *Indigent Claim(s)*

### **ACTION ITEMS\*:**

#### **ITEMS TO BE CONSIDERED AND ACTED UPON**

(Public Comment, each item: At the Discretion of the Commission Chair. Comments are limited to one (1) minute per person.)

#### **\*Presentation(s):**

1. Governmental Conduct Act Review
2. Retirement Recognition for Greg Richard, 8 year Assessor's Office Employee, NM Certified Appraiser

#### **\*Department Requests/Reports:**

3. Updates: a. Various County Departments b. Other Boards or Land Grants (upon request) c. Forest Service (upon request) d. Commission
4. Resolution 2017-055 Adoption of Hazard Mitigation Plan - Martin Lucero, Emergency Manager
5. Resolution 2017-056 Line Item Transfers – Amanda Tenorio, Finance Director

#### **\*Commission Matters:**

6. Public Celebration Permit Application – Two Guys Making Artisan Cheese dba Old Windmill Dairy & Jaramillo Vineyards LLC
7. Amendment to Resolution 2017-051
8. Request Approval of Letter to be Sent to Solid Waste Discount Recipients
9. Request to follow Estancia Schools for Delays & Closures Due to Inclement Weather
10. Resolution 2017-057 Finding a Decedent to be Indigent Person, as Defined in Section 24-13-2 NMSA 1978, or of an Unclaimed Decedent, as Defined in Section 24-12-1 NMSA 1978
11. Resolution 2017-058 Finding a Decedent to be Indigent Person, as Defined in Section 24-13-2 NMSA 1978, or of an Unclaimed Decedent, as Defined in Section 24-12-1 NMSA 1978

#### **\*County Manager Requests/Reports:**

12. Update

**Public Comment / Requests:** At the Discretion of the Commission Chair. For Information Only (No Action Can Be Taken). Comments are limited to three (3) minutes per person on any subject.

#### **\*Adjourn**



*Minutes*

DRAFT COPY  
Torrance County Board of Commissioners  
Regular Commission Meeting  
October 25, 2017

**Commissioners Present:** JAVIER SANCHEZ – CHAIRMAN  
JULIA DUCHARME – MEMBER  
JAMES FROST – MEMBER

**Others Present:** BELINDA GARLAND – COUNTY MANAGER  
ANNETTE ORTIZ – DEPUTY COUNTY MANAGER  
DENNIS WALLIN – COUNTY ATTORNEY  
GENELL MORRIS – ADMIN ASSISTANT

**Call Meeting to order**

Chairman Sanchez: Calls the October 25<sup>th</sup> 2017 regular commission meeting to order at 9:03AM

Pledge lead by Linda Jaramillo

Invocation lead by Jim Frost

**Approval of the October 11th 2017 regular commission meeting minutes:**

Commissioner DuCharme: Moves to approve minutes of October 11th, 2017 regular Commission Meeting.

Chairman Sanchez: Seconds the motion.

Commissioner DuCharme: Wants date corrected page 11 of October 11<sup>th</sup> 2017 minutes, believes it should say the 20<sup>th</sup> not the 13<sup>th</sup>, because the commission meeting for December 27<sup>th</sup> has been canceled due to it being the week of Christmas. Ms. Jaramillo says she will look into this and make corrections.

All in favor: MOTION CARRIED

**Approval of Meeting agenda:**

Chairman Sanchez: Moves to approve meeting agenda

Commissioner Frost: Seconds the motion.

All in favor: MOTION CARRIED

**Approval of Consent agenda:**

1. Approval of Checks
2. Indigent Claim(s)

Commissioner Frost: Moves to approve consent agenda

Chairman Sanchez: Seconds the motion

All in favor: MOTION CARRIED

**\*ACTION ITEMS**

**ITEMS TO BE CONSIDERED AND ACTED UPON**

**\*Presentation(s):**

**1. Presentation of 2019-2023 Infrastructure Capital Improvements Plan**

Belinda Garland County Manager: Infrastructure Capital Improvements plan has been approved by commission and state. Thanks Senators White and Stefanics for attending. Lists all items and explains the phase they are in. (Top 5) 1. County Road Improvements - Thanks Leonard for resealing roads, no new roads selected for chip seal at this time. 2. Duran Water System Improvements – Duran, 40 resident town does not have a well. Water being piped from Vaughn, approx. 17 miles. If we got funding to drill a well, we would need to discuss issues such as billing for water usage and maintenance. Commissioners would have to look this over and decide if it's something Torrance County is willing to take on. 3. McIntosh drinking water dispensing station – Has been looked at in the past, McIntosh does need a better water system, no changes 4. Senior center vehicles – We missed the review period with Aging and Long Term Services for the vehicles. Checking to see if there are some used vehicles that we can use in the meantime. Have not heard back. 5. 4x4 sheriff patrol vehicles – Sheriff's department does not have the funding at this time to buy 4 wheel drive vehicles. Very rural community with a lot of dirt roads, it would be beneficial for some of the officers to have 4 wheel drive vehicles. She goes through the other priorities. Complete list hereto attached.

Commissioner Frost: In years past Duran has had a lot of problems with the pipe system, it has leaked, causing the town to have no water. This is why I'm in favor of it.

Belinda Garland County Manager: Fire chief and I visited Duran, Mr. Hindi of Duran said we would have to consider a billing system. It would be beneficial for the town to have a well.

Commissioner Frost: Did he say anything about the condition of the pipeline?

Belinda Garland County Manager: He did not. I can talk to him between now and possibly January.

Commissioner Frost: Who pays for that water?

Commissioner DuCharme: Each individual pays for that water and are billed by the Town of Vaughn.

Commissioner DuCharme: Is Duran Incorporated?

Belinda Garland County Manager: I believe they are, they are considered a Town/Village. Before I go to the legislative session in January, any line item we want to move forward with official requests, I will make sure we are not violating any anti-donation clauses.

Commissioner Frost: The dollars requested for Duran are much smaller than the other items.

Senator White: The first items you have on your list, the county road improvements, \$480,000 partial of that is allocated to other expenditures, you don't need that total amount there's an option of dealing with items 1 and 2. If \$20,000 was available would you rather have item 1 or the Duran water well? *\*Did not come to podium, some of what was said is inaudible.*

Commissioner Frost: I would like Mr. Hindi's view point.

Belinda Garland County Manager: I can follow up on that.

Commissioner DuCharme: Senator White I would like to spend that money on the sheriff's department and the fire department.

Senator White: Last year there was no money available, it appears there may be some money available this year but not a lot. It looks like there may be around \$100,000,000 available from the severance tax. There are a lot of state wide projects that the Governor is interested in, she takes typically 1/3 to 1/2 of that money. The rest is distributed out, it gets broken down. There is not a lot available. It is better than it was last year. We don't know what's going to be there but there is some.

Commissioner DuCharme: I would like the seniors to receive some money too.

Senator White: I'm going with your priority list. We will work together and see what projects we can help you out with.

Senators Stefanics: These are your rank choices, top 5. The top 5 is one of the things that DFA asks for. The first 5 are your top priorities? Is that correct?

Belinda Garland County Manager: This is what was approved by the commissioners, yes.

Senators Stefanics: Usually there are pots of money for different things, when there was just a little money last year, roads was felt to be a benefit to the entire state. The same thing happens with water and the seniors. There will be pots of money, it might not be very large for some of these things that you are talking about. The fire fund, we can see if we can pressure them to release some money for some of your fire equipment. Your delegation both in House and Senate are more than happy to work on some of these items and the smaller the better. I appreciate all the hard work that went into this list, I know it's not easy to prioritize.

Commissioner DuCharme: When you choose the project, you consider how many people will benefit from it?

Senators Stefanics: Absolutely, one of the things we deal with in rural areas is lots of times it's not great numbers of people.

25 years ago in Duran, we had to bring in the National Guard, to bring in water. I believe having it on the list and getting them something concrete might not just help that community but any other community that might end up going dry. You have to keep all of that in mind.

When we were at your Senior Center for the public hearing, I was very impressed by the hospitality of the seniors and of all the interest and involvement of the seniors. I commend Commissioner Frost for getting up that early and picking up people, helping them get to their events and medical appointments. You want safe vehicles and we need to pressure Aging and Long Term services to pay attention to our seniors. The senior centers have been cut drastically over the past few years, we have had senior centers close, and some of the staff's hours have been cut. Meaning they don't get their pay and also benefits.

Water, roads, public safety, usually public safety is high priority in the legislature. We can't make promises, but we are going to take seriously your requests.

Commissioner Frost: The senior vehicles that are needed the most are the 3 home delivery vehicles, they have many miles. Approximately 65 to 75 people that are delivered food daily. If it wasn't for the food that is delivered, they may not have food for the day or week. The food is also taken frozen for the weekend. The deliverer may be the only visitor they get.

Senator White: Any idea of the age of the vehicles?

Commissioner Frost: One is a Chevy equinox, they have a lot of miles on them and have had a lot of repair.

Belinda Garland County Manager: I met with Rebecca Martinez from Aging and Long Term Services. She went over the process of them providing new vehicles to the counties and approved senior centers. In the spring an evaluation is taken of senior center vehicles. Bonds are bought and sold to pay for those vehicles. We missed this last process, because of my being new to the process. Hopefully next year we're going to be more prepared, to get into that process. It would still be a year from now before they sell bonds.

Commissioner DuCharme: Senators I want to mention 2 projects, they won't cost a lot of money, and I feel are very important. 1. Well in substation in district 5, it is used only for storage because of no water. 2. Fire fighters don't have washing machines (extractors) to wash their gear. They have to do it by hand. Those machines cost about \$10,000.

Belinda Garland County Manager: I will keep you updated on the well, we thought the well was dry but now we believe it might just need some repairs.

Chairman Sanchez: Are the first 5 priorities the only items you are going to work on? I have a feeling when you hear from us in January, you will hear about a few different project that may not be in the first 5 line items.

Senator White: As long as you have the paperwork in January to justify the projects we can look at that also.

Senators Stefanics: The DFA and LFC requires that top 5, when we go to fund project's if they are not on that top 5, it takes a lot of work to get it on that list. It's extremely important to be united, because you don't want to lose money. If you have a top 5 and there's disagreement, you don't want us to fall apart because the county is in disagreement. If there is extra money, it's unlikely we are going to be rich for capital.

The bonds that go out for the seniors, go out every 2 years. Sometimes if we have the right Secretary of Aging, we can beg and whine to get it in. I still suggest we try and do that for you.

If your priorities change you need to let us know. The DFA and LFC will go off of this list.

Chairman Sanchez: We need to revisit the top 5 priorities, we don't want to send a conflicting message to the delegation. At a previous meeting there wasn't much discussion of the top 5.

Belinda Garland County Manager: The approved ICIP list has a deadlines with the state. I would have to check to see if we can revise it. We may be past that deadline.

Annette Ortiz – Deputy County Manager: The ICIP is a working document and can be revised as long as you have it on your agenda and adopt a resolution adopting your ICIP with the changes. In the past it has always been questioned whether or not a project is on the ICIP. It hasn't been such an emphasis on just the top 5. It's a question on whether it appears in the ICIP. With Aging and Long Term when we request dollars, they ask if the senior projects are on the ICIP. The deadline we had with the state for the ICIP in the past, and it may have changed, was because they have a publication, for the senators and our legislators in Santa Fe. If you do have any changes you are going to have to reach out to one of your Representatives and Senators to make sure they know your changes were made, of they are different form the publications.

\* Discussion Continues \*

Annette Ortiz – Deputy County Manager: In the past, a lot of the projects were requested that they be shovel ready. Is that the case this year as well?

Senator White: Yes

Chairman Sanchez: I think we need to revisit it. Perhaps the next meeting would be a good time.

Commissioner Frost: Thanks Senators for your help.

No Action taken: Discussion Only

**2. Governmental Conduct Act review**

Belinda Garland County Manager: Asks to table item till next meeting.

Chairman Sanchez: Moves to approve meeting agenda

Commissioner Frost: Seconds the motion.

All in favor: MOTION CARRIED

**\*Department Requests/Reports:**

**3. Updates:**

**a. Various county Departments**

Tracy Masters – DWI Prevention Program Coordinator: We began the 3<sup>rd</sup> class of our mental health first aide last week, with 11 participants, we will conclude that this Saturday. Hope to have another class again in December or January. The grant council will meet next week. There will be a workshop with local government division. They will be discussing more reporting regulations and requirements for the DWI prevention program. Our DWI court program will be graduating 2 more on Wed November 1<sup>st</sup>, at the Memorial of Perpetual Tears. Last week I was at Estancia Elementary providing prevention education to 1<sup>st</sup> – 5<sup>th</sup> grade. Smart Choice ride is still operating. I worked with the Estancia Elementary school for red ribbon week, about 2 weeks ago. Teen Court is still going strong. We still have the Billboard east of Moriarty, for DWI prevention, it was donated by Sun Vista outdoor Advertising.

Cindi Sullivan – Animal Services: Activity report handed out. Cindi goes over her report and explains the process in detail. Report hereto attached. Note: we started taking calls in March, 498 calls, in 7 months. We assist the City of Moriarty, Mountainair and Estancia. We had 4 dog bites and are still working on training, the officers are 6 to 7 months with animal control. We are still working on our 4 year project. We have also had to purchase 4 skunk traps, everyone in county is over ran with skunks. 405 Animals, 60-70% more than last year. Sold 175 licenses YTD.

Commissioner Frost: You had a number of warnings, what do you warn them about?

Cindi Sullivan – Animal Services: Going to the door to inform animal owner of where their animal has been. Officer gives a warning citation that says they have 10 days to get licenses. and current rabies vaccinations. We tell them we won't be turning this into court if we don't get any more complaints within the next 6 months.

Commissioner Frost: Do you have good results on the warnings?

Cindi Sullivan – Animal Services: We have really good results from the warnings.

Tracy Masters – resident: I am one of those dog bite cases, I was attacked by my neighbor's dogs, back in July. I can't say enough about the way Cindi's department reacted immodestly, have answered questions, providing the documentation I've needed. I want to commend Cindi and her department.

Linda Jaramillo – resident: I believe Sylvia mentioned that Estancia Animal Control is closing and we are infested with skunks in Estancia. It's been an ongoing problem since I've lived here for 20 years. Is there anything that you can do for the city of Estancia?

Cindi Sullivan – Animal Services: I'm aware that Estancia is planning on closing their animal control, we have had some discussions about it. At this time there is nothing in writing, as to what's going to happen and how we can handle that whole situation. When it gets worked out, everyone will be informed.

Commissioner DuCharme: I like skunks, and I don't know what problems other people have with them, what are they?

Cindi Sullivan – Animal Services: A lot of people live in mobile homes, skunks dig holes to get under the trailers. Skunks will attack their animals and could infect them with rabies. Skunks and bats are one of the highest rabies carriers, in New Mexico. What brings skunks to your home is, leaving cat/dog food and water out.

Commissioner DuCharme: What is the status of rebuilding the foyer?

Belinda Garland County Manager: We took some bids on the foyer, we realized because of the dollar amount, we need an architectural plan. We are moving forward to get the plans drawn up, and we will get solid bids.

Commissioner DuCharme: I visited the animal shelter a few months ago and I saw myself that it is a huge necessity. At the same time I saw the shelter, was very clean, the animals were well attended. The employees were efficient and friendly. Thank you for running the animal shelter so well.

Martin Lucero – Emergency Manager: There has been the first report of Influenza in New Mexico. 5 cases one has already been fatal. I encourage everyone to get there flu vaccination. The county along with the DOH is running a flu shot clinic. November 14<sup>th</sup> 2017 Estancia High School. We have 300 vaccinations for ages 3 and older, first come first serve. EOC and cert team is conducting a winter storm exercise. They will be setting up a shelter. Our hazardous mitigation plan has been pre-approved, on the 17<sup>th</sup> of October. We will be seeing that in the next commission meeting, for your approval.

Belinda Garland County Manager: Martin did get the hazardous mitigation plan final approval without the assistance of an engineering company. That is almost unheard of. Congratulations on a job very well done.

Martin Lucero – Emergency Manager: Please bring Insurance card to the flu shot clinic.

Commissioner DuCharme: Who will be giving shots?

Martin Lucero – Emergency Manager: Chief Gary, his team is assisting us, the Estancia High school has one nurse that is credentialed to administer shots. The DOH is going to provide a team of members to provide some oversight. We want to make it annually, in an exercise form. To demonstrate our ability to set up a pod site. Information will be put on County website.

Tracy Sedillo – County Treasurer: We got our part time tax specialist hired. We started with field work 2 weeks ago, placing notices on manufactured homes with delinquent taxes. If anyone owes delinquent taxes, payment options are available. A press release is being worked on to inform tax payers. Tax bills are being printed and will be mailed out November 1<sup>st</sup>. We get a lot of returned mail, so we are working with LexisNexis search engine, to get better addresses for tax payers. A lot of tax payers move out of state and forget to inform the county Assessor of their address change. I encourage everybody, who has moved to verify their address with the Assessor's office, to make sure you are getting your notice of values, tax bill, and any delinquent notices. If anyone doesn't receive a tax bill by November 10<sup>th</sup> please call our office, they are also available online.

