

March 26, 2024  
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 – Via Electronic Device  
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

Chairman Trujillo 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

Chairman Trujillo asked the item #9 Presentation – Youth Heartline, Programs Serving Colfax County, Colleen Shaughnessy be stricken from the agenda. Commissioner Kern made a motion to approve the agenda as amended striking #9 Presentation – Youth Heartline, Programs Serving Colfax County, Colleen Shaughnessy. 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 Public Hearing Meeting Minutes and Regular Meeting Minutes for March 12, 2024

Chairman Trujillo asked if anyone had any corrections or changes to the minutes. Commissioner Kern made a motion to approve the Public Hearing Meeting Minutes and Regular Meeting Minutes for March 12, 2024, 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, Leonard Baca, Julie Martinez, Tim Martinez, Tarin Giacomo, Tina Colangelo, Roger Smith, Todd Tatum, Carol Bridge, Danielle Avila, Tiana Romero, Joana Apodaca, Regina Slade, Joe Bustos, Lenore Barfield, Fred Martinez, Glen Stevens, and via electronic device – Jun Roh, Mike Provine, Deb Brown, and Mayor BJ Lindsey.

7. Public Comment

Chairman Trujillo asked if there was anyone that would like to make a public comment regarding anything that is not on the agenda and asked that the comment be limited to three minutes. Warden Slade stated there were issues with the city parking area and a truck got stuck at the VMDC. She stated she worked with the City Manager and his crew to get the parking lot fixed and discussed an issue with the trash dumpster and the issue was taken care of. Warden Slade stated that she wanted to publicly give props to the City Manager and his crew.

8. Discuss/Approve-Indigent Care Claim

Tiana Romero stated there were three indigent care claims, two were from the VMDC –Guardian Flight – one claim – #2024-09 - \$92,193.00; MCMC – one claim - #2024-17 - \$6,913.00; for a total of \$99,106.00. Tiana stated there was one new claim #2024-16 MCMC – \$1,106.49. Tiana stated that all VMDC claims are paid at 100%, therefore the Guardian Flight would be paid at 100%. After further

discussion, Commissioner Kern made a motion to approve the Indigent Care Claims. 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.

9. Presentation – Youth Heartline, Programs Serving Colfax County, Colleen Shaughnessy

This item was stricken under approval of the agenda.

10. Discuss/Action – Promotional Funding, Save Your Town, Deb Brown

Tina Colangelo, Lodger's Tax Clerk, stated this funding request was approved by the Lodger's Tax Board. Chairman Trujillo stated this seems more like a study not a heads in the beds and stated he did not see how this was going to bring tourism to the County. Commissioner Kern stated maybe Grow Raton would be able to sponsor this and stated she did not believe it fits the criteria set by Colfax County Lodger's Tax. Commissioner Wier agreed with the other Commissioners. Deb Brown stated she was working with Lori Bunker on another project and was told to present this to the Lodger's Tax Committee for funding. Commissioner Kern made a motion to disapprove the Promotional Funding for Save Your Town, Deb Brown. 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 – Promotional Funding, Bronco de Mayo, Broncs of Blue Sky

Tina Colangelo, Lodger's Tax Clerk, stated this funding request was approved by the Lodger's Tax Board. Tina stated this event will be at Cold Beer and is to raise money for the veterans. Tina stated that this event is intended to be a yearly event. Commissioner Wier questioned if this event is being marketed nationwide or locally. Tina advised it is advertised on KRTN which is local and available on the web. Commissioner Kern made a motion to approve the Promotional Funding for the Bronco de Mayo, Broncs of Blue Sky. 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 – Application for Law Enforcement Protection Funds (LEFP) for Fiscal Year July 1, 2024-June 30, 2025

Sheriff Baca stated this is the annual LEFP application which will be used to purchase equipment, firearms, ammo and for training. Sheriff Baca stated the department will receive \$110,000.00 in funding. Commissioner Kern made a motion to approve the Application for Law Enforcement Protection Funds (LEFP) for Fiscal Year July 1, 2024-June 30, 2025. 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 – Memorandum of Agreement Between Colfax County Sheriff's Office and Village of Cimarron, New Mexico

Sheriff Baca stated he met with Mayor Brazil from the Village of Cimarron regarding the County providing Law Enforcement for the Village. Sheriff Baca stated the MOA has been approved by the County Attorney. Sheriff Baca stated the County will receive \$150,000.00 for the service along with the Village's Law Enforcement Protection Funds and office space for a substation. Commissioner Kern stated she felt this was a good thing. Commissioner Wier asked if there were any constraints for coverage. Sheriff Baca stated they would get coverage for 7 hours a day six days a week. Chairman Trujillo asked about animal control and Sheriff Baca stated citations would be issued per the village's ordinance. Commissioner Kern made a motion to approve the Memorandum of Agreement Between Colfax County Sheriff's Office and Village of Cimarron, 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.

