

MINUTES
SPECIAL MEETING
HIDALGO COUNTY BOARD OF COUNTY COMMISSIONERS
May 22, 2018 at 3:00 P.M.

BE IT REMEMBERED that the Hidalgo County Board of County Commissioners met in Special Session on May 22, 2018, at the hour of 3:00 P.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:

Priscilla Maxwell, Dispatch	Tracy Chavez, HCSO
Joel Edwards, Self	Edith Lee, HMS
Alice Webb, Library	Molly Pressler, COC
Sherrilyn Arredondo, COC	Bruce Ashburn, COC
Brenda Hood, COC	Glenda Green, COC
Maria Sanchez, HCSO	Anna Lee Heemsbergen, COC
Adolph Sanchez, Local Business	Miriam Jacquez, Manager's Office
Karla Goitia, Managers Office	Tisha Green, County Manager

CALL TO ORDER: Chairperson Mora called the meeting to order at 3:00 P.M. and led the Pledge of Allegiance.

Roll Call: Chairperson Anthony J. Mora, Present
Commissioner Marianne Stewart, Present
Commissioner Darr R. Shannon, Present

APPROVAL OF AGENDA: Commissioner Stewart moved to approve the agenda as presented. Commissioner Shannon seconded the motion. Motion passed.

RESOLUTIONS AND AGREEMENTS

Claim of Exemption- McCants

Tisha Green stated that there is a request for a claim of exemption for exemption number one. Commissioner Shannon moved to approve the claim of exemption as presented. Commissioner Stewart seconded the motion. Motion passed.

Service Contract- Chamber of Commerce

Bruce Ashburn stated that he is here to represent the Chamber of Commerce. Mr. Ashburn mentioned that the Chamber of Commerce use is to build an attraction for the communities to promote and to be the voice of business of the city and county. Mr. Ashburn mentioned at a previous meeting that there were some concerns of funding the Chamber as a violation of the anti-donation clause. Mr. Ashburn stated that the Board of County Commissioners passed an ordinance on the 10th day of August 2004, by the support of 1994 Constitution of New Mexico Amendment of Article 9 Section 14 of Economic Development Act. Mr. Ashburn proposed a service contract between the Chamber boards of Directors, to provide a general guideline. He is willing to negotiate the terms of the contract. Mr. Ashburn stated that last year just in the County alone the chamber had a total 4,125 contracts with the current residents that includes the County events such as, Discover Hidalgo, Fair Parade, the Javelin Chase as some of the

events that the Chamber is involved with. Mr. Ashburn stated that the Chamber is looking for a total of \$10,000 from Hidalgo County, and if the Chamber does not get the support of the County and the City of Lordsburg it is going to disappear. Mr. Ashburn asked the Board of Hidalgo County Commissioners to consider the service contract. Commissioner Shannon mentioned that the economic development ordinance stated that the qualified entities could only be a corporation, a limited liability company, a partnership, or an association, or a person that is one of the following. With that being said, the Chamber is a non-profit and does not fit into the County economic development ordinance. Commissioner Shannon mentioned that there is an opinion from the Attorney General that a city or county cannot donate to the Chamber of Commerce being that it includes such contribution to the city or county budget. Commissioner Shannon stated that the Municipality or County might not fund special created nonprofit corporations. The City or County may not use public funds for economic development to use by non-profit for that purpose. Commissioner Shannon questioned why the County has become an entitled area, why can't the Chamber get out and earn their own money. Mr. Ashburn responded that the Chamber is trying to earn their money to support themselves, by having a Chamber night at McDonald's is where they earn about \$500 in one night, and the thought process is to continue that but McDonald's is going through a renovation, and the chamber night cannot be held there until it is complete. Commissioner Shannon questioned where the money going to come from if it is approved. Commissioner Shannon mentioned that she did some studying, and she explained that it will be a big portion of the County's General Budget, it comes out to be \$6,479,576, and the fund budget is \$5,673,004 so the County will be short \$8,600,572. Commissioner Shannon mentioned how she valued the Attorney General's opinion. Commissioner Stewart stated that the County needs to go with the Attorney General's opinion, but that does not stop the County from becoming a member of the Chamber. Commissioner Stewart mentioned that last year the County was not a member, and that does not stop the County to become a member. Chairperson Mora stated that it comes down to legal determination. Commissioner Stewart questioned if the Deming Chamber received monetary funds, or in-kind funds. Mr. Ashburn responded that he represents both Luna and Hidalgo Chamber of Commerce, and that Luna County Chamber receives both monetary and in-kind funding, as was grant to the county. Commissioner Stewart mentioned by looking at this paper that the Chamber provided, it is not really a contract. Mr. Ashburn stated that it could be a contract if the County set up the way by advertising. Commissioner Stewart stated in terms by setting up a contract that the County needs some sort of deliverables by the Chamber and that is something that can be fixed. Chairperson Mora mentioned that the Chamber is an avenue for advertising, and if this were, the case to enter a contract with the Chamber with deliverables. Commissioner Shannon stated that on the Attorney General website it reads that a specific development fund cannot enter in a contract unless there were a specific economic development to start with. Commissioner Stewart stated that the Chamber has done a lot in the past years, but the County has to respect the legal opinion of the Attorney General, and would like to work on a service agreement with tangibles and become a member of the Chamber. Commissioner Shannon asked if this would come out of Gross Receipts Tax the County would have to generate \$161,616 to come up an additional Gross Revenue outside out of the City of Lordsburg. Mr. Ashburn mentioned that they have been doing advertisement, going to Deming for mix and mingle, but cannot generate the Chamber and cannot come up with it tomorrow but it takes time we will be able. Chairperson Mora asked if there is a motion for the \$10,000. The motion dies for lack of a motion. Chairperson Mora asked if there is a motion to become a member for the amount \$1,500. Commissioner Stewart moved to become a member of the Hidalgo Chamber of Commerce maximum amount of \$1,500. Commissioner Shannon seconded the motion. Motion passed.

