

REGULAR MEETING
March 28, 2022

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

Roy Fernandez, Chairman
Bret Wier, Vice-Chairman
Bobby LeDoux, Member
Sara Torres, Chief Deputy Clerk

1. Call to Order

Chairman Fernandez 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 LeDoux led the Salute to the New Mexico Flag.

4. Approve Agenda

Chairman Fernandez asked if the Commissioners had any changes. Chairman Fernandez requested that items #11- Discuss/Action – Resolution #2022-15, Asset Disposal, #13 – Discuss/Action – Colfax County Claim of Exemption/Subdivision Filing Procedures, #14 – Discuss/Action – Colfax County Lodger's Tax Funding Request from the Center for Community Innovation Phase 2, and #19 – Discuss/Action – Approval of Agreement with Securus Technologies be tabled. Commissioner LeDoux made a motion to approve the agenda with tabling items # 11, 13, 14 and 19. Commissioner Wier seconded the motion. Chairman Fernandez asked for a roll call vote, the Chief Deputy Clerk polled the Commissioners. Commissioner Wier – aye, Commissioner LeDoux – aye, and Chairman Fernandez – aye. The motion carried unanimously.

5. Approve Regular Meeting Minutes for March 14, 2022

Chairman Fernandez asked if the Commissioners had any comments or corrections on the minutes from the March 14, 2022, Regular Meeting. Commissioner Wier made a motion to approve the Regular Meeting Minutes for March 14, 2022, as presented. Commissioner LeDoux seconded the motion. Chairman Fernandez asked for a roll call vote, the Chief Deputy Clerk polled the Commissioners. Commissioner Wier – aye, Commissioner LeDoux – aye, and Chairman Fernandez – aye. The motion carried unanimously.

6. Recognize Visitors

Others present: Charlotte Magill, J. Gerald Smith, Jamie Marie Smith, Amanda Segura, Robert Thompson, Kim Davis, Barry Harper, Roger Smith, Monte Gore, Jimmy Gonzales, Joel Smith, Jeanne Tatum, Nick Cardenas, Alfonso Ortiz, Sharon Niederman, Sandra Salazar, Leonard Baca and Joana Apodaca.

7. Public Comment

Chairman Fernandez asked if there were any requests responses from the audience. There was no public comment.

8. Discuss/Approve – Indigent Care Claims

Sandra Salazar presented the Indigent Care Claims to the Commission and stated there was one claim case #2022-01 in the amount of \$402.56 to Rocky Mountain Eye Center and one new applicant case #2021-07 which was denied because of the over income guidelines. Commissioner LeDoux made a motion to approve the Indigent Care Claims as presented. Commissioner Wier seconded the motion. Chairman Fernandez asked for a roll call vote, the Chief Deputy Clerk polled the

Commissioners. Commissioner Wier – aye, Commissioner LeDoux – aye, and Chairman Fernandez – aye. The motion carried unanimously.

9. Presentation – Gerald Smith, Requesting Partial Vacation of County Road A-17

John Gerald Smith stated he was asking the Commission to consider abandonment of three miles of County Road A-17. Mr. Smith stated that the three miles goes through his place and there is no public access, he also stated this should not affect any neighbors since it does not prohibit access to their land and the road has not been maintained for several years. Mr. Smith stated there has been several truckers that have tried to use this road and have had to turn around due to the condition of the road. Commissioner Fernandez stated there is a process that has to be followed per state statute and a committee of three has to be formed to look at the vacation and suggested himself, Road Superintendent Robert Thompson and E-911 Coordinator Amanda Segura go out to look at the road and talk to the neighbors. Commissioner LeDoux asked where the road is located. Chairman Fernandez stated it is by the Kiowa area. Commissioner Wier asked how many years it has been since we have not maintained the road. Road Superintendent Robert Thomson stated 15 years to his knowledge. Commissioner LeDoux suggested that Mr. Smith get a copy of the statute. Mr. Smith stated he is just asking for three miles of the road be vacated not all of the road. Mr. Smith thanked the Commission for listening to and considering his request.

10. Discuss/Action – Statement of Receipts and Expenses from the Colfax County Treasurer

Chief Deputy Treasurer Alfonso Ortiz presented to the Commission the statement of receipts and expenses. Commissioner LeDoux stated this is done every year and made a motion to approve the Statement of Receipts and Expenses from the Colfax County Deputy Treasurer as presented. Commissioner Wier seconded the motion. Chairman Fernandez asked for a roll call vote, the Chief Deputy Clerk polled the Commissioners. Commissioner Wier – aye, Commissioner LeDoux – aye, and Chairman Fernandez – aye. The motion carried unanimously.

11. Discuss/Action – Resolution #2022-15, Asset Disposal

This item was tabled under item #4.