14. Discuss/Action - RFB 2024-01, Blosser Gap Bridge

Mike Provine, Molzen-Corbin stated the designs have been completed and would like to have the RFB for the Blosser Gap Bridge start on April 7, 2024, and open on April 30, 2024. Mike stated that the cost estimate is \$1.4 Million for the project. Commissioner Kern stated that she received this late yesterday afternoon and had not had a chance to review the RFB, but feels the County needs to move forward as it has been way too long. Commissioner Wier asked what the source of the money was. Commissioner Kern stated that it was funded through a special project grant application through NMDOT several years ago. Chairman Trujillo asked if there was enough funding and stated he too had not had time to review the RFB and the project is in his district. Chairman Trujillo advised Molzen-Corbin that he was not willing to move and going with the most recent stuff that has happened with the Chicorica crossing his confidence is not very high. Chairman Trujillo stated he needs to make sure he has full review of this document and stated he would entertain a motion to postpone. Commissioner Kern made a motion to postpone the RFB until the next meeting. 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. Discussion – Angel Fire Airport Property Transfer

Mayor BJ Lindsey addressed the Commission and stated the Village of Angel Fire is interested in the possibility of ownership of the airport or the possibility of having the Village of Angel Fire Manage the airport. Mayor Lindsey stated he felt this would benefit both the Village and the County. Mayor Lindsey stated this was discussed at the Village Council meeting, but Manager Gore was not able to make the meeting due to the weather. Mayor Lindsey stated he understands the challenges of the County to Manage the airport. He stated the Village would be able to help and bring the airport up to being a profitable facility. Commissioner Kern stated she would like to hear from Mike Provine. Mike stated the first step would be to confer with FAA as a lot of the property has been used for grant matches throughout the years and was not sure if the property was transferable. Mike stated this is a public airport and needs to be maintained as a public airport. Commissioner Kern mentioned the only airport that makes money is the Sunport. Commissioner Kern also asked if the Village had a management plan as she understood it is too soon to have specific plans. Commissioner Wier stated he has not been involved in this discussion due to it being a conflict of interest. Commissioner Wier stated he was allowed to give his opinion and to convey what the public wants and to do what is best for the airport. Commissioner Wier stated due to the proximity of the Public Works Department, they would be able to use their equipment to remove the snow. Chairman Trujillo stated the County has requested half a million dollars in funding for the purchase of snow removal equipment. Chairman Trujillo stated he does support the logistical sense of ownership but before he would vote yes, he would need to see a 5–10-year business plan and would request public hearings to make sure the transfer is ok with the citizens. Chairman Trujillo stated in moving forward the County would need to seek approval from DFA for a Government-to-Government transfer. Commissioner Kern stated before the public hearing, direction needs to be given to Mike Provine to inquire about the logistical or possibility of the transfer.

16. Discuss/Action – Resolution 2024-15, Solid Waste Fee- FY 2024

Julie Martinez advised the Commission of the new Solid Waste fees for FY 2024. Ms. Martinez stated the fees would increase from \$210.00 to \$294.00 for the year for residential properties. Ms. Martinez stated that the commercial fees would increase from \$70.00 to \$94.00 per month. Commissioner Kern asked if the Environmental Gross Receipt Tax was included to assist in off setting the fees and was told it was. Commissioner Kern asked if there was a way to allow the customers to pay the invoice in two payments and Julie stated she has been working with the customers to allow them to pay the invoice in payments. Commissioner Wier stated he agreed with the payments and asked if the ability to make payments was in the Ordinance or if it was sent by resolution. Commissioner Wier stated he wanted to make sure that the increase was not going to decline the cash balances. Julie stated she went over the budget with Joana Apodaca and it would remain solid with the mentioned increases. Chairman Trujillo questioned the 1.5% late fee and was told it was not 1.5% a year but was incurred monthly on unpaid balances. Commissioner Kern made a motion to approve Resolution 2024-15, Solid Waste Fee- FY 2024 with the addition of giving the constituents the opportunity to pay in two installments in April and

October. 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 – Resolution 2024-16, A Resolution to the Amendment to Resolution 2024-14, Fee Schedule for Colfax County

Manager Gore stated the reason for this resolution is to amend the Solid Waste fees. Commissioner Kern made a motion to approve Resolution 2024-16, A Resolution to the Amendment to Resolution 2024-14, Fee Schedule for 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.

