

MINUTES
REGULAR MEETING
HIDALGO COUNTY BOARD OF COUNTY COMMISSIONERS

April 11, 2018 at 9:00 A. M.

BE IT REMEMBERED that the Hidalgo County Board of County Commissioners met in regular session on April 11, 2018, at the hour of 9:00 A.M. at the Hidalgo County Chambers at 305 Pyramid Street, Lordsburg, New Mexico, for the purpose of conducting any and all business to come properly before the Board.

The following elected officials, staff, and public were present:

Tisha Green, County Manager	Jennifer Medina, Diamond A Ranch
Melissa K. De La Garza, County Clerk	Joseph Guillian, Road Dept.
Priscilla Maxwell, Dispatch Supervisor	Clarence Rudiger, Road Dept.
Kim Kvamme, BITS	Alice Webb, Library
Tracy Chavez, HCSO	Meira Gault, PLAC
Carmen Acosta, Probate Judge	Hector Maese, USBP
Michael Shelton, USBP	Matthew Mazuz, USBP
Susan D. Mayes, NMAC	Levi Klump, self
Joel Edwards, Self	Sherri Arredondo, HCLP
Dave Carbine, Rural Addressor	

CALL TO ORDER: Chairman Mora called the meeting to order at 9:00 A.M. and led the Pledge of Allegiance.

Roll Call: Chairman Anthony J. Mora Present
Commissioner Darr R. Shannon, Present
Commissioner Marianne Stewart, **Absent**

APPROVAL OF AGENDA: Commissioner Shannon moved to approve the agenda with no changes. Commissioner Mora seconded the motion, motion passed.

APPROVAL OF MINUTES

Commissioner Shannon moved to approve the minutes for Regular Meeting March 14, 2018. Commissioner Mora seconded the motion, motion passed.

GUESTS

True Connect Loan/Credit Counseling Benefit Program-Susan Mayes, NMAC

Susan Mayes presented to the Board a voluntary employee loan/credit counseling benefit program, in partnership with TrueConnect. This program is designed for employees with poor or no credit scores to secure small loans when an unexpected emergency arises; loans offered in \$500 increments from \$1,000 up to a maximum of \$3,000. The loans are for a full one-year term, repaid through amortizing payroll deductions in equal amounts, which no more than 8% of an employee's gross pay can be deducted to repay the loan. The interest however is @ 24.99% APR vs. payday loans at 175%. There is no cost or risk to the county and the county cannot be held financially responsible for the loan if the employee does not pay. Commissioner

Shannon had concerns as if the profit from these loans could be kept within the banking in the state of New Mexico rather than Sunrise Banks in Minnesota.

i. True Connect Employer Agreement-discussion/action

No Action taken.

Public Land Advisory Committee

i. Recommendations-discussion/action

Commissioner Mora opened the discussion and is willing to go with the seven-member board, as long as it is understood the need for more to be present to have a quorum. Commissioner Mora requested in writing from the PLAC board to place Katy Estrada as a member at the next meeting. Commissioner Mora agreed with the PLAC recommendation, which stated the PLAC chair will set the agenda in coordination with agency personnel and inform the County Manager at least a week prior to the meetings. This will allow the manager and/or commissioners to propose additions or changes to the agenda. Commissioner Mora also agreed with the recommendations for action by the County on particular issues will be clearly stated in the PLAC minutes-this is necessary. Mr. Levi Klump's letter and stated that along with any action items being in bold type, they need to be directed to the County Manager as well. Mr. Klump's concern is that it appeared that everything had to go through the county manager to be considered by the PLAC-Commissioner stated no that was not to be perceived like that. No action taken.

ii. By-laws-discussion/action

Commissioner Mora stated the Board has to sign off on the by-laws. This is an effort to work together to keep this committee going. Commissioner Shannon stated that any agenda item that there are concerns regarding the people of this county instead of trying to fix the problem, they must be brought to the Board of County Commission so that the issue may be addressed to the proper agencies. No action taken.

RESOLUTIONS AND AGREEMENTS

BLM-Right of Way NMNM077573-discussion/action

Dave Carbine stated that this is a renewal for actually two pieces of county road, approximately nine miles of 60-foot right of way. The portion comes from the frontage road at the Arizona State line known as Chato Road and Stagecoach road. Commissioner Shannon moved to approve BLM Right of Way NMNM07757 as presented. Commissioner Mora seconded the motion, motion passed.

BLM-Right of Way NMNM077646-discussion/action

Dave Carbine stated that this is a renewal for Mayfield Ranch Road, which is a mile and a half long of 60-foot right of way. The roadbed is not to exceed 18 feet but the 60-foot includes any water turnouts. Commissioner Shannon moved to approve BLM Right of Way NMNM077646 as presented. Commissioner Mora seconded the motion, motion passed.

