

**HIDALGO COUNTY  
BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
AUGUST 8, 2012 at 4:00 P.M.**

**BE IT REMEMBERED** that the Hidalgo County Board of County Commissioners met for a Regular Meeting on August 8, 2012, at the hour of 4:00 p.m., at the Rodeo Community Center at 16 Hickory Street, Rodeo, New Mexico for the purpose of business and personnel matters to come properly before the Board.

**BOARD MEMBERS:**

Chairperson Richard A. Chaires, Present  
Commissioner Eddy H. Kerr, Present  
Commissioner Darr R. Shannon, Present

**STAFF, ELECTED OFFICIALS, AND OTHERS PRESENT:**

John Salazar, County Manager; Tisha Green, Assistant County Manager; Melissa De La Garza, Chief Deputy Clerk; Sheriff Madero, Sheriff's Department; Richard Gomez, Jail Administrator; Mayor Frank Rodriguez, City of Lordsburg; James L. Jarvis, Playas Fire Chief; Kacie Peterson, Cyrq Energy; Ramon Escobar, Rodeo Fire/Rescue; Elizabeth Escobar, Rodeo Community Association; Lindy Kerr, DWI; Jennifer Medina, Diamond A Ranch; M.E. Gomez and other citizens.

**CALL TO ORDER:**

Chairperson Chaires called the meeting to order.

**APPROVAL OF AGENDA**

Commissioner Shannon moved to approve the agenda and the minutes for the work session held on July 10, 2012, the regular meeting held on July 11, 2012 and the special meeting held on July 25, 2012. Commissioner Kerr seconded the motion. Motion carried unanimously.

**GUESTS**

**Rental Request/BYA:**

Lindy Kerr, DWI Coordinator, requested the Board's approval to rent the senior citizen building on Fourth Street, on behalf of BYA, HELP NM, and HCDWI. By combining resources, the three agencies can pay \$1100.00 per month; this amount does not include utilities. The County Manager stated that research of the warranty deed revealed that the building is to be occupied by non-profit organizations of the County. The County Manager asked the Board to take into consideration the fair value of a building with 5,760 square feet, the liability and the fact that the building will be occupied until the end of September. The Board acknowledged the request that the three agencies submitted collectively. This issue will be revisited at the September meeting.

**CONTRACTS, AGREEMENTS, RESOLUTIONS**

**Ordinance 2012-01/County Infrastructure GRT:**

Commissioner Kerr moved to approve Ordinance 2012-01 adopting a County infrastructure gross receipts tax. Motion carried unanimously. This ordinance will impose, on any person engaging in business in the county area outside of the boundaries of any incorporated municipality, an excise tax equal to one-eighth of one percent (.125%) of the gross receipts reported or required to be reported by the person pursuant to the New Mexico Gross Receipts and Compensating Tax Act. The County infrastructure gross receipts tax will be used for County general purposes. This ordinance has been

published for two weeks as required. By the Board enacting the ordinance and adopting a resolution calling for an election, this begins the election process. If the voters vote for the referendum, the tax will be effective July 1, 2013.

**Resolution 2012-35/Election Resolution:**

Commissioner Shannon moved to approve Resolution 2012-35 calling for an election on the 1/8% County infrastructure gross receipts tax. Motion carried unanimously. By adopting this resolution the question regarding the imposition of the one-eighth of one percent County infrastructure gross receipts tax will be placed on the November 6, 2012 General Election ballot to be voted on by registered voters of the entire County.

**Resolution 2012-39/Healthy Forest Management (HR 6089):**

Commission Shannon stated that this resolution supports the Healthy Forest Management Act (HR6089) introduced by U.S. Representative Scott Tipton from Colorado. HR 6089 expands the role of state governors' authority to collaborate with local governing bodies to identify forest areas that impact local communities and pose a risk to citizenry if left unmanaged. The County Commissioners seek to identify measures to reduce the negative economic and forest health impacts due to Forest Service management practices. Commissioner Kerr moved to approve Resolution 2012-39 supporting the Healthy Forest Management Act (HR 6089). Motion carried unanimously.

**Litter Control and Beautification Grant Agreement #13-418-6001-0024:**

The County has been awarded a grant in the amount of \$4,500 from the New Mexico Department of Tourism to establish a youth employment program to aid in litter control and beautification projects. The grant will be distributed among the county youth groups and youth that assist in the clean up and in the beautification of the County. Commissioner Shannon made the motion to approve the Litter Control and Beautification Grant Agreement #13-418-6001-0024. Motion carried unanimously.

