

Regular Meeting
August 10, 2020

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

Bobby LeDoux, Chairman
Landon Newton, Vice-Chairman
Roy Fernandez, Member
Rayetta M. Trujillo, County Clerk
Mary Lou Kern, County Manager

1. Call to Order

Chairman LeDoux called the meeting to order at 9:03 a.m.

2. Pledge of Allegiance

Commissioner Fernandez led the Pledge of Allegiance.

3. Salute to the New Mexico Flag

Commissioner Newton led the Salute to the New Mexico Flag.

4. Approve Agenda

Chairman LeDoux asked if there were any changes to the Agenda but none were made. Commissioner Fernandez made a motion to approve the Agenda as presented. Commissioner Newton seconded the motion. Chairman LeDoux asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Fernandez – aye, Commissioner Newton – aye, and Chairman LeDoux – aye. The motion carried unanimously.

5. Approve Regular Meeting and Budget Workshop Minutes for July 27, 2020, Special Meeting for July 30, 2020 and Special Meeting Minutes for August 4, 2020

Chairman LeDoux stated the Commission received the minutes prior. He asked the Board if they had any comments. The Commissioners stated they did not have any corrections to the minutes. Commissioner Newton made a motion to approve Regular Meeting and Budget Workshop Minutes for July 27, 2020, Special Meeting for July 30, 2020 and Special Meeting Minutes for August 4, 2020 as presented. Commissioner Fernandez seconded the motion. Chairman LeDoux asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Fernandez – aye, Commissioner Newton – aye, and Chairman LeDoux – aye. The motion carried unanimously.

6. Recognize Visitors

Others present: Sara Torres, Amanda Segura, Linda Gallegos, Danielle Martinez, Glen Stevens, Roger Smith, Nick Cardenas, Rose Bernal, Brenda Samora, and Sharon Niederman.

7. Public Comment

Chairman LeDoux asked if anyone would like to speak about anything which was not on the Agenda. Chief Deputy Assessor Linda Gallegos stated on July 31st the County Commissioners eliminated the Assessor's Office Business Personal Property Mobile Home Specialist position by the approval of the Plan #2 of the 2020-2021 Fiscal Year Budget. Chief Deputy Assessor Gallegos stated County Assessor Kristi Graham protested the Board's approval of Plan #2 on July 27th, but she was not provided the opportunity on July 31st. She presented information on how eliminating the position could impact the County. Commissioner Fernandez stated the Commission did not eliminate the position. He stated the position is frozen with the recommendation of County Manager Kern. Commissioner Fernandez stated the Commission will wait until the 1st quarter to review for potential unfreezing of the position. He stated the Commission voted to place a freeze on County hiring's except for Safety Sensitive Positions. County Manager Kern stated Commissioner Fernandez is correct, the position is frozen and was not eliminated but was not funded at this time. There was discussion over the position not being funded and if it is frozen or eliminated. Chief Deputy Assessor Gallegos stated there are processes the position should be fulfilling and the Assessor's

Office is 10 days into the month with the duties halted. Chairman LeDoux stated specific Safety Sensitive Positions were not part of the hiring freeze when it was voted on and the hiring freeze was not lifted. He stated Safety Sensitive Positions were approved to hire if needed. Commissioner Newton stated his understanding was the Assessor's position and the Lodger's Tax Clerk position were eliminated when the funding wasn't granted for the positions under Plan #2 which he voted against it. Chairman LeDoux stated due to the unknown impact of COVID-19, all funding concerns will be cautiously approached. He thanked Chief Deputy Assessor Gallegos for her presentation and stated the Commissioners would take the information under advisement. Chief Deputy Assessor Gallegos stated the County would see the effects of the position not being utilized. She questioned who would perform the duties of the eliminated position. Commissioner Fernandez questioned if she was taking the position with her statements that the Assessor's Office will not try or attempt to perform the duties so the taxes can be collected. She stated her office would try to complete the work, but her office will negatively be affected due to the attention it requires. Commissioner Fernandez thanked Chief Deputy Assessor Gallegos for her presentation and stated there were concerns with the Assessor's Office position being filled due to a violation of the Personnel Policy and the specified mandates not being honored. Chief Deputy Assessor Gallegos requested the Commission give her their word stating the Commission did not eliminate the position and the funds would be granted to fill the position when the hiring freeze is lifted. Chairman LeDoux stated this was not an action item and decisions could not be made. Chairman LeDoux stated the Commission would be required to review the information provided and no decisions would be made at the present time, but a meeting will be scheduled to address the concerns. There was discussion over the Assessor's Office increased budget for 2020-2021. There was no further discussion.

