

REGULAR MEETING  
May 23, 2023

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 - Absent

1. Call to Order

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

2. Pledge of Allegiance

Commissioner Kern led the Pledge of Allegiance.

3. Salute to the New Mexico Flag

Commissioner Wier led the Salute to the New Mexico Flag.

4. Approve Agenda

Chairman Trujillo stated the County Manager would not be in attendance as he was on jury duty. Chairman Trujillo stated the County Fire Marshal requested item #12 - Resolution 2023-16 - A Resolution to Proclaim Extreme or Severe Drought Conditions Within Colfax County and To Ban the Sale and Use of Certain Fireworks in The Unincorporated Portions of The County be postponed until the next meeting. Commissioner Kern made a motion to approve the agenda postponing Item 12 - Resolution 2023-16, A Resolution to Proclaim Extreme or Severe Drought Conditions Within Colfax County and To Ban the Sale and Use of Certain Fireworks in The Unincorporated Portions of The 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.

5. Approve Regular Meeting Minutes for May 9, 2023, AMENDED Special Meeting Minutes for May 16, 2023, Budget Hearing Minutes May 16, 2023

Chairman Trujillo asked if the Commissioners had any comments or corrections on the Regular Meeting Minutes for May 9, 2023, AMENDED Special Meeting Minutes for May 16, 2023, Budget Hearing Minutes May 16, 2023. Commissioner Kern made a motion to approve the Regular Meeting Minutes for May 9, 2023, AMENDED Special Meeting Minutes for May 16, 2023, Budget Hearing Minutes May 16, 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, Joana Apodaca, Roger Smith, Tina Colangelo, Amadeo Soto, Chris Schear, Virginia Strohm, Glen Stevens, Nick Cardenas, Rob Morper, Tom Vigil, Louis C. Crooks, Sharon Niederman, Ashley Medina, Lydia Garcia, Alfonso Ortiz, Joseph Martinez, Kristi Graham, Todd Tatum 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. Ashley Medina of the CCYES/Colfax County Health Council stated Ali Sanchez gave an update of the CCYES but did not give one on the Colfax County Health Council. Ashley stated the Colfax County Health Council has been having Hybrid Meetings and invited the Commission to attend their next meeting. Ashley stated the CCHC continues to address all Health Priorities, Child Abuse & Neglect, Suicide and Substance Misuse affecting the Communities. Ashley stated their Mission has remained the same as well as their vision. Ashley stated Colfax County will update their fact sheet as they presented an evaluation sheet at the Health Fair and some of the priorities will be changed accordingly. Ashley went on to report that Colfax County is #2 in Child Abuse and neglect and 4<sup>th</sup> in suicide rate and 11 in drugs. Chairman Trujillo thanked Ashley for her report. Commissioner Wier asked if they were working with the schools and was told they are and will be reaching out to other school districts.



Louis Crooks from Black Lake addressed the Commission on the issue of an individual starting a Grow Facility of B-3 OSHA Road. Mr. Crooks stated the facility will be one to two yards from homes in the neighborhood. Mr. Crooks stated the residents are not in-favor of having a Grow Facility in the area as there is not enough water and are worried about the amount of traffic that will be brought to the area as well as the individuals. Mr. Crooks asked if they could bring a petition to the Commission to have them stop the building of the Facility and if the County had any type of permit that applied to Grower Facilities. Commissioner Wier asked if there were any permits that were issued in Colfax County. The Clerk responded there was one in Raton area, and he paid for a Business Registration and needed to pass an inspection for a fire suppression system and other requirements. Commissioner Wier stated he knew who the property owner was and asked the Chairman if he would like for him to speak with the owner. Chairman Trujillo stated he would have the Manager move forward with this issue. Commissioner Wier asked if an ordinance was passed as the only thing on the webpage, was a draft. Commissioner Kern stated it was passed.