12. Discuss/Action – Approval of Molzen-Corbin, Task Order #3 – Abbot Fire Station Floor Slab Investigation

County Fire Marshall Nick Cardenas stated this is in reference to the new Abbott Fire Station and stated when they laid the cement down it was either too wet or the way it was finished, they are now seeing a lot of cracking in the cement. Fire Marshall Cardenas stated this is for a third party to come in to test the floor. After further discussion Commissioner LeDoux made a motion to approve the Approval of Molzen-Corbin, Task Order #3 – Abbot Fire Station Floor Slab Investigation. Commissioner Wier seconded the motion. Chairman Fernandez asked for a roll call vote, the Chief Deputy Clerk polled the Commissioners. Commissioner Wier – aye, Commissioner LeDoux – aye, and Chairman Fernandez – aye. The motion carried unanimously.

13. Discuss/Action – Colfax County Claim of Exemption/Subdivision Filing Procedures

This item was tabled under item # 4.

14. Discuss/Action – Colfax County Lodger's Tax Funding Request from the Center for Community Innovation Phase 2

This item was tabled under item # 4.

15. Discuss/Action – Colfax County Lodger's Tax Funding Request from the Arlin Lepp Owner of Whatever It Takes Rodeo Series – Calf Chute

Lodger's Tax Clerk Amanda Segura stated this is for a new calf chute for the TNA Junior Rodeo because the old one is not in good condition, and the Lodger's Tax Committee is recommending approval. Commissioner Wier questioned if the chute would remain at the Colfax County Event Center. Amanda stated that it would remain at the Event Center. Commissioner LeDoux made a motion to approve the Colfax County Lodger's Tax Funding Request for the Arlin Lepp Owner of Whatever It Takes Rodeo Series – Calf Chute. Commissioner Wier seconded the motion. Chairman Fernandez asked for a roll call vote, the Chief Deputy Clerk polled the Commissioners.

Commissioner Wier – aye, Commissioner LeDoux – aye, and Chairman Fernandez – aye. The motion carried unanimously.

16. Discuss/Action – Colfax County Lodger's Tax Funding Request from the Colfax Tavern Advertising Campaign

Lodger's Tax Clerk Amanda Segura stated this was presented to the Lodger's Tax Committee and in order for them to be eligible for the funding Colfax Tavern is going to be advertising their Summer Concerts, Cornhole Tournaments and Santa Fe Trails appreciation day. Amanda stated that they are going to be advertising in three magazines and radio stations. Commissioner LeDoux made a motion to approve the Colfax County Lodger's Tax Funding Request for the Colfax Tavern Advertising Campaign. Commissioner Wier seconded the motion. Chairman Fernandez asked for a roll call vote, the Chief Deputy Clerk polled the Commissioners. Commissioner Wier – aye, Commissioner LeDoux – aye, and Chairman Fernandez – aye. The motion carried unanimously.

17. Discuss/Action – Colfax County Lodger's Tax Funding Request from Super Cross – Excavation, Transportation and Placement of Material

Lodger's Tax Clerk Amanda Segura stated that they did have three quotes that were provided, and this was approved by the Lodger's Tax Committee with the labor being taken off. Jimmy Gonzales from the Raton Supercross Committee stated there were issues with the dirt last year and they are proposing to upgrade the dirt to make the arena safer for the supercross and the rodeo. After further discussion Commissioner LeDoux made a motion to approve the Colfax County Lodger's Tax Funding Request for Super Cross – Excavation Transportation and Placement of Materials. Commissioner Wier seconded the motion. Chairman Fernandez asked for a roll call vote, the Chief Deputy Clerk polled the Commissioners. Commissioner Wier – aye, Commissioner LeDoux – aye, and Chairman Fernandez – aye. The motion carried unanimously.

18. Discuss/Action – Joint Powers Agreement between Colfax County Sheriff's Office and the Village of Maxwell for Law Enforcement Protection Funds

Commissioner Wier stated this is a renewal of the agreement the Sheriff's Office already has with the Village of Maxwell. Commissioner LeDoux stated this is standard procedure and made a motion to approve the Joint Powers Agreement between Colfax County Sheriff's Office and the Village of Maxwell for Law Enforcement Protection Funds. Commissioner Wier seconded the motion. Chairman Fernandez asked for a roll call vote, the Chief Deputy Clerk polled the Commissioners. Commissioner Wier – aye, Commissioner LeDoux – aye, and Chairman Fernandez – aye. The motion carried unanimously.

19. Discuss/Action – Approval of Agreement with Securus Technologies

This item was tabled under item#4. Warden Gore stated he requested this be tabled and they are in negotiations.

20. Discuss/Action – State of NM, Office of the State Engineer Capital Appropriation Project – Plan and Design a Geohydrology Study for Colfax County

Chairman Fernandez state the Commissioners have a copy of this packet, and the amount is \$50,000.00 for this study. Commissioner Wier stated how important this study is for Colfax County. Commissioner LeDoux asked where the money would be coming from. Financial Specialist Joana Apodaca stated that it would come from the State Engineer. Commissioner Wier made a motion to approve the State of NM, Office of the State Engineer Capital Appropriation Project – Plan and Design a Geohydrology Study for Colfax County. Commissioner LeDoux seconded the motion. Chairman Fernandez asked for a roll call vote, the Chief Deputy Clerk polled the Commissioners. Commissioner Wier – aye, Commissioner LeDoux – aye, and Chairman Fernandez – aye. The motion carried unanimously.