**Contract for Library Services FY2012/2013:**

The County supports the New Mexico bookmobile program with \$1,000 annually. Commissioner Kerr moved to approve the contract with the New Mexico State Library for library services for fiscal year 2012/2013 in the amount of \$1,000. Motion carried unanimously.

**NMDOT Cooperative Agreement CAP-1-13 (452):**

The purpose of this agreement is for design, pavement rehabilitation and improvement of county roads. This project is estimated at \$134,923. The amount awarded is \$101,192. The County is required to match the 25%, which is \$33,731. The county has applied for a match waiver for the \$33,731 and is awaiting approval. The location of this improvement is inclusive from the roads within the Animas Community Center from Highway 9 and Highway 338. Engineer's Inc. is conducting a soil analysis to determine whether full asphalt or just a chip seal is sufficient. The Board will make a decision based on the analysis as to what type of material to use on the CAP project. Commissioner Shannon moved to approve NMDOT Cooperative Agreement CAP-1-13 (452) for \$134,923. Motion carried unanimously.

**NMDOT Cooperative Agreement SP-1-13 (952):**

This Cooperative Agreement is an additional award to the CAP-1-13 (452) project for design, pavement rehabilitation and improvement of the road leading to the Animas Community Center from Highway 9 to Highway 338. The project is estimated at \$97,181. The amount awarded is \$72,886. The County's share is \$24,295. The county has applied for a match waiver for the \$24,295 and is awaiting approval. Commissioner Kerr moved to approve NMDOT Cooperative Agreement SP-1-13 (952) for \$97,181. Motion carried unanimously.

**NM DOT Cooperative Agreement SB-7730 (901) 13:**

This is the third project applied for, the School Bus Route, which is not eligible for match waiver so the entire project cost is \$96,991 with the County's contribution of \$24,248. The Cooperative Agreement SB-7730 (901) 13 project is for design, pavement rehabilitation and improvement of the road leading to the Animas Community Center from Highway 9 to Highway 338. Commissioner Shannon moved to approve NMDOT Cooperative Agreement SB-7730 (901) 13 for \$96,991. Motion carried unanimously.

**Approval of Fiscal Year 2009/2010 Audit:**

An official approval is needed for the fiscal year 2009/2010 audit. Commissioner Kerr moved to approve the audit for fiscal year 2009/2010. Motion carried unanimously.

**Approval of Fiscal Year 2010/2011 Audit:**

An official approval is needed for the fiscal year 2010/2011 audit. Commissioner Shannon moved to approve fiscal year 2010/2011 audit as presented. Motion carried unanimously.

**Audit Contract for Fiscal Year 2011/2012:**

After doing some research on auditors for fiscal year 2011/2012, White, Samaniego & Campbell is the most reasonable at \$15,000. Commissioner Kerr moved to approve the audit contract for fiscal year 2011/2012 with White, Samaniego & Campbell. Motion carried unanimously.

**2013 Hidalgo County Safeborder Grant:**

The New Mexico Department of Homeland Security and Emergency Management have awarded the 2013 Safeborder grant to the Sheriff's Department in the amount of \$80,000. Last fiscal year the grant awarded was for \$140,000, which allowed the County to employ three deputies. Because the grant has been reduced to \$80,000, one deputy will be terminated. Commissioner Shannon moved to approve 2013 Hidalgo County Safeborder Grant for \$80,000. Motion carried unanimously.

**MISCELLANEOUS****Letter of Support/HR 4334:**

This letter supports Bill HR 4334, the creation of the Organ Mountains National Monument. The Board believes this is a responsible alternative to the proposed 600,000-acre monument being proposed by environmental organizations. Commissioner Kerr moved to approve the letter of support of Bill HR 4334 sponsored by Senator Steve Pearce. Motion carried unanimously.

**Bid Award/Playas Fire UTV (Utility Terrain Vehicles):**

Four bids were received for the Playas Fire UTV with trailers. Playas Fire Chief James Jarvis recommended going with The Power Center, Inc. even though it is \$178.00 more than the lowest bid. The Power Center, Inc. is located in New Mexico; therefore, making it more convenient for warranty work. Commissioner Shannon moved to approve the bid submitted by The Power Center, Inc. for two 2012 UTV with trailers in the amount of \$27,834.58. Motion carried unanimously.

