

Regular Meeting

January 10, 2023

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

Bret Wier, Chairman
Si Trujillo, Vice-Chairman
Mary Lou Kern, Member
Rayetta M. Trujillo, County Clerk
Monte Gore, County Manager

1. Call to Order

Commissioner Wier called the meeting to order at 9:00 a.m.

2. Pledge of Allegiance

Commissioner Wier led the Pledge of Allegiance.

3. Salute to the New Mexico Flag

Commissioner Wier led the Salute to the New Mexico Flag.

4. Elect Chairman and Vice Chairman

Commissioner Wier opened the floor for nominations for the position of Chairman. Commissioner Kern nominated Commissioner Wier for the position of Chairman. Commissioner Trujillo seconded the motion. There were no other nominations. Commissioner Wier asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Trujillo – aye, and Commissioner Wier – aye. The motion carried unanimously. Chairman Wier opened the floor for nominations for the position of Vice-Chairman. Commissioner Kern nominated Commissioner Trujillo for the position of Vice-Chairman. Chairman Wier seconded the motion. There were no other nominations for Vice-Chairman. Chairman Wier asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Trujillo – aye, and Chairman Wier – aye. The motion carried unanimously.

5. Approve Agenda

Commissioner Kern made a motion to approve the agenda as presented. Commissioner Trujillo seconded the motion. Chairman Wier asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Trujillo – aye, and Chairman Wier – aye. The motion carried unanimously.

6. Approve Special Meeting Minutes for December 19, 2022

Chairman Wier asked if the Commissioners had any comments or corrections on the Special Meeting Minutes for December 19, 2022. Commissioner Trujillo made a motion to approve the Minutes for the December 19, 2022, Special Meeting, as presented. Commissioner Kern seconded the motion. Chairman Wier asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Trujillo – aye, and Chairman Wier – aye. The motion carried unanimously.

7. Recognize Visitors

Others present: Sara Torres, Joana Apodaca, Glen Stevens, Nick Cardenas, Roger Smith, Tina Colangelo, Amadeo Soto, Robert Thompson, James Rockenfield, Todd Tatus, Rob Morpu, Diane Garcia, Regina Slade, Roy Fernandez, Suzanne Valdez, Rick Smith, Tiana Romero, Virginia Strohm, Jordan Wingo, Leah Sheeler, Paul Briesh, Tom Vigil, Kevin Nolan, Boe Lopez, and Leonard Baca.

8. Public Comment

Chairman Wier asked if there were any requests responses from the audience. Virginia Strohm stated she would like to report on Solid Waste and E911. Virginia introduced Tiana Romero who is the solid waste tech for the County since December 19th. Virginia stated the County had a solid waste crisis as Tri-State has been sold and the driver quit so the solid waste had not been picked up for a couple of

weeks. Virginia stated the new driver comes in from Texas and was not familiar with where the dumpsters were located. Virginia stated she has pinned where they are located for the driver, and he seems to be doing better. Virginia also reported that she has been working on the E911 errors and has got some of the errors fixed and is hoping she will have it completed in six months.

Todd Tatum spoke regarding Law Enforcement and animal control in Ute Park. Todd requested the Animal Control Ordinance be updated so pet owners who allowed their animals to run loose can be cited. Todd also stated he would like to see this Commission be productive.

Tom Vigil Emergency Manager stated he and Chairman Wier attended a meeting regarding the Calf Canyon relief fund. Tom stated there will be \$2.5 Billion coming into the State of New Mexico from the FEMA relief fund for anyone that has suffered any kind of a loss from the fire. The loss could be trees, property and even business that lost business due to the fire and people not being able to travel into the area. Tom stated the last day to apply for funding will be Friday. Tom stated the County has received reimbursement for his department, the Fire Marshal, and the overtime for the Sheriff's Department. Tom mentioned he felt the airport might apply for revenues lost because the airport was not accessible for individuals to access during the fire, so revenues were lost. Tom updated the Commission on the watershed recovery funds for the Miami Watershed. Tom stated most of the land is located on UU Bar and he has been asked if the County will go out for request for bids for the work to be done. Tom stated he is going to request an extension for the project until October.