21. Discuss/Action – NM DOT Aviation Grant Agreement for Fuel Dispenser Shelter

Chairman Fernandez stated the Commissioners also have a copy of this agreement in their packet, and this is for a shelter for the self-service fuel dispenser at the airport. Commissioner LeDoux asked where the money would come from. Financial Specialist Joana Apodaca stated it would come from NM DOT Transportation Aviation. Commissioner LeDoux made a motion to approve the NM DOT Aviation Grant Agreement for Fuel Dispenser Shelter. Commissioner Wier seconded the motion.

Chairman Fernandez asked for a roll call vote, the Chief Deputy Clerk polled the Commissioners. Commissioner Wier – aye, Commissioner LeDoux – aye, and Chairman Fernandez – aye. The motion carried unanimously.

22. Discuss/Action – NM DOT Aviation Grant Agreement for 100LL Fuel Truck

Chairman Fernandez stated this is the same thing for the airport except it is for a Fuel Truck. Commissioner LeDoux made a motion to approve the NM DOT Aviation Grant Agreement for 100LL Fuel Truck. Commissioner Wier seconded the motion. Chairman Fernandez asked for a roll call vote, the Chief Deputy Clerk polled the Commissioners. Commissioner Wier – aye, Commissioner LeDoux – aye, and Chairman Fernandez – aye. The motion carried unanimously.

23. Discuss/Action – New Mexico Opioid Allocation Agreement

Chairman Fernandez stated that this has been discussed before and on the back of the agreement it lists a percentage of how much Colfax County will be receiving. Commissioner LeDoux made a motion to approve the New Mexico Opioid Allocation Agreement. Commissioner Wier seconded the motion. Chairman Fernandez asked for a roll call vote, the Chief Deputy Clerk polled the Commissioners. Commissioner Wier – aye, Commissioner LeDoux – aye, and Chairman Fernandez – aye. The motion carried unanimously.

24. Discuss/Action – Colfax County Road Call for Projects

Road Superintendent Robert Thompson stated this is the same project where we got the funding for Gardner Bridge and Blosser Gap but the only difference is that this year we can't do an in-kind match and it has to be 5% from the County. Commissioner LeDoux made a motion to approve the Colfax County Road Call for Projects. Commissioner Wier seconded the motion. Chairman Fernandez asked for a roll call vote, the Chief Deputy Clerk polled the Commissioners. Commissioner Wier – aye, Commissioner LeDoux – aye, and Chairman Fernandez – aye. The motion carried unanimously.

25. Discuss/Action – Forming a County Manager Hiring Committee

Chairman Fernandez stated that he checked this morning with HR and there have been 5 applications received so far and the job posting ends at the end of March. Chairman Fernandez stated he thinks it's a good idea to have a committee if there are ten or more applicants but there is only five and he is not sure one is need at this point. Commissioner Wier stated that he thinks there does need to be a committee and he recommended that the committee be made up of two employees of the County, one of which will be an Elected Official, and one who will directly report to the manager, and three members of the public, two from the unincorporated area and one from the incorporated area. Commissioner LeDoux stated that he thinks it is the Commissions responsibility to hire the County Manager and the Manager is going to work under the Commissions direction and the decision lies with the Commission. After further discussion Commissioner Wier made a motion to table Forming a County Manager Hiring Committee until the next meeting on April 12, 2022. There was no second to the motion. The motion died. The Commission decided to take no action and decided they will take this issue up at the next Commission meeting.

26. Commissioners' Docket

Commissioner Wier stated everything was discussed in item # 25 and stated that if Chairman Fernandez need help, he is willing to help in any way he can.

Commissioner LeDoux did not have a report.

Chairman Fernandez stated the basement continues to leak and the GEO test results were sent to Wes Mack and he need to set up a time to meet with Wes. Chairman Fernandez stated the hanger bid for the airport came in almost double and an additional \$500,000.00 is needed and he stated that the VMDC is getting new doors for the sally port, and this is going to affect the budget. Chairman Fernandez said they are still waiting for the salary study and the E-911 system is being upgraded statewide and he continues to keep up with the list of stuff that need immediate attention.

27. Manager's Docket

Chairman Fernandez presented a report in his docket.

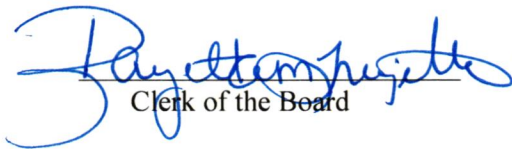
28. Adjourn



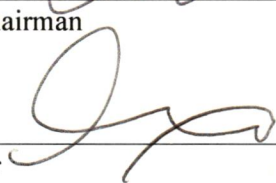
Commissioner LeDoux made a motion to adjourn. Commissioner Wier seconded the motion. Chairman Fernandez asked for a roll call vote, the Chief Deputy Clerk polled the Commissioners. Commissioner Wier – aye, Commissioner LeDoux – aye, and Chairman Fernandez – aye. The motion carried unanimously. The meeting adjourned at 11:00 a.m.

COLFAX COUNTY BOARD OF COMMISSIONERS



ATTEST:


Clerk of the Board


Chairman

Vice-Chairman

Member