

June 28, 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 Wier led the Pledge of Allegiance.

3. Salute to the New Mexico Flag

Commissioner Kern led the Salute to the New Mexico Flag.

4. Approve Agenda

Commissioner Kern made a motion to approve the agenda as amended postponing Item 14 - Request for Promotional Funding, Blu Dragonfly Brewing LLC, Annual Car, and Swap Meet. Commissioner Wier seconded the motion. Chairman Trujillo 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 Public Hearing Minutes for May 9, 2023, Special Meeting Minutes for June 6, 2023, Regular Meeting Minutes for June 6, 2023, Special Meeting Minutes for June 20, 2023, and Budget Hearing Meeting Minutes for June 20, 2023

Chairman Trujillo asked if the Commissioners had any comments or corrections on the Public Hearing Minutes for May 9, 2023, Special Meeting Minutes for June 6, 2023, Regular Meeting Minutes for June 6, 2023, Special Meeting Minutes for June 20, 2023, and Budget Hearing Meeting Minutes for June 20, 2023. Commissioner Kern made a motion to approve the Public Hearing Minutes for May 9, 2023, Special Meeting Minutes for June 6, 2023, Regular Meeting Minutes for June 6, 2023, Special Meeting Minutes for June 20, 2023, and Budget Hearing Meeting Minutes for June 20, 2023, 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.

6. Recognize Visitors

Chairman Trujillo thanked everyone for attending the meeting. Others present: Sara Torres, Todd Tatum, Leonard Baca, Timothy Martinez, Rob Morper, Tina Colangelo, Nick Cardenas, Ambrosia Trujillo, Joana Apodaca, Glen Stevens, Kristi Graham, Amadeo Soto, Virginia Strohm, Jim Kowlsky, Kristi Graham, Tabitha Avitia, Mora Martinez, 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. Todd Tatum gave an update on the trash situation in the Moreno Valley and in Ute Park. Glen Stevens, Road Superintendent, gave an update on the flooding at Blosser Gap Bridge, FO Ranch and the Tinaja River Crossing.

8. Closed Session Pursuant to NMSA 1978, Section 10-15-1H (7), Pending Litigation, Declaratory Judgement Action, Special Assessment for State Health Care Benefits

Commissioner Kern made a motion to go into Closed Session Pursuant to NMSA 1978, Section 10-15-1H (7), Pending Litigation, Declaratory Judgement Action, Special Assessment for State Health Care Benefits. 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. Commission went into Closed Session at 9:22 a.m.

9. Discuss/Action – Open Session Pursuant to NMSA 1978, Section 10-15- 1H (7), Pending Litigation, Declaratory Judgement Action, Special Assessment for State Health Care Benefits

At 10:15 a.m. Commissioner Kern made a motion to return to Open Session Pursuant to NMSA 1978, Section 10-15- 1H (7), Pending Litigation, Declaratory Judgement Action, Special Assessment for State Health Care Benefits. Commissioner Kern stated the following were present in Executive Session: Commissioner Kern, Commissioner Wier, Chairman Trujillo, Monte Gore, Jun Roh – via Electronic Device, Grace Phillips, and Brandon Huss of the NMC. Commissioner Wier seconded the motion. Chairman Trujillo stated the matters discussed in the closed meeting were limited only to those specified in the motion for closure or in the notice of the separate closed meeting. 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. Chairman Trujillo made a motion to join the NM Counties for the Declaratory Judgement Action, Special Assessment for State Health Care Benefits. 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 – Approve Expenditures