Mayor Boe Lopez stated he has concerns regarding competing with the County for Law Enforcement Officers. Mayor Lopez stated he is concerned for his municipality, as all three of his officers have applied with the County and stated there is no way his Municipality can offer the sign on bonuses, increases and retention pay the Sheriff is offering. Mayor Lopez stated he was concerned that he would lose his officers to the County and be behind the Eight Ball again, trying to hire officers. Mayor Lopez asked if there was anyway the County could work with the Municipalities to help so they could offer funds to retain their officers. Manager Gore stated he has been approached by the Raton City Manager and Police Chief regarding the same issue and perhaps maybe a meeting could be held with the Sheriff and the municipalities so these issues could be discussed and maybe some of the ARPA funds could be used for this. Chairman Wier directed the Manager to meet other officials and the Sheriff about this issue. Commissioner Kern stated Angel Fire also needs to be included in the meeting and for funding if it is available, not just this side of the mountain. Mayor Lopez also reported Zia gas has installed the gas lines in the building to be used as the shelter in Springer. Boe stated he still has the money and vehicle that was donated for the shelter.

9. Discuss/ Action -Approve Expenditures

General Fund	\$588,806.70
General Hold Harmless GRT	\$0.00
Hold Harmless GRT	\$0.00
Corrections Fund	43,921.74
County Property Valuation	6,530.63
Vermejo Debt Service	\$0.00
County Road Department	72,245.33
French Tract Fire Fund	\$1,572.25
Miami Fire Fund	\$365.43
Farley Fire Fund	\$2,109.47
Ute Park Fire Fund	\$1,293.06
Philmont Fire Fund	\$229.17
Moreno Valley Fire Fund	\$6,349.52
County Fire Marshal Fire Fund	\$1,726.99
Rapid Response Fire Fund	\$569.33
Vermejo Park Fire Fund	\$166.67
Moreno Valley Wildfire	\$0.00
Farley Wildfire Suppression	\$0.00
French Tract Wildfire Suppression	\$0.00
Miami Wildfire Suppression	\$0.00
Philmont Wildfire Suppression	\$2,492.00
Ute Park Wildfire Suppression	\$0.00
Vermejo Wildfire Suppression	\$0.00
CC Rapid Response Wildfire Suppression	\$0.00
Fire Marshal Wildfire Suppression	\$0.00

Law Enforcement Protection	\$363.76
Lodgers Tax	\$0.00
YES Program	\$12,851.38
YES, BHSD Prevention	\$7,986.29
Maternal/Child Healthcare	\$0.00
NM Transportation Grants	\$0.00
WIPP	\$0.00
Legislative Appropriations	\$12,573.40
Indigent Care Gross Receipts	\$66,598.58
Fire Protection – Fire Excise Tax	\$0.00
Community DWI – TSB	\$0.00
DWI Distribution	\$8,754.17
LDWI Grant	\$1,800.00
State Farm	\$0.00
DWI-ALC	\$0.00
Recording/Filing Fund	\$0.00
American Rescue Plan Act	\$0.00
Sheriff Forfeiture Fund	\$0.00
MCMC Hospital Fund	\$0.00
Capital Improvement	\$33,143.38
CAP IMP HHGRT/2015	\$0.00
Angel Fire Airport Improvements	\$0.00
Angel Fire Airport FFA	\$0.00
Tiger Grant IX	\$0.00
Revenue Bonds Debt Service	\$0.00
Bond Series Jud Ctr	\$0.00
French Tract Debt Service	\$0.00
Miami Fire Debt Service	\$0.00
Philmont Debt Service	\$0.00
Moreno Fire Debt Service	\$0.00
Solid Waste Fees	\$37,030.24
Colfax County Airport Operations	\$20,110.05
Total	\$929,559.54

Chairman Wier asked if the Commissioners had any questions or comments regarding the expenditures. Commissioner Trujillo made a motion to approve the expenditures as presented. Commissioner Kern seconded the motion. Chairman Wier asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Trujillo – aye, and Chairman Wier – aye. The motion carried unanimously.

10. Presentation -Paul Briesch Jr., Baca Valley Telephone Company Sierra Communications

Paul Briesch stated he wanted to come and introduce and advise the County Baca Valley is the internet provided for the county and they are bringing in the fiber optic line into different municipalities and locations in the county. Mr. Briesch also report they are having issues getting equipment to provide the fiber optic. Mr. Briesch stated the cost to install fiber optic cable is about \$60,000. 00 per mile, due to supply and demand of the wire and other equipment. Mr. Briesch stated they are working on the phone system for the county which will be installed within the next 6 months. Mr. Briesch stated they are programming the system so they will not need to be sitting in the offices programming the phones and causing a disruption in the County offices. Mr. Briesch thanked the Commissioners for allowing Baca Valley to continue to work with the County. Commissioner Trujillo thank Mr. Briesch for all they do for the county.