8. Discuss/Action – Approve Expenditures

General Fund	\$ 471,854.32
General Hold Harmless GRT	0.00
Hold Harmless GRT	0.00
Corrections Fund	50,796.08
County Property Valuation	9,098.77
Vermejo Debt Service	0.00
County Road Department	91,534.25
French Tract Fire Fund	755.05
Miami Fire Fund	954.80
Farley Fire Fund	605.97
Ute Park Fire Fund	417.30
Philmont Fire Fund	913.83
Moreno Valley Fire Fund	1,039.89
County Fire Marshal Fire Fund	605.94
Rapid Response Fire Fund	822.91
Vermejo Park Fire Fund	166.67
Moreno Valley Wildfire	0.00
Farley Wildfire Suppression	308.49
French Tract Wildfire Suppression	0.00
Philmont Wildfire Suppression	621.34
Ute Park Wildfire Suppression	0.00
Vermejo Wildfire Suppression	1,568.24
CC Rapid Response Wildfire Suppression	0.00
Law Enforcement Protection	8,694.41
Lodgers Tax	0.00
YES Program	7,096.25
YES BHSD Prevention	5,925.62
Maternal/Child Healthcare	0.00
NM Transportation Grants	32,669.09
WIPP	0.00
Legislative Appropriations	0.00
Indigent Care Gross Receipts	53,863.48
Fire Protection – Fire Excise Tax	0.00
Community DWI – TSB	0.00
DWI Distribution	8,075.48
LDWI Grant	756.50
State Farm	0.00
DWI-ALC	0.00
Recording/Filing Fund	0.00
Sheriff Forfeiture Fund	0.00

MCMC Hospital Fund	1,046.39
Capital Improvement	0.00
CAP IMP HHGRT/2015	346,709.84
Angel Fire Airport Improvements	0.00
Angel Fire Airport FFA	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	42,629.63
Colfax County Airport Operations	20,881.87
Total	<u>\$1,160,412.41</u>

County Manager Kern presented Expenditures for July 2020 to the Board and asked if there were any questions or comments, but none were made. Commissioner Fernandez made a motion to approve expenditures for July 2020 as presented. Commissioner Newton seconded the motion. Chairman Ledoux asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Fernandez – aye, Commissioner Newton – aye, and Chairman LeDoux – aye. The motion carried unanimously.