Linda Jaramillo – County Clerk: 2018 candidate guide is available on my website and in my office. Some important dates: January 29<sup>th</sup> Governors proclamation, any candidate running for office has to change their party before this date, if anyone is going to change their party. March 13<sup>th</sup> is candidate filing day for the Primary Election. May 8<sup>th</sup> voter registration closes. May 19<sup>th</sup> early voting begins. The offices running in Torrance County are: County Commissioner District 1 and 2, County Assessor, County Sheriff, Probate Judge, and Magistrate Judge Division 1. November 6<sup>th</sup> at 9 am, the County Commission will have Special Meeting to adopt the polling places for Torrance County, with 2 new polling places. County Attorney Dennis Wallin is going to District Court, to ask if we can move one precinct location to a new location outside it's precinct boundary. A lot more information will be added to my website about elections.

Nick Sedillo – Safety Officer: 6 light poles were installed in the parking lot. The Safety committee met in September and we think we need to install 2 more power poles closer to the east end of the parking lot. We will be working with Leonard on getting the parking lot cleaned up, next spring.

Annette Ortiz – Deputy County Manager: It was brought to our attention, a lot of the visitors don't see anyone parked in the front of the building and assume they can't park there. It is visitor parking, directly on the East side of the building. Employees only park away from the building.

Steven Guetschow – Planning & Zoning Coordinator: October 12<sup>th</sup> I attended Estancia Basin Water planning Committee Meeting. The New MOUs for the County (memorandums of understanding) with the water planning committee are being distributed for review and signature by various counties, Bernalillo County has already signed their new MOU. The well monitoring reports have been done by Hydro resolutions, are complete. Copies should be available at the next water planning board meeting. The state wide water planning board will be having a town hall meetings, November 13<sup>th</sup> and 14<sup>th</sup> in

Albuquerque. Angela has sent out invitations to attend. The updates for the Compliance committee with the open meeting act were completed and approved. The yearly officer elections were held; Dan MacGregor will remain the treasurer, John L Jones is stepping down as the chair and Rick Thompson will be the new chair. John Perea will be the new vice-chair. The next meeting will be held December 14<sup>th</sup> in Estancia, they are open to the public.

**b. other boards or Land grants(upon request)**

Chairman Sanchez: None

**c. Forest Service (upon request)**

Chairman Sanchez: None

**d. Commission**

Chairman Sanchez: None

**Break 10:20**

**4. Resolution 2017-052 Clean lot 15-A, block 6 Mountain Valley Subdivision – Dan DeCosta, Code Enforcement Officer**

Steven Guetschow – Planning & Zoning Coordinator: Dan DeCosta is in Court. The money to clean these properties will come from the New Mexico Environmental Department tire clean up grants. The cleanup contractor provided by the Estancia Valley Solid Waste Authority, is a pass through cost. Our office supervises the cleanups, the EVSWA provides the dumpsters and tire recycling. I am in contact with the owner and have verbal agreements to clean the property. They have promised to pay cleanup cost when billed. Steven reads the Resolution 2017-052 for the record.

Commissioner Frost: Moves to approve resolution 2017-052 Clean lot 15-A, block 6 Mountain Valley Subdivision

Chairman Sanchez: Seconds the motion.

All in favor: MOTION CARRIED

**5. Resolution 2017-053 Clean Lot 15, Loma Parda Subdivision – Dan DeCosta, Code Enforcement Officer**

Steven Guetschow – Planning & Zoning Coordinator: This property belonged to Tom Small, his sister was in process of making a tire house but had died prior to the competition. Steven reads the Resolution 2017-053 for the record. Dan has spoken with these people and they have agreed to pay for the cleanup.

Chairman Sanchez: Moves to approve resolution 2017-053 Clean Lot 15, Loma Parda Subdivision

Commissioner Frost: Seconds the motion.

All in favor: MOTION CARRIED

**6. Ratification of Consultation Agreement between Torrance County and David Belford, LLC – Berta Espinosa-Moore, TCPO Home Visitor**

Tracy Masters – DWI Prevention Program Coordinator: On behalf of Berta Espinosa-Moore, TCPO Home Visiting program Director. You are being asked to ratify a contract between Mr. David Belford and the Torrance County Home Visiting Program. This will have Mr. Belford providing consultation also known as reflective supervision to the home visiting staff. This is required by and funded by CYFD. The proper line item already has that funding in there.

Commissioner Frost: Moves to approve Ratification of Consultation Agreement between Torrance County and David Belford, LLC

Chairman Sanchez: Seconds the motion.

Commissioner DuCharme: Torrance County shall pay consultant \$290 per month. Did we mention where the funding will be coming from?

Tracy Masters – DWI Prevention Program Coordinator: The entire contract between Torrance County and CYFD details everything that they are supposed to do. This is just one of the line items that would already be built in to the contract with CYFD.

Belinda Garland County Manager: Its grant funding.

Commissioner Frost: It is part of the budget we have already approved, and the state approved.

Commissioner DuCharme: You don't think it is necessary to put that language in the contract?

Belinda Garland County Manager: No, I don't think so because the money funnels through Torrance County and we are responsible for cutting the check for them.

All in favor: MOTION CARRIED

**7. CYFD FY19 Grant Application – Jenea Ortiz, Continuum Coordinator**

Annette Ortiz – Deputy County Manager: Jenea Ortiz had another training she had to attend. This grant funds the Juvenile Justice board. The amounts are the same as last year; however we are requesting the permission to submit the grant application. The County Manager's office is working closely with Jenea. There was a review by CYFD, yesterday and there are some points we have to change within the grant application. It is not completed as of right now. I went to the training for the grant application and need to get with Jenea to make the changes.

Commissioner Frost: To make it clear, we would be making a motion for you to apply and later we would have to approve the contract.

Commissioner Frost: Moves to approve CYFD FY19 Grant Application

Commissioner DuCharme: Does it have matching?

Annette Ortiz – Deputy County Manager: Yes, it's in-kind.

Commissioner DuCharme: Seconds the motion.

All in favor: MOTION CARRIED

**\*Commission Matters:**

**8. Audit Contract Amendment Number 17-5030**

Belinda Garland County Manager: The finance office and I are requesting for a \$20,000 increase to our audit contract. This \$20,000 will provide the list of services that are right after the contract. \*List from packet was read. This will provide us with a lot of spreadsheets that we can work with in the future to be more readily prepared for the audits. There is a savings, we are going to pay for this \$20,000 increase by using the funding for the job positions in the managers and finance office that have not yet been filled. If you approve this then we will do line item transfers.

Chairman Sanchez: What will happen to the job positions?

Belinda Garland County Manager: We are still advertising, the HR position has been advertised again, it has been extended. Annette is working on the specs for the other position, to get it advertised in the near future. There is enough savings up to this point to cover the \$20,000.

Commissioner DuCharme: Moves to approve Audit Contract Amendment Number 17-5030

Chairman Sanchez: Seconds the motion.

All in favor: MOTION CARRIED

**9. NMAC 2018 Legislative Conference**

Commissioner DuCharme: As a member of Commission affiliate at New Mexico Association of Counties. I receive newsletters and noticed that registration for the New Mexico Association of Counties legislative conference is currently open. Early registration is due by November 12<sup>th</sup>. It will cost \$175.00 per person. Each person who attends the conference is eligible to be paid per diem and most likely stay in Santa Fe. The County will pay for hotel and other expenses associated with that. At least twice a year our employees participate in this kind of conference. One is legislative in January and the other is annual conference that happens in June. With our new financial reality, I think we need to have some sort of system of who should attend. In addition employees take EDGE classes, and each class cost \$50. I would like to hear everyone's thoughts. We are spending a lot of money each year. What are we getting back?

Belinda Garland County Manager: I invite any one to speak. I know part of the conferences are the EDGE classes. People attend and get certifications. 3 people graduated in June and got certifications for the positions they hold. There's also affiliate meetings.

Tracy Masters – DWI Prevention Program Coordinator: I have been a member of the executive committee for the DWI coordinators affiliate, for the better part of 14 years. When the DWI coordinator's affiliate meets, we are discussing legislation that directly impacts DWI in our state. Some of the legislation pertains to funding and the New Mexico association of counties has our funding as one of the items on the priority list. We also brainstorm, and do strategic planning to meet the needs across the state. We learn from one another, what works and what doesn't work. Every one of the programs across the state are geared to the individual counties but rely on one another and take the opportunity to visit with legislators and others who can promote our cause. My program is completely grant funded. I prepare the budget knowing there is a possibility I will possibly be attending. I have money in the line items for the per diem and for the registration. I also attend the EDGE classes. I don't believe I need to budget anything for this year because I have credits that were unused for different reasons. Fortunately, if you do not attend the classes, we do maintain the credit. We don't lose the money by not attending the classes. I have met all of the qualifications for, I believe the lowest level is CPO, Certified Public Official, with the exception of the final report. I also have all but 4 or 5 classes to reach the next level, Supervisor. Personally I think it's important for the DWI coordinators affiliate as far as professional development. Professional development extends to everyone in every department, we learn from one another. We often have different presenters coming to our affiliate that are experts in their field and it can only benefit us when we are able to attend these trainings.

Nick Sedillo – Risk Manager: I also attended NM EDGE classes and received my New Mexico Certified Professional Risk Manager accreditation. Education is invaluable. If we are all on the same page we better serve our constituencies. People come in and they engage the county, we give them the same answers, we are not giving them different answers. All the risk managers that I deal with up at the state level are all on the same page. We are here to save money. No one affiliate is better than the other. Everyone that goes up there has a comradery amongst other counties. I think what builds up the counties is being able to collaborate at the same level. Bigger counties have tons of people but we are still able to provide the services with our two or three people. I think it's invaluable that people get education, and bring back the education to that constituency. That's who we are here to serve. We want to make sure we are educated. The three offices Clerk, Treasurers and Assessors, require huge statutory requirements that are put on those offices every year. Without being at those conferences, we would be left in the dark.

Commissioner DuCharme: EDGE classes and the conference, they are two different events. Is it your opinion that every employee would benefit or has to go to the conference?

Nick Sedillo – Risk Manager: Yes! You can never take away anyone’s education and what they bring back to the county is that education. If I delegate something to someone, I want it to make sure they are educated enough to carry it through, not to be shopping around trying to figure out what the right answer is. With that education they are not second guessing themselves. I’m a firm believer in education, education is key. If we have the opportunity to educate our employees, we need to and we have been. We have been doing a good job. The more we can educate our staff the better off we are as a county.

Annette Ortiz – Deputy County Manager: I understand your question is the difference between allowing our employees to go to the EDGE classes and to the conference. As our employees are allowed to go to the EDGE program, it empowers them and makes them a little more aware of how they should be conducting themselves within their county and doing the best they can do every day. Maybe instilling a pride within them to bring that back and be able to teach or train others from what they get in an EDGE class. That’s our investment in our employees. We need to give our department head’s and elected officials kudos for allowing there staff to go to those EDGE classes and making that investment in those employees and keeping them here, having that ground work and keeping the roots in Torrance County. The Conference; I’ve gone to several different affiliate meetings and I know in finance it’s important to both purchasing and finance directors. Our indigent requires we go to the health care affiliate meetings because they have updates as well as human resources. Whether it be for PERA or ADA compliance.

Commissioner DuCharme: Right now it is up to each employee how many classes he or she can take, Is that correct?

Annette Ortiz – Deputy County Manager: No, I believe it’s up to the department head to decide what they have budgeted to allow for each employee to attend and where they are at in there certification process.

Commissioner DuCharme: I don’t know if we follow that or not because often we make transfers from one line item to another. If there is no money, sometimes departments make money available for that.

Annette Ortiz – Deputy County Manager: Within their budget. They are not changing the bottom line of their budgets, they are just moving money around to another line item to allow for their staff to go for training. Or if there is a possibility of another training they didn’t account for prior to the year, so they spent those dollars, they are just replenishing so they can allow there staff to go for training.

Commissioner DuCharme: Do you think it would be better if we have some sort of limit on those classes? Maybe two classes per one conference.

Annette Ortiz – Deputy County Manager: I don’t believe that. If they are there and can already get per diem, they should already be allowed to take the classes while they are there, If it’s allowed in their budget.

Commissioner DuCharme: Was there a calculation made? How much does it cost the county?

Annette Ortiz – Deputy County Manager: No I don't believe so. I do know when the county college classes started, the sitting commission at that time was very excited. They encouraged a lot of employees to start getting the certifications and eventually wanted to move into possibly tying in raises in the future. That has not been implemented but as a whole it is considered a raise.

Commissioner DuCharme: Do you think it would be reasonable if only the department heads go to the conference?

Annette Ortiz – Deputy County Manager: I feel it should be up to the department head.

Chairman Sanchez: Do you know about how many people go and the average cost per person, per conference? I'd like to get an estimated idea of cost. Can you get an estimate how many people from the county went in June and roughly the cost?

Annette Ortiz – Deputy County Manager: I believe the cost for the conference was \$175 per person, plus the daily per diem, which is \$135 in Santa Fe.

Chairman Sanchez: About how many people went?

Annette Ortiz – Deputy County Manager: Roughly 15 people 2-4 days

Chairman Sanchez: Roughly \$4200

Commissioner DuCharme: Plus Edge classes \$50 per class.

Tracy Sedillo – County Treasurer: I've been on both sides of this, as an employee and as an elected official. The training I received from NM EDGE has been extremely important to me. The classes that they talk about deal with things like ethics, transparency, budgeting. In the Treasures certification we deal with very specific things, to the treasures office. Collections, bankruptcies, are items we deal with in our office. No one in my office is very versed in bankruptcies. That seems to be one of the bigger issues. We don't have a lot that come through our office but we need to know how to handle those in a proper manner. I just attended the treasures conference last week, there were excellent topics on transparency, ethics, and bankruptcy discussions. Our affiliate is trying to start back the mobile home committee. Delinquent mobile homes are a huge problem state wide. There is a whole process that we have to go through. We are now required to log into MVD to place the liens, release the liens, the liens are statutory. We don't get to choose whether we want to place them or not. We go over training and the process, what has worked in other counties and what other counties are doing. I have learned so much as a new treasurer from the experience from the affiliate. Sometimes our responsibilities as elected officials become overwhelming. We get a giant book, here's your statutes you're supposed to comply with. The assistance that the other treasures provide is very helpful. We talked about a lot of legislative issues at our conference and we are going to be finalizing those issues in Santa Fe. Each department knows when their staff can go

and when it's appropriate and when it's not. My office in particular, only myself and chief deputy will attend the conference and take any EDGE classes. I need my staff in the office because we are still collecting tax payments during that time. It's more advantageous for us to send them to NM EDGE during their week long classes that they offer in Albuquerque. The only problem is they don't offer all the classes they need at the particular time they need it. I believe the professional development that you send your staff to is invaluable. It allows them to get past our little world that we live in here in Torrance County and meet other people from other counties see what they do, see what their standard is. There are a lot of great creative ideas out there. Every time I go to a training I always learn something new.

Victoria Sedillo – Assessor's office manager: I've worked for Torrance County for 21 years. I haven't always attended the NM EDGE classes and the conferences. In the past couple of years I did get a small promotion in my office and I was promoted to office manager. I've started attending more of these classes. It has been beneficial for me. Our office is a learning process every day. I also do livestock, business, and personal property. The conference brings in guest speakers from the forestry, and different governmental entities that have helped us with law changes. The Assessor is on a lot of these legislative committees and also the chair. Myself, Nick Sedillo, the Assessor, and her deputy attend these conferences. As far as the EDGE classes go, I do attend and was able to graduate this last June as a Certified Public Official. I lack 3 classes to graduate from my Certified Public Supervisor. It's not that you go and sit in these classes and you can leave at any time, we have to write essays. We have to say why we are there, and what we have gotten out of it. Ruben Gastelum and Tracy Sedillo have taught classes, they have a lot of knowledge. It is in our budget for the 4 of us to attend and would like to continue attending.

Leslie Olivas- Purchasing Director: Prior to coming to Torrance County, I had about 3 years' experience with the Army contracting command station at white sands missile range. I did have some purchasing experience but it is like comparing apples and oranges. In the classes I have had the opportunity to attend with NM EDGE have been extremely helpful. I had a knowledge base, a general idea of things. At the time the procurement code had just been written. The networking and knowledge I gained from not only my instructors but also the other attendees, has been extremely beneficial. What we have discovered in these classes is that no purchasing environment is the same in any county. I have experience that other procurement directors don't have and vice versa. It's helpful for us to not have to reinvent the wheel. We can go to our affiliate and colleagues in these classes and get really grounded professional help to make sure everybody is on the same page and everything is getting done properly and legally. Not only working with procurement professionals, the people I've met from other counties and different offices give you different perspectives constantly. To help improve your job and performance in your departments. I've met different Assessors, Treasurers and people from the Clerk's office who give you a different perspective. I know different things from working with our different elected officials. As far as affiliate meetings, this year we are going to be looking to discuss house bill 278, which will be making changes to the procurement code. Largely the affiliate was against it, but kept getting passed through the committees. We get a lot of conversations

happening through email but it really helps to be able to sit there in a room with colleagues and discuss and hash out these issues. That helps me in my job and I budget for it every year, to make sure, no matter what happens, that I have that opportunity to meet with my colleagues. I would appreciate to be able to keep that opportunity.

