

October 24, 2023

Regular Meeting

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

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

1. Call to Order

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

2. Pledge of Allegiance

Commissioner Kern led the Pledge of Allegiance.

3. Salute to the New Mexico Flag

Commissioner Wier led the Salute to the New Mexico Flag.

4. Approve Agenda

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

5. Approve Regular Meeting Minutes for October 10, 2023, and Emergency Meeting Minutes for October 17, 2023.

Chairman Trujillo asked if the Commissioners had any comments or corrections on the Regular Meeting Minutes for October 10, 2023, and the Emergency Meeting Minutes for October 17, 2023. Commissioner Kern made a motion to approve the Regular Meeting Minutes for October 10, 2023, and the Emergency Meeting Minutes for October 17, 2023. Commissioner Wier seconded the motion. Chairman Trujillo asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Wier – aye, and Chairman Trujillo – aye. The motion carried unanimously.

6. Recognize Visitors

Chairman Trujillo thanked everyone for attending the meeting. Others present: Amadeo Soto, Regina Slade, Sara Torres, Leonard Baca, Tina Colangelo, Virginia Strohm, Roger Smith, Todd Tatum, Carol Bridge, Tarin Giacomo, Tim Martinez, Mike Houle, Susan Houle, Leslie Fernandez, Eileen Kenny Marquez, Martha Sawaya, Valarie Seccora, Josie Kelly, Kathy McQueary, Michael Keily, Tiana Romero, Tom Pellán, Nathaniel Sandoval, David Stafford, J.P. Duran, Stephanie Jansen Duran, Christine Neurauder, Steve C. Iwag, Michael Gatti, Billy Ray, Marian Ray, Ambrosia Trujillo, Jeanne Tatum, Tom Vigil, Kristi Graham, Lydia Garcia, Alfonso Ortiz, and via electronic device – Jun Roh.

7. Public Comment

Chairman Trujillo asked if there were any requests or responses from the audience on anything that was not on the agenda. Eileen Marquez stated she called 911 regarding an attempted break-in at her home on October 7th. Ms. Marquez stated she was on the 911 call with dispatch for 9 minutes and dispatch told her she needed to call back if she heard anything. Ms. Marquez stated it took fifty minutes for the deputy to arrive that had come in from Maxwell. Ms. Marquez stated that she did not have an issue with the deputy but asked about backup for the deputy if something had happened. Ms. Marquez recommended this be taken care of so someone does not get hurt.

8. Presentation – Raton Pickleball Club

Leslie Fernandez on behalf of the Raton Pickleball Club thanked the IT Group for their assistance with her presentation. Mrs. Fernandez stated there are many individuals that come out to the Raton School to play ranging in all ages. Ms. Fernandez stated the Pickleball group will be applying for their 501 C-3. Mrs. Fernandez stated their group was using the Convention Center during the winter but was told in the Spring they would not be able to use the Convention Center. Mrs. Fernandez stated they also used the event center and that worked out well for them, as they did not have to pull the tape that was used to mark the courts or

take down their nets. Leslie stated the group would like to approach the County to see if they would be able to match funding to the city to build the Courts. Leslie stated the city had set aside \$500,000.00 for the fixing of the bathrooms at the baseball fields as well as building the courts, but the bathrooms are going to take most of the funding. Leslie stated when the group used the event center, they would clean up after themselves and they had also discovered frozen pipes. Val Soccora stated she is a retired nurse and feels that Pickleball has many benefits for individuals that play, such as cardio, mental health and just being around people. Val stated there are individuals that are 84 years old that get out and play. Stephanie Jensen Duran spoke on the number of individuals that play in tournaments and how it would bring business to Raton. JP Duran stated he has received a few quotes on how much it would cost to build the courts and stated it ranges from \$360,000.00 to \$480,000.00. JP stated they played on a court that was built by the lowest bidder and it was the best court they have played on. Commissioner Kern asked if they have received any obligations from the city regarding funding and was told not really. Leslie stated the city is applying for a grant from DFA and would know if they received the grant rather quickly. Leslie stated she is hoping maybe the City can put \$200,000 to \$250,000 out of general fund towards the courts. Chairman Trujillo stated hopefully they can get a feasibility study soon. Commissioner Kern asked if the group was required to pay for the usage of the event center and was told they were not charged and could not afford to pay if they had to. County Manager Gore stated he did not feel there would be a problem with the group using the event center this fall.