9. Presentation – Introduction Changes to Ordinance #2017-01, Colfax County Personnel Policy

County Manager Kern presented to the Board the Changes to Ordinance #2017-01, Colfax County Personnel Policy. She stated the Commission received the old policy, the new policy, and a summary of the changes made to the Personnel Policy. Commissioner Fernandez suggested County Manager Kern revise 5.6 Paid Rest Breaks under Section #5 changing the word may to shall. Commissioner Newton suggested County Manager Kern use the redlining procedure to demonstrate the changes made within the policy. He stated the changes made to the ordinance would require review within a couple of meetings which would allow for Public Comment. Commissioner Newton stated the ordinance would require review by HR and the Department Heads and he would designate time to review the policy. County Manager Kern stated the Department Heads met prior to COVID-19 but she would meet with them for further review of the policy. Commissioner Fernandez questioned Section #7 Leave and Holidays 7.12 (B) concerning Administrative Leave. He stated the section would require more specific verbiage and he questioned the meaning of Administrative Leave. County Manager Kern stated there are employees who live outside of Raton and Administrative Leave is paid leave which will be used for snow days, but is it not overused. She requested the direction of the Commission how to proceed with determining Administrative Leave. Chairman LeDoux stated County Manager Kern may develop the policy under her discretion and leadership. He requested County Manager Kern be consistent and he recommended Administrative Leave be equitable for all employees. Commissioner Newton stated Administrative Leave should contain a specific process to follow, be revised, and it requires more clarification. Chairman LeDoux stated the policy should include a cap for Administrative Leave with a specific amount of time which could be used. Commissioner Fernandez stated employees build up adequate leave and suggested employees use their earned leave. He stated the County is required to expend taxpayers' dollars in an equitable manner and earned employee leave should be considered. Commissioner Fernandez stated when he worked, if he would not make it to work, he used personnel leave or did not get paid for the day. Chairman LeDoux stated the decision should be made considering safety first, families are safe, and on a case by case basis with the inclusion of a cap. There was no further discussion.

10. Discuss/Action – Award RFB #2020-05, Hauling of Gravel for the Colfax County Road Department

Accounts Payable Specialist Danielle Martinez presented to the Board RFB #2020-05, Hauling of Gravel for the Colfax County Road Department. She stated there were three bids received but one was disqualified due to incorrect calculations. Accounts Payable Specialist Martinez recommended R.W. Butt be awarded the RFB #2020-05, Hauling of Gravel for the Colfax County Road Department. Commissioner Newton questioned the incorrect calculations. Accounts Payable Specialist Martinez stated the calculations were required to be submitted by tons not by hour. Commissioner Fernandez made a motion to Award RFB #2020-05, Hauling of Gravel for the Colfax County Road Department to R.W. Butt. Commissioner Newton seconded the motion. Chairman Ledoux asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Fernandez – aye, Commissioner Newton – aye, and Chairman LeDoux – aye. The motion carried unanimously.

11. Discuss/Action – Award RFB #2020-07, Purchase of 3" Minus Gravel for Moreno Valley

Accounts Payable Specialist Danielle Martinez presented to the Board RFB #2020-07, Purchase of 3" Minus Gravel for Moreno Valley. She stated one bid was received and recommended the bid be awarded

to Perovich Properties. County Manager Kern stated the bid was received with an unanticipated increased amount of \$12.50 per ton which will reduce the amount of gravel that will be hauled. Commissioner Fernandez made a motion to Award RFB #2020-07, Purchase of 3" Minus Gravel for Moreno Valley to Perovich Properties. Commissioner Newton seconded the motion. Chairman Ledoux asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Fernandez – aye, Commissioner Newton – aye, and Chairman LeDoux – aye. The motion carried unanimously.

12. Discuss/Action – Work and Financial Plan between Colfax County and USDA Animal and Plant Health Inspection Service Wildlife

County Manager Kern presented to the Board the Work and Financial Plan between Colfax County and USDA Animal and Plant Health Inspection Service Wildlife. She stated the contract is renewed annually for the services Cody Hazen provides to the County and recommended approval. Commissioner Newton questioned if the budgeted amount was correct. County Manager Kern stated the amount is budgeted and is the correct amount. Commissioner Newton made a motion to approve the Work and Financial Plan between Colfax County and USDA Animal and Plant Health Inspection Service Wildlife. Commissioner Fernandez seconded the motion. Chairman Ledoux asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Fernandez – aye, Commissioner Newton – aye, and Chairman LeDoux – aye. The motion carried unanimously.