Linda Jaramillo – County Clerk: Linda Kayser and I have been attending these conferences for about 20 years. We took a lot of the classes but now it's time for the ladies in my office to start taking these classes because Linda and I are going to be retiring in 3 years. I think it's important that the ladies in my office get these EDGE courses, so that they can continue in the office. With Elections, Election Laws change every year. We usually have the Secretary of State's office that comes to our affiliate meeting and gives us training during these conferences. I think it's really important that we all go. I'm not spending any money on any classes for Linda and I, but I'd like to have the ladies in my office attend. I'm surprised that the amount is not as much as I thought it was. I think it's well worth spending money for us to attend this conference.

Commissioner DuCharme: I don't know if that amount is accurate because the amount we spend on EDGE classes wasn't added.

Chairman Sanchez: How much is it? Do you know?

Commissioner DuCharme: \$ 50 per class

Chairman Sanchez: I'm trying to get an idea of what it cost for the last conference, roughly.

Linda Jaramillo – County Clerk: Even if it is higher than that, it is well worth it for the county.

Leslie Olivas- Purchasing Director: The price for EDGE class is on a sliding scale. If you only buy a few classes, its \$75. Any time a series of EDGE classes are announced, I send out an email to all the department heads, so they can plan on who they want to go, so we can bring the price down. If we buy in bulk we can bring that price down. Every 5 classes you buy, brings it down another \$5 with the bottom price being \$50. At conferences, in the last 5 years that I've been doing these bulk purchases, its anywhere between \$900 and \$2000 per the amount we buy for 10 and 20 people to attend classes.

Tracy Sedillo – County Treasurer: In order to receive your certification you have to do a final project. That project for the treasure certification included an essay. You had to pick out particular class, what you learned from them and how you apply it to your office. Also, submit samples of your work and demonstrate the principals you learned in those courses. There is a continuity between what happens and how we use them in our offices.

Chairman Sanchez: I think there is a tremendous benefit, to the education that is received. I think we should leave it to the department heads and the county manager, as to what needs they perceive in their offices and how they can best be met by the various courses. It would be nice to have an idea of what it costs. If you are on the public side of it, it looks bad that we go up there and don't know the cost. It would be nice to make a response saying what is being

spent and the value we are getting. Both sides make sense but I think the education is important. How many people went up there and how much did it cost?

Victoria Sedillo – Assessors office manager: We get per diem of \$135 per person in Santa Fe because Santa Fe is more expensive. That \$135 barely covers our hotel room, so we are spending out of pocket for our meals etc. In the \$175 it does cost to attend the conference, there are a couple of meals included. This last summer, we got paid \$80 per diem to go to Taos, Taos is more expensive then Santa Fe. We all had to put our money together and rent a house so we could afford to stay there for 4 days. Yes the county is paying for us, but we are paying out of pocket to attend these meetings and get these trainings to bring back to the county.

Commissioner Frost: I have attended the conferences for many years. It's put on by the Association of Counties, it helps employees from every county. We have the affiliates, a group of Manager's, Commissioners and Clerks having their own particular meetings. They have speakers that cover many subjects, it's amazing how much information that we get. When we have newly hired or newly elected officials they learn more from those meeting and the only way they learn to see what is going on in the State and in the Counties. The time they spend in those meetings getting information is probably more important than the same hours spend here at their desk. We already voted on this when we voted on the budget. These are already approved.

Chairman Sanchez: I agree, we need to leave things as they are. The way things are set up now it's difficult to track. The total cost to go up there because everyone already had it in their budgets and pulls from their individual budgets. Each department could give you an idea of what it costs. If that is information the commission wants, we can ask that question. As far as the classes go, I would say we need to let the department heads make the determination and continue to take the courses.

Leslie Olivas- Purchasing Director: I ran a report for you. The cost for the June conference was \$2875 and the EDGE classes \$1250.

Chairman Sanchez: I think the benefits are well worth that cost.

Commissioner Frost: That money is very well spent. It would be a crime not to continue with the program as it is.

Commissioner DuCharme: I appreciate everyone who participated in this discussion. What prompted me to put it on the agenda is, I noticed when I attended those conferences, Commissioners from other counties, Bernalillo or Taos County don't go to every conference, and they alternate to save money for the County. It is not a one day conference, it is Tuesday, Wednesday and Thursdays, 3 days. On Monday they start EDGE classes, 4 days. I don't know if it is 4 days of hotels or 3. It is at least 4 days. What Commissioner Sanchez calculated x 4. I'm not needing to be convinced how important education is. I'm not 100% sure, I've read by

statute we have to provide some education to employees. I still take college classes and pay for them myself. My point is we need to have a system that is accountable.

Commissioner Frost: I was reading the agenda here, it says NMAC Legislative Conference. I don't know if it is necessary for us to vote on this. If it is I will make a motion to continue our program as to the Legislative Conferences as is. Leave it up to the department heads who goes.

Chairman Sanchez: I don't believe we need a motion. Leave it as is and go to the next agenda item.

Commissioner DuCharme: I would like more information, how many people attend and how much money it would cost.

Michael Godey – Tajiique Resident: Julia has a point. It becomes an open meetings act. You want to work bottom up, with the heads of your department to make the decisions. As a county commission, you are responsible for approving them. If you are given more information, it would be a positive thing. You're not changing the process, you're making it a little more open. I think that would be a good thing. If you try and make the decisions, I think you will make the wrong decisions, because you are not on the ground, you're not in the Treasurer's office and all that. You don't have the specific information. You are responsible for the final decision.

Belinda Garland County Manager: Let's just leave the process the way it is for the upcoming conference and let the department heads move forward with the employees they feel should attend. We will collect data and report back to you. How would that be?

Commissioner DuCharme: It would be wonderful.

Annette Ortiz – Deputy County Manager: As it stands right now, depending on if they stayed 2 or 4 days in Taos those amounts were between \$5000 and \$8000 for 15 people.

Myra Pancrazio – Torrance County : Years ago the affiliates would encourage the department heads and county commissioners to try and get some of the affiliate meeting in Torrance County to offset some of the cost. Maybe we can try and get some of the meeting here at the Civic Center in Moriarty.

Chairman Sanchez: What happened with the motion? Do we need to change the motion?

Belinda Garland County Manager: Can either withdraw or let it die.

Chairman Sanchez: Don't need a motion.

## **10. Final Option Year renewal for Legal Services Agreement**

Leslie Olivas- Purchasing Director: Gave out an updates copy of agreement with correct dates.

\*Chairman Sanchez: Going back to agenda item #9. In order for the manager's office to have adequate guidance from the commission. We don't need a motion to keep the status quo. Do we need a motion to give you the guidance to collect the data?

Leslie Olivas- Purchasing Director: Ill track it, it comes through my office.

Leslie Olivas- Purchasing Director: What you have before you is the final option year renewal for legal services contract with Mr. Dennis Wallin. We are asking for approval of this.

Belinda Garland County Manager: This is the last year that this RFP is up for renewal.

Leslie Olivas- Purchasing Director: Correct, being that this is an October renewal date, next year I will probably start working on this as soon as the fiscal year starts. RFP process is not quick.

Commissioner Frost: I will move to approve the extension of the contract for our law firm that has been representing us.

Chairman Sanchez: Seconds the motion.

Commissioner DuCharme: I'm confused how it was put on the agenda, I put on agenda to go for RFP and we tabled that item. It didn't appear on this agenda.

Leslie Olivas- Purchasing Director: I requested this action item. In April when we renewed it, you asked me to make sure it got on the agenda at an appropriate time to make sure we were within our deadline.

Belinda Garland County Manager: I apologize, I grouped them together. If you don't approve the renewal we will have to go to RFP.

Commissioner Frost: The original contract was for a certain number of years with the choice of extending it.

Leslie Olivas- Purchasing Director: It was for 1 year with 3 options renewal years.

Commissioner Frost: My motion stands.

Commissioner DuCharme: A lot of information is provided on how much money the county is spending on legal services. It is important to look at the numbers on the pages provided. The county paid in 2012-2013 FY \$89,165.61. In 2013-2014 FY \$168,441.38. What does this mean?

Leslie Olivas- Purchasing Director: Give me just a moment to grab the public view.

**\*BREAK**

Commissioner DuCharme: We have a lot of financial information. For FY 2012-2013 the county spent \$89,165.61 for legal services. For FY 2013-2014 \$168,441.34. Does anyone believe the numbers are not correct, please speak now?

Dennis Wallin – County Attorney: They are not correct, as to what the county spends. 2013-2014 reflects billing that are passed through the county. Nor do the following years. The county spends about \$125,000 to my law firm.

Commissioner DuCharme: This amount \$168, 441. Part went to your firm and other part? Who paid that money?

Annette Ortiz – Deputy County Manager: What they are is reimbursements.

Belinda Garland County Manager: On the wind project, if we negotiate an IRB for one of the companies. Then that cost is passed on to them. We pay it but then they reimburse us back for Mr. Wallin's service.

Commissioner DuCharme: Why does it show as expense in this amount?

Belinda Garland County Manager: This is the only tool we had.

Commissioner DuCharme: FY 2014-2015 \$547,755.51 what happened there?

Dennis Wallin – County Attorney: If you add you those numbers they don't even come close to that. A lot of our numbers don't come close to that. What I suspect is that, it is accumulate numbers since 2004. If you add up the numbers and take out the IRB numbers, it comes to about \$125, 000.

Commissioner DuCharme: Than what happens next FY 2015-2016, the number is lower, \$42,411.69.

Dennis Wallin – County Attorney: That's not my report. It's the counties report.

Commissioner DuCharme: For 2016-2017 \$687,957.44.

Dennis Wallin – County Attorney: They are not the correct numbers.

Belinda Garland County Manager: Triadic did an upgrade. Maybe it didn't add right. There has been a lot of errors with Triadic here recently.

Dennis Wallin – County Attorney: Legal fees have gone up. Close to 50% of our time is spent on Planning and Zoning. They are time consuming and you see a lot more of that in Torrance County. In 2004 when I started, I'd bill 3 or 5 hours a month, now it's close to 50% of the time. I realize money is tight with the county and there are other options you may want to look at. Right now because of a couple of pending projects, it would be in the best interest of the county to extend me for another year because I can help the county be successful in negotiating a couple of projects that could increase our income substantially. I'm not saying someone else couldn't do that, but the fact that I've done two or three of them would make it much easier for the County and I've already been involved in them. I appreciate the fact and don't have any issue with sharing my billing. I noticed I left a lot of money on the table when I did this because I charge you over \$100 less than your other bidder.

Belinda Garland County Manager: Mr. Wallin is correct, the 14-15 is not \$547,000, and it adds up to \$113,543.82.

Commissioner Frost: Legal fees are very expensive, legal fees cause us to save and earn a lot of money. The IRB's for the wind farm project, 1<sup>st</sup> year loan brought us in \$700,000. That's going to continue for up to 30 years. There is expansion to that project. There is another wind farm project coming up. We need someone to represent us that has the experience with those IRB's and that can push forward. There's not many around with that experience.

Belinda Garland County Manager: Dennis and I attended an IRB last week with the possibility of a new wind farm coming. All the people in the room greatly respect Mr. Wallin, they ask for his guidance on different things.

Commissioner DuCharme: I want to continue to go over the numbers. In addition to paying legal fees, we also pay insurance fees, motor line insurance and law enforcement insurance to New Mexico Association of Counties. 2013-2017 those numbers keep increasing.

Belinda Garland County Manager: Those numbers are based by the Association of Counties correct?

Commissioner DuCharme: I understand, but why do they keep increasing them? The county is involved in many lawsuits and have to settle. The New Mexico Association of Counties have to pay. I think it is because of an increase in lawsuits against the County. That is why the price of insurance is going up. If I'm not correct, please correct me.

Annette Ortiz – Deputy County Manager: We pay into a pool for insurance, it is not just our numbers.

Commissioner DuCharme: I understand but the purpose of this is to see how we can reduce the spending.

Belinda Garland County Manager: That responsibly can be distributed out through the County Manager, having better management, better guidance for the managers, like the EDGE trainings. We can't lay all that responsibility on our legal counsel.

Commissioner DuCharme: When we don't have legal counsel, we can make mistakes. We hope to make it better with legal counsel. Looking at these numbers is seems we have increased number of problems.

Dennis Wallin – County Attorney: If every Deputy called me before they searched someone, then we would have a sexual harassment lawsuit. If the Sheriff's department called me before they hired someone, maybe we wouldn't have had a lawsuit that involved wrongful termination. That doesn't happen, it's not the real world. In the real world, you have Law Enforcement officers responding to situations. For example, the big lawsuit here is the Rogers lawsuit. It's been around since 2012. It involves, (it is a matter of public record) several of our sheriff's officer's, they are getting sued for excessive force for using a taser on an individual several times. We have defended that lawsuit, through the Association of Counties. We have prevailed at every step, both in Federal and State court. Those Law Enforcement officer's at 2

o'clock in the morning are not going to get legal advice on how to restrain someone attempting to kill himself on the freeway. I'd be happy to go through each one of these lawsuits with you and can tell you the ones I've represented.

Commissioner DuCharme: In addition to legal fees, motor line insurance, law enforcement insurance, and settlements, \$234,000 for 3 settlements. 2013, 2014, 2015, 2016 \$234,000

Dennis Wallin – County Attorney: The Association of Counties paid that.

Commissioner DuCharme: Maybe that is the cause to increase our insurance. I want to mention another number \$173,764 that were paid to settle other cases. It doesn't include the settlement we had with Ms. Sands for \$38,500.

Dennis Wallin – County Attorney: I think it does, it's 3<sup>rd</sup> from the bottom. I don't know about 9 of the 12 listed, they may have been paid without ever being assigned to defense counsel.

Commissioner DuCharme: She wasn't with the Fire Department, she was with Dispatch.

Dennis Wallin – County Attorney: The coverage comes under the same coverage, is my guess.

Commissioner DuCharme: I haven't heard of Torrance County Fair settlement or payment. Who would decide to pay that amount?

Dennis Wallin – County Attorney: Probably the Association of Counties.

Commissioner DuCharme: We are spending a lot of money, I don't want to say unnecessary but I think it would be more beneficial to spend on something else, other than on legal fees. I don't have Mr. Wallin's contract, in front of me right now, It is very similar scope of work to another company Sutton.

Leslie Olivas- Purchasing Director: Those are RFP proposals, not contractual language. I do have Dennis's year 1 contract, if you would like to look at it.

Commissioner DuCharme: If we look at the scope of work, we can revise to make it less costly.

Leslie Olivas- Purchasing Director: That is something we do at RFP time. Last time I worked with the previous County manager and affiliate members because Dennis was going to be someone interested in placing a proposal. I didn't go to him for this. The Scope of work we had was discussed with Joy Ansley, Ms. Annette Ortiz and affiliate members around the state. The next time we go out for RFP and you feel we need to adjust the scope of work we can do that. The numbers you have in front of you is based on the scope of work that was decided to be put forth at that time.

Commissioner DuCharme: #1 Attend all board of Commissioners regular meetings, study sessions, special meetings, hearings, executive sessions as requested by the board or county manager. Do we need Mr. Wallin to be at every commission meeting?

Leslie Olivas- Purchasing Director: Speaking personally from many meetings I've attended. It's never not beneficial to have him here.

Commissioner DuCharme: I agree, but can we do it without him here?

Annette Ortiz – Deputy County Manager: In the past, a lot of agenda items were getting tabled and put off till next meeting because we did not have legal counsel to answer questions.

Commissioner DuCharme: I understand, maybe it will take some time for us to make our decisions but also it will be less costly.

Annette Ortiz – Deputy County Manager: We are eventually going to be asking that same question to our attorney.

Commissioner DuCharme: We can do it by writing or by phone. It will be less time for him to answer than him spending hours here during Commission meetings.

Leslie Olivas- Purchasing Director: you have to consider if it balances out with having to bring it back again. That means the staff that has to be involved has to come back again, it takes time from our regular duties.

Belinda Garland County Manager: I've sat here and watched Mr. Wallin in this meeting, he has been writing a contract for the Road Department, while attending the meeting. He is doing 2 things and will probably bill us for straight time. Mr. Wallin and I can talk about it and if there are meetings we feel no legal questions arise, have him not attend.

Commissioner DuCharme: Mr. Wallin is it true or not that IPRA requests go through your approval?

