

October 10, 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 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 asked for Item 14 - Discuss/Action – Service Agreement Between Accurate Control Inc., Security Automation Systems and Vigil Maldonado Detention Center be postponed. Commissioner Wier made a motion to approve the agenda as amended. 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.

5. Approve Special Meeting Minutes for September 26, 2023, Public Hearing Meetings Minutes for September 26, 2023, Regular Meeting Minutes for September 26, 2023

Chairman Trujillo asked if the Commissioners had any comments or corrections on the Special Meeting Minutes for September 26, 2023, Public Hearing Meetings Minutes for September 26, 2023, Regular Meeting Minutes for September 26, 2023. Commissioner Kern made a motion to approve the Special Meeting Minutes for September 26, 2023, Public Hearing Meetings Minutes for September 26, 2023, Regular Meeting Minutes for September 26, 2023. 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: Amadeo Soto, Regina Slade, Sara Torres, Leonard Baca, Tina Colangelo, Joana Apodaca, Virginia Strohm, Roger Smith, Todd Tatum, Carol Bridge, Tarin Giacomo, Matt Billingsly, Tamara Rosenberg, Glen Stevens, and via electronic device – Jun Roh, Carlos Martinez and Blaze Diamond.

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 thanked Glen and the Road Crew for the repairs on the roads in Ute Park to prevent flooding.

Tamara Rosenberg for Resound Network stated she is with an internet provider that has received \$2.8 million to bring Broad Ban Internet to Colfax County. She stated Springer will be getting fiber is what she is understanding. Ms. Rosenberg stated she would like to find out what the County needs are.

8. Discuss/Action – Approve Expenditures

General Fund	\$702,501.46
General Hold Harmless GRT	\$0.00
Hold Harmless GRT	\$0.00
Corrections Fund	\$75,292.63
County Property Valuation	\$9,714.07

Vermejo Debt Service	\$0.00
County Road Department	\$88,697.95
French Tract Fire Fund	\$816.15
Miami Fire Fund	\$646.46
Farley Fire Fund	\$274,348.26
Ute Park Fire Fund	\$471.72
Philmont Fire Fund	\$681.16
Moreno Valley Fire Fund	\$136,291.74
County Fire Marshal Fire Fund	\$2,802.43
Rapid Response Fire Fund	\$13897.44
Vermejo Park Fire Fund	\$382.21
Moreno Valley Wildfire	\$0.00
Farley Wildfire Suppression	\$0.00
French Tract Wildfire Suppression	\$0.00
Miami Wildfire Suppression	\$0.00
Philmont Wildfire Suppression	\$531.11
Ute Park Wildfire Suppression	\$0.00
Vermejo Wildfire Suppression	\$0.00
CC Rapid Response Wildfire Suppression	\$0.00
Fire Marshal Wildfire Suppression	\$1,556.00
Law Enforcement Protection	\$2,121.25
Law Enforcement Recruitment	\$1,692.72-
Lodgers Tax	\$4,682.71
YES Program	\$16,093.03
YES, BHSD Prevention	\$5,654.15
Maternal/Child Healthcare	\$0.00
NM Transportation Grants	\$0.00
WIPP	\$0.00
Legislative Appropriations	\$0.00
Indigent Care Gross Receipts	\$0.00
Fire Protection – Fire Excise Tax	\$5,105.89
Community DWI – TSB	\$0.00
DWI Distribution	\$11,272.08
LDWI Grant	\$900.00
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	\$40,000.00
Capital Improvement	\$49,859.80
CAP IMP HHGRT/2015	\$0.00
Angel Fire Airport Improvements	\$0.00
Angel Fire Airport FFA	\$14,936.39
Tiger Grant IX	\$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
VMDC/NMFA Loan	\$0.00
Dist. 8 Debt Service	\$0.00
Vermejo Debt Service	\$0.00



Solid Waste Fees	\$18,291.96
Colfax County Airport Operations	\$10,324.99
Total	\$1,486,202.32

Chairman Trujillo asked if the Commissioners had any questions or comments regarding the expenditures. Commissioner Wier Asked about an invoice from the Farly Fire Fund and was told it was from Macks Drilling for work done at the fire station. Commissioner Wier asked about the payment that was submitted by Cimarron EMS and was told the funds were used to pay off the Ambulance. Commissioner Wier stated he would like to see the funds available for the EMS Services again this year and would like to see that on the agenda soon. Commissioner Kern made a motion to approve the September 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.