#### 8. Discuss/Action – Agreement for Inmate Confinement Between the County of Colfax and The Village of Angel Fire

Virginia Strohm stated this is a renewal for inmate confinement. Commissioner Wier asked if the rate was the same for all the contracts for inmate confinement. Regina Slade, Warden, stated this is the last contract that did not have the medical included in the contract. Regina stated that the medical covers procedures as well as medication that is not issued by the VMDC. Commissioner Kern stated the VMDC only picked up the incidentals. Commissioner Kern made a motion to accept the Agreement for Inmate Confinement Between the County of Colfax and The Village of Angel Fire. 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. Discuss/Action – June 2023 Meeting Dates

Joana Apodaca stated several individuals are going to the NMC Conference in June and the Conference conflicts with the first meeting date in June. Joana stated the Canvass is scheduled for June 5, 2023, and a meeting could follow the canvass. Commissioner Kern and Wier stated they had conflicts. County Clerk Trujillo stated they could move the Canvass to Tuesday, June 6<sup>th</sup> if that would work for the Commissioners. Commissioner Kern made a motion to schedule the May 30, 2023 - Election Canvass for June 6<sup>th</sup> at 9:00 a.m. and have the Regular Commission Meeting immediately following. 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 – RFP 2023-02, Banking Services

Virginia Strohm stated that the banking service proposal is going to expire in June, and the County goes out for RFP every four years and is asking to go out for RFP. After a discussion regarding credit card processing and what companies offer the service, Commissioner Kern made a motion to approve RFP 2023-02, Banking Services. 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 – Real Property Transfer Agreement Between Colfax County and The City of Raton

Joana Apodaca stated that the City of Raton did approve the documents, and everything was reviewed by the attorney. Commissioner Wier asked why this is coming back to the Commission since it was already approved. Joana stated that she thought there were some changes that were made by the county attorney. County Attorney Jun Roh stated that there was one change made in which a reversion clause was added and this change was made for the purpose of being in compliance with the New Mexico Finance Authority. Commissioner Kern made a motion to approve the Real Property Transfer Agreement Between Colfax County and The City of Raton. 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 – Resolution 2023-16, A Resolution to Proclaim Extreme or Severe Drought Conditions Within Colfax County and To Ban the Sale and Use of Certain Fireworks in The Unincorporated Portions of The County.

This item was postponed under item #4 until the next meeting.

#### 13. Discuss/Action – Vector Control Service Agreement Between Colfax County and the Village of Cimarron



Virginia Strohman stated every year Colfax County provides vector control from June 1<sup>st</sup> through September 30<sup>th</sup> and is asking for approval and stated nothing has changed. Commissioner Kern made a motion to approve the Vector Control Service Agreement Between Colfax County and the Village of Cimarron. 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 – Vector Control Service Agreement Between Colfax County and the Village of Maxwell

Commissioner Kern made a motion to approve the Vector Control Service Agreement Between Colfax County and the Village of Maxwell. 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. Discuss/Action – Vector Control Service Agreement Between Colfax County and the Raton Country Club

Commissioner Kern made a motion to approve the Vector Control Service Agreement Between Colfax County and the Raton Country Club. 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 – Vector Control Service Agreement Between Colfax County and the City of Raton

Commissioner Kern made a motion to approve the Vector Control Service Agreement Between Colfax County and the City of Raton. 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 – Vector Control Service Agreement Between Colfax County and the Town of Springer

Commissioner Kern made a motion to approve the Vector Control Service Agreement Between Colfax County and the Town of Springer. 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 – Grant Writer/Special Projects Coordinator Position in the Manager's Office

Financial Specialist Joana Apodaca stated this FTE has been approved and the Manager's office is requesting permission to hire before July 1, 2023. Commissioner Wier stated that there was not to be an increase of full-time staff and he was not in favor of this. Commissioner Kern stated that she agreed with Commissioner Wier, and she was not in favor of this with an increase of an FTE. Chairman Trujillo stated he did not have an issue with this. No motion was made.