13. Discuss/Action – Approve Proposal with Alpha Design for Architectural Services, Farley Fire District #4 – Substation #1, Abbott, NM

County Fire Marshal Nick Cardenas presented to the Board the Proposal with Alpha Design for Architectural Services, Farley Fire District #4 – Substation #1, Abbott, NM. He stated the proposal with Alpha Design is for Farley Fire District's new substation near Abbot in the amount of approximately \$250,000.00. Commissioner Fernandez questioned the absence of a restroom within the substation. County Fire Marshal Cardenas stated the new substation will be used to house apparatus and for storage. Commissioner Newton encouraged the other Commissioners to take a tour of the substations within their districts. Commissioner Newton made a motion to Approve Proposal with Alpha Design for Architectural Services, Farley Fire District #4 – Substation #1, Abbott, NM. Commissioner Fernandez seconded the motion. Chairman LeDoux asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Fernandez – aye, Commissioner Newton – aye, and Chairman LeDoux – aye. The motion carried unanimously.

14. Discuss/Action – Airport Tech Services Contract – Angel Fire Airport

County Manager Kern presented to the Board the Airport Tech Services Contract – Angel Fire Airport. She stated Mr. Perry was the previous Manager at the Angel Fire Airport. County Manager Kern stated the current Angel Fire Airport Manager Tom Leitch is requesting leave and Gary the Assistant Manager will not be able to cover the entire requested leave. She stated Tom is requesting the approval of the contract which grants Mr. Perry the ability to assist with the management of the Angel Fire Airport in his absence. County Manager Kern stated the funds were budgeted under overtime and she recommended approval. Commissioner Fernandez made a motion to approve the Airport Tech Services Contract – Angel Fire Airport as presented. Commissioner Newton seconded the motion. Chairman LeDoux asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Fernandez – aye, Commissioner Newton – aye, and Chairman LeDoux – aye. The motion carried unanimously.

15. Commissioners' Docket

Commissioner Fernandez did not have anything to report.

Commissioner Newton stated NM Counties Board met virtually on August 7th for the election of officers. He stated the newly elected officials to serve as NM Counties Board of Directors are as follows: President – Steve Boyle who serves as Otero County Assessor and the current President Elect, President Elect – Linda Stover who serves as Bernalillo County Clerk, Vice-President – Jonathan Aragon who serves as Valencia County Commissioner and former NAACO Representative, and the vacant NAACO appointed position will be temporarily filled by Laura Montoya until the term expires on December 31st. Commissioner Newton stated the next NM Counties Meeting will be held virtually in October. There were no further comments.

Chairman LeDoux stated did not have anything to report.

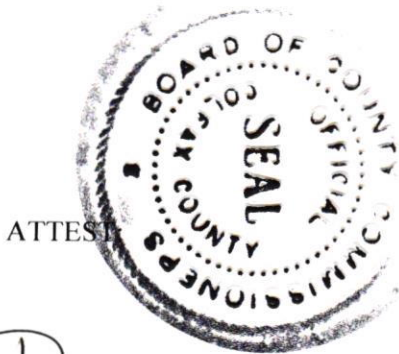
16. Manager's Docket

County Manager Kern presented her report to the Board. She stated the electrical work at VMDC for the lock replacement began on August 3rd and is expected to be completed within the week. County Manager Kern stated the lock replacement will begin within the week and Maintenance Supervisor Andy Muniz will be obtaining quotes to replace the toilets in the old units at VMDC. She stated trenching for the new internet line and phone line began at the Angel Fire Airport. County Manager Kern stated the contract with the CDOT is near completion and construction will begin in September with the replacement of 19,000 ties. County Manager Kern stated she applied for the CARES ACT through DFA for the reimbursement of expenses the County endured related to COVID-19. She stated she applied for funding for small businesses through grants. County Manager Kern stated there are a few confirmed transmissions of COVID-19 locally and a couple of staff members are self-quarantining pending test results due to potential exposure. There was no further discussion.

17. Adjourn

Commissioner Fernandez made a motion to adjourn. Commissioner Newton seconded the motion. Chairman LeDoux asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Fernandez – aye, Commissioner Newton – aye, and Chairman LeDoux – aye. The motion carried unanimously. The meeting adjourned at 10:15 a.m.

COLFAX COUNTY BOARD OF COMMISSIONERS



ATTEST

Chairman

Vice-Chairman

Member


Clerk of the Board