Dennis Wallin – County Attorney: That is generally true, I prefer it be that way. 1. The Reason is because we need to have some consistency. I like to make sure we make timely responses to it. We don't have any one that is well trained in dealing with IPRA requests here at the county. 2. HIPPA requests have to look at redaction of personal identification information and the information is producible because there may be attorney client privilege information, information that is not public. You could hire someone and train but I can handle them more efficiently. Anything you decide to come up with policy wise that you want to cut fees on, I understand. I bill you about 1/3 of my regular hourly fees. I can probably figure something out if I have to.

Belinda Garland County Manager: A comment on IPRA requests. I worked for 3 state agencies, there was never a time that a HIPPA request was not passed through legal before it went out. HIPPA request are so important and can lead to multiple lawsuits if they are not correct.

Commissioner DuCharme: I don't understand, IPRA you just need to follow, you don't need to interpret that law, and you just need to follow that law.

Belinda Garland County Manager: That's not necessarily the case, I don't mean to argue. If IPRA is requested on an ongoing investigation it could release information prior to them completing the investigation. That can compromise somebody's due process of law that has been a victim of a crime. There could also be HIPPA information that could be released and would be a huge Federal crime. Identifying information can be released out, that is another crime that could happen. If any of that information gets passed out, the County is going to get sued.

Commissioner DuCharme: You mentioned HIPPA laws, I don't feel I received the correct response. On December 20<sup>th</sup> 2016 the Fire Department had an accident and the report was written by the sheriff's department, also a drug report was issued. I asked about that report and was told that the report was covered by HIPPA. Ms. Ortiz can't release it and Ms. Garland doesn't know about it. We have this personnel policy, it states there will be consequences if people working for the County are using drugs. If we don't know what is in the report, how can the policy be enforced.

Belinda Garland County Manager: When you are dealing with personnel issues, we can do that in closed session. Certain documents can't be released. You're a member of the public, you're nothing more than that, it can't be released to you any more than it can be released to any of these fine people. You can request to review matter and personal matters in closed session.

Commissioner DuCharme: That is not what I was told. I was told it is covered by HIPPA laws and nobody can know about that. I can't know about it.

Dennis Wallin – County Attorney: I think that you were given the correct reply.

Michael Godey – resident: Two things that came up. I don't know if legal counsel is responsible or have an opinion. One was, the dropped case by Gary King on the budget issues with Joy Ansley as Manager, is that his responsibility to look at those kinds of major budget problems, to see if they are legal or not? 2<sup>nd</sup> question, on Leroy Candelaria, the marijuana farm was not commercial?

Commissioner DuCharme: Mr. Wallin, I would like to hear the answers to those questions.

Dennis Wallin – County Attorney: The legal advice I give is the legal advice I believe to be correct. With regard to the Attorney General, that is something I had nothing to do with. I deal with matters that I'm directed to deal with by either the Manager's office or the Commissioners.

Commissioner Frost: Mr. Chair, we have heard a lot of interesting discussion. Mr. Wallin has been our Attorney around 14 years and has done well for us. He has saved us a lot of money has cost us money. He may have saved us on a particular case, many thousands of dollars. We pay him money to save us money. The difference is what we gain from it. Mr. Wallin is someone we can trust. I would like to follow parliamentary procedure and call for the question and vote on this.

Chairman Sanchez: I believe there was a second to the motion.

All in favor: MOTION CARRIED

**\*County Manager Requests/Report:**

**11. Update**

Belinda Garland County Manager: Updates were read, corrected item 1. Open enrollment for employee health care will be December 7<sup>th</sup>, not November 7<sup>th</sup>. 4. Chairman Sanchez will attend the Solid Waste Authority meeting October 26<sup>th</sup>. 8. Mayor of Estancia not Major of Estancia. The HR director, Part time dispatcher, Part time home visitor, equipment operator, Kennel assistant and float clerk are being advertised. If interested in a County position, look on our website. So the Commissioners are aware, November 1<sup>st</sup> and 2<sup>nd</sup> there is a County managers meeting in Ruidoso, I am planning to attend.

Commissioner DuCharme: I looked at the open job descriptions and they don't have benefits. The benefits are not advertised for those job positions. Will benefits be advertised?

Belinda Garland County Manager: Benefits will be in the hiring packets if they are full time positions. If they work 20+ hours we pay into PERA and are entitled to all the benefits. Part time employees, it varies. They are not required to pay into PERA.

Commissioner DuCharme: You need to make people interested first. People should see that the job position comes with benefits.

Belinda Garland County Manager: What we can do in the future on advertisements, it says benefit packages are available for full time positons.

**Public Comment / Requests:**

None

**\*AJOURNMENT:**

Chairman Sanchez: Motion to adjourn regular session

Commissioner DuCharme: Seconds the motion.

All in favor: MOTION CARRIED

**Meeting adjourned at 12:47pm**

---

Javier Sanchez-Chairman

---

Genell Morris – Administrative Assistant

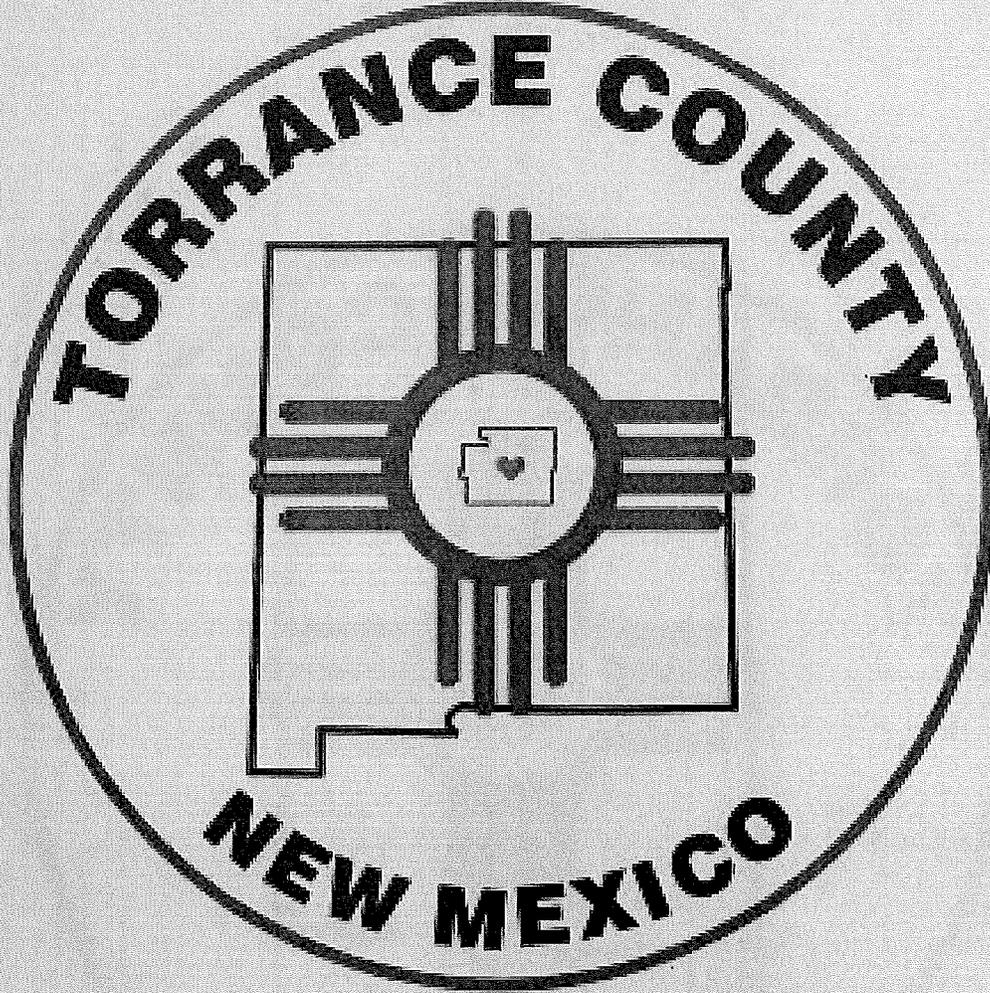
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Date

**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 out local radio station KXNM.**



*Consent Agenda*



*Agenda Item  
No. 1*



*Agenda Item  
No. 2*

PO Box 48  
205 9th Street  
Estancia, NM 87016  
(505) 544-4700 Main Line (505) 384-5294 Fax  
[www.torrancecountynm.org](http://www.torrancecountynm.org)



**County Commission**  
Commissioner James "Jim" Frost, District 1  
Commissioner Julia DuCharme, District 2  
Commissioner Javier E. Sanchez, District 3  
**County Manager**  
Belinda Garland  
**Deputy County Manager**  
Annette Ortiz

**REQUEST TO BE PLACED ON THE TORRANCE COUNTY  
COMMISSION AGENDA**  
This form must be returned to the County Manager's Office **ONLY!**

Deadline for inclusion of an item is WEDNESDAY, NOON prior to the subsequent meeting.  
All fields must be filled out for consideration.

Name: Nick Sedillo Assessor's Office  
First Last Department / Company / Organization Name

Today's Date: Nov 1 2017 Mailing Address: \_\_\_\_\_  
(Departments/employees of Torrance County need not include their address)

Telephone number/Extension: 505-544-4310 Fax Number: \_\_\_\_\_  
Would you like this Agenda Faxed to you? Yes No

Email Address: nsedillo@tanmous

Is this request for the next Commission meeting?  YES  NO If no, date of Commission Meeting: Nov 8- 2017

Brief explanation of business to be discussed:  
Retirement Plaove Recognition for Greg Richards. NM  
Certified Appraiser.

Is this a Resolution, Contract, Agreement, Grant Application, Other? \_\_\_\_\_

Has this been reviewed by Grant Committee?  YES  NO If yes, corresponding paperwork must be attached.

Has this been reviewed by the County Attorney?  YES  NO

If this is a contract, MOU, or Joint Powers Agreement there must be a signature line for the County Attorney on the original contract.

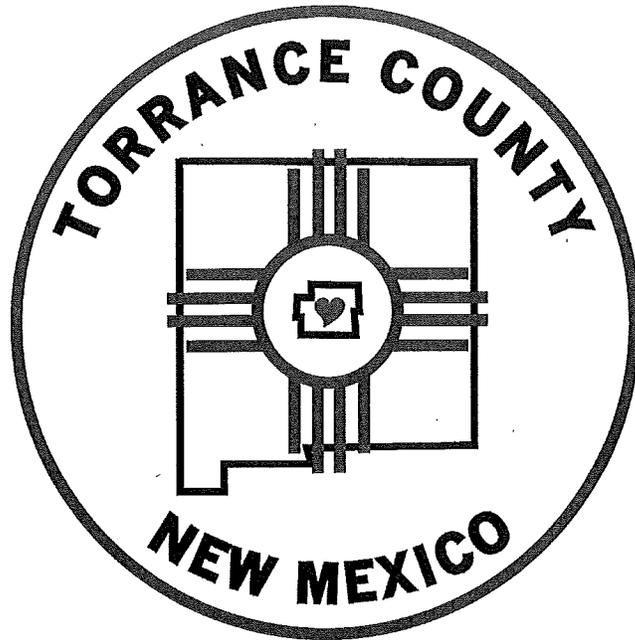
Has this been reviewed by the Finance Dept?  YES  NO Comptroller Initials: \_\_\_\_\_

- No Impact
- Change in current fund
- Raise Budget (allow 45 days after Commission approval)
- Change in funds (allow 45 days after Commission approval)
- Reduction
- Transfer funds (allow 45 days after Commission approval)

Other: \_\_\_\_\_



*Agenda Item*  
*No. 3*



# UPDATES

- ✓ Various County Departments
- ✓ Other Boards
- ✓ Forest Service
- ✓ Commission



*Agenda Item*  
*No. 4*

PO Box 48  
205 9<sup>th</sup> Street  
Estancia, NM 87016  
(505) 544-4700 Main Line (505) 384-5294 Fax  
[www.torrancecountynm.org](http://www.torrancecountynm.org)



County Commission  
Commissioner James "Jim" Frost, District 1  
Commissioner Julia DuCharme, District 2  
Commissioner Javier E. Sanchez, District 3  
County Manager  
Belinda Garland  
Deputy County Manager  
Annette Ortiz

**REQUEST TO BE PLACED ON THE TORRANCE COUNTY  
COMMISSION AGENDA**

This form must be returned to the County Manager's Office **ONLY!**

Deadline for inclusion of an item is WEDNESDAY, NOON prior to the subsequent meeting.  
All fields must be filled out for consideration.

Name: Martin Lucero Civil Defense  
First Last Department / Company / Organization Name

Today's Date: 10/24/17 Mailing Address: \_\_\_\_\_  
(Departments/employees of Torrance County need not include their address)

Telephone number/Extension: 544-4727 Fax Number: \_\_\_\_\_  
Would you like this Agenda Faxed to you? Yes  No

Email Address: mlucero@tcnm.us

Is this request for the next Commission meeting?  YES  NO If no, date of Commission Meeting: \_\_\_\_\_

Brief explanation of business to be discussed:  
Adopt Hazard Mitigation Plan

Is this a Resolution, Contract, Agreement, Grant Application, Other? Resolution

Has this been reviewed by Grant Committee? YES  NO  If yes, corresponding paperwork must be attached.

Has this been reviewed by the County Attorney? YES  NO

If this is a contract, MOU, or Joint Powers Agreement there must be a signature line for the County Attorney on the original contract.

Has this been reviewed by the Finance Dept? YES  NO  Comptroller Initials: \_\_\_\_\_

- No Impact
- Change in current fund
- Raise Budget (allow 45 days after Commission approval)
- Change in funds (allow 45 days after Commission approval)
- Reduction
- Transfer funds (allow 45 days after Commission approval)

Other: \_\_\_\_\_

**RESOLUTION 2017-**

**RESOLUTION ADOPTING THE TORRANCE COUNTY  
HAZARD MITIGATION PLAN**

**WHEREAS** the County of Torrance, has experienced natural hazards that result in public safety hazards and damage to private and public property;

**WHEREAS** the hazard mitigation planning process set forth by the State of New Mexico and the Federal Emergency Management Agency offers the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce future risk;

**WHEREAS** the New Mexico Office of Emergency Management is providing federal mitigation funds to support development of the mitigation plan;

**WHEREAS** a *Hazard Mitigation Plan* has been developed by the Torrance County Mitigation Planning Committee;

**WHEREAS** the *Hazard Mitigation Plan* includes a prioritized list of mitigation actions including activities that, over time, will help minimize and reduce safety threats and damage to private and public property, and

**WHEREAS** the draft plan was provided to each participating jurisdiction so as to introduce the planning concept and to solicit questions and comments; and to present the Plan and request comments, as required by law, and

**NOW THEREFORE BE IT RESOLVED** by the Torrance County Commission:

1. The Torrance County *Hazard Mitigation Plan*, as submitted to the Torrance County Office of Emergency Management and the Federal Emergency Management Agency in October 2017 by the Torrance County Office of Emergency Management is hereby adopted as an official plan of Torrance County; minor revisions recommended by the Federal Emergency Management Agency and/or the New Mexico Office of Emergency Management may be incorporated without further action.
2. The participating jurisdictions departments identified in the Plan are hereby directed to pursue implementation of the recommended high priority activities that are assigned to their local municipalities.
3. Any action proposed by the Plan shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of Torrance County, and this resolution shall not be interpreted so as to mandate any such appropriations.
4. The Emergency Management Director is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the Torrance County Office of Emergency Management. The status reports shall be submitted within the specification agreed upon by all stakeholders.