11. Discuss/Action -Resolution #2023-01, Open Meetings Act

Chairman Wier stated this is on annually and is required by the State. Commissioner Kern made a motion to approve Resolution #2023-01, Open Meetings Act as presented. Commissioner Trujillo seconded the motion. Chairman Wier asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Trujillo – aye, and Chairman Wier – aye. The motion carried unanimously.

12. Discuss/Action -Resolution #2023-02, Adopt State Procurement Code

Chairman Wier stated this resolution also needed to be adopted annually as the County is required to follow the State Procurement. Commissioner Kern made a motion to approve Resolution #2023-02, Adopting the State Procurement Code. Commissioner Trujillo seconded the motion. Chairman Wier asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Trujillo – aye, and Chairman Wier – aye. The motion carried unanimously.

13. Discuss/Action -Resolution #2023-03, Set Liquor License Fee for 2023

Chairman Wier stated this resolution is adopted annually and the County currently issues three Licenses and charges \$250.00 per license which is the maximum that can be charged. Commissioner Kern made a motion to approve Resolution #2023-03, Set Liquor License Fee for 2023. Commissioner Trujillo seconded the motion. Chairman Wier asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Trujillo – aye, and Chairman Wier – aye. The motion carried unanimously.

14. Discuss/Action -Appoint NERTPO Voting Member and Alternate

Chairman Wier recommendation that Road Superintendent Glen Stevens be the NERTPO Voting Member and himself as the Alternate. Chairman Wier stated he was the Voting Member but would often ask Robert Thompson questions how he should vote, as he had the experience with the projects. Commissioner Kern made a motion to appoint Road Superintendent Glen Stevens as the NERTPO voting member and Commissioner Kern as the alternate. Commissioner Trujillo seconded the motion. Chairman Wier asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Trujillo – aye, and Chairman Wier – aye. The motion carried unanimously.

15. Discuss/ Action - Appoint Voting Member and Alternate to the New Mexico Counties Insurance Authority Pool

Commissioner Kern made a motion to appoint Commissioner Trujillo as the Voting Member of the NM Counties Insurance Authority Pool. Chairman Wier seconded the motion. Chairman Wier asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Trujillo – aye, and Chairman Wier – aye. The motion carried unanimously. Commissioner Kern made a motion to appoint Manager Monte Gore as the Alternate member. Commissioner Trujillo seconded the motion. Chairman Wier asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Trujillo – aye, and Chairman Wier – aye. The motion carried unanimously.

16. Discuss/Action -Appoint North Central New Mexico Economic Development District (NCNMEDD) Board of Director and Alternate

Chairman Wier stated he has set on this committee and feels they have made a lot of progress and would like to remain on the committee. Commissioner Kern made a motion to appoint Chairman Wier as the Board of Director. Commissioner Trujillo seconded the motion. Chairman Wier asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Trujillo – aye, and Chairman Wier – aye. The motion carried unanimously. Commissioner Trujillo nominated himself as the alternate. Commissioner Kern seconded the motion. Chairman Wier asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Trujillo – aye, and Chairman Wier – aye. The motion carried unanimously.

17. Discuss/ Action - Appoint Workers Compensation Voting Member and Alternate

Commissioner Trujillo made a motion to appoint himself as the voting member to the Workers Compensation Board. Commissioner Kern seconded the motion. Chairman Wier asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Trujillo – aye, and Chairman Wier – aye. The motion carried unanimously. Commissioner Trujillo made a motion to appoint Commissioner Kern as the alternate member. Chairman Wier seconded the motion. Chairman Wier asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Trujillo – aye, and Chairman Wier – aye. The motion carried unanimously.

18. Discuss/ Action -Appoint North-East Economic Development Organization Inc. Board Member and Alternate

Commissioner Kern made a motion to appoint Commissioner Trujillo as the Board Member of the North-East Economic Development Organization Inc. Chairman Wier seconded the motion. Chairman Wier asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Trujillo – aye, and Chairman Wier – aye. The motion carried unanimously. Commissioner Kern made a motion to appoint Chairman Wier as the Alternate member. Commissioner Trujillo seconded the motion. Chairman Wier asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Trujillo – aye, and Chairman Wier – aye. The motion carried unanimously.

