

**HIDALGO COUNTY  
BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
July 12, 2017**

**BE IT REMEMBERED** that the Hidalgo County Board of County Commissioners met in regular session on July 12, 2017 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:

Bob Hill, County Manager	Clarence Rudiger, HCRS
Alyssa Esquivel, Chief Clerk	Tracy Chavez, HCSO
Priscilla Maxwell, Dispatch Supervisor	Arturo Gonzalez, USBP
Jennifer Medina, Animas Foundation/ Diamond A Ranch	Maria Sanchez, HCSO
Adam Rioux, USBP	Mike Rudloff, Terra De La Sol Housing
Tisha Green, Manager's Office	

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

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

**APPROVAL OF AGENDA:**

Commissioner Shannon requested to table Section 6 under the Policy and Procedure for the next meeting and separate it into two portions. Commissioner Mora agreed with Commissioner Shannon and suggested to separate Section 6 in half in two meetings. The first meeting would include sections 6-1 to 6-4. The second meeting would include the rest of the section. Commissioner Shannon moved to approve the agenda with the change made. Commissioner Mora seconded the motion, motion passed.

**APPROVAL OF MINUTES**

Commissioner Mora moved to approve the minutes for the Regular Meeting of June 14, 2017. Commissioner Shannon seconded the motion, motion passed.

*GUEST*

**US BORDER PATROL**

Arturo Gonzalez reported that the U.S. Border Patrol had a meeting on June 20<sup>th</sup> with state holders in Douglas, AZ. The state holders reported to the U.S. Border Patrol that people from across the border are shooting bundles of marijuana from a canon. Luckily, no one has gotten hurt, but it has damaged some fences. Agent Gonzalez stated that on Highway 80 there has been an increase of narcotics, in conjunction with State Police and County setting up a check point. Rene Rrafoso explained the F20 program of how he is showing new agents how to

complete paper work and make traffic stops. New agents introduced themselves, Joshua Mortensey from Kentucky, Jason Canteo from Virginia, and Ralaph De La Rosa from El Paso, Texas. Adam Rioux from U.S. Border Patrol introduced The Ranch On Program. He explained that through this program agents speak with ranchers and try to understand what the rancher wants.

#### *RESOLUTIONS AND AGREEMENTS*

##### **USDA APHIS- WS AGREEMENT #14-73-35-2333-RA**

County Manager Bob Hill presented the agreement from USDA. He discussed the revised agreement, with the Hidalgo County Budget for \$30,000. Commissioner Stewart explained that on page three under four the Stipulations and Restrictions, there is an error that states County of Sierra and it should say County of Hidalgo. Commissioner Mora moved to approve the agreement as presented in the beginning for the USDA with the correction of the terminology. Commissioner Shannon seconded the motion, motion passed.

#### *MISCELLANEOUS*

##### **NM CAP ENTITY: AUTHORIZED SIGNATURE PAGE REGARDING THE AMENDED JPA BETWEEN THE INTERSTATE STREAM COMMISSION AND THE NM CAP ENTITY**

Commissioner Shannon discussed the NM CAP Entity to salvage the water of flood stage for the Gila River to be proactive. She mentioned the NM Cap Entity the Joint Powers and agreement with the Interstate Stream Commission to work closely with Freeport McMoran. Commissioner Shannon mentioned she had created a new signature page so the Board could work with Freeport. Commissioner Mora moved to approve the Joint Power agreement and include the flexibility with Freeport McMoran. Commissioner Shannon seconded the motion, motion passed.

##### **LETTER OF SUPPORT FOR TIERRA DE LA SOL HOUSING CORPORATION**

Mike Rudloff requested a letter of support for the Housing Preservation Grant Program. Mr. Rudloff explained that this letter is to support the Tierra Del Sol Housing Corporation with USDA for \$50,000. This could be the last time being funded. Commissioner Mora moved to approve the letter of support for the proposal of the USDA Rural Development for Section 533 Housing Preservation Grant Program. Commissioner Shannon seconded the motion, motion passed.

##### **PERMISSION FOR COUNTY MANAGER TO SUBMIT AN RFP FOR LIMITED LEGAL SERVICES**

County Manager Bob Hill explained that it is time to seek legal services for the County. Mr. Hill mentioned that the Holt and Martinez contract will expire in November. He advised that the County should have enough time to put a RFP in place. Commissioner Mora asked if the bankruptcy fraud was in place in the RFP for the Treasurer's Office request. Mr. Hill mentioned that he could put the bankruptcy portion in the RFP to be submitted to Holt and Martinez. Commissioner Shannon moved to approve to grant permission to the County Manager to submit a RFP for limited services including bankruptcy as for Treasurer's Office. Commissioner Mora seconded the motion, motion passed.