General Fund	\$723,594.46
General Hold Harmless GRT	\$0.00
Hold Harmless GRT	\$0.00
Corrections Fund	\$64,535.40
County Property Valuation	\$3,559.00
Vermejo Debt Service	\$0.00
County Road Department	\$121,106.63
French Tract Fire Fund	\$43,546.26
Miami Fire Fund	\$6,247.93
Farley Fire Fund	\$23,873.66
Ute Park Fire Fund	\$1,782.60
Philmont Fire Fund	\$6,824.59
Moreno Valley Fire Fund	\$17,923.39
County Fire Marshal Fire Fund	\$1,093.23
Rapid Response Fire Fund	\$10,884.26
Vermejo Park Fire Fund	\$3,612.17
Moreno Valley Wildfire	\$0.00
Farley Wildfire Suppression	\$0.00
French Tract Wildfire Suppression	\$0.00
Miami Wildfire Suppression	\$0.00
Philmont Wildfire Suppression	\$0.00
Ute Park Wildfire Suppression	\$0.00
Vermejo Wildfire Suppression	\$530.06
CC Rapid Response Wildfire Suppression	\$0.00
Fire Marshal Wildfire Suppression	\$0.00
Law Enforcement Protection	\$0.00
Law Enforcement Recruitment	\$31,136.31
Lodgers Tax	\$5,632.84
YES Program	\$17,719.68
YES, BHSD Prevention	\$10,728.33
Maternal/Child Healthcare	\$0.00
NM Transportation Grants	\$0.00
WIPP	\$0.00
Legislative Appropriations	\$54,422.00
Indigent Care Gross Receipts	\$0.00
Fire Protection – Fire Excise Tax	\$4,921.11
Community DWI – TSB	\$0.00
DWI Distribution	\$12,469.16

LDWI Grant	\$1,956.07
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	\$37,422.88
CAP IMP HHGRT/2015	\$0.00
Angel Fire Airport Improvements	\$0.00
Angel Fire Airport FFA	\$0.00
Tiger Grant IX	\$1,418,503.73-
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	\$44,548.42
Colfax County Airport Operations	\$12,229.48
Total	\$156,203.81-

Chairman Trujillo asked if the Commissioners had any questions or comments regarding the expenditures. Commissioner Kern made a motion to Approve the Expenditures 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.

11. Discuss/Action - Approve Expenditures Pursuant to Resolution #2022-49

Chairman Trujillo asked if there were any questions on the Expenditures Pursuant to Resolution 2022-49. There were no questions or comments. Chairman Trujillo approved the Expenditures Pursuant to Resolution 2022-49. Commissioner Wier questioned if there needed to be a motion made. Chairman Trujillo asked Legal Counsel if he would explain if a motion was needed. County attorney Roh stated due to the conflict with both Commissioners, the Chairman could approve the Expenditures. County Attorney Roh stated he would like to speak with Commissioner Wier later about the situation. Commissioner Wier stated he was not aware of any complaints filed against him. County Attorney Roh stated he would like to speak to Commissioner Wier later, to discuss the situation. Commissioner Wier stated he would like to receive something in writing addressing the conflict with him. Jun again stated he did not want to mention anything at this time. It was asked if the Expenditures could be split further due to the Conflict of Interest with Commissioner Wier and Commissioner Kern. Commissioner Wier made a motion to postpone the Approval of the Expenditures Pursuant to Resolution #2022-49. 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 – abstained. The motion carried.

12. Discuss/Action – Indigent Care Claims

Tabitha Avitia stated there were two claims submitted from the VMDC which are paid at 100%. 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.

13. Discuss/Action – Request for Promotional Funding, Colfax Tavern & Diner, 4th of July Weekend Live Music Event

Tina Colangelo presented the Lodger's Tax Request from Colfax Tavern & Diner in the amount of \$1,000.00 for promotion funding. Tina stated the Colfax Tavern felt there would be a lot of individuals around for the 4th of July weekend and would like to keep them in the County. Commissioner Kern made a motion to approve the Request for Promotional Funding, Colfax Tavern & Diner, 4th of July Weekend

Live Music Event. 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 – Request for Promotional Funding, Blu Dragonfly Brewing LLC, Annual Car, and Swap Meet

This item was postponed under the approval of the agenda.

15. Discuss/Action – Resolution 2023-20, Budget Adjustment, Various Funds

Joana Apodaca presented the adjustments to the Commission. Commissioner Kern made a motion to approve Resolution 2023-20, Budget Adjustment, Various Funds. 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 – Amended Colfax County YES Program Home Visitor, FY24 Service Agreement, Alejandra Sanchez

Virginia Strohm stated this is an annual contract which she had presented as an independent contractor, but they are eligible for health insurance and the County pays taxes. Commissioner Kern made a motion to approve the Amended Colfax County YES Program Home Visitor, FY24 Service Agreement with Alejandra Sanchez. 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 – Amended Colfax County YES Program Lead Home Visitor/Lead Family Support Practitioner/Home Visitor/Lactation Consultant, FY24 Service Agreement, Kristin Trujillo

Virginia Strohm stated this is also an annual contract. Commissioner Kern made a motion to approve the Amended Colfax County YES Program Lead Home Visitor/Lead Family Support Practitioner/Home Visitor/Lactation Consultant, FY24 Service Agreement with Kristin Trujillo. 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.