9. Discuss/Approve Indigent Care Claims

Tiana Romero stated there were five claims submitted from the VMDC in the amount of \$10,290.00 and they meet all the requirements of the Indigent Care. Tiana stated there was one case #2023-17 that should be denied due to it being over the income guidelines. Commissioner Kern made a motion to approve the Indigent Care Claims as presented. Commissioner Wier seconded the motion. Chairman Trujillo asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Wier – aye, and Chairman Trujillo – aye. The motion carried unanimously.

10. Discuss/Action – Service Agreement Between Accurate Control Inc., Security Automation Systems and Vigil Maldonado Detention Center

Virginia Strohm stated this agreement is approved annually for the security automation system at the VMDC and the County purchases the Bronz plan. Commissioner Wier asked if there was an increase in the agreement this year. Chairman Trujillo asked if there was a clause stating the company would provide insurance, so the county is protected. Commissioner Wier questioned when the agreement expired and was told Virginia would have to check. Virginia stated she was not sure and asked the Commission to table this item until further in the meeting so she could get the information needed. After further discussion, Commissioner Wier made a motion to table to follow item # 21. Commissioner Kern seconded the motion. Chairman Trujillo asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Wier – aye, and Chairman Trujillo – aye. The motion carried unanimously.

11. Discuss/Action - Cancel RFP 2023-003, IT Services

Virginia Strohm stated the County went out for RFP and did not receive any qualified RFPs as the submitters did not include all the proper paperwork. Commissioner Kern made a motion to Cancel RFP 2023-003, IT Services. Commissioner Wier seconded the motion. Chairman Trujillo asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Wier – aye, and Chairman Trujillo – aye. The motion carried unanimously.

12. Discuss/Action – Approval of IT Service Contract Between Colfax County and Amadeo Tech Services and Misc.

Virginia Strohm presented the contract for IT services with Amadeo Soto. Commissioner Kern stated Amadeo does a fantastic job. Commissioner Wier asked if the increase was budgeted. Amadeo stated it was an increase in the hourly rate, but a cut back in hours worked. Chairman Trujillo asked what the difference was between an independent contractor and a contract employee. Jun Roh stated the Independent Contractor serves at the pleasure of the Commission and a contract employee is covered by the Personnel Policy. Chairman Trujillo asked if the contract employee is required to supply insurance to the county and was told no by County Attorney Roh.. Chairman Trujillo asked who was reviewing the contracts, because there were two errors on page 4 and the following changes needed to be made, Springer School and replacing it with Colfax County and replacing city vehicle with county vehicle. Amadeo stated he is considering retiring next year but would make sure Tim was fully trained. Commissioner Wier made a motion to approve the IT Service Contract Between Colfax County and Amadeo Tech Services and Miscellaneous as amended. Commissioner Kern seconded the motion. Chairman Trujillo asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Wier – aye, and Chairman Trujillo – aye. The motion carried unanimously.

13. Discuss/Action – Resolution 2023-35, Resolution Supporting the New Mexico Counties 2024 Legislative Priorities

Commissioner Wier stated these priorities were approved by NMC Board and would benefit the County as most of them affected the Sheriff's Department and the Detention Center. Commissioner Kern made a motion to approve Resolution 2023-35, Resolution Supporting the New Mexico Counties 2024 Legislative Priorities. Commissioner Wier seconded the motion. Chairman Trujillo asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Wier – aye, and Chairman Trujillo – aye. The motion carried unanimously.