BOARD OF COUNTY COMMISSIONERS  
OF TORRANCE COUNTY

---

Javier Sanchez, District 3, Chairman

---

James Frost, Commissioner, District 1

ATTEST:

---

Linda Jaramillo, County Clerk

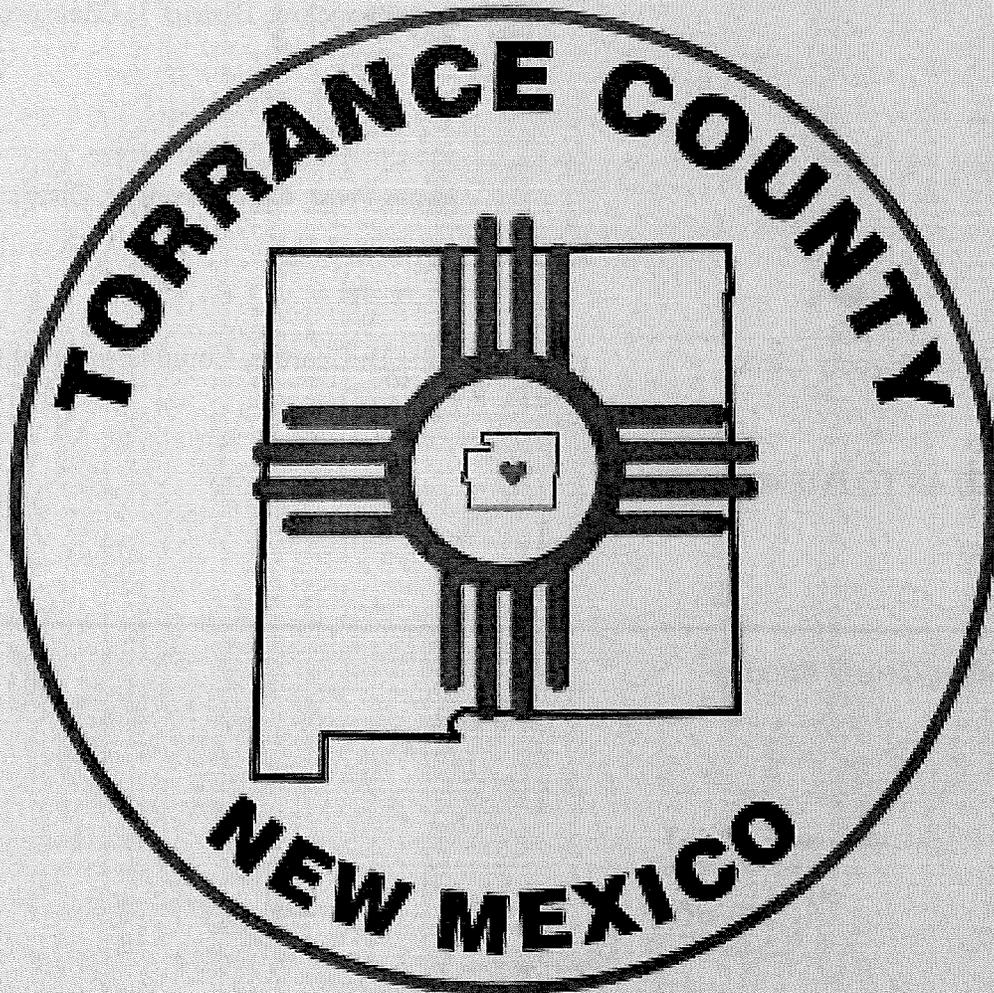
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Julia DuCharme, Commissioner, District 2

APPROVED AS TO FORM:

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Dennis Wallin, County Attorney



*Agenda Item  
No. 5*



## ***TORRANCE COUNTY***

**RESOLUTION # 2017-**

**Line Item Transfers**

**WHEREAS**, County Departments are requesting line item transfers within their budgeted funds in the FY 2017-18 Budget, and

**WHEREAS**, line item transfers within the same fund require authorization from the Torrance County Commission, and

**WHEREAS**, the attached line item transfers within the same fund are hereby authorized:

(See Schedule A)

**NOW THEREFORE BE IT RESOLVED** by the Torrance County Commission.

**DONE** at Estancia, New Mexico, Torrance County this 8th day of November 2017.

**TORRANCE COUNTY COMMISSION**

\_\_\_\_\_  
**James W. Frost, District 1**

**Attest:**

\_\_\_\_\_  
**Julia DuCharme, District 2**

\_\_\_\_\_  
**County Clerk**

\_\_\_\_\_  
**Javier E. Sanchez, District 3**







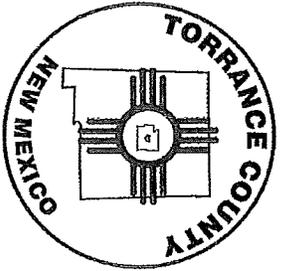












# TORRANCE COUNTY

## Line Item Transfer Form

Requesting Department: \_\_\_\_\_

Districts 1, 3, 4, 5 and 6 VFD

My department hereby requests that the following line item transfer(s) be made to the budget:

Transfer From:		Transfer To:		Amount of Transfer
Line Item Number	Line Item Description	Line Item Number	Line Item Description	
407-91-2248	Safety Equipment	407-91-2272	Professional Svcs.	\$ 1,000.00
408-91-2248	Safety Equipment	408-91-2272	Professional Svcs.	\$ 1,000.00
409-91-2248	Safety Equipment	409-91-2272	Professional Svcs.	\$ 1,000.00
405-91-2248	Safety Equipment	405-91-2272	Professional Svcs.	\$ 1,000.00
418-91-2248	Safety Equipment	418-91-2272	Professional Svcs.	\$ 2,000.00

Reason for Transfer:  
Additional funds needed in professional services.

Signature *Hannah Snodder*

*Justin Garry 10-26-2017*

Date *10.26.17*

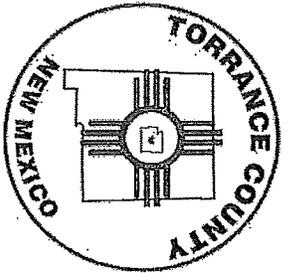












# TORRANCE COUNTY

## Line Item Transfer Form

Requesting Department: \_\_\_\_\_

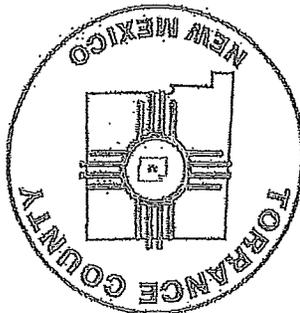
Treasurer

My department hereby requests that the following line item transfer(s) be made to the budget:

Transfer From:		Transfer To:		Amount of Transfer
Line Item Number	Line Item Description	Line Item Number	Line Item Description	
401-30-2203	Maintenance Contracts	401-30-2272	Professional Services	\$ 50.00
609-30-2617	CO/Equipment	609-30-2248	Safety Equipment	\$ 1,000.00
609-30-2617	CO/Equipment	609-30-2221	Printing/Publishing	\$ 1,000.00
609-30-2617	CO/Equipment	609-30-2219	Office Supplies	\$ 2,000.00
609-30-2617	CO/Equipment	609-30-2205	Mileage/Per Diem	\$ 1,000.00
609-30-2617	CO/Equipment	609-30-2103	Part Time Salaries	\$ 3,000.00
609-30-2617	CO/Equipment	609-30-2266	Training	\$ 2,000.00
<b>Reason for Transfer:</b>				
Transferring money to cover operating costs.				

Signature *Nancy Seville* Date 10.2.17





Line Item Transfer Form

My department hereby requests that the following line item transfer(s) be made to the budget:

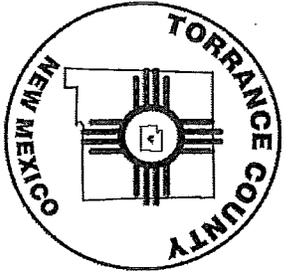
Line Item to Transfer	From	To	Line Item to Transfer	Amount of Transfer
629-49-2284	629-49-2284	629-49-2304	629-49-2304	\$ 546.00
629-49-2284	629-49-2284	629-49-2103	629-49-2103	\$ 3.00

Reason for Transfer:
Funds and amount of funds were entered into the wrong line item numbers. Do not need #549 in J line. Item 629-49-2284.

Date  
10/3/2017

Signature  
Richard Espinosa-Moreno





# TORRANCE COUNTY

## Line Item Transfer Form

Requesting Department: \_\_\_\_\_

Planning & Zoning

My department hereby requests that the following line item transfer(s) be made to the budget:

Transfer From:		Transfer To:		Amount of Transfer
Line Item Number	Line Item Description	Line Item Number	Line Item Description	
685-08-2248	Safety Equipment	685-08-2201	Veh. Maint. & Repair	\$ 300.00
<b>Reason for Transfer:</b>				
Catch up on deficit in line item to pay for tires on F-150 9/14/2017				

Signature *Stacy H* Date *9/14/2017*



*Agenda Item*  
*No. 6*

Two Guys Making Artisan Cheese  
DBA: The Old Windmill Dairy  
P.O. Box 834  
McIntosh, NM 87032  
505-384-0033



County Commission  
P.O. Box 48  
205 9th Street  
Estancia, NM 87016  
505-544-4700

October 23, 2017

To County Commissioner Board Members,

I am applying for a permit and your permission to host a "Holiday Cheese & Wine Pairing," on our farm at 52 Paso Ranch Rd, Estancia, NM 87015. I would like to hold this on Saturday, November 18th from 12pm to 5pm for a total of 5 hours.

Our plan is to provide samples of our cheese and offer suggested pairings with Jaramillo Vineyard wines from Belen. They are an established Winery with proper licensing. I have attached a copy of the celebration permit that they have signed and had notarized.

During the event we will have live music, food catered, board games and opportunities for our guests to tour or farm and play with the goats.

I would like for them to be able to sample, sale and offer pairing with our cheese on Saturday, November 18th from 12pm to 5pm. They have their own licensed servers and employees to serve and sale their alcohol.

The Old Windmill Dairy will provide an acre of fenced property 4 feet tall, two security staff. One security staff will be at the gate to check Identification, another security staff will be roaming closer to the area that alcohol will be served. Jaramillo wines has agreed to check identification to ensure the person they are serving is of legal age to drink alcohol.

We will have two public restrooms available. We are filing for a temporary health permit to serve catered food on the farm. I am notifying the police department and the EMT department of our event in case there are any emergencies on the farm.

I have attached a drawing of our layout for the event.

We do not anticipate having more than 100 people on the farm at once during this event.

Included in the Pack:

Request to be placed on Agenda  
Copy of Temporary Food Permit Application  
Celebration Permit Application  
Drawing of our proposed layout for the event

I hope that you find this application satisfactory and provide us with a permit. I look forward to meeting you on November 8th.

If all goes well we would like to host an event like this once a month on the farm featuring different wineries throughout the state.

Respectfully,



Michael Lobaugh & Edward Lobaugh  
Co-Owner of the Dairy  
Event Coordinator of the Dairy  
Michael 505-975-0870  
Ed 505-463-2072



Application Date: 10 24 17

General Information			
<b>Establishment Information</b>			
Name of Establishment: <u>The Old Windmill Dairy</u>			
Street Address: <u>52 Paso Verde Rd</u>		Phone: <u>505 384 0033</u>	
City: <u>Estancia</u>		Cell: <u>505 463 2072</u>	
State: <u>NM</u>	Zip: <u>87015</u>	Fax:	
Mailing Address (if different than above): <u>Po Box 834</u>			
City: <u>Malatosh</u>			
State: <u>NM</u>	Zip: <u>87032</u>	Email: <u>info@towdairy.com</u>	
<b>Business/Ownership Information</b>			
Select one: <input type="checkbox"/> Association <input type="checkbox"/> Corporation <input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input type="checkbox"/> Other Legal Entity _____			
NM Combined Reporting System Identification Number (CRS #)			
Individual or Corporate Name: <u>Two Guys Making</u>		Phone: <u>505 384 0033</u>	
Mailing Address: <u>Po Box 834</u> <u>Artisan cheese</u>		Cell: <u>505 463 2072</u>	
City: <u>Malatosh NM</u>		Fax:	
State: <u>NM</u>	Zip: <u>87032</u>	Email: <u>info@towdairy.com</u>	
<b>Person Directly Responsible for Operation (Manager)</b>			
Name and Title: <u>Michael Lobaugh</u>		Phone: <u>505 384 0033</u>	
Mailing Address: <u>Po Box 834</u>		Cell: <u>505 976 0870</u>	
City: <u>Malatosh</u>		Fax:	
State: <u>NM</u>	Zip: <u>87032</u>	Email: <u>info@towdairy.com</u>	
<b>Immediate Supervisor of Person Directly Responsible for Operation (Area Manager)</b>			
Name and Title: <u>Edward Lobaugh</u>		Phone:	
Mailing Address: <u>144 Candelario St</u>		Cell: <u>505 463 2072</u>	
City: <u>Santa Fe</u>		Fax:	
State: <u>NM</u>	Zip: <u>87501</u>	Email: <u>elobaugh@towdairy.com</u>	
<b>Ownership Information (List all persons comprising legal ownership)</b>			
Name and Title: <u>Edward &amp; Michael Lobaugh</u>		Phone: <u>505 384-0033</u>	
Mailing Address: <u>Po Box 834</u>		Cell: -	
City: <u>Malatosh</u>		Fax:	
State: <u>NM</u>	Zip: <u>87032</u>	Email: <u>info@towdairy.com</u>	
Attach separate page, if additional space is required.			
<b>Regulations</b>			
A copy of the regulations may be obtained at: <a href="http://www.env.nm.gov/foodprogram">www.env.nm.gov/foodprogram</a>			
Preferences:	Invoice: <input type="checkbox"/> Email <input type="checkbox"/> Mail <input type="checkbox"/>	Permit: <input type="checkbox"/> Email <input type="checkbox"/> Mail <input type="checkbox"/>	



Type of Operation (Check one)		
<input type="checkbox"/>	Food Establishment (Retail)	Mobile Support Unit
<input checked="" type="checkbox"/>	Food Processing Plant	Mobile Food Establishment
<input type="checkbox"/>	Servicing Area (Commissary)	Self-Contained Mobile Unit
<input checked="" type="checkbox"/>		Non Self-Contained Mobile Unit
<input type="checkbox"/>		Pushcart

Type of Construction (Check one)	
<input type="checkbox"/>	New Construction
<input type="checkbox"/>	Remodel
<input type="checkbox"/>	Facility Conversion to Food Operation
<input type="checkbox"/>	Opening or Transfer of Ownership of Existing Food Operation

Type of Retail Food Establishment (Check all that apply)	
<input type="checkbox"/>	Full Service Restaurant
<input type="checkbox"/>	Bar
<input type="checkbox"/>	Fast Food
<input type="checkbox"/>	Coffee Shop
<input type="checkbox"/>	Deli
<input type="checkbox"/>	Catering Operation
<input type="checkbox"/>	Seafood Market
<input type="checkbox"/>	Concession Stand / Snack Bar
<input type="checkbox"/>	Meat Market
<input type="checkbox"/>	Institution and/or Hospital
<input type="checkbox"/>	Convenience Store
<input type="checkbox"/>	Bakery
<input type="checkbox"/>	Daycare
<input type="checkbox"/>	Market (Grocery)
<input checked="" type="checkbox"/>	School Food Program
<input checked="" type="checkbox"/>	Other: <i>cheese production sampling</i>

Type of Food Processing Plant (Check all that apply)	
<input type="checkbox"/>	Acid Food
<input type="checkbox"/>	Tortilla
<input type="checkbox"/>	Formulated Acid Food
<input type="checkbox"/>	Frozen Food
<input type="checkbox"/>	Acidified Low-Acid Canned Food
<input type="checkbox"/>	Refrigerated Food
<input type="checkbox"/>	Low-Acid Canned Food
<input type="checkbox"/>	Dry Mix Food
<input type="checkbox"/>	Seafood
<input type="checkbox"/>	Jams/Jelly
<input type="checkbox"/>	Shellfish
<input type="checkbox"/>	Jerky
<input type="checkbox"/>	Bottled Water
<input type="checkbox"/>	Warehouse
<input type="checkbox"/>	Bakery
<input type="checkbox"/>	Candy
<input type="checkbox"/>	Salsa
<input type="checkbox"/>	Fermented Food
<input type="checkbox"/>	Juice
<input type="checkbox"/>	Meat Product
<input checked="" type="checkbox"/>	Raw Food
<input checked="" type="checkbox"/>	Other: <i>cheese sampling</i>
<input type="checkbox"/>	Chile Product
<input type="checkbox"/>	Other:



Construction and Opening Details	
Date Construction is to Start:	Date of Planned Opening:

N/A

Below is a checklist of required information needed to complete the plan review. Please ensure all information is included. <i>**Lack of complete information will delay review and plan approval.**</i>			
1	<b>Floor Plan</b> (pg.5) <ul style="list-style-type: none"> <li>Equipment layout</li> <li>Equipment Specification Sheets</li> </ul>	6	<b>Chemical and Personal Items</b> (pg.12) <ul style="list-style-type: none"> <li>List on the floor plan the chemical and employee personal items storage areas</li> </ul>
2	<b>Plumbing</b> (pg.8) <ul style="list-style-type: none"> <li>Plumbing Connections</li> </ul>	7	<b>Food Handling</b> (pg.13) <ul style="list-style-type: none"> <li>Menu</li> <li>Food Preparation SOP or Manuals (if available)</li> <li>Employee Hygiene Plan</li> <li>Temperature monitoring logs (if applicable)</li> </ul>
3	<b>Mechanical</b> (pg.10) <ul style="list-style-type: none"> <li>Mechanical Plans and Schedules <i>(new construction)</i></li> </ul>	8	<b>Mobile</b> (pg.17) <ul style="list-style-type: none"> <li>MVD Registration</li> <li>Servicing Area Agreement (if applicable)</li> <li>List of Mobile Support Units (if applicable)</li> </ul>
4	<b>Electrical</b> <i>(new construction)</i> (pg.11) <ul style="list-style-type: none"> <li>Electrical Plans and Schedules</li> </ul>	9	<b>Food Processing Plant</b> (pg.18) <ul style="list-style-type: none"> <li>List of processed foods</li> <li>Operational Plan</li> <li>Flow charts</li> <li>Product labels</li> <li>Recall procedure</li> <li>Water activity laboratory results (if applicable)</li> </ul>
5	<b>Site Plan</b> (pg.11) <ul style="list-style-type: none"> <li>Site Plan</li> <li>Water Test Results (if applicable)</li> <li>Piping diagram of the water supply disinfection system (if applicable)</li> </ul>	10	<b>Administrative</b> (pg.21) <ul style="list-style-type: none"> <li>Certified Manager Certificate</li> <li>Retail packaged food labels (if applicable)</li> </ul>

TORRANCE COUNTY

TEMPORARY BUSINESS REGISTRATION APPLICATION  
BUSINESS REGISTRATION FEE \$8.75

\*\*Business registration is good only for time of event

DBA

Date 10 23 17

The Old Windmill Dairy  
Name of business Two Guys Making Artisan cheese Phone #

Po Box 834 McIntosh NM 87032  
Mailing address of business

52 Paso Ranch Road, Estancia NM 87015  
Physical address of business

Ed Lobaugh 144 Candelaria St Santa Fe NM 87501  
Name and address of owner(s) Michael Lobaugh 54 Coyote Loop Moriarty NM 87035

Michael Lobaugh and Edward Lobaugh  
If corporation, registered agent

Cheese & Wine Pairing Community Celebration  
Nature of business

EIN 461128935 CRS 02964462003  
Current NM Tax ID Number (event people should have this for you)

  
Signature of Applicant

BUSINESS CLASSIFICATIONS: PLEASE CHECK

MANUFACTURING  UTILITY  WHOLESALE   
RETAIL  BANKING  FINANCIAL  SERVICE   
Agriculture

\*PLEASE MAKE ALL CHECKS PAYABLE TO\*

TORRANCE COUNTY CLERK

PO BOX 767  
ESTANCIA, NM 87016 544-  
PHONE# 505-~~544-4350~~ 4350

# 84230

P. 1187-1188

57

ORDINANCE 84-3  
"SPECIAL DISPENSER'S PERMIT"

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS IN AND FOR THE COUNTY OF TORRANCE, STATE OF NEW MEXICO.