##### **POLICY & PROCEDURE REVIEW AND APPROVAL**

##### **I: HIDALGO COUNTY PERSONNEL POLICY SECTION 3. EMPLOYMENT STATUS**

County Manager Bob Hill presented the review requested from Commissioner Mora which he had asked to review Section 3, with the changes that are highlighted in yellow. Commissioner Mora asked for this section to be finalized with all the changes that have been made. Commissioner Stewart asked that under Section A to change understanding to understand. Commissioner Shannon asked that under Section B to capitalize Commissioner in the second sentence. Commissioner Mora moved to approve Section 3 of Personnel Policy as reviewed and corrected with the changes that were made today. Commissioner Shannon seconded the motion, motion passed.

## **ROUND TABLE**

Commissioner Mora requested to issue letters to both the State Representative and Senators encouraging them to address the blowing dust issue on I-10.

Commissioner Shannon mentioned that she had received numerous letters from all-over the area of the Southwest. She feels that the County can do more about the problem through hazard mitigation but this will not fix the issue. Commissioner Shannon explained that the County of Hidalgo should have more officers patrol that area, or some type of dust sign. Commissioner Shannon agreed with Commissioner Mora on tabling this item for the next regular meeting. Commissioner Shannon mentioned that the County does not have an Emergency Manager. She stated that there is a trailer behind the ambulance department that houses drinks such as water, Gatorade and no one thought to take it to the firefighters, and emergency personnel.

County Manager Bob Hill asked if they would like to discuss these items for next meeting. All three Commissioners agreed to have the Emergency Manager and letters to the State Representative and Senators.

Agent Arturo Gonzales mentioned that the Border Patrol is willing to assist with the road closure. Mr. Gonzales stated he has been talking with State Police.

Priscilla Maxwell invited Mr. Gonzales to the next LEPC meeting.

Commissioner Shannon stated that the County should provide the first responders, and firefighters with some type of debriefing after a major accident like the dust storm incident. Commissioner Shannon explained that individuals told her that they had felt worse because there were people at the debriefing that should not have attended. Maria Sanchez mentioned that she had put the debriefing together through LEPC and explained that the people in the meeting had the opportunity to speak. If they didn't feel comfortable with all that was there maybe that's why no one spoke. Commissioner Shannon requested more debriefing.

## **EXECUTIVE SESSION- TO DISCUSS**

### **i- Limited Personnel Matters as authorized pursuant to NMSA 1978 SECTIONS 10-15-1(H)(2)- Detention Center**

Commissioner Shannon moved to go into executive session pursuant to NMSA 1978 Section 10-15-1(H) (2) for the purpose of discussing personnel matter in Hidalgo County Detention Center, Detention Center Administrator and Manager's Office. Commissioner Mora seconded the motion, motion passed.

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

MOVED, SECONDED, AND CARRIED UNANIMOUSLY TO GO INTO EXECUTIVE SESSION  
AT 10:01 A.M.

**RECONVENE**

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

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

MOVED, SECONDED, AND CARRIED UNANIMOUSLY TO RECONVENE AT 10:37 A.M.

**ACTION TAKEN/NOT TAKEN IN EXECUTIVE SESSION**

No action taken.

**FINAL BUDGET WORKSHOP**

The following changes have been made for FY2018 Final Budget Workshop:

**GRANTS**

218-302-208 Fairgrounds Renovation -\$74,915  
218-302-215 Hazard Mitigation -\$25,738  
218-302-217 Go Bond Appropriation- \$5,484

**LAW ENFORCEMENT OT GRANTS**

218-802-107 100 Days/Steps -\$5,320  
218-802-113 OBD- \$0.00

**STONEGARDEN- NMDPS FY15**

218-812-104 Overtime- \$6,696  
218-812-200 Benefits- \$0.00  
218-812-200 Vehicle Fuel- \$1,169

**STONEGARDEN- HCSO FY15**

218-813-104 Overtime- \$15,000  
218-813-106 Benefits- \$1,148  
218-813-200 Vehicle Fuel- \$1,030  
218-813-201 Vehicle Maintenance- \$1,000  
218-813-220 Equipment Maintenance- \$193,416  
Add new line item 218-813-206 for Vehicle Purchase

**STONEGARDEN- LPD FY15**

218-814-104 Overtime- \$25,347

**218-814-106 Benefits- \$1,939**  
**218-815-200 Vehicle Fuel- \$1,538**  
**218-814-201 Vehicle Maintenance- \$139.94**

