

February 6, 2024  
Special Meeting

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

Si Trujillo, Chairman  
Mary Lou Kern, Vice-Chairman - via Electronic Device  
Bret Wier, Member - via Electronic Device  
Sara Torres, Chief Deputy Clerk  
Monte Gore, County Manager

Others present: Tina Colangelo, Rose Marchetti, Elizabeth Trujillo, Elizabeth Romero, David Armijo, Melissa Mack, Johnathan Arthur, Mike Amparan, Nolberto Dominguez, Tim Martinez, via electronic device - Jun Roh, and Mike Provine.

1. Call to Order

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

2. Approve Agenda

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.

3. Discuss/Action – Professional Service Contract Between County of Colfax and Arthur Rolloff Inc.

Manager Gore stated that they have included all the items that were requested by the Commission at the last meeting. Manager Gore stated that they did a cost comparison with what Tri-State was charging and there will be an increase with this contract. Manager Gore stated that it outlines where the dumpsters are located throughout the county, and it takes into account private citizens and businesses. County Manager Gore recommended going forward with Arthur Rolloff. Johnathan Arthur stated that adjustments were made to the pricing to include landfill charges so that co-mingling loads would not be a problem. Commissioner Kern stated that she appreciated her concerns being addressed, but she is concerned about the three roll offs that are going to be in Raton being used by contractors for their waste. Commissioner Wier stated that his concern is that the current contract doesn't take into account a contingency plan for at least four weeks out of the year which is when they receive the most complaints which are the two weeks surrounding Christmas and New Year's, one week which is Texas spring break, and the week of Fourth of July. Commissioner Wier stated that he thinks there needs to be three pick ups a week during those four weeks. Commissioner Wier stated that he would like to have pricing in the contract for three pick ups a week. Johnathan stated that in his opinion it is priced in the contract and even though the contract says two times a week they will be there whenever a pick up is needed and he will send extra trucks if needed and not just one truck is going to handle this. Johnathan stated that he has a lot of contingency plans they are just not in the contract. Chairman Trujillo stated that he is hesitant when there is an increase price especially for those on a fixed income and this would be a seven-dollar per month increase, but he believes this is cheaper than what is being paid to other counties and municipalities. Chairman Trujillo asked if notice has been given to the third-party entities that the county is exploring going with a new solid waste service. Manager Gore stated that they are in the process of doing this. Chairman Trujillo asked what the time frame is for getting the notice out. Manager Gore stated that it would take a week. Commissioner Kern asked if the environmental tax revenue was taken into consideration to offset some of this so that the customers aren't paying 100% of the cost. Manager Gore stated that he would look into this. Commissioner Kern stated that the fund was set up to offset solid waste and it should be taken into consideration to lower what is being charged to the customer. Chairman Trujillo stated that this can be addressed as a separate issue. County Attorney Roh stated that he will look into the environment tax, and this is a separate matter. Chairman Trujillo stated that he was ready to move forward with the contract and asked the Commissioner if they wanted to add what Commissioner Wier requested. Commissioner Kern stated she was okay with the contract but if they wanted to make a friendly amendment, she would be okay with that. Chairman Trujillo made a motion to approve the Professional Service Contract Between County of Colfax and Arthur Rolloff Inc. 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.



#### 4. Discuss/Action- Chicorica Low Water Crossing Project

Manager Gore asked Mike Provine to give an update on the project. Mike stated that he reached out to Rocky Road who is the contractor for the low water crossing to get their bond and insurance documents and when they returned the documents, they did not provide builders risk coverage. Mike stated that he talked to Mr. Matthews, and it is going to take several weeks to procure the builders risk coverage. Mike stated that Mr. Matthews would like to proceed with the project and is estimating it will take a couple of weeks to complete and they could start as soon as next week. Mike stated that in many cases builders' risk isn't required by the contractor, but it was in the bid requirements, and he is bringing this to the Commission to make a decision. Commissioner Trujillo asked Mike about the task order. Mike stated that this is for the temporary easement for the new roadway and the landowner requested to realign the design and this is to change the work and rewrite the easement description and he is submitting this task order to do that. Chairman Trujillo asked what the time frame was to complete this. Mike stated it would be completed this week. Manager Gore stated that he spoke with the owner of Rocky Road and the culverts for the job are on order and should be ready by next week and he would like to start the work as soon as he gets them in. Manager Gore stated that the flood insurance is an issue and Rocky Road is requesting the Commission reconsider the flood insurance. Chairman Trujillo asked if anyone in the audience had any comments on this. Melissa Mack stated that she is there representing Wes and he is willing to sign the easement as soon as the requested changes are made. Rose Marchetti thanked the Commission for putting this on the agenda and Chairman Trujillo for all his efforts with this. Rose talked about the inconvenience this has caused for the residence and the More Ranch and thanked the More Ranch for letting her pass through their property. Rose stated that she is concerned about the bridge project because there has been no progress on it. Rose stated that her other concerns are flood crossings, alternate roads that are not in good shape, and cell phone service on the south side of Tinaja. Mike Provine stated that it has taken some time to get the design completed, but he is expecting to bring this to the Commission at the next meeting for approval to advertise. Mike stated that he is hoping the construction will start late Spring and the plan is to be completed by the fall. Chairman Trujillo asked Mike when he will be bringing this to the Commission. Mike stated the February 27, 2024 meeting. Commissioner Kern asked if there is going to be any ramifications if they change the specs of the bid since the contract has already been awarded. Chairman Trujillo asked if procurement officer Danielle Avila was available to answer the question. Danielle stated that she could not answer the question since she was unaware of the situation. Commissioner Wier asked County Attorney Roh if the county would be in breach of procurement. County Attorney Roh stated that he is not sure and needs to get a clearer understanding of this first. Commissioner Kern suggested this be put on the agenda for next week and get some clarification before the next meeting. Commissioner Wier suggested taking a recess to get some clarification. County Attorney Roh asked if he could have thirty minutes to try and get some clarification on this. Chairman Trujillo stated that he is upset with the time frame on this. Chairman Trujillo asked Manager Gore to get with Road Superintendent Glen Stevens about the roads as there needs to be a way in and out. Chairman Trujillo stated that he is upset with the contractor. Chairman Trujillo recessed the meeting until 10:30 a.m. Chairman Trujillo called the meeting back to order at 10:30 a.m. Manager Gore stated that he talked to Orin from Rocky Road, Danielle, Glen and County Attorney Roh and it doesn't look like there is anything wrong in procurement. Manager Gore stated that in talking with Orin no one wants to provide flood insurance, but they are bonded. After further discussion Chairman Trujillo requested a letter from the contractor's insurance agent stating that they can not find flood coverage for this project. Chairman Trujillo requested the contract be on the agenda for the next meeting and suggested moving forward with the task order for today. Commissioner Wier stated that we need to make sure there is a proper indemnification in the contract. Commissioner Wier made a motion to approve the task order. 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.

#### 5. 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 10:47 a.m.

COLFAX COUNTY BOARD COMMISSIONERS



ATTEST:

*Raymond Trujillo*  
Clerk of the Board

*Si Trujillo*  
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Chairman  
*Mary K. Ke*  
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Vice-Chairman  
*[Signature]*  
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Member