SECTION 1: TITLE AND AUTHORITY - This ordinance may be cited as "SPECIAL DISPENSER'S PERMIT ORDINANCE" and is adopted pursuant to Section 60-6A-12 New Mexico Statutes Annotated, 1978.

SECTION 2: DECLARATION OF PURPOSE - To be able to dispense alcohol at a community celebration with a special permit.

SECTION 3: REGULATIONS -

- A. Application must be submitted to the department 15 days prior to the event.
- B. 'Dispenser Licensee' - means any licensee authorized to sell alcoholic beverages by drink (on premise). Does not include Canopy, Restaurant, Club & Governmental.
- C. If location of celebration will be outside of municipal limits, license must be one which is within the county unincorporated area.
- D. No alcoholic beverages may be served within 300 feet of a church or school, unless alcoholic beverages were sold at location prior to July, 1981.
- E. The privilege of permit is not to exceed 12 hours, unless celebration is a community fiesta, artistic, cultural, or athletic competition held in a municipally owned convention center, civic center, or auditorium, then is not to exceed 15 days.
- F. If a Sunday is included, dispenser licensee must have a 'Sunday Sales Permit'.
- G. A group or persons in charge of a function must grant a concession to the holder of a dispenser license to cater alcoholic beverages at the public celebration or function.
- H. The dispenser licensee is the only one allowed to furnish alcoholic liquors for the event.
- I. The dispenser licensee, having received the concession, must then make application to the department, to use his license at the location for the public celebration or function.
- J. Any gross sales proceeds from the sale of liquor shall be reported through the gross receipt number assigned to the dispenser licensee for his regularly licensed location.

ORDINANCE 84-3

- K. The group or person(s) sponsoring the celebration may not benefit from the sale of liquor.
- L. The dispenser licensee may donate the proceeds, or any part thereof, if any, to the organization, but must first remit the applicable gross receipts tax under the number assigned to his regular licensed business.
- M. The licensee may continue to use his license at his licensed location and at the location of the event simultaneously.
- N. Acknowledgement must be obtained from the local governing authority, and person signing must state his title or position.

SECTION 4: FEES - The fee is \$10/day for each day that the permittee dispenses alcoholic beverages. The permittee shall be subject to all state laws and regulations and all local regulations regulating dispenser's privileges and disabilities.

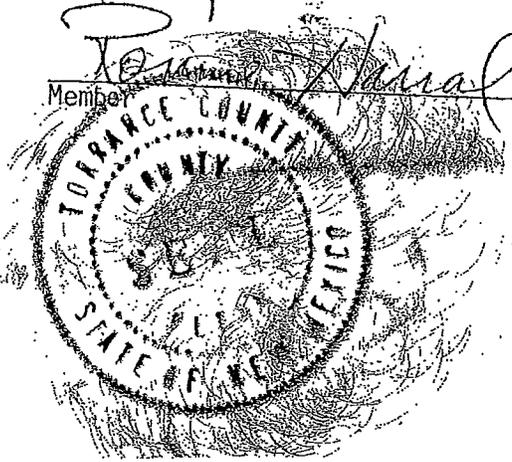
SECTION 5: EFFECTIVE DATE - This Special-Dispenser's Permit Ordinance shall take effect thirty (30) days after it has been duly recorded in the book kept for that purpose by the County Clerk, pursuant to Section 60-6A-12, NMSA, 1978.

PASSED, ADOPTED AND SIGNED by the Torrance County Board of County Commissioners as Torrance County Ordinance 84-3 and recorded with the Torrance County Clerk this 29<sup>th</sup> day of August, 1984.

STATE OF NEW MEXICO  
 County of Torrance  
 I hereby certify that this instrument was  
 filed for record on the 10<sup>th</sup> day  
 of Sept. A.D., 1984  
 at 11:30 o'clock A M. and duly  
 recorded in book 260 at page 1187-1188  
 Witness my hand and Seal of office  
Linda Riley Warren  
 County Clerk, Torrance Co., N.M.  
Maryann Crays Deputy

BOARD OF COUNTY COMMISSIONERS  
 \_\_\_\_\_  
 Chairman  
Shirley Chilton  
 \_\_\_\_\_  
 Member  
Torrence H. Hual  
 \_\_\_\_\_  
 Member

ATTEST:  
Theresa Anderson  
 Clerk of the Board



**60-6A-12. Special dispenser's permits; state and local fees.**

- A. Any person holding a dispenser's license in any local option district where a public celebration is to be held may dispense alcoholic beverages at the public celebration upon receiving written approval from the governing body in charge of the public celebration and upon the payment of fifty dollars (\$50.00) to the department for a special dispenser's permit.
- B. As used in this section, "public celebration" includes any state fair, county fair, community fiesta, cultural or artistic performance or professional athletic competition of a seasonal nature or activities held on an intermittent basis.
- C. In addition to the state fee and if previously provided for by ordinance, the governing body of the local option district in which the public celebration is held may charge an additional fee not to exceed twenty-five dollars (\$25.00) per day for each day the permittee dispenses alcoholic beverages. The permittee shall be subject to all state laws and regulations and all local regulations regulating dispenser's privileges and disabilities. All fees collected by the governing body of the local option district may be used to fund free ride home programs.
- D. Any person holding a dispenser's license may be issued a special dispenser's permit by the director allowing the dispensing of alcoholic beverages at a function catered by that business, provided the governing body of the local option district has given the person seeking the permit written approval to dispense alcoholic beverages at the catered function. The permit shall be valid for no more than twelve hours. To apply for the permit, the holder of a dispenser's license shall submit a fee of twenty-five dollars (\$25.00) together with such information as the director may require. The permittee shall be subject to all state laws and regulations and all local regulations except that the permittee shall not be required to suspend the dispensing of alcoholic beverages at the licensed premises solely because of the issuance of the special dispenser's permit.
- E. The person holding a dispenser's license and his employees shall be the only persons permitted to dispense alcohol during the function for which the permit was sought. Issuance of the special dispenser's permit is within the director's discretion and is subject to any reasonable requirements imposed by the director.
- F. Any person holding a dispenser's license in a local option district in which Sunday sales of alcoholic beverages are not otherwise permitted pursuant to the Liquor Control Act [60-3A-1 NMSA 1978] may dispense beer and wine on Sunday at any public celebration for which it has received a concession from the governing body in charge of the public celebration, provided the governing body of that local option district has by resolution expressly permitted such beer and wine sales on Sunday at that public celebration in accordance with the provisions of this section.
- G. Any person holding a dispenser's license who dispenses alcoholic beverages at a church's public celebration under a special dispenser's permit pursuant to this section may donate to the church holding the public celebration any portion of the profits from the sale of alcoholic beverages at that public celebration. Employees of that dispenser or other individuals who have completed a certified alcohol server training program may donate to the church holding a public celebration their services as servers of alcoholic beverages at that public celebration.

PO Box 48  
205 9th Street  
Estancia, NM 87016  
(505) 544-4700 Main Line (505) 384-5294 Fax  
[www.torrancecountynm.org](http://www.torrancecountynm.org)



County Commission  
Commissioner James "Jim" Frost, District 1  
Commissioner Julia DuCharme, District 2  
Commissioner Javier E. Sanchez, District 3  
County Manager  
Belinda Garland  
Deputy County Manager  
Annette Ortiz

**REQUEST TO BE PLACED ON THE TORRANCE COUNTY  
COMMISSION AGENDA**

This form must be returned to the County Manager's Office ONLY!

Deadline for inclusion of an item is WEDNESDAY, NOON prior to the subsequent meeting.  
All fields must be filled out for consideration.

Name: Edward Lobaugh The Old Windmill Dairy  
First Last Department / Company / Organization Name

Today's Date: 10 23 17 Mailing Address: PO Box 834, McIntosh NM  
(Departments/employees of Torrance County need not include their address) 87032

Telephone number/Extension: 505 463 2072 Fax Number: \_\_\_\_\_  
Would you like this Agenda faxed to you? Yes No

Email Address: info@towdairy.com

Is this request for the next Commission meeting?  YES  NO If no, date of Commission Meeting: \_\_\_\_\_

Brief explanation of business to be discussed:  
obtaining permission to hold an event on my  
farm and have a local winery serve sample &  
sale alcohol for a one day event on November  
18th, Saturday from 12pm to 5pm

Is this a Resolution, Contract, Agreement, Grant Application, Other? Agreement

Has this been reviewed by Grant Committee?  YES  NO If yes, corresponding paperwork must be attached.

Has this been reviewed by the County Attorney? YES NO

If this is a contract, MOU, or Joint Powers Agreement there must be a signature line for the County Attorney on the original contract.

Has this been reviewed by the Finance Dept?  YES  NO Comptroller Initials: \_\_\_\_\_

- No Impact
- Change in current fund
- Raise Budget (allow 45 days after Commission approval)
- Change in funds (allow 45 days after Commission approval)
- Reduction
- Transfer funds (allow 45 days after Commission approval)

Other: \_\_\_\_\_

ALL ORIGINALS REQUIRING SIGNATURES AND/OR PRESENTATION MATERIALS MUST BE ATTACHED TO THIS REQUEST! YOU WILL BE TAKEN OFF THE AGENDA IF THE COUNTY MANAGER'S OFFICE DOES NOT HAVE THE ORIGINALS BY THE ABOVE MENTIONED DEADLINE.

FAXED ORIGINALS WILL NOT BE ACCEPTED.

PROVIDE THE ORIGINAL/PRESENTATION MATERIALS +7 COPIES OF EACH  
NO STAPLES!!!!

Deadline for inclusion of an item is  
WEDNESDAY, NOON  
prior to the subsequent meeting.

- Regular meetings are the second and fourth Wednesday of each month. November and December may vary due to holiday schedule changes.
- The Manager's Office prepares a packet, which includes copies of the agenda, contracts, action items and other requests. Packets are mailed to the Commissioners as soon as they are ready. Changes will not be made to the Agenda if packets have already been mailed out.
- Agendas are faxed to all news media in the area, as well as posted to the website.
- If you have submitted a request, please note that you will be placed on the Agenda unless otherwise notified. If you have not been notified, please make arrangements for either yourself or a representative to be present at the above-mentioned meeting.
- To ensure the County Clerk's Office has a copy of ALL executed documents, ALL signed originals will be returned by the County Manager's Office following the Commission Meeting. You will no longer be allowed to leave the Commission Meeting with the signed originals.
- Please tab Signature pages.

**IF YOU HAVE TIME CONSTRAINTS, MAKE SURE YOU PLAN AHEAD.**

If you have any questions, please feel free to contact Annette at (505) 544-4757.

A CHECKLIST FOR YOU!

Review by Finance  Review by County Attorney  Filled out request completely  Made 7 copies   
Turned in request, original(s) with tabbed signature page(s), and copies to Manager's office

**ALCOHOL & GAMING DIVISION  
PUBLIC CELEBRATION PERMIT APPLICATION WINEGROWER, SMALL BREWER & CRAFT DISTILLER LICENSE HOLDERS**

*(60-64-11 / 60-64-26.1 NMSA)*  
FEES ARE \$10 PER DAY -- Fees are Non-Refundable

**LICENSE HOLDER INFORMATION:**

Business Name (DBA) Jaramillo Vineyards LLC Owner Name: Robert C. Torrez Liquor License # 60026 Winegrowers  
 Mailing Address 30 Camino Nogales City, State & Zip Bellevue, AZ  
 Contact Telephone # 505-859-0684 Fax # \_\_\_\_\_ Email Address barb@jvt.com

**EVENT INFORMATION:** Celebration type: State Fair \_\_\_\_\_ County Fair \_\_\_\_\_ Community Fiesta \_\_\_\_\_

*Circle those that apply - All Age Event / Wrist Bands and/or Stamps - Beer Garden - Indoor / Outdoor*

Description and Name of Event Holiday Cheese & Wine Pairing Date(s) of Event 11/18/2017 Alc. 100  
 Physical Address of Event & Name of Building or Business 52 Redo Ranch Rd, Estancia 163-2672  
 Description of Security Fenced area, checking/stamps Number of Security 2 Security Contact 5-975-0870

**SPONSOR INFORMATION**

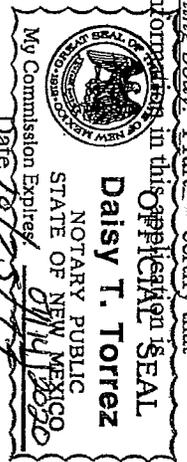
Sponsor of Event The Old Windmill Dairy Contact Name Edward R. Lo  
**BUILDING/PROPERTY OWNER APPI**

Name (print) \_\_\_\_\_ Signature \_\_\_\_\_

**LICENSE HOLDER & SERVER CERTIFICATION:** I, Robert C. Jaramillo (Licensee) hereby certify that this event is Fr. of a church or school unless alcoholic beverages were sold there prior to July 1, 1981 or a waiver is obtained from the local governing body. I will certify that all persons providing the service of alcoholic beverages are server certified and that they are my employees and that ALL the information in this application is true and correct.

**NOTE:** List of servers including name, server permit # and server expiration date must be attached to permit application. Licensee agrees that if any statements or representations herein are found to be false, the director may refuse to issue additional permits.