Fair Housing Month Proclamation-discussion/action

County Manager Tisha Green stated if the County has any intent for applying for community development block grants. Applications are available in November. The County has to participate in so many activities throughout the year. One of those activities is showing that the County does support Fair Housing. Commissioner Shannon moved to approve the Fair Housing Month Proclamation. Commissioner Mora seconded the motion, motion passed.

Motorcycle Awareness Month Proclamation-discussion/action

County Manager Tisha Green stated this is a request made by Mr. Richard Spurgeon for the County to declare the month of May as Motorcycle Awareness Month. Commissioner Shannon moved to approve this Motorcycle Awareness Proclamation for the month of May as presented. Commissioner Mora seconded the motion, motion passed.

MISCELLANEOUS

Right to Work Ordinance Request-Commissioner Shannon-discussion/action

Commissioner Shannon stated she would like to promote a Right to Work Ordinance for Hidalgo County. Commissioner Shannon read the right to work laws. New Mexico is not a Right to Work State. Employees should have the right to decide for themselves whether to join or pay dues to unions. Commissioner Shannon stated a letter was received from a Grassroots Committee that was presented to Otero County Commissioners encouraging the counties of New Mexico to become a Right to Work County. Commissioner Shannon moved to move forward with the process for creating an ordinance for Hidalgo County to become a Right to Work County. Commissioner Mora seconded the motion, motion passed.

EMS Event Coverage

David Whipple stated he is in the process of updating the standard operations policy for EMS billing on the event coverage portion. Historically, EMS has covered events such as the fair, rodeo, football games, and bike races. Under the Public Regulation Commission Tariff, there is a guideline as to what to charge for these events. In the past, these events were declared as undedicated-means the crew can leave to another call and this service is not billed. Dedicated pertains to a crew being placed at an event and they cannot leave that event to answer other calls. Mr. Whipple's concern is if this is a violation of the anti-donation if a crew is present-services are being donated. Commissioner Mora recommends for this to go to legal counsel to get a recommendation. No action taken.

Public Regulation Commission-Notice of Application in the Matter of SunZia Transmission, LLC, Case No. 18-00049-UT

County Manager Tisha Green stated she received several pieces of information, which is SunZia's application to the Public Regulation Commission. Green also received a procedural order, the entry of appearance from their new attorney, order scheduling a pre-hearing conference and initial order requiring notice of application-these have been received via certified mail and are available for review in the manager's office.

Letter to the Public Commission in the Matter of SunZia Transmission, LLC, Case No. 18-00049-UT-Darr Shannon-discussion/action

Commissioner Shannon read a letter she wrote to the Public Commission regarding SunZia requesting approval from the Commission. This letter addresses many items she believes the public is unaware. The research has never been done in Hidalgo County to know what SunZia is about. Commissioner Shannon has attended many of these public hearings. Commissioner Mora stated he was not ready to second the motion for this and suggested for this item to be put on the agenda for next meeting so that Commissioner Stewart will have an opportunity to make her decision publicly. No action taken.

Process for speed control on county roads-Joseph Guillian-discussion

Joseph Guillian stated he needed to clarify some misinformation about the previous discussion over speed control. Two entities have the ability to post speed limit signs. One is local authorities and there is a process to follow. The other entity Section 66-7-304:8 The Board of County Commissioners of the County may alter and establish speed limits lower than those established by law on county roads within its county provided that the speed limit is

deemed to be reasonable and safe under local conditions on the basis of an engineering survey and investigation. The alteration of that speed limit has to be approved by the transportation commission. The signs must be posted that conform to the current specifications of the state for being a legal proper sign. If engineers are not available to local authority, the state highway and transportation department may make the survey an investigation for the local authority. A traffic study must be done and the state must be notified what is being done. Mr. Guilliam states it is may be possible for the Board to just approve an ordinance. No action taken.

Process for requesting maintenance on roads within a subdivision-Joseph Guilliam-discussion

Joseph Guilliam it was asked to come up with a process for subdivisions to be considered for county road maintenance. Law defines the process. To summarize, what was asked was a process 67-5-5, 67-6-20 the state determines what the process is by petition of ten stakeholders within a two-mile square mile area of a road sought to be altered changed or a new road considered by the county. In the petition, the stakeholders must disclose the start/stop points. The second way is establishment of petition of all owners. Every single owner on that road needs to sign the petition and give right-of-way has to be accompanied by a plat of the road. The duty of the Commission to declare such a roadway any value is seen. A base needs to be in place at what level the Board is willing to accept. For example the basics, such as drainage. The policy should outline the process because it saves time. Other counties also set a specific time of year for this to occur.