19. Discuss/Action – Approval of Preliminary Budget for Fiscal Year 2023-2024

Financial Specialist Joana Apodaca stated that this is for the approval of the preliminary budget for fiscal year 2023-2024 as discussed yesterday at the budget workshop. Commissioner Weir stated he wanted to clarify what was discussed yesterday and he thinks there is a misunderstanding of how this is going to affect the employees' pay. Commissioner Weir discussed the pros and cons of the county paying 75% PERA contribution versus a 10% raise. Commissioner Weir asked how many counties are participating in the 75% PERA contribution. Commissioner Kern stated that eleven counties are doing this. Commissioner Kern made a motion to approve the Approval of Preliminary Budget for Fiscal Year 2023-2024. Chairman Trujillo seconded the motion. Chairman Trujillo asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – aye, Commissioner Wier – nay, and Chairman Trujillo – aye. The motion carried 2 to 1.

20. Commissioners' Docket

Commissioner Wier stated that he did not have anything to report.

Commissioner Kern stated that she got a call from a constituent to discuss the Beehive trying to turn their facility into a residential unit for individuals over the age of 21 who are supported by Medicaid. Commissioner Kern stated that there is a meeting at 6:00 p.m. tomorrow at Raton City Hall about getting a special exception to change the zoning. Commissioner Kern stated the Beehive was built in violation of the covenants in that area and she is asking anyone to attend the meeting if they can. Commissioner Kern stated that she is personally going to write a letter and she knows this is in the city and not in the County, but she believes this is important.



Chairman Trujillo requested to have the Managers annual review be put on the June agenda. Chairman Trujillo suggested that at the Colfax County Event Center they could section off two or three acres at the far back corner for a 4-H farm for the kids so that they can have a place to keep their project animals because some families don't have the land to raise an animal. Chairman Trujillo stated that they are still working on the EV Chargers and the deadline is June 13, 2023. Commissioner Kern asked if the FFA program still has the facility by the high school. Chairman Trujillo stated that he believes they still do have it but isn't sure where the current agricultural farm stands since they have gone through several agricultural teachers.

#### 21. Managers' Docket

Joana Apodaca stated that everything Commissioner Trujillo covered in his report was what she was going to cover in the Managers report. Commissioner Wier stated that he would like to get an update on the status of the RFP for the airport. Joana stated that there is going to be an evaluation committee this week for review. Virginia Strohm stated that they have received one proposal and she asked Jeff Gilmer, Scott Mathews, and Manager Gore to be on the evaluation committee and they are going to meet on Thursday.

#### 22. Inspection of Road Department Administrative Building

Chairman Trujillo Recessed the Meeting at 10:03 a.m. Chairman Trujillo called the meeting back to order at 10:30 a.m. at the Road Department to tour the Administrative Building and property. Present were Chairman Trujillo, Commissioners Kern and Wier, Superintendent Glen Stevens, County Clerk Trujillo, Joana Apodaca, Financial Specialist and Fire Marshal Cardenas. Glen took the group into the office of the Road Department and showed the group the holes in the ceiling and the sagging floors. Commissioner Wier asked Glen if they were on septic as the main office building had an odor in the building. Glen showed the group where they stored their chemicals and supplies. The group was taken to the other trailer where the Road Department employees had their meetings. It was noted that there were broken windows covered with plywood. Commissioner Wier suggested both building be removed, and a new building be built next to the Quonset Hut and have the Natural Gas be brought into the buildings. The possibility of trading property to the Village of Eagle Nest for property owned in the Village limits which belongs to the County for property off highway 38 for a Storage Building for the Road Department. It was also mentioned the possibility of having an event center there so in case of a fire or disaster, locals could go there, and the County could have cots and equipment there. After further discussion, it was decided to direct the Manager to work with Mike Provine on getting plans for a building.

#### 23. 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

The seal of Colfax County, New Mexico, is circular with "COLFAX COUNTY, NEW MEXICO" around the perimeter and "SEAL" in the center. Below the seal is the word "ATTEST".

*Si Trujillo*  
Chairman

*May Apodaca*  
Vice-Chairman

*[Signature]*  
Member

*Raytheon Trujillo*  
Clerk of the Board