Licensee Name (print) Robert C. Jaramillo Signature [Signature]  
 Only the owner or authorized person under this license may sign the permit.  
**NOTARY INFORMATION**

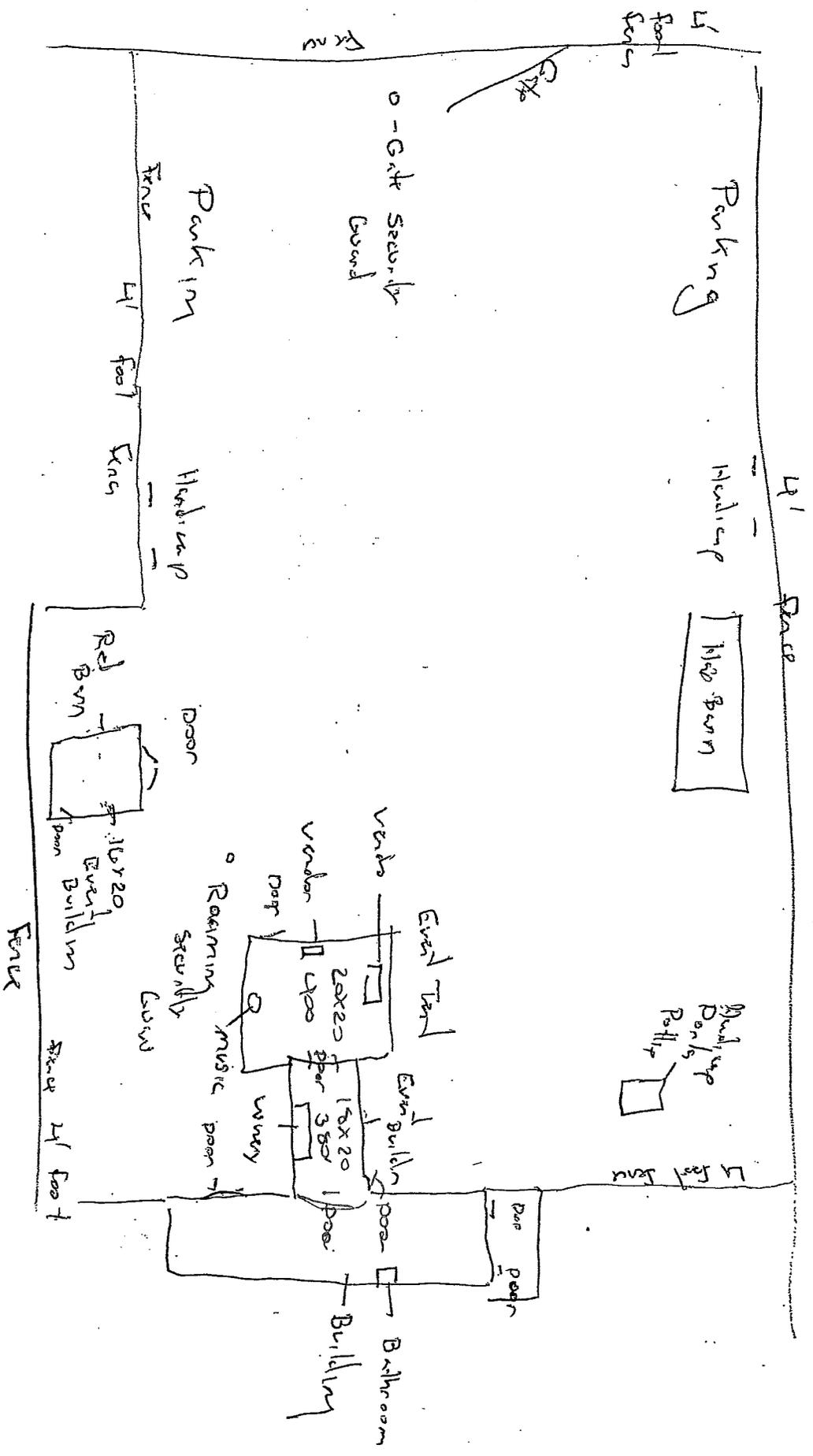


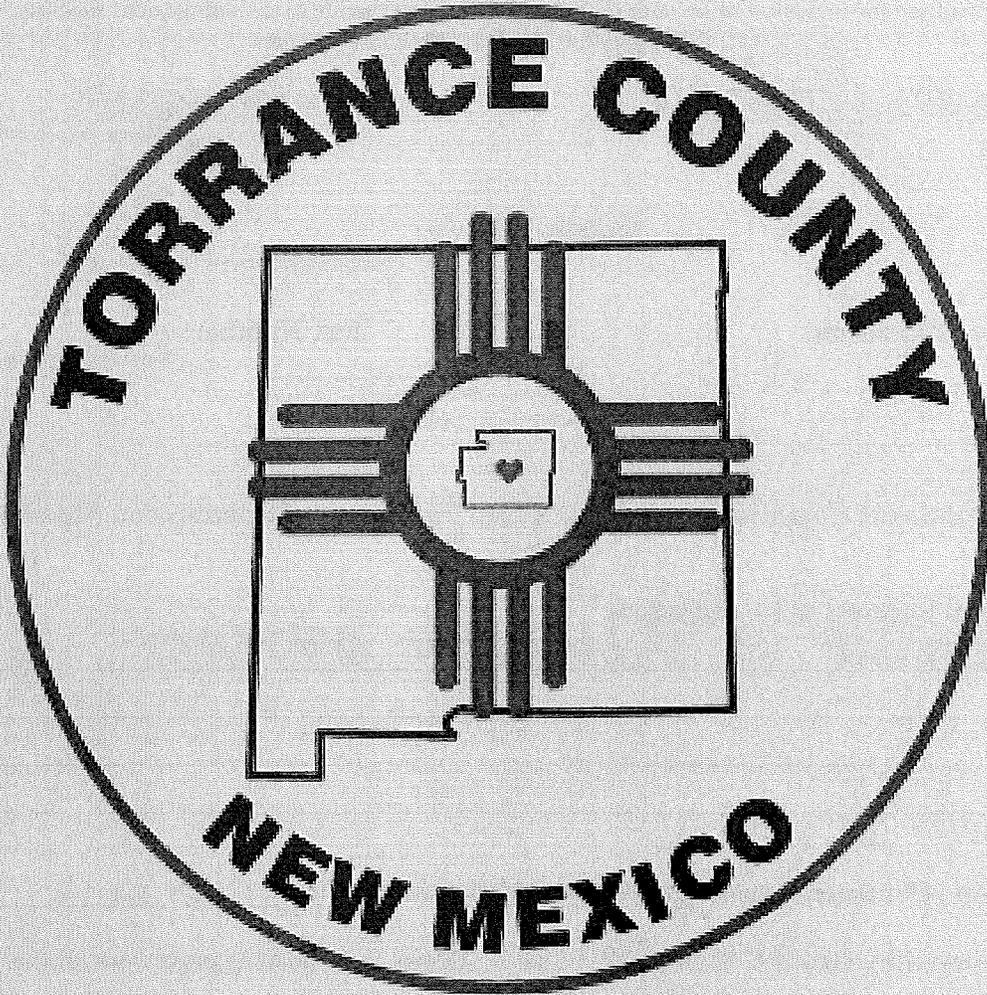
Subscribed and Sworn before me this 25th day of October, 2017 Notary Public Daisy T. Torrez Exp. 1/14/2020  
**LOCAL GOVERNING BODY APPROVAL**

Print Name \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_ Signature \_\_\_\_\_ Phone \_\_\_\_\_ Fax \_\_\_\_\_

**ALCOHOL & GAMING DIVISION USE ONLY**  
 Approved by: \_\_\_\_\_ Date \_\_\_\_\_ Permit Number \_\_\_\_\_  
 Attachments: 1) Floor plan - (Pictures) 2) Fees per day (listed on top of page) 3) Server information list

7600 Square Foot  
 Enclosed Show Area  
 Gate security  
 Rooming security  
 w/ fenced property  
 w/ fence - is the bar





*Agenda Item*

*No. 7*

PO Box 48  
205 9<sup>th</sup> Street  
Estancia, NM 87016  
(505) 544-4700 Main Line (505) 384-5294 Fax  
[www.torrancecountynm.org](http://www.torrancecountynm.org)



**County Commission**  
Commissioner James "Jim" Frost, District 1  
Commissioner Julia DuCharme, District 2  
Commissioner Javier E. Sanchez, District 3  
**County Manager**  
Belinda Garland  
**Deputy County Manager**  
Annette Ortiz

**REQUEST TO BE PLACED ON THE TORRANCE COUNTY  
COMMISSION AGENDA**

This form must be returned to the County Manager's Office ONLY!

Deadline for inclusion of an item is WEDNESDAY, NOON prior to the subsequent meeting.  
All fields must be filled out for consideration.

Name: Belinda Garland Manager  
First Last Department / Company / Organization Name

Today's Date: \_\_\_\_\_ Mailing Address: \_\_\_\_\_  
(Departments/employees of Torrance County need not include their address)

Telephone number/Extension: \_\_\_\_\_ Fax Number: \_\_\_\_\_  
Would you like this Agenda Faxed to you? Yes No

Email Address: \_\_\_\_\_

Is this request for the next Commission meeting? YES NO If no, date of Commission Meeting: \_\_\_\_\_

Brief explanation of business to be discussed:  
Amendment to Resolution 2017-051

Is this a Resolution, Contract, Agreement, Grant Application, Other? \_\_\_\_\_

Has this been reviewed by Grant Committee? YES NO If yes, corresponding paperwork must be attached.

Has this been reviewed by the County Attorney? YES NO

If this is a contract, MOU, or Joint Powers Agreement there must be a signature line for the County Attorney on the original contract.

Has this been reviewed by the Finance Dept? YES NO Comptroller Initials: \_\_\_\_\_

- No Impact
- Change in current fund
- Raise Budget (allow 45 days after Commission approval)
- Change in funds (allow 45 days after Commission approval)
- Reduction
- Transfer funds (allow 45 days after Commission approval)

Other: \_\_\_\_\_



## **RESOLUTION 2017-051**

### **Establishing the Solid Waste Management Fee as provided in Ordinance 94-12**

**WHEREAS**, the county of Torrance has entered into a contract for collection and billing of solid waste services for the residents of unincorporated Torrance County, with the Estancia Valley Solid Waste Authority; and,

**WHEREAS**, said contract with Estancia Valley Solid Waste Authority identifies costs associated with providing collection and billing of solid waste services to residents of unincorporated Torrance County; and,

**WHEREAS**, the Torrance County Board of Commissioners does levy the Solid Waste Management Fee enacted in Ordinance 94-12, to offset the costs of solid waste services for the citizens of unincorporated Torrance County; and,

**WHEREAS**, the Torrance County Board of Commissioners, upon revising solid waste ordinance 94-12, does wish to grant certain discounts of the solid waste management fee to residents of unincorporated Torrance County, by resolution;

**NOW THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Torrance County that the Solid Waste Management Fee will hereby be established at the base rate of \$19.21 plus tax per month per billable account, and so instructs the Estancia Valley Solid Waste Authority to proceed as contracted; and,

**NOW THEREFORE, BE IT FURTHER RESOLVED**, that the Board of County Commissioners instructs the Estancia Valley Solid Waste Authority to offer the following discounts to County residents who qualify:

1. Any responsible party, as herein defined, may make application to the Solid Waste Authority, on forms approved by said Authority, for a reduced monthly fee as set out above, and by furnishing to the Authority with said application proof that the responsible party is an individual that qualifies for Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), Low Income Home Energy Assistance Program (LiHEAP), General Assistance (GA) or Medicaid according to the standard of need as set forth in Sections 27-2-3 and 27-2-4 NMSA 1978, as they currently exist or may hereafter be amended. Upon approval of the application, the

solid waste management fee for any such responsible person shall be 50% (Fifty Per Cent) of the established solid waste management fee.

2. Any responsible party contracting with a private hauler franchised to collect and transport solid waste within the county shall be entitled to a reduction of the established county solid waste management fee. The reduced rate is hereby set \$6.40 per month, plus tax. Proof of contract with a private hauler shall be the responsibility of the property owner, and shall be submitted biannually. If it is determined that the contract with the private hauler has been terminated, the Estancia Valley Solid Waste Authority will change the billing for that property owner to the full amount.

**NOW THEREFORE BE IT STILL FURTHER RESOLVED that the Board of County Commissioners** Further instructs the Estancia Valley Solid Waste Authority to waive the solid waste management fee to any responsible party owning or possessing a vacant residence, upon affidavit and verification that the residence is indeed vacant. Affidavit shall be the responsibility of the property owner, and shall be submitted biannually. Any property owner falsely certifying that a residence is vacant is in violation of the Solid Waste Ordinance, and is subject to penalties set forth in Section 16.A.

**Definition of "Vacant" for Ordinance 94-12, Solid Waste Ordinance Section 13.E.**

Vacant is defined as something that is without content or occupant. A dwelling with furniture but no occupant is not considered vacant, it is unoccupied. The Code Enforcement Officer will verify the vacant status of the residence through legal means with permission from the home owner or an inspection order issued by the Court. Home owners or the party responsible for the property may appeal the Code Enforcement Officer's determination to the County Commission by submitting in writing on prescribed forms obtainable from the Zoning Director upon payment of the applicable fee. Appeals not submitted within 30 days after determination shall not be considered by the County Commission.

**PASSED, APPROVED AND ADOPTED** this 18<sup>th</sup> day of November, 2017.

**TORRANCE COUNTY COMMISSION**

\_\_\_\_\_  
Javier Sanchez, Chair

\_\_\_\_\_  
Jim Frost, Member

\_\_\_\_\_  
Julia DuCharme, Member

Attest: \_\_\_\_\_  
Linda Jaramillo, Clerk of the Board



*Agenda Item*

*No. 8*

PO Box 48  
205 9<sup>th</sup> Street  
Estancia, NM 87016  
(505) 544-4700 Main Line (505) 384-5294 Fax  
[www.torrancecountynm.org](http://www.torrancecountynm.org)



County Commission  
Commissioner James "Jim" Frost, District 1  
Commissioner Julia DuCharme, District 2  
Commissioner Javier E. Sanchez, District 3  
**County Manager**  
Belinda Garland  
**Deputy County Manager**  
Annette Ortiz

**REQUEST TO BE PLACED ON THE TORRANCE COUNTY  
COMMISSION AGENDA**

This form must be returned to the County Manager's Office **ONLY!**

Deadline for inclusion of an item is WEDNESDAY, NOON prior to the subsequent meeting.  
All fields must be filled out for consideration.

Name: Belinda Garland Manager  
First Last Department / Company / Organization Name

Today's Date: \_\_\_\_\_ Mailing Address: \_\_\_\_\_  
(Departments/employees of Torrance County need not include their address)

Telephone number/Extension: \_\_\_\_\_ Fax Number: \_\_\_\_\_  
Would you like this Agenda Faxed to you? Yes No

Email Address: \_\_\_\_\_

Is this request for the next Commission meeting?  YES  NO If no, date of Commission Meeting: \_\_\_\_\_

Brief explanation of business to be discussed:

Approval of letters to be sent to discount recipients.

Is this a Resolution, Contract, Agreement, Grant Application, Other? \_\_\_\_\_

Has this been reviewed by Grant Committee?  YES  NO If yes, corresponding paperwork must be attached.

Has this been reviewed by the County Attorney? YES NO

If this is a contract, MOU, or Joint Powers Agreement there must be a signature line for the County Attorney on the original contract.

Has this been reviewed by the Finance Dept?  YES  NO Comptroller Initials: \_\_\_\_\_

- No Impact
- Change in current fund
- Raise Budget (allow 45 days after Commission approval)
- Change in funds (allow 45 days after Commission approval)
- Reduction
- Transfer funds (allow 45 days after Commission approval)

Other: \_\_\_\_\_

County Commission

*Jim Frost  
Commissioner  
District 1*

*Julia DuCharme  
Commissioner  
District 2*

*Javier E. Sanchez  
Commissioner  
District 3*



County Manager  
*Belinda Garland*

Deputy County Manager  
*Annette Ortiz*

County Attorney  
*Dennis Wallin*

*PO Box 48 ~ 205 Ninth Street  
Estancia, NM 87016  
(505)544-4700 Main Line (505) 384-5294 Fax  
[www.torrancecountynm.org](http://www.torrancecountynm.org)*

November 1, 2017

Dear Torrance County Resident:

In the interest of accurately administering Solid Waste fees, the governing body of Torrance County has approved Resolution 2017-051. The new Resolution will supersede Resolution 2016-18A and proper administration of the applicable discounts will be carried out by the Torrance County contractor, Estancia Valley Solid Waste Authority (EVSWA), beginning January 1, 2018.

Part one of Resolution 2016-18A read: Any responsible party, as herein defined, may make application to the Solid Waste Authority, on forms approved by said Authority, for a reduced monthly fee as set out above, and by furnishing to the Authority with said application proof that the responsible party is (1) over the age of 65 years and qualifies for public assistance; (2) an individual that qualifies for public assistance according to the standard of need as set forth in Sections 27-2-3 and 27-2-4 NMSA 1978, as they currently exist or may hereafter be amended. Upon approval of the application, the solid waste management fee for any such responsible person shall be 50% (Fifty Per Cent) of the established solid waste management fee.

Part one of Resolution 2017-051 reads: Any responsible party, as herein defined, may make application to the Solid Waste Authority, on forms approved by said Authority, for a reduced monthly fee as set out above, and by furnishing to the Authority with said application proof that the responsible party is an individual that qualifies for Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), Low Income Home Energy Assistance Program (LIHEAP), General Assistance (GA) or Medicaid according to the standard of need as set forth in Sections 27-2-3 and 27-2-4 NMSA 1978, as they currently exist or may hereafter be amended. Upon approval of the application, the solid waste management fee for any such responsible person shall be 50% (Fifty Per Cent) of the established solid waste management fee.

The new Resolution provides more accurate guidance on the administration of the low income discount by specifically listing the programs that qualify as public assistance programs as set forth in Sections 27-2-3 and 27-2-4 NMSA 1978.

Any individual who is currently receiving the low income discount will need to reapply and show proof of qualifying for one of the listed public assistance programs. An annual renewal will be required for anyone who receives the discount under the new definitions outlined in Resolution 2017-051. For your convenience an application is enclosed for you to complete and return to the EVSWA located at 515 Allen Ayes Rd West in Estancia or mail to PO Box 736 Estancia, NM 87016.

If you have further questions in regards to this information you are welcome to contact the EVSWA at 505-384-4270.