MISCELLANEOUS ROUND TABLE DISCUSSION

Adolf Sanchez mentioned he has an issue with the Road Department. Mr. Sanchez explained that Road Department destroyed his road by taking out the crown, and pushed the gravel to the side. Mr. Sanchez mentioned that he had provided water for Road Department and the Road Department did not do their job. Tisha Green mentioned she would be going out there tomorrow (May 23) to look at it and to address the issue.

Lance Williams mentioned that he is here to complain on the Road Department. Mr. Williams mentioned that two and half miles going on County Road that goes up Doubtful Canyon, the Road Department took the crown out and flat and took the side bar, and knocked down pretty much everything. Mr. Williams mentioned that every street has a crown and he does not understand why the Road Department took it out.

Executive Session to discuss:

- i. Limited Personnel Matters as authorized pursuant to NMSA 1978 SECTION 10-15-1(H)(2)- Detention**
- ii. Limited Personnel Matters as authorized pursuant to NMSA 1978 SECTION 10-15-1 (H)(2)- Road Department**

Commissioner Shannon moved to go into executive session at 3:36 P.M. Commissioner Stewart seconded the motion. Motion passed.

Roll Call Vote: Chairperson Mora: Aye
Commissioner Darr: Aye
Commissioner Stewart: Aye

RECONVENE

Commissioner Shannon moved to return to open session at 4:53 P.M. and affirmatively stated that only those matters of which the meeting closed were discussed in executive session. Commissioner Stewart seconded that motion.

Roll Call Vote: Chairperson Mora: Aye
Commissioner Shannon: Aye
Commissioner Stewart: Aye

- iii. Action taken/ not taken- Executive Session**
No action taken.

Request approval of Deputy Administrator job description- action

Tisha Green requested an for approval for a new Deputy Administrator position. Commissioner Stewart moved to approve the job description for Deputy Administrator for the Detention Center. Commissioner Shannon seconded the motion. Motion passed.

Request approval to change Detention Supervisor's title to Deputy Administrator

Commissioner Stewart moved to approve name change from Detention Supervisor to Deputy Administrator. Commissioner Shannon seconded the motion. Motion passed.

- i. Set salary for Deputy Administrator**

Tisha Green requested a 5% increase towards the Deputy Administrator salary, which her salary is at \$44,185. Commissioner Shannon moved to set salary for the Deputy Administrator at Detention Center at \$46,394.25 that includes the 5% increase. Commissioner Stewart seconded the motion. Motion passed.

BUDGET WORKSHOP

- I. Salaries**

Tisha Green mentioned a couple meetings ago that she requested a 10% increase to department heads and supervisors. Ms. Green mentioned that she looked at this

carefully and it is not feasible to give an increase to department heads and supervisors. Ms. Green mentioned that there are three supervisors that are not department heads, and it does not line in that work do to work overtime. Ms. Green would like to purpose a 5% increase, and to make them salary. Ms. Green requested to the Board for their authority to approve the 5%. Commissioner Shannon moved to accept the recommendation of the County Manager for the 5% increase for department heads for \$15,731.82 that includes employee portion of FICA and PERA and these would be salary position that will have to have pre-approval for holiday pay through the County Manager. Commissioner Stewart seconded the motion. Motion passed.

II. Grants

- a. **JJCS-** 218-302-211 \$42,000
- b. **Grader-** Add a new line item and add \$250,000
- c. **NMDOT –** \$58,831 it is the state share for the planning grant

III. Forestry Money

- Cotton City Fire- \$2453.47
- Animas Fire- \$0
- Rodeo Fire-\$2577.20
- Hidalgo Fire- \$9788.72
- Playas Fire-\$1534.08
- Remove Capital Purchase line item

Tisha Green mentioned a request directly made from the Fire Marshall for these forestry monies need to expend by next fiscal year of June 2019

IV. Emergency Manager

Tisha Green stated that it is more than necessary that the County hire an Emergency Manager, she does not believe it is necessary for County at this time to make it a full time nor part time. Ms. Green mentioned that there should be a request for a contract and budget \$16,000 in this fiscal year, and see what the needs are for the County, how long is it going to take and who is qualified to doing the job. Commissioner Stewart asked Ms. Green in the contract does the Board have to list their expectations. Ms. Green responded yes it is a very large scope received by the Emergency Manager in Santa Fe. Ms. Green mentioned that budget it within the Commission Budget for \$16,000.

V. Senior Citizen Funding

Tisha Green requested budgeting an additional \$26,000 under the Senior Citizen Funding and this is the City contribution. Ms. Green mentioned a new line item 401-905-203 would be create.

- VI. General Fund-** Budget the City contribution for the Library in the amount \$18,000
Farm and Range- \$30,000

Resolution 2018-19- Preliminary Budget Approval

Commissioner Shannon moved to approve Resolution 2018-19 Preliminary Budget for the year 2018-2019. Commissioner Stewart seconded the motion. Motion passed.

ADJOURN

There being no further business before the Board, Commissioner Shannon moved to adjourn. Commissioner Stewart seconded the motion. Motion passed. The meeting adjourned at 5:08 P.M.

ATTEST:

Alyssa Esquivel, Chief Deputy Clerk

APPROVED:

HIDALGO COUNTY BOARD
OF COUNTY COMMISSIONERS

Anthony J. Mora, Chairperson

Marianne Stewart, Member

Darr R. Shannon, Member