14. Discuss/Action- Resolution 2023-36, Resolution Supporting the Rights of Citizens of The State of New Mexico, and Colfax County to Seek Redress Through the Use of The Referendum Process as Approved and Authorized by The Constitution of The State Of New Mexico

Commissioner Kern made a motion to approve Resolution 2023-36, Resolution Supporting the Rights of Citizens of The State of New Mexico, and Colfax County to Seek Redress Through the Use of The Referendum Process as Approved and Authorized by The Constitution of The State Of New Mexico. Commissioner Wier seconded the motion. Chairman Trujillo asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Wier – aye, and Chairman Trujillo – aye. The motion carried unanimously.

15. Discuss/Action - Temporary Full Time Positions for Sheriff's Department.

Sheriff Baca stated he is requesting the Commission grant him three temporary full-time positions. Sheriff Baca stated one will be a full-time administrative assistant, one court security officer and one sheriff deputy. Sheriff Baca stated his administrative assistant will be retiring within a few years. Commissioner Wier questioned if the individuals that would be filling these positions would be told their position was only guaranteed for three years. Sheriff Baca stated that they would be told. Sheriff Baca stated there were three or four individuals that would be eligible to retire in a few years, so the temporary employees would be absorbed into those positions. After further discussion, Commissioner Kern made a motion to approve the Temporary Full Time Positions for the Sheriff's Department. Commissioner Wier seconded the motion. Chairman Trujillo asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Wier – aye, and Chairman Trujillo – aye. The motion carried unanimously.

16. Discuss/Action Resolution 2023-37, Acceptance of Law Enforcement Grant

Commissioner Wier asked if this grant was new from last year. Sheriff Baca stated it was. Commissioner Kern made a motion to approve Resolution 2023-37, Acceptance of Law Enforcement Grant. Commissioner Wier seconded the motion. Chairman Trujillo asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Wier – aye, and Chairman Trujillo – aye. The motion carried unanimously.

17. Discuss/Action – State of New Mexico DFA LGD Capital Appropriation Project Amendment No 1

Tarin Giacomo stated DFA has changed from reporting monthly to quarterly for Capital Appropriation Projects. Commissioner Wier asked which projects this would affect and was told the vehicle for the Sheriff's Department and the Event Center. Commissioner Kern made a motion to approve the State of New Mexico DFA LGD Capital Appropriation Project Amendment No 1. Chairman Trujillo seconded the motion. Chairman Trujillo asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Wier – abstained, and Chairman Trujillo – aye. The motion carried.

18. Discuss/Action – Local Driving While Intoxicated (LDWI) Grant Agreement Amendment No. 1 for the County DWI Program #24-D-G-05 between Department of Finance and Administration and Colfax County

Ambrosia Trujillo asked the Commission if they had any questions regarding the amendment and they had none. Commissioner Kern made a motion to approve the Local Driving While Intoxicated (LDWI) Grant Agreement Amendment No. 1 for the County DWI Program #24-D-G-05 between the Department of Finance and Administration and Colfax County. Commissioner Wier seconded the motion. Chairman Trujillo asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Wier – aye, and Chairman Trujillo – aye. The motion carried unanimously.

19. Discuss/Action – Approval of Fencing at Black Lake Fire Station/ Dumpster Location

Commissioner Wier stated he made several attempts to contact Mr. Honea who donated the property to the County for the Black Lake Fire Station. Commissioner Wier stated the dumpsters were located on three different County Roads prior to them being moved to the Black Lake Fire Station. Commissioner Wier stated prior to the dumpsters being moved, there were issues with the dumpsters due to the roads being graded, plowed for snow and the trash trucks not making it up the steep roads. Commissioner Wier stated as long as the Fire Station remains on the property the property belongs to the County, but once the Fire Station is moved it will revert to Mr. Honea or his family. Commissioner Wier stated he spoke with the