**STONEGARDEN- NMDPS FY16**

**218-815-104 Overtime- \$202,278**  
**218-815-106 Benefits- \$0.00**  
**218-815-200 Vehicle Fuel- \$41,499**

**DETENTION FUND**

**226-801-102 Full Time Positions- Add \$12,000 more to \$734,639 and adjust benefits.**

**COUNTY COMMISSION**

**401-301-231 Fiscal Agent Fees- Add \$4,000 to \$7,611**  
**Add new line item 401-301-232 Admiration Fees and put \$923**

**DISPATCH**

**401-702-206 Postage- \$150.00**  
**Add new line item Mileage 401-702-205**

**ROAD**

**Add new line item 402-301-109 Phone Stipend -\$520**  
**402-301-108 Clothing- Add \$400 - \$26,050**

Commissioner Shannon mentioned her concerns that the County Road Department is short \$100,000, and asked if this department will need to use General Funding. Tisha Green said the investment was \$200,000. Ms. Green requested that \$100,000 should go into the Road Fund. Ms. Green mentioned that it's a good thing that there's no road project going on. Commissioner Shannon mentioned a possibility whomever is working at the department of motor vehicle will no longer be opened due to cuts in the State's Budget. Commissioner Shannon is worried this will hurt the County by people going to Deming or Silver. Commissioner Shannon's thoughts are if there are any other roads the County could cut maintenance on--like roads to private windmills. Clearance Rudiger stated that the more he thinks about it, it will be a dirty dog to do, but if some roads do not have a registered easement then the County don't do that road, but it's going to be a dirty dog to play with. It's a possibility that these are school bus routes, but use to be if a school bus route is improved the County could still maintain for school bus activities. Mr. Rudiger mentioned it could cause a big fight and the County has been trying to fix this for several years now. The County is playing catch up and its cost the County so much money. He would have to go back and see how many gallons of fuel from last year to this year were used. If statue are statues that's the easiest dirty trick in the book-- it will upset several people. Commissioner Stewart stated if the County has maintained these roads and without an easement what's is the liability. Commissioner Shannon mentioned that this is almost a violation of the anti-donation clause in the big picture. Commissioner Shannon stated maybe the people could give the County an easement if they want the road to be maintained. Mr. Rudiger mentioned maybe the County could put it out there. However how is the County going to know who has a written easement--this could be a full time job for somebody to find these easements. Commissioner Stewart mentioned that the ones that don't have easement send them a certified

letter for liability. Commissioner Shannon mentioned that Highway 338 turns into C-001. The amount of property taxes that the land owners that use that road pay and they are not getting anything for their money. Commission Shannon doesn't think that its right, the taxes payers pay very high dollar that contribute to this County and they are the least taken care of. Then people that don't have easement get their roads maintained, because they are short, or easy or whatever the purpose. Commissioner Shannon explained when she was living at her old house the school bus wouldn't go because it wasn't being maintained by the County, yet there were other people's roads that the school bus goes down because its maintained by the County with no easement--so you tell me if that was fair? Commissioner Shannon mentioned that the County is definitely giving privileges to certain people not because of who they are--it's always been this way for years but we are giving privileges to certain roads that don't really deserve it without an easement. Commissioner Shannon stated that the Board needs to act on this because the County Road Department doesn't get paid anything but the County roads are very important and the County is not addressing the roads that need to be addressed and are addressing the roads that don't have an easement--the County needs to pursue this. Commissioner Shannon mentioned that the County needs to attack this situation by asking for an easement if the road is going to be maintained thus for liability reasons. When the road department is behind \$100,000 the Road Fund will be gone in no time. Commissioner Stewart asked if the County will put this in the next regular meeting.

#### **COUNTY TREASURER**

**401-501-203 Maintenance Contracts- \$4,660**

**401-501-203 Postage- \$3,000**

#### **COTTON CITY FIRE**

**413-301-272 Fireman's Acc. Ins. - \$2,185**

#### **ANIMAS FIRE**

**414-401-273 Fireman's Acc. Ins. - \$2,428**

#### **RODEO FIRE**

**415-501-273 Fireman's Acc. Ins. - \$2,185**

#### **HIDALGO FIRE**

**416-601-273 Fireman's Acc. Inc. - \$3,642**

#### **PLAYAS FIRE**

**417-701-273 - \$3,156**

#### **ADJOURNMENT:**

There being no further business before the Board, Commissioner Mora moved to adjourn. Commissioner Shannon seconded the motion, motion passed. The meeting adjourned at 11:30 A.M.

ATTEST:

HIDALGO COUNTY BOARD  
OF COUNTY COMMISSIONERS

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Alyssa Esquivel, Chief Clerk

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Marianne Stewart, Chairperson

APPROVED:

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Darr R. Shannon, Member

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Anthony J. Mora, Member