18. Discuss/Action – Colfax County YES Program Home Visitor/Health Council Co-Coordinator, FY24 Service Agreement, Ashley Medina

Virginia Strohm stated this is also an annual contract. Commissioner Kern made a motion to approve the Colfax County YES Program Home Visitor/Health Council Co-Coordinator, FY24 Service Agreement with Ashley Medina. 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 YES Program, Early Childhood Education and Care Department/Home Visiting, FY24 Program Sub-Contract Agreement, Clinical Supervisor Agreement for Professional Services, between Colfax County and Ulibarri Consulting LLC

Virginia Strohm stated this is also an annual contract and they are independent contractor and do not qualify for health insurance. Commissioner Kern made a motion to approve the YES Program, Early Childhood Education and Care Department/Home Visiting, FY24 Program Sub-Contract Agreement, Clinical Supervisor Agreement for Professional Services, between Colfax County and Ulibarri Consulting LLC. 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.

20. Discuss/Action – Colfax County YES Program Director, FY24 Contract Debra Ortiz

Virginia Strohm stated this is also an annual contract. Chairman Trujillo asked if anyone had any questions for Debra Ortiz. Commissioner Kern made a motion to approve the Colfax County YES Program Director, FY24 Contract with Debra Ortiz. 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.

21. Discuss/Action – Colfax County DWI Program Coordinator, Ambrosia Trujillo

Ambrosia Trujillo stated this is her annual contract. Commissioner Kern made a motion to approve the contract for the Colfax County DWI Program Coordinator with Ambrosia Trujillo. 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. Discuss/Action – Colfax County DWI Program Compliance Officer, Jessica Candelario

Commissioner Kern made a motion to approve the Colfax County DWI Program Compliance Officer Contract with Jessica Candelario. 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.

23. Discuss/Action – Colfax County DWI Program Specialist, John Lock

Commissioner Kern made a motion to approve the Colfax County DWI Program Specialist Contract with John Lock. 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.

24. Discuss/Action – Colfax County DWI Program Treatment Provider Contract, Tenelle Phillips

Commissioner Kern made a motion to approve the Colfax County DWI Program Treatment Provider Contract with Tenelle Phillips. 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.

25. Discuss/Action - Professional Service Agreement between Colfax County and Piedra Lumbre Excavations, Inc

Virginia Strohm stated this is an annual Agreement for Road Maintenance in the Taos Pines Subdivision. Commissioner Kern made a motion to approve the Professional Service Agreement between Colfax County and Piedra Lumbre Excavations, Inc. 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.

26. Discuss/Action – Professional Service Contract between Colfax County and Abe Balsamo Co., Pursuant to RFP 2022-05

Virginia Strohm stated this is a one-year renewal for the Medical at the VMDC. Commissioner Kern made a motion to approve the Professional Service Contract between Colfax County and Abe Balsamo Co., Pursuant to RFP 2022-05. 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.

27. Discuss/Action – Professional Service Contract between Colfax County and Abe Balsamo Co.

Virginia Strohm stated this is a new contract to provide mental health services in the VMDC, as Crossroads can not provide the services needed per MAP. Virginia stated once Crossroads can get their Counselors on board this contract will be ended. Commissioner Wier made a motion to approve the Professional Service Contract between Colfax County and Abe Balsamo Co. 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.

28. Discuss/Action - Professional Services Agreement between Colfax County and Village of Eagle Nest

Virginia Strohm stated this contract is to provide meals to Senior Citizens in Eagle Nest. Commissioner Kern made a motion to approve the Professional Services Agreement between Colfax County and Village of Eagle Nest. 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.

29. Discuss/Action - Professional Services Agreement between Colfax County and The Citizens for the Developmentally Disable

Virginia Strohm stated this is for the Foster Grandparents. Virginia stated they transport individuals shopping, running errands, and to doctor appointments. Commissioner Kern made a motion to approve the Professional Services Agreement between Colfax County and The Citizens for the Developmentally

Disabled. 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.