property owner who was having issues with the trash and was told it would help if the trash was contained in the fencing. Commissioner Wier stated the County Manager's comment that it was a trash crisis is the best way to describe the situation. County Manager Gore stated he spoke with Julie, and she stated they were having issues with a few of the contractors putting construction debris in the dumpsters. Commissioner Wier stated he felt it would cost less to put fencing up rather than going into litigation over the trash. Chairman Trujillo stated the State has been in contact with the County wanting for the County to pull the site and he felt the fencing was the right thing to do. After further discussion, Commissioner Wier made a motion to approve the Approval of Fencing at Black Lake Fire Station/ Dumpster Location. Chairman Trujillo seconded the motion. Chairman Trujillo asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – nay, Commissioner Wier – aye, and Chairman Trujillo – aye. The motion carried.

20. Discuss/Action – November and December 2023 Meeting Dates

Chairman Trujillo stated the 2023 RLE Results needed to be canvassed and asked the Clerk if November 14th would be ok to canvass and to have the Regular Meeting, which will immediately follow the Canvass and she said it would work. Chairman Trujillo asked if December 12th would be ok for the December meeting. Commissioner Kern made a motion to set the Meeting dates for November 14, 2023, and December 12, 2023. Commissioner Wier seconded the motion. Chairman Trujillo asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Wier – aye, and Chairman Trujillo – aye. The motion carried.

21. Discuss - Quarterly Department Updates

Tom Vigil, Emergency Manager thanked the Commissioners for allowing him to represent the county and the state on the Southwest Type 1 Fire team. Tom reported on the watershed project and the reseeded project. Tom reported on the control burns that have been taking place in the county. Tom stated that he is working with the City of Raton to do hazard exercises. Tom stated that DOT is going to repair the bridge on Highway 21 and not replace it and he is anticipating it to take three months to complete once they get started but there is no start date yet. Chairman Trujillo recessed the meeting at 11:02 a.m. Chairman Trujillo resumed the meeting at 11:07 a.m.

Warden Slade reported that they are moving forward toward accreditation. Warden Slade stated that the CNA position has been filled and they have a part-time nurse. Warden Slade stated that the hold amount was \$191,678.00 for the quarter and the average daily population is 61. Warden Slade reported that Crossroads is in the facility now. Warden Slade stated that she has eight positions open. Warden Slade thanked Tim Martinez from IT for always helping when they have issues.

County Assessor Kristi Grahm reported that she sent the tax files to the Treasurer to start tax billing. Assessor Grahm stated that the State Abstract was due on October 1, 2023, and it was completed, and they have until December to approve it. Assessor Grahm stated that there will be an appraiser class on December 11-15, 2023. Assessor Grahm stated that she is going to be requesting to hire a new person for Andy Fager's position since he is going to be retiring next year.

County Treasurer Lydia Garcia reported on the collected and delinquent taxes, investments with the state, and money market investments. Treasurer Garcia stated that the Tax and Revenue is going to be doing a sale. Treasurer Garcia stated that tax bills will be sent out on November 1, 2023, and will be due December 10, 2023, with no penalties.

County Clerk Rayetta Trujillo reported about the election and the recordings in the office. Commissioner Wier thanked County Clerk Trujillo and Chief Deputy Clerk Sara Torres for taking mobile voting out to Angel Fire and stated it was appreciated.

Sheriff Leonard Baca reported about the number of transports and the cost of transports, deputies attending the academy, and temporary positions. Sheriff Baca reported on the repeater on Touch Me Not. Sheriff Baca thanked IT for their help with upgrading their computers and communication system. Sheriff Baca stated that the Judicial Center will be upgrading the security scanner, and a generator will be installed at the Judicial Center.

Nate Sandoval stated that he is the acting Fire Marshal. Nate reported that he is doing follow up on the previous Fire Marshal's projects.