**Enrichment Center:**

Randy Piper, the Lordsburg Schools Superintendent, requested a letter of assurance from the County and the City of Lordsburg stating that they will provide insurance coverage on the Enrichment Center. Extensive discussion was held between the Board, the Hidalgo Heritage Group and those present concerning the Enrichment Center. Major concerns were financial responsibility, liability, and future demolition. Commissioner Kerr moved to approve a letter of assurance from the Board for support of

the Enrichment Center with a stipulation that the City is part of the coverage. Motion died due to the lack of a vote.

#### **ICIP (Infrastructure Capital Improvement Plan) Discussion:**

The following recommendations were made by the Infrastructure Committee for the ICIP Five-year Plan:

- Removal of Enrichment Center-The Committee does not believe this is a role the County should take.
- Hidalgo Complex-The Committee believes the building should be sold; the cost to maintain exceeds revenues received annually.
- Rodeo Septic Tanks Project should be removed from list since project will be completed soon.
- The Ambulance Shelter Project should include the purchase of an ambulance.
- Arena Planning Feasibility Study should be changed to Fairgrounds Complex Construction.

Discussion was held on each of these recommendations. County Manager advised the Board to go to each community for input on their needs and/or concerns. Public input is welcome until the second week in September. The tentative date for ICIP special meeting is August 29, 2012 at 4:00 p.m. Projects need to be approved at the next regular meeting.

#### **Detention Center Update:**

The U.S. Marshalls will be inspecting the detention center for certification eligibility. Contingent on the U. S. Marshalls certifying the building, the County can contract with federal agencies, such as I.C.E., to house federal inmates. Certification does not guarantee that the U.S. Marshalls or other agencies will use our facility.

#### **INDIGENT**

#### **Indigent Hospital Claims:**

The Board reviewed the indigent hospital claims for the month of August 2012. Commissioner Shannon moved to approve the indigent hospital claims for a total of \$17,088.96. Motion carried unanimously. The approved indigent claims are as follows:

	APPROVED	DENIED	PENDING	TOTAL
Gila Regional Medical Center	7	0	0	\$ 13,452.66
Mimbres Memorial Hospital	0	0	0	\$ -
Memorial Medical Center	0	0	0	\$ -
Hidalgo County Ambulance	0	0	0	\$ -
Presbyterian Hospital	1	0	0	\$ 3,636.30
Mountain View	0	0	0	\$ -
Med Evac	0	0	0	\$ -

#### **ROUND TABLE DISCUSSION**

- Commissioner Kerr reported on the New Mexico Association of Counties (NMAC) directors meeting including priority issues that the NMAC is supporting at the legislature.
- County Manager reported that Verizon Wireless will start construction at the end of month.
- Commissioner Kerr mentioned that the Discover Hidalgo literature is available to the public.

- Commissioner Shannon attended the U.S. Border Patrol and Department of Interior, BLM meeting. Antelope Wells operating base may be in full operation in October and the FOB (Forward Operating Base) in Animas will be operational by mid September.
- Commissioner Shannon mentioned that the ADA compliant ramp, which provides wheel chair seating at the fairgrounds, is finished.
- County Manager reported that WNMU (Western New Mexico University) committed to employ a full time employee from Hidalgo County for the learning center.
- The new senior center grand opening was a success.
- Department of Homeland Security and Emergency Management Preparedness Information Guides are available for New Mexico families.
- County Manager reported that NM Tech Training Center in Playas will be funded by a private sector rather than closing it down.
- Commissioner Kerr reported on the route of Cyrq Energy's transmission line. Kacie Peterson invited the public to a presentation by Cyrq Energy's at the City of Lordsburg's meeting on August 16, 2012 at 5:30 p.m.
- There was discussion on how lodger's tax is imposed within the City and the County. In addition, the selection of a lodger's tax committee was discussed.

#### **PAYROLL AND PAY BILLS**

Commissioner Shannon moved to approve the payment of bills and payroll. Motion carried unanimously. The payment of bills and payroll was approved.

#### **ADJOURNMENT**

There being no further business before the Board, Commissioner Shannon moved to adjourn. Motion carried unanimously. The meeting adjourned at 6:18 P.M.

ATTEST:

s/

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Melissa DeLaGarza, Chief Deputy Clerk

September 12, 2012

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APPROVED

HIDALGO COUNTY BOARD  
OF COUNTY COMMISSIONERS

s/

\_\_\_\_\_  
Richard A. Chaires, Chairperson

s/

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Eddy H. Kerr, Member

s/

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Darr R. Shannon, Member