18. Discuss/Action – Resolution 2024-17, Budget Adjustment, Various Funds

Joana Apodaca stated the transfers were approved at the last meeting, but DFA recommended transfers from Law Enforcement Recruitment Fund to Law Enforcement Recruitment Year 2 Fund and from the County Environmental GRT to the Solid Waste fund. Commissioner Kern made a motion to approve Resolution 2024-17, 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.

19. Discussion – Purchase of Transportation Vehicle for Golden Spread Rural Frontier Coalition

Commissioner Wier stated that the county is working to try and develop transportation services for our elderly and Veterans in the county. Commissioner Wier stated that Golden Spread entered into an agreement with the County, and they got approved for a vehicle, which was going to be used for Colfax County, but the vehicle they were using had mechanical issues and could not be repaired. The Colfax County vehicle had to be redirected from Colfax County. Commissioner Wier stated that Ferdinand put in a application for another vehicle, but it can take up to two years because they come from the State. Commissioner Wier stated that he is asking the Commission to consider funding a vehicle for Golden Spread so they can start servicing the county. Commissioner Wier stated that there are two vehicles that meet the criteria one is used and costs \$65,000.00 and the other is a newer used vehicle and will cost in the range of \$100,000.00. Commissioner Wier stated that Union County Commission provides funds to Golden Spread between \$ 50,000.00 to \$ 100,000.00 to maintain this service. Commissioner Wier asked the Commission to consider an annual contribution to maintain this service or try to fund a vehicle which would be owned by Golden Spread. Golden Spread would own and operate the vehicle, but it would be dedicated to Colfax County. Commissioner Kern stated that there is a need for transportation in the county and thinks this should be brought up at the budget hearing. Commissioner Kern stated that she does not think the county can buy a vehicle and then donate it. Chairman Trujillo stated that if we provide a vehicle, it should be used for Colfax County. Chairman Trujillo stated that there is transportation for Veterans. Chairman Trujillo stated that he is hesitant because once they came to ask for office space, we haven't heard from them. Chairman Trujillo stated that this should be brought up at the budget cycle and he would like more communication from Golden Spread. Commissioner Wier stated that he has been in communication with Golden Spread and has had meetings with them and apologized for not communicating this to the Commission.

20. Discuss/Action – Real Property Disposal

Manager Gore stated that he was asked to identify some of the buildings the county owns to possibly sell them. Manager Gore stated that four buildings have been identified that might be able to be sold which are the Citizens for DD, Team Builders, Youth Heartline, and Mora Head Start buildings. Manager Gore presented a slide show for each property and Maintenance Supervisor Fred Martinez went over the maintenance issues at each of the buildings. Commissioner Kern stated that three out of the four buildings were CDBG projects and questioned whether the buildings can be sold and stated that the Youth Heartline building was not a CDBG project. Commissioner Kern stated that there needs to be more information before going forward with this. Commissioner Wier stated if it is determined that we want to sell the house where the Youth Heartline is located, it could be considered being used for

workforce housing. Chairman Trujillo stated that a lot of these buildings are used for community services but would rather look at it now than later. After further discussion there was no action taken.

21. Discuss/Action – Acceptance of Capital Outlay Appropriation 22-G2444-16, Plan, Design Construct, Equip and Install Infant Surrender Safety Device

Tarin Giacomo stated that they have secured the \$10,000.00 appropriation from DFA for the purchase and installation of an infant surrender device. Commissioner Kern made a motion to approve the Acceptance of Capital Outlay Appropriation 22-G2444-16, Plan, Design Construct, Equip and Install Infant Surrender Safety Device. 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. Managers' Docket