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

Commissioner Wier made a motion to Approve Expenditures for September Pursuant to Resolution #2022-49. Chairman Trujillo seconded the motion. Chairman Trujillo asked for a roll call vote, the Clerk polled the Commissioners. Commissioner Kern – abstain, Commissioner Wier – aye, and Chairman Trujillo – aye. The motion carried.

10. Presentation – Blaze Diamond, Rebuilding Local Foodsheds Program

Mr. Diamond presented information on Rebuilding the Local Foodsheds Program and stated he is working with growers to provide food to the School Districts and Municipalities. Mr. Diamond stated he is currently working with a grower from Mora County. Mr. Diamond stated he is currently working with growers from Colorado. Commissioners Kern and Wier did not have any questions. Chairman Trujillo stated he supports the AG program locally and especially since the schools are the main focal point.

11. Closed Session Pursuant to NMSA 1978, Section 10-15-1H (7), Pending Litigation, Matt Billingsley, Carlos N Martinez

Commissioner Wier made a motion to go into Closed Session Pursuant to NMSA 1978, Section 10-15-1H (7), Pending Litigation, Matt Billingsley, Carlos N Martinez. 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 Board went into Executive Session at 9:26 a.m. Present in Executive Session: Si Trujillo, Mary Lou Kern, Bret Wier, Monte Gore, and Jun Roh.

12. Open Session Pursuant to NMSA 1978, Section 10-15-1H (7), Pending Litigation, Matt Billingsley, Carlos N Martinez

At 10:28 a.m. Commissioner Trujillo made a motion to return to Open Session Pursuant to NMSA 1978, Section 10-15-1H (7), Pending Litigation, Matt Billingsley, Carlos N Martinez. Commissioner Kern 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 stated no action was taken.

13. Discuss/Action – Non-promotional Request, Blu Dragonfly Brewing, Raton Supercross

Tina Colangelo, Lodger's Tax administrative assistant, stated this request was not for Blu Dragonfly Brewing, it was for security provided at the Supercross since alcohol was sold. Tina stated the Lodger's Tax Committee did not approve the request, but she felt she would bring it to the Commission. Commissioner Kern stated she did not feel that the request should be approved as it is being submitted after the services were rendered. Commissioner Wier stated he would like to have a legal opinion from the County Attorney as to whether it could be approved. County Attorney Jun Roh stated he would need a few minutes to check into the matter. Commissioner Wier made a motion to table this item to follow item number 20. 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.



14. Discuss/Action – Service Agreement Between Accurate Control Inc., Security Automation Systems and Vigil Maldonado Detention Center

This Item was postponed under item #4.

15. Discuss/Action – Agreement for Inmate Confinement Between the County of Colfax and City of Raton

Virginia Strohm, CPO stated there were errors in the numbering of the document that was approved by the Commission at the last meeting. Virginia stated there were no other changes but the numbering. Commissioner Kern made a motion to approve the Agreement for Inmate Confinement Between the County of Colfax and 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.