30. Discuss/Action - Professional Services Agreement between Colfax County and Colfax Senior Citizens Inc.

Virginia Strohm stated this agreement is to provide meals for Senior Citizens in Raton and surrounding areas. Commissioner Kern made a motion to approve the Professional Services Agreement between Colfax County and Colfax Senior Citizens Inc. 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.

31. Discuss/Action - Work and Financial Plan between Colfax County and United States Department of Agriculture, Animal and Plant Health Inspection Service Wildlife Services

Virginia Strohm stated this is an annual contract with Aaron Fluhman for predator control. Chairman Trujillo stated he has used this service to control the skunks and raccoons. Virginia stated the County has used him for prairie dog control at the airport. Commissioner Kern made a motion to approve the Work and Financial Plan between Colfax County and United States Department of Agriculture, Animal and Plant Health Inspection Service Wildlife Services – USDA Wildlife Control. 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.

32. Discuss/Action - Professional Services Agreement between Colfax County and In Bank, 30-day Extension

Virginia Strohm stated the RFPs were out for banking services, but they have opened the RFPs but need to finish the RFP process and need to extend the current agreement. Commissioner Wier questioned what the fees charged were. Virginia stated there were no fees charged, but they did not want to be in violation of the bid process. Commissioner Kern made a motion to approve the Professional Services Agreement between Colfax County and In Bank, 30-day Extension. 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.

33. Commissioners' Docket

Commissioner Kern asked Manager Gore what was happening with Golden Spread. Manager Gore stated that he would address this in his docket.

Commissioner Wier asked for an update on the commercial airline grant application and on the status of Tri-State with the recent solid waste issues. Manager Gore stated that he would address this in his docket.

Chairman Trujillo stated that he attended the 86th Annual NM Counties Conference and there was a lot of good information at the conference, and it was very educational. Chairman Trujillo thanked the other offices from the County that attended which were the Clerk's and Assessor's and DWI offices and encouraged other offices to attend in the future. Chairman Trujillo stated that there was good information on the film industry and how to help bring film to the counties and he is going to take the initiative to possibly get a film liaison or possibly use the film liaison the City of Raton already has. Chairman Trujillo stated that at the NM Counties Conference NACO came and asked all the counties to consider the Payment in Lieu of Taxes. Chairman Trujillo stated that the City of Raton reached out to him and asked him to meet with them to learn more about the Ports to Plains initiative. Chairman Trujillo stated that he is going to be doing a letter of support for El Raton Media Works as they are applying for a grant for their film studio. Chairman Trujillo asked the Commissioners for their support, and they could ratify the letter of support at the next meeting. Chairman Trujillo stated that recently there was a power outage over the course of two days, and it was hard to get information out to the public and asked Manager Gore to explore if there is a way to help notify the public with the County Emergency Management system via text message.

34. Managers' Docket

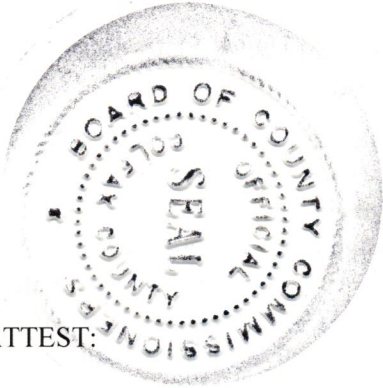
Manager Gore thanked his staff for reviewing all the contracts and getting them updated. Manager Gore stated that there have been some solid waste issues lately and they have been in constant contact with Tri-State on the issues and they are being corrected and resolved. Manager Gore stated that he met with Diane Dixson about Golden Spread and Diane said that they are having issues with getting personnel and vehicles, so they are not ready at this point. Manager Gore stated that he reached out to Mr. Crook about the marijuana grow facility in Black Lake. Manager Gore stated that he did meet the owner of the grow facility and he has been actively talking with the State and getting all the necessary permits, but he did not have a business license for the County. Manager Gore stated that Mike Provine continues to work on the Event Center

project. Manager Gore stated that he had letters of appreciation for Glen Stevens and the Road Department crew for all their hard work repairing the roads after the recent rainstorms.

35. Adjourn

Commissioner Wier made a motion to adjourn. 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. The meeting was adjourned at 11:12 a.m.

COLFAX COUNTY BOARD COMMISSIONERS



ATTEST:

Si Trujillo
Chairman

Mary Gordon
Vice-Chairman

[Signature]
Member

[Signature]
Clerk of the Board