Sincerely,

Belinda Garland  
Torrance County Manager

County Commission

*Jim Frost  
Commissioner  
District 1*

*Julia DuCharme  
Commissioner  
District 2*

*Javier E. Sanchez  
Commissioner  
District 3*



*PO Box 48 ~ 205 Ninth Street  
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[www.torrancecountynm.org](http://www.torrancecountynm.org)*

County Manager  
*Belinda Garland*

Deputy County Manager  
*Annette Ortiz*

County Attorney  
*Dennis Wallin*

November 1, 2017

Dear Torrance County Resident:

In the interest of providing definite direction for accurate administration of Solid Waste fees, the governing body of Torrance County has approved Resolution 2017-051. The new Resolution will supersede Resolution 2016-18A and proper administration of the applicable discounts will be carried out by the Torrance County contractor, Estancia Valley Solid Waste Authority (EVSWA), beginning January 1, 2018.

Resolution 2016-18A did not have a Definition of "Vacant" which has led to difficulty in determining who exactly qualifies for the Vacant / Exempt Discount. The following has been added to Resolution 2017-051:

**Definition of "Vacant" for Ordinance 94-12, Solid Waste Ordinance Section 13.E.**

Vacant is defined as something that is without content or occupant. A dwelling with furniture but no occupant is not considered vacant, it is unoccupied. The Code Enforcement Officer will verify the vacant status of the residence through legal means with permission from the home owner or an inspection order issued by the Court. Home owners or the party responsible for the property may appeal the Code Enforcement Officer's determination to the County Commission by submitting in writing on prescribed forms obtainable from the Zoning Director upon payment of the applicable fee. Appeals not submitted within 30 days after determination shall not be considered by the County Commission.

As stated above the Torrance County Code Enforcement Officer will verify the vacant status of any application that is submitted to the EVSWA. The final approval or denial will be based off the on-site inspection completed by the Officer.

Any individual who is currently receiving the vacant / exempt discount will need to reapply. An annual renewal will be required for anyone who receives the discount under the new definitions outlined in Resolution 2017-051. For your convenience an application is enclosed for you to

complete and return to the EVSWA located at 515 Allen Ayes Rd West in Estancia or mail to PO Box 736 Estancia, NM 87016.

If you have further questions in regards to this information you are welcome to contact the EVSWA at 505-384-4270.

Sincerely,

Belinda Garland  
Torrance County Manager



*Agenda Item  
No. 9*

PO Box 48  
205 9<sup>th</sup> Street  
Estancia, NM 87016  
(505) 544-4700 Main Line (505) 384-5294 Fax  
[www.torrancecountynm.org](http://www.torrancecountynm.org)



County Commission  
Commissioner James "Jim" Frost, District 1  
Commissioner Julia DuCharme, District 2  
Commissioner Javier E. Sanchez, District 3  
County Manager  
Belinda Garland  
Deputy County Manager  
Annette Ortiz

**REQUEST TO BE PLACED ON THE TORRANCE COUNTY  
COMMISSION AGENDA**

This form must be returned to the County Manager's Office **ONLY!**

Deadline for inclusion of an item is WEDNESDAY, NOON prior to the subsequent meeting.  
All fields must be filled out for consideration.

Name: Belinda Garland Manager  
First Last Department / Company / Organization Name

Today's Date: \_\_\_\_\_ Mailing Address: \_\_\_\_\_  
(Departments/employees of Torrance County need not include their address)

Telephone number/Extension: \_\_\_\_\_ Fax Number: \_\_\_\_\_  
Would you like this Agenda Faxed to you? Yes No

Email Address: \_\_\_\_\_

Is this request for the next Commission meeting?  YES  NO If no, date of Commission Meeting: \_\_\_\_\_

Brief explanation of business to be discussed:

Discuss protocol for Office Delays & Closure  
due to inclement weather.

Is this a Resolution, Contract, Agreement, Grant Application, Other? \_\_\_\_\_

Has this been reviewed by Grant Committee?  YES  NO If yes, corresponding paperwork must be attached.

Has this been reviewed by the County Attorney? YES NO

If this is a contract, MOU, or Joint Powers Agreement there must be a signature line for the County Attorney on the original contract.

Has this been reviewed by the Finance Dept?  YES  NO Comptroller Initials: \_\_\_\_\_

- No Impact
- Change in current fund
- Raise Budget (allow 45 days after Commission approval)
- Change in funds (allow 45 days after Commission approval)
- Reduction
- Transfer funds (allow 45 days after Commission approval)

Other: \_\_\_\_\_



MEMO

November 8, 2017

TO: Elected Officials, Department Heads, Effected Staff

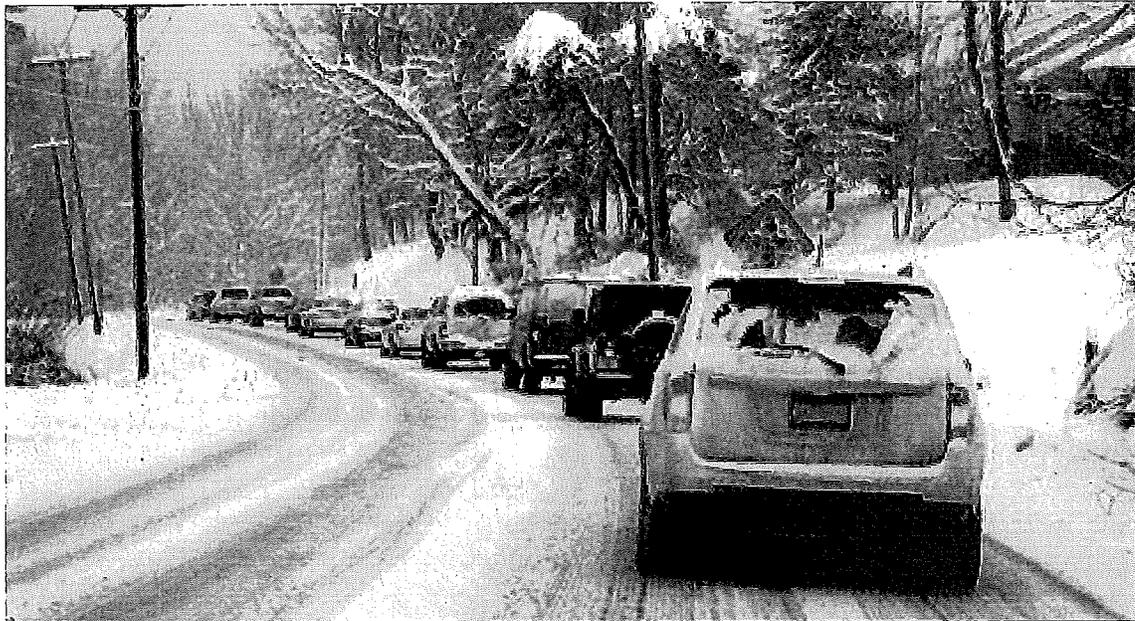
FR: Belinda Garland, County Manager

SUBJECT: INCLEMENT WEATHER

---

**Winter is coming! In anticipation of potential inclement weather, below is important information about reporting to work in inclement weather. Employees are expected to report to work regardless of weather conditions unless a decision has been made by the appropriate authority to delay opening of the office due to weather.**

The Torrance County Manager or his/her designee may delay the start of the workday and/or close County facilities. The County Manager in consultation with the Deputy Manager and Department heads will make final decisions regarding closing of County Offices. Any concerns about delaying or closing shall be conveyed by department office management speaking directly to the County Manager or his/her designee.



## **OFFICE DELAYS IN OPENING**

1. Q. Is it true that administrative leave may be granted only if the office is closed or delayed for everyone?  
A. Yes.
2. Q. When three hour delay for an office is called, what time does the office open?  
A. The office opens at 10:00 am. All employees must be onsite at 10:00 am. Anything later than 10:00 am is to be recorded as their own accrued leave, either annual or comp time.
3. Q. A three hour delay was called from my office, but I normally come in to work at 8:30. Can I come in at 11:30?  
A. No. When there is a 3 hour delay that means the office opens at 10am and everyone is to be onsite at 10am, regardless of what time they are normally scheduled to arrive.
4. Q. My office was not delayed in opening, but I was 1 hour late getting to work because of traffic, weather, road conditions. My co-worker was 1 hour late because his train was delayed. Can either of us have admin leave?  
A. No. Admin leave is not granted when the employee is late due to travel difficulties and the office has not been delayed in opening. You must use accrued annual or comp time.
5. Q. My work schedule is 7am-5:30pm. I'm on vacation on the day 3 hours of admin leave is granted due to weather. Can I take 3 hours of admin leave and 7 hours of annual leave?  
A. No you must be scheduled to work on the day that admin leave is granted. Employees already on approved leave (sick, personal, vacation, etc.) for the hours that admin leave is granted due to weather will not receive the admin leave.
6. Q. I called in sick this morning and now I see that my office has been delayed in opening and may be closed for the day. Do I get admin leave?  
A. No.

## **OFFICE DELAYS IN OPENING & OFFICES CLOSING ALL DAY**

7. Q. I'm scheduled to work 7am-5:30pm. I got to work today at 7am and then found out the office was granted 3 hours of admin leave. Can I take 3 hours admin leave at lunch or leave early this afternoon since I'm already here?  
A. No. The leave was granted to allow employees time to get to work safely.
8. Q. I'm scheduled to work 7am-5:30pm. The office was on a 3 hour delay and opened at 10am. However, I was able to be on a conference call from home from 7am-10am. Can I take 3 hours admin leave another time?  
A. No
9. Q. My work schedule is 7am-5:30pm. The weather is bad this morning, but no weather delay has been granted. I called my supervisor to say I can't come in today due to weather. Later a 3 hour delay (7am-10am) in opening the office is granted. Do I receive this admin leave?  
A. Yes. You are granted 3 hours admin leave that everyone scheduled to work that day receives. You must take 7 hours of your own time (annual, accrued comp) for the balance. Employees must use annual leave or accrued compensatory time for any hours for which admin leave is not granted to all employees scheduled to work.

## **OFFICES CLOSING EARLY**

10. Q. I'm scheduled to work 7am-5:30pm. If I call in for the entire day due to weather and the office was closed at 2pm, do I receive admin leave from 2pm-5:30pm?

A. No. The admin leave was granted to close offices and let people at work go home because of weather.

11. Q. We got an email that the office is closing at 2pm today. People who normally leave at 5:30 receive 3.5 hours (2pm-5:30pm) ADMLV. However, my regular work day ends at 4:30, which is 2.5 hours ADMLV. Can I leave at 1:30 so that I get the 3 hours?

A. No.

12. Q. I'm scheduled to leave at 5:30pm today and I'm worried about the weather. No delay/closure information is given. I decided to leave at 1pm. How do I code my time?

A. You need to use your own annual leave or accrued comp time from 1pm-5:30pm (any hours for which admin leave is not granted to all employees.)



*Agenda Item*  
*No. 10*



**RESOLUTION NO. 2017-\_\_\_\_\_**

**RESOLUTION FINDING A DECEDENT TO BE INDIGENT OR UNCLAIMED AND AUTHORIZING PAYMENT FOR THE BURIAL OR CREMATION OF AN INDIGENT PERSON, AS DEFINED IN SECTION 24-13-2 NMSA 1978, OR OF AN UNCLAIMED DECEDENT, AS DEFINED IN SECTION 24-12-1 NMSA 1978.**

**WHEREAS**, pursuant to Section 24-13-5 NMSA 1978, the Torrance County Board of Commissioners may authorize payment for the burial or cremation of an indigent person, as defined in Section 24-13-2 NMSA 1978 or of an unclaimed decedent, as defined in Section 24-13-1 NMSA 1978; and,

**WHEREAS**, pursuant to Section 24-13-3 NMSA 1078, the burial or cremation expenses may be paid by the County out of the general fund or the county indigent hospital claims fund in an amount up to six hundred dollars (\$600) for the burial or cremation of any adult or minor; and,

**WHEREAS**, pursuant to Section 24-13-1 NMSA 1978, a dead person whose body has not been claimed by a friend, relative or other interested person assuming the responsibility for and expense of disposition shall be considered an unclaimed decedent; and,

**WHEREAS**, pursuant to Section 24-13-5 NMSA 1978, in the County pays expenses for burial or cremation, all available assets of the decedent shall be used to reimburse the County and/or, if the decedent left an estate, the decedent's estate shall reimburse the County; and,

**WHEREAS**, pursuant to Section 24-13-2 NMSA 1978, a deceased person shall be considered to be an indigent for purposes of this resolution if his estate is insufficient to cover the cost of burial or cremation; and,

**WHEREAS**, pursuant to Sections 24-13-1 and 24-13-3 NMSA 1978, it is the duty of the Torrance County Board of County Commissioners to cause to be decently interred or cremated the body of any unclaimed decedent or indigent person known to have been a resident of Torrance County; and,

**WHEREAS**, Harris Hanlon Mortuary has informed Torrance County that \* is deceased, his/her body is at Harris Hanlon Mortuary, and he/she is a qualified indigent person; and,

**WHEREAS**, \* is known to have been a resident of Torrance County.

**NOW THEREFORE, BE IT RESOLVED**, that the Torrance County Board of Commissioners hereby:

**1. FINDS:**

- a. That the decedent was a resident of Torrance County; and
- b. That if the decedent's estate is insufficient to cover the cost of burial or cremation, then he is an indigent decedent; and,

c. The decedent is unclaimed.

2. **AUTHORIZES:**

- a. The payment, in an amount not to exceed six hundred dollars (\$600), or the burial or cremation of the body; and
- b. The Torrance County Manager to seek reimbursement from the estate for reimbursement for the burial or cremation expenses, unless the estate is insufficient to cover the cost of burial or cremation.

**DONE**, this \_\_\_\_ day of November 2017.

**TORRANCE COUNTY COMMISSION**

Attest:

\_\_\_\_\_  
Javier E. Sanchez, Chair

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
Jim Frost, Member

\_\_\_\_\_  
Julia DuCharme, Member



*Agenda Item  
No. 11*



**RESOLUTION NO. 2017-\_\_\_\_\_**

**RESOLUTION FINDING A DECEDENT TO BE INDIGENT OR UNCLAIMED AND AUTHORIZING PAYMENT FOR THE BURIAL OR CREMATION OF AN INDIGENT PERSON, AS DEFINED IN SECTION 24-13-2 NMSA 1978, OR OF AN UNCLAIMED DECEDENT, AS DEFINED IN SECTION 24-12-1 NMSA 1978.**

**WHEREAS**, pursuant to Section 24-13-5 NMSA 1978, the Torrance County Board of Commissioners may authorize payment for the burial or cremation of an indigent person, as defined in Section 24-13-2 NMSA 1978 or of an unclaimed decedent, as defined in Section 24-13-1 NMSA 1978; and,

**WHEREAS**, pursuant to Section 24-13-3 NMSA 1078, the burial or cremation expenses may be paid by the County out of the general fund or the county indigent hospital claims fund in an amount up to six hundred dollars (\$600) for the burial or cremation of any adult or minor; and,

**WHEREAS**, pursuant to Section 24-13-1 NMSA 1978, a dead person whose body has not been claimed by a friend, relative or other interested person assuming the responsibility for and expense of disposition shall be considered an unclaimed decedent; and,

**WHEREAS**, pursuant to Section 24-13-5 NMSA 1978, in the County pays expenses for burial or cremation, all available assets of the decedent shall be used to reimburse the County and/or, if the decedent left an estate, the decedent's estate shall reimburse the County; and,

**WHEREAS**, pursuant to Section 24-13-2 NMSA 1978, a deceased person shall be considered to be an indigent for purposes of this resolution if his estate is insufficient to cover the cost of burial or cremation; and,

**WHEREAS**, pursuant to Sections 24-13-1 and 24-13-3 NMSA 1978, it is the duty of the Torrance County Board of County Commissioners to cause to be decently interred or cremated the body of any unclaimed decedent or indigent person known to have been a resident of Torrance County; and,

**WHEREAS**, Harris Hanlon Mortuary has informed Torrance County that \* is deceased, his/her body is at Harris Hanlon Mortuary, and he/she is a qualified indigent person; and,

**WHEREAS**, \* is known to have been a resident of Torrance County.

**NOW THEREFORE, BE IT RESOLVED**, that the Torrance County Board of Commissioners hereby:

**1. FINDS:**

- a. That the decedent was a resident of Torrance County; and
- b. That if the decedent's estate is insufficient to cover the cost of burial or cremation, then he is an indigent decedent; and,

c. The decedent is unclaimed.

**2. AUTHORIZES:**

- a. The payment, in an amount not to exceed six hundred dollars (\$600), or the burial or cremation of the body; and
- b. The Torrance County Manager to seek reimbursement from the estate for reimbursement for the burial or cremation expenses, unless the estate is insufficient to cover the cost of burial or cremation.

**DONE**, this \_\_\_\_ day of November 2017.

**TORRANCE COUNTY COMMISSION**

Attest:

\_\_\_\_\_  
Javier E. Sanchez, Chair

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
Jim Frost, Member

\_\_\_\_\_  
Julia DuCharme, Member



*Agenda Item  
No. 12*



# COUNTY MANAGER UPDATE