16. Discuss/Action – Resolution 2023-33, First Amendment to Local Government Road Fund, Contract D19407, Control # L400585

Glen Stevens stated he and Manager Gore met with John Herrera from the NMDOT, as he had two gravel projects that were to be completed by the last day of the year. Glen stated Mr. Herrera recommended he apply for an extension rather than losing the funding. Chairman Trujillo asked Commission if they had any comments. Commissioner Kern stated the projects need to get done. Chairman Trujillo stated he knew the Road Department has a lot of projects which they have been working on and need to be completed. Commissioner Kern made a motion to approve Resolution 2023-33, First Amendment to Local Government Road Fund, Contract D19407, Control # L400585. 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 – Acceptance, First Amendment to Local Government Road Fund, Contract D19407, Control # L400585

Commissioner Kern made a motion to approve the Acceptance, First Amendment to Local Government Road Fund, Contract D19407, Control # L400585. 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 2023-34, Second Amendment to Local Government Road Fund, Contract D18975, Control # L400534

Commissioner Kern made a motion to approve Resolution 2023-34, Second Amendment to Local Government Road Fund, Contract D18975, Control # L400534. 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 – Acceptance, Second Amendment to Local Government Road Fund, Contract D18975, Control # L400534

Commissioner Kern made a motion to approve the Acceptance, Second Amendment to Local Government Road Fund, Contract D18975, Control # L400534. 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 – Introduction to Ordinance 2023-02, An Ordinance Regulating the Siting and Permitting of Wireless Telecommunication Facilities

Dean Williamson presented the Ordinance Regulating the Siting and Permitting of Wireless Telecommunication Facilities to the Commission. Commissioner Kern asked if Emergency Manager Tom Vigil has had a chance to review the Ordinance. Manager Gore stated he has not. Commissioner Kern stated she would like him to review the Ordinance and get back to the Commission at the next meeting. Commissioner Wier asked if anyone contacted and presented this ordinance to the big landowners for their input. Commissioner Wier was told they had not been contacted, but often they had their own communication systems. Questions were asked about the applications and the commission was told the applications have not been designed yet. Chairman Trujillo stated there is a lot of work going on in the County and stated the mediation and arbitration would not be needed as the Ordinance is enforceable by the County. Commissioner Wier asked about the indemnification requirements in case there are problems with the towers. Chairman Trujillo stated he would like to make sure the Business Personal Property is reported to the Assessor and a Business Registration is purchased from the County. After further discussion, Commissioner Kern made a motion to approve the Introduction to Ordinance 2023-02, An Ordinance Regulating the Siting and Permitting of Wireless Telecommunication Facilities. Commissioner



Kern made the motion to approve the – Introduction to Ordinance 2023-02, An Ordinance Regulating the Siting and Permitting of Wireless Telecommunication Facilities. 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 – Non-promotional Request, Blu Dragonfly Brewing, Raton Supercross

County Attorney Roh stated payment should not be made due to the request coming to the Commission after the event has taken place. Chairman Trujillo made a motion to deny the Non-promotional Request, Blu Dragonfly Brewing, Raton Supercross based on the recommendation from County Attorney Roh. 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.

### 21. Commissioners' Docket

Commissioner Kern did not have a report.

Commissioner Wier asked Manager Gore to give an update on the aviation grant application and the solid waste vendor situation. Commissioner Wier request to have the animal shelter put on a future agenda for discussion as we are out of compliance with state statue and there was an incident in the Valley over the weekend and an incident in Springer recently. Commissioner Wier stated that he would like a follow up on the EMS services grant and suggested the Commission consider this again for the next budget.

Chairman Trujillo stated that he met with constituents and the City of Raton and there is an interest for a pickle ball court, and they want to ask for some funding from the county. Chairman Trujillo stated that the City of Raton is going to go forward with a planning project to see how much it will cost for this. Chairman Trujillo stated that he met with the new City of Raton Manager to discuss affordable housing. Chairman Trujillo stated that he discussed with Mike Provine some of the paved roads that need to be repaired in his district. Chairman Trujillo stated that himself and Commissioner Wier attended the Kit Carson ribbon cutting for the solar farm. Chairman Trujillo reminded the Commissioners that the Economic Development Summit is taking place on Friday. Chairman Trujillo asked if there were any vacancies on the Lodger's Tax Advisory Committee. Chairman Trujillo stated that he is planning on going to This That and the Other on Thursday and asked Manager Gore to also attend. Chairman Trujillo stated that he thinks there should be more discussion on the animal shelter and asked Manager Gore and Sheriff Baca to work together and follow up with an animal ordinance to be put in place. Commissioner Wier asked for an update on the street signs and when they are going to be installed.