19. Discuss/Action Appoint Enchanted Circle Council of Government (ECCoG) Member

Chairman Wier stated that this is a council of governments which includes Angel Fire, Eagle Nest, Red River, Questa, Taos, Colfax County, Mora County and Taos County. Chairman Wier stated that there are two members one is the manager by default and the other is an Elected Official. Chairman Wier stated historically it would be himself that would be the member, but the Enchanted Circle's focus is going to be on developing the film industry. Chairman Wier suggested that someone from Raton be on this council since Raton is also developing the film industry in the city. Commissioner Kern made a motion to appoint Commissioner Trujillo to the Enchanted Circle of Government (ECCoG) Member. Chairman Wier seconded the motion. Chairman Wier asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Trujillo – aye, and Chairman Wier – aye. The motion carried unanimously.

20. Discuss/ Action Appoint Raton Extraterritorial Zoning Board Members

Commissioner Trujillo made a motion to appoint Commissioner Kern as the Board Member to Raton Extraterritorial Zoning. Chairman Wier seconded the motion. Commissioner Kern asked for a friendly amendment to Commissioner Trujillo's motion to include himself to also be appointed as Board Member. Chairman Wier asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Trujillo – aye, and Chairman Wier – aye. The motion carried unanimously.

21. Discuss/ Action -Request Statement of Receipts and Expenses from Colfax County Treasurer

Commissioner Kern made a motion to approve the Request Statement of Receipts and Expenses from Colfax County Treasurer. Commissioner Trujillo seconded the motion. Chairman Wier stated that in conjunction with this request he would like to request what the cash holdings are currently outside of investments. Chairman Weir stated he would also like to ask the Treasurer to look at the funds that are invested and mark them with descriptions of usage requirements or earmarks related to those funds. Roy Fernandez asked the Commission to write a letter to the bank to get a report of the Miners Trust Fund that are deposited there. Mr. Fernandez stated that the Commission should have been asking for a report from the bank every year but didn't realize this until he read the Escrow Agreement. Commissioner Kern asked for a friendly amendment to include Chairman Wier's requests. Chairman Wier asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Trujillo – aye, and Chairman Wier – aye. The motion carried unanimously.

22. Discuss/Action -Change Order Form, Fire Stations Fill Stations- Rebid RFB 2022-03, Mack's Drilling

Fire Marshal Nick Cardenas stated that Farley put out bids for fill stations at four different sites but when the cost estimation came back, they could only afford 1 station, so they are wanting to move the fire filling station location from the Abbott fire station to the Farley fire station. Commissioner Trujillo made a motion to approve the Change Order Form, Fire Station Fill Stations- Rebid RFB 2022-03. Commissioner Kern seconded the motion. Chairman Wier asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Trujillo – aye, and Chairman Wier – aye. The motion carried unanimously.

23. Discuss/ Action -Memorandum of Understanding Between Domestic Violence and Vigil Maldonado Detention Center

Warden Slade stated per national PREA standards the agency shall provide a way for inmates to report abuse or harassment to a public or private entity and VMDC is working with Alternative to Violence to be the outside reporting agency. Commissioner Kern made a motion to approve the Memorandum of

Understanding Between Domestic Violence and Vigil Maldonado Detention Center. Commissioner Trujillo seconded the motion. Chairman Wier asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Trujillo – aye, and Chairman Wier – aye. The motion carried unanimously.

24. Discuss/Action -New Mexico Department of Transportation Aviation Grant Agreement, Project #AXX-23-02

Financial Specialist Joana Apodaca stated that the grant is in the amount of \$ 22,222.00 with a 10% match from the county. Joana stated \$20,000.00 would come from the state and \$2,222.00 would come from the county. Commissioner Trujillo asked what the funds could be used for. Joana stated it can be used to maintain the airport. Commissioner Kern made a motion to approve the New Mexico Department of Transportation Aviation Grant Agreement, Project #AXX-23-02. Commissioner Trujillo seconded the motion. Chairman Wier asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Trujillo – aye, and Chairman Wier – aye. The motion carried unanimously.

25. Commissioners' Docket

Commissioners Trujillo read the following statement that he had prepared.

I am looking forward to serving this county I love! I am going to keep to my promises of transparency and always having the people's best interests at heart and in mind. I will work to bridge gaps we have in our county and communities.

To my fellow elected officials please know I believe in leadership from ourselves and respect from others. You will always have my respect even if at times we do not agree. I will always hold your Office in the highest regards. I know we are a team, and I will do my best to help you succeed and help our constituents.

In the last few months, I have been working diligently to be brought up to speed on county issues. Commissioner Weir and Kern are more seasoned in county business, and I do not want us to skip a beat on my account. In doing so I have worked closely with our County Manager Gore. I want everyone to know that he has my full confidence and support!