Chairman Trujillo stated that he would like to have reports from the DWI, YES, Road, Maintenance, Solid Waste, and Grant departments and from the Senior Companion's, Airport Committee, and Mike Provine.

10. Discuss/Action – Service Agreement Between Accurate Control Inc., Security Automation Systems and Vigil Maldonado Detention Center

Virginia Strohm stated the plan is Bonze and the County paid \$13,571.80 last year and the new amount is \$16,415.0. Virginia reported the agreement ends on November 21, 2023. Commissioner Kern made a motion to approve the agreement. Chairman Trujillo asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Wier – aye, and Chairman Trujillo – aye. The motion carried.

motion to approve the Service Agreement Between Accurate Control Inc., Security Automation Systems and Vigil Maldonado Detention Center. Commissioner Wier seconded the motion. Chairman Trujillo asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Wier – aye, and Chairman Trujillo – aye. The motion carried unanimously.

22. Commissioners' Docket

Commissioner Kern suggested that the Commissioners' Docket and the Managers' Docket be switched so questions could be asked during the Managers' Docket. Commissioner Kern stated that she is still getting calls on the trees which is a safety issue. Commissioner Kern asked when the Commission will be addressing special projects.

Commissioner Wier stated that the Cimarron Watershed Alliance received a grant for forest thinning and stated that materials that are being removed are being shipped out to Colorado and he suggested the county try and find a way to utilize this material instead of shipping it out. Commissioner Wier stated that the county did not receive the airline grant and the county did everything they could to try and obtain the grant.

Chairman Trujillo thanked the Commissioners for their quick response to having the emergency meeting last week. Commissioner Trujillo stated that we did not receive the airline grant due to funding. Chairman Trujillo stated that he would like to see more advertising for the County. Chairman Trujillo stated that he attended the Governor's Symposium.

23. Managers' Docket

Manager Gore stated that last week NMDOT did an inspection of Chicorica Bridge, and they notified Road Superintendent Glen Stevens that the bridge needed to be closed due to support beams being broken. Manager Gore stated that they are working with the landowner next to the bridge to do a low water crossing and are working with Mike Provine to expedite a plan to fix the bridge. Manager Gore stated that he agreed with Commissioner Wier that we did everything correctly with the grant for the airport and he is disappointed that we did not get the grant and was told it was because they ran out of money. Manager Gore stated that they did get a 1.2 million dollar grant for the hangers at the airport. Manager Gore stated that the road department is moving forward with the Maxwell Road project. Manager Gore suggested that we use contractors for special projects the road department needs help with. Manager Gore stated the E-911 State Coordinator will be here next month to help with getting the county system updated. Manager Gore stated that solid waste in Black Lake has been a challenge, and he has been in contact with vendors that have expressed interest in working with the county on this issue. Manager Gore stated that he has tried to contact Tri-State to set up a meeting and Tri-State has not responded. Manager Gore stated that next week they will start the interview process for the Fire Marshal position. Manager Gore stated that he directed Fred Martinez to get a safety committee together and Fred is working on the issue in the Assessor's office. Manager Gore stated that the maintenance department will start the process to get the fence up at the Black Lake solid waste site. Manager Gore stated that the structure engineer inspected the building for the Clerk's office and there are not any structure issues but there is a leak in the roof, and asked the realtor to address the issue and he will get with Clerk Trujillo to discuss the issue. Manager Gore stated that he will have a report on the Road Department building at the next meeting.

24. Adjourn

Commissioner Kern made a motion to adjourn. Commissioner Wier seconded the motion. Chairman Trujillo asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Wier – aye, and Chairman Trujillo – aye. The motion carried unanimously. The meeting was adjourned at 12:33 p.m.

COLFAX COUNTY BOARD COMMISSIONERS

Si Trujillo

Chairman

May Don Kern

Vice-Chairman

[Signature]

Member

ATTEST:



[Signature]
Clerk of the Board