County Manager Tisha Green suggested since the County has a request to maintain a portion in the subdivision. The process may take a while. In the meantime, the County could adopt a resolution that if any type of danger or urgent issues to citizens the County could go in and take care of the issue, to protect the citizens.

Mr. Roger Payne stated that something be put in in the process to have maintenance by the County on the roads in Pyramid Shadows.

Appoint Viewers-Hog Farm Road discussion/action

Commissioner Mora gave the name Vance Lee to be appointed as a viewer for Hog Farm Road. Commissioner Shannon gave the name Mark Thomas to be appointed as a viewer for Hog Farm Road.

Commissioner Stewart who is not present will have an opportunity to submit a name as well.

Appoint Viewers-Bosque Seco Road discussion/action

Commissioner Mora gave the name Vance Lee to be appointed as a viewer for Bosque Seco Road.

Commissioner Shannon gave the name Mark Thomas to be appointed as a viewer for Bosque Seco Road.

Commissioner Stewart who is not present will have an opportunity to submit a name as well.

Request for Transport Bus-Detention

County Manager Tisha Green stated that the Detention Center is in need for a larger transport vehicle. Two to three transports are being conducted per day. A 25-passenger bus is ideal to cut down the transports. The average daily population is about 135 inmates. Green stated the two vehicles are necessary and apprehensions increased. The best interest for the County would be to purchase a bus. A transportation team would go on the transports opposed to all detention officers. Commissioner Shannon moved to approve a purchase a 25-passenger bus as presented by County Manager Green in the amount of \$75,000. Commissioner Mora seconded the motion, motion passed.

Round Table

Meira Gault-Apologized for not having the Prairie dog inspection report in March. The scientist had an accident and is recovering so it will happen sometime when he recovers.

Budget Workshop

Lodger's Tax-the Board agreed that \$6,000 is a good amount for Lodger's Tax

Hidalgo County Literacy Program-Sherrie Arredondo requested \$1,000 to help with the program.

Lordsburg-Hidalgo Library-Alice Webb requested \$73,000

Salaries-Elected Officials

County Manager Tisha Green would like a payroll line item when the department heads present their budgets. It has been since 2011, where elected salaries were visited. Green suggested a 5-10% increase for elected officials. It would affect those officials coming in to office. Green stated the County is well under the statutory limit. This will be on the agenda for the next meeting.

County Manager Tisha Green suggested increases for the following

Supervisors-5-10% and also make them salaried employees

Exceptions would be David Whipple and the Sergeant

Road Department Staff-regular employees to start 13.50/hourly then after benchmarks \$15/hourly

Transfer Station Staff- regular employees to start 13.50/hourly then after benchmarks \$15/hourly

Convenience Station's Staff- regular employees to start 11.50/hourly

This will go along with the other departments and help set a pay scale

Set date for budget meetings

Commissioner Shannon moved to approve April 18, 2018 at 3:00PM for the next Budget Workshop. Commissioner Mora seconded the motion, motion passed.

EXECUTIVE SESSION-

Commissioner Shannon moved to go into executive session to discuss Limited Personnel Matters as authorized pursuant to NMSA 1978 Section 10-15-1(H)(2)-Manager's Office

Commissioner Mora seconded the motion, motion passed.

ROLL CALL VOTE: Chairperson Mora: Aye

Commissioner Shannon: Aye

Commissioner Stewart: Absent

MOVED, SECONDED, AND CARRIED UNANIMOUSLY TO GO INTO EXECUTIVE SESSION AT 11:47 A.M.

RECONVENE

Commissioner Shannon moved to return to open session and affirmatively stated that only those matters of which the meeting was closed were discussed in executive session. Commissioner Mora seconded the motion, motion passed.

ROLL CALL VOTE: Chairperson Mora: Aye

Commissioner Shannon: Aye

Commissioner Stewart: Absent

**MOVED, SECONDED, AND CARRIED UNANIMOUSLY TO RECONVENE AT
12:38 P.M.**

No action taken

CERTIFICATION OF PAYROLL- Commissioner Shannon moved to approve the Certification of Payroll. Commissioner Mora seconded the motion, motion passed.

CERTIFICATION OF ACCOUNTS PAYABLE

Commissioner Shannon moved to approve Accounts Payable. Commissioner Mora seconded the motion, motion passed.

ADJOURNMENT

There being no further business before the Board, Commissioner Shannon moved to adjourn. Commissioner Mora seconded the motion, motion passed. The meeting adjourned at 12:39 P.M.

ATTEST:

HIDALGO COUNTY BOARD
OF COUNTY COMMISSIONERS

Melissa K. De La Garza, County Clerk

Anthony J. Mora, Chairman

APPROVED:

Darr R. Shannon, Member

Marianne Stewart, Member