I thank all the county employees for everything you do! Please know your hard work is seen and appreciated by both our constituents and myself.

I will ask for your help in the coming years to assist me as a commissioner to learn and help implement change we as a commission see for the betterment of all.

I will encourage you to always think of our constituents and provide the best customer service. For example, in business I have always thought of it as, how I would want someone to help and treat my grandmother. While in the process, if you find or have an idea on how to improve something we do I encourage you to bring it forward.

In the coming months I look forward to working with our fellow commissioners and elected officials to address some of the following:

- Review our liabilities and make sure they are properly funded.
- Assist with our county funds to take into consideration the time value of money. Whether this be with where our money is invested or if funds should be spent on one-time projects to make life simpler and more efficient. (for example, going digital with all county records)
- Look into the possibilities of hiring a full-time grant writer for the county and by next legislative session a lobbyist to better represent our county and push the State for more funding.
- Work with all Offices to see what we can do to encourage or create workforce housing. This issue has gone on too long and is desperately needed.

As I close out my remarks, I believe in being detail oriented and analytical while taking into consideration the long-term objectives that prior commissioners have brought forth. I believe in being positive and being fair with those whose happiness depends upon me. You will always see me act accordingly for I know my actions not only reflect upon me and my family, but also upon Colfax County as a whole.

Thank you, Chairman!

Commissioner Kern stated that she had been getting calls about the trash in Maxwell which was already addressed earlier. Commissioner Kern thanked Virginia, Tiana, and Manager Gore for addressing the

trash issue. Commissioner Kern stated that there should be a focus on law enforcement in the county. Commissioner Kern stated that she is looking forward to doing good things for Colfax County.

Commissioner Wier thanked his fellow Commissioners for voting him to be Chairman. Chairman Wier stated that as Chairman he will require respect with each other and treat each other with respect when there are disagreements. Chairman Wier stated that he expects good things from Manager Gore. Chairman Wier stated that as a Commission we have to believe what we are doing is right and truthful and you have to do the right thing even when it's hard. Commissioner Wier stated he wanted to share his priorities for this year which are the following:

1. Paying employees an appropriate wage.
2. Fire Prevention
3. EMS and Health Care
4. Workforce Housing
5. Hiring a special project coordinator.
6. Continuation of the development of an animal shelter.

Chairman Wier stated that the county has money from the ARPA funds, and it needs to be used by 2025. Chairman Wier stated that he would like to have special town hall meetings to discuss the use of ARPA fund and wants public input but stated there are rules on what the money can be used for. Chairman Wier stated that he is looking forward to serving the county and moving forward with the new Commission.

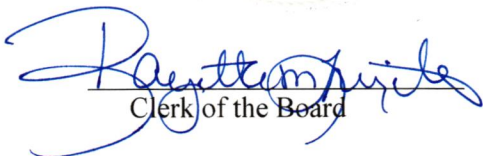
26. Manager's Docket

Manager Gore welcomed the new Commissioners and stated that he will work with the Commission in a positive manner. Manager Gore stated that he had a meeting with the Elected Officials and Department Heads regarding capital outlay and it was a positive meeting and there was good input. Manager Gore stated he also attended the Airport Advisory Committee meeting and that went well, and they are all in favor of trying to find someone to manage the airport and developing the airport. Manager Gore stated that there is a lot of money in NM and there has been discussion of getting a lobbyist to help the county get some of those funds. Manager Gore asked Amadeo Soto, Joana Apodaca, Regina Slade, and Virginia Strohm, to come to the front of the chamber and stated he wanted to thank them for their outstanding customer service and the exceptional job that they have done, and Manager Gore presented each of them with a plaque.

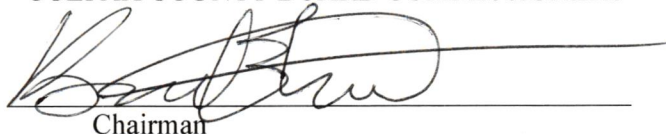
27. Adjourn

Commissioner Kern made a motion to adjourn. Commissioner Trujillo seconded the motion. Chairman Wier asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Trujillo – aye, and Chairman Wier – aye. The motion carried unanimously. The meeting adjourned at 11:18 a.m.

ATTEST:


Clerk of the Board

COLFAX COUNTY BOARD COMMISSIONERS


Chairman


Vice-Chairman


Member