Manager Gore stated that solid waste is moving forward. Manager Gore stated that Arthur Rolloff has purchased dumpsters and has offered to buy dumpsters from Tri-State, and they purchased an old truck and they have also purchased a new truck. Commissioner Wier asked if they had an ETA on when the transition would be complete. Manager Gore stated that April 13, 2024 is the last day Tri-State will be picking up the solid waste and Arthur Rolloff will take over. Manager Gore stated that the contractor put in a seventy-two-inch culvert along with a thirty-six-inch culvert at Chicorica Creek low water crossing and added material to the top. Manager Gore stated Mike Provine provided him with the compression test report. Commissioner Kern asked if the road was open. Manager Gore stated the work was completed last Thursday. Commissioner Kern stated that we need to let the public know that the road is open. Chairman Trujillo stated he did go to the radio station on Friday and announce that it was open, but they can do a press release. Manager Gore thanked the County Clerk and Assessors office for their assistance with the numerous filings from attorneys addressing property that included the county. Manager Gore stated that the Langworthy lawsuit against himself and the Sheriff has been dropped. Manager Gore asked the Commissioners what dates would work for budget workshops. Chairman Trujillo asked the other Commissioners if they wanted to do a goal workshop before the next Regular Meeting on April 9, 2024. The Commissioners agreed to have a Goal Workshop at 8:00 a.m., Public Hearing at 8:45 a.m. and Regular Meeting, at 9:00 a.m. on April 9, 2024.

23. Commissioners' Docket

Commissioner Kern asked what the status was of the County's fiscal agent ability. Manager Gore stated that he addressed a letter to DFA and shared audit reports and the financial policy with DFA and he will stay in communication with them on this. Chairman Trujillo stated that the county does still need to have a fiscal agent at this time.

Commissioner Wier asked for an update on the County Clerk's building. County Clerk Trujillo stated that she has an amazing staff, and we have all gone in and put our desks together. County Clerk Trujillo stated they are working with IT and are waiting for the alarm system to be put in as she is hesitant to move anything without an alarm. County Clerk Trujillo stated that they are hoping to move on April 8, 2024. Commissioner Wier asked if the bullet proof glass was in yet. Clerk Trujillo stated that it is not in yet and she just received a quote, and it is going to cost around \$220,000.00. Commissioner Wier asked for an update on the digitization of the records. County Clerk Trujillo stated that she has been in contact with Ricardo, and he has requested a statement for the documents that they are true and correct copies for the microfilm. Commissioner Wier stated that he would not be able to attend a meeting for the NMC Commissioners Affiliate meeting on April 28, 2024. Chairman Trujillo stated that he will attend the meeting.

Chairman Trujillo stated that he attended the ECOG meeting, and they discussed having a regional film office. Chairman Trujillo asked Manager Gore to do a proclamation for mental health awareness month. Chairman Trujillo thanked Sheriff Baca for working on the animal ordinance and stated it will be on the agenda for the next meeting. Chairman Trujillo stated that he would like to discuss the animal shelter on the next agenda. Chairman Trujillo stated that he attended the NMC Legislative meeting last week in Las Vegas. Chairman Trujillo asked Manager Gore and Tarin to reach out to Grace Phillips because the Legislation funded an account for ten million dollars to help counties with their courthouse

maintenance. Chairman Trujillo asked Commissioner Wier to give an update on the trail guide in regard to the Angel Fire Lodger's Tax. Commissioner Wier stated that the Lodger's Tax Committee voted it down because they didn't feel like they have those type of trails. Commissioner Wier stated that he has received more information on the trail guide, and he will take it back to the Angel Fire Lodger's Tax Committee. Chairman Trujillo asked Tarin Giacomo to give an update on the Congressional Direct Spending we are applying for. Tarin stated that she submitted a request to Senator Lujan's Office for the following: IT in the amount of \$ 500,000.00 to replace network infrastructure, County Clerk's Office in the amount of \$ 225,000.00 for safety enhancement, Road Department in the amount of \$ 950,000.0 for planning, designing and construction of new building plus a couple of vehicles and Colfax County Airport snow removal equipment in the amount of \$ 412,000.00.

Commissioner Kern stated that she saw that New Mexico is number one in elections and stated she wanted to thank our County Clerk and the other County Clerk's in the state and the Secretary of State. County Clerk Trujillo thanked Commissioner Kern for her recognition.

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 11:20 a.m.

COLFAX COUNTY BOARD COMMISSIONERS



*Rayella Trujillo*  
Clerk of the Board

*Si Trujillo*  
\_\_\_\_\_  
Chairman  
*Mary Gorka*  
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Vice-Chairman  
*[Signature]*  
\_\_\_\_\_  
Member