### 22. Managers' Docket

Manager Gore thanked the Commission for the grant writer and special project position and asked Tarin Giacomo to come up to the podium. Tarin Giacomo introduced herself to the Commission. The Commission welcomed Tarin to the county. Manager Gore stated that he was asked to give an update on the aviation grant. He stated they are still in the process of getting the grant and the state has sent a lot of questions about commercial aviation and he is reaching out to Advanced Air for their assistance, Dan Rakes from the Angel Fire Resort and their consultants. Commissioner Wier stated that the intent of the grant was to have the commercial airline service flights by mid-December and there is some urgency for this to move forward. Commissioner Wier suggested that advertising start taking place two months in advance. Manager Gore stated that the street signs will be put up right away. Commissioner Wier stated that there are some constituents who are interested in the placement of the signs, and he will give Road Superintendent Glen Stevens their contact information. Manager Gore stated that he has been in contact with other solid waste vendors, and he is hoping to have a recommendation soon. Manager Gore stated that we do have a deed for the property in Black Lake which states it is to be used for a Fire Station. Manager Gore stated the property is also used for solid waste and there is a revert clause in the Deed and Mr. Honea is requesting the dumpsters be removed from that location. Manager Gore asked Commissioner Wier for his assistance in facilitating a meeting with Mr. Honea. Manager Gore stated that he thinks they should move forward with the fencing at the Black Lake solid waste location. Commissioner Kern stated that if Mr. Honea wants the county to remove the dumpsters, then there is no reason to build the fence. Commissioner Wier stated that there needs to be a conversation with Mr. Honea, and he thinks the fence should still be put up. Chairman Trujillo stated that he thought that building the fence was contingent on the deed being reworked and if that is the case it needs to be brought back to the Commission. Virginia Strohm stated that she looked at the minutes and when they approved the fencing it was contingent on a letter from Mr. Honea also.

Commissioner Wier asked County Clerk Trujillo for an update on the voting. County Clerk Trujillo stated that today early voting started in the clerk's office, and they had five voters so far. Clerk Trujillo stated that registration books close today too. County Clerk Trujillo stated that mobile voting will start in two weeks. Clerk Trujillo stated that the last day for absentee applications is October 24, 2023, and the last day for

early voting is Saturday November 4, 2023. Clerk Trujillo stated that forty ballots have been sent out so far today.

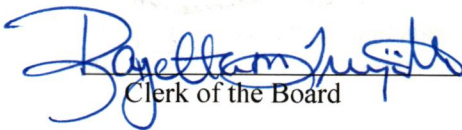
Commissioner Kern stated that she noticed in the Assessor's office that there was a leak and noticed other spots in the building with the same thing and these issues need to be addressed. Commissioner Kern stated that we need to take care of the county building. Manager Gore stated that he would work with maintenance to get to those issues.

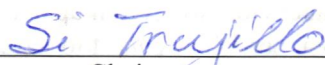
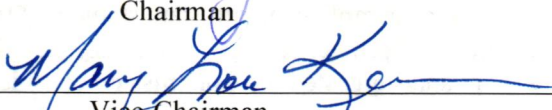
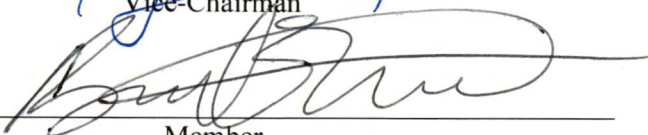
### 23. Adjourn

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 11:30 a.m.

### COLFAX COUNTY BOARD COMMISSIONERS



  
Clerk of the Board

  
Chairman  
  
Vice-Chairman  
  
Member