

MINUTES
REGULAR MEETINGS
HIDALGO COUNTY BOARD OF COUNTY COMMISSIONERS

June 14, 2017 at 9:00 A.M.

BE IT REMEMBERED that the Hidalgo County Board of County Commissioners met in regular session on June 14, 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	Tracy Chavez, HCSO
Melissa K. De La Garza, County Clerk	Hector Maese, USBP
Clarence Rudiger, Road Dept. Supervisor	Robert Bernal, USBP
Skeater Lassiter, HCDC	Jennifer Medina, Diamond A Ranch
Priscilla Maxwell, Dispatch Supervisor	Beth Cox SWCAI
Carmen Acosta, Probate Judge	
Maria Sanchez, HCSO	

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:

County Commissioner Mora moved to approve the agenda. Commissioner Shannon seconded the motion, motion passed.

APPROVAL OF MINUTES:

Commissioner Shannon moved to approve the following minutes for:

Special Meeting, April 27, 2017

Special Meeting, May 8, 2017

Regular Meeting, May 10, 2017

Special Meeting, May 18, 2017

Special Meeting, May 24, 2017

Commissioner Mora seconded the motion, motion passed.

Public Hearing

Transfer of Dispenser-type Liquor License to Leaping Lizard Brewery, Inc.

Leaping Lizard Brewery wants to purchase the Liquor License from Rodeo Tavern.

No public comment.

Approve/Disapprove the Transfer of Ownership of Liquor License No. 5522 with on premise Consumption and Package Sales-discussion/action

Commissioner Mora moved to approve the transfer of ownership of Liquor License No. 5522 with on premise Consumption and Package Sales. Commissioner Shannon seconded the motion, motion passed.

Guests

U.S. Border Patrol-Update and Introduction of New Agents

The following new agents were introduced: Matthew Tobola, Walter Jackson, and Rick Gosch

RESOLUTION AND AGREEMENTS

RESOLUTION 2017-15-Budget Increase: Commission

This Resolution the Hidalgo County Commission requests permission to transfer \$8,000 from unallocated General Fund 401 (DFA 101) into the FY 2016-2017 expenditure to cover the cost of expenditures not covered by a legislative appropriation for the fairgrounds. Commissioner Shannon moved to approve Resolution 2017-15-Budget Increase Commission changed from \$12,000 (that was presented today) to \$8,000 into the General 401 fund just for the end of this fiscal year through June. Commissioner Mora seconded the motion, motion passed.

Limited License and Hold harmless Agreement-KR Ranch

County Manager Bob Hill stated this request is a Limited License and Hold Harmless agreement between the Board of County Commissioners and the KR Ranch, which would grant a right-of-way for County Road KR Ranch Road at 204 KR Ranch Road for the purpose of installing a water pipeline. Commissioner Mora moved to approve the Limited License and Hold Harmless Agreement for KR Ranch. Commissioner Shannon seconded the motion, motion passed.

Intergovernmental Services Agreement-City of Lordsburg/Hidalgo County

This intergovernmental Services Agreement is between the City of Lordsburg, New Mexico and the County of Hidalgo, regarding housing/caring for adult/juvenile prisoners, a dispatching service, and an ambulance service. Commissioner Stewart requested the Hidalgo County detention center to keep a close record of the medical costs for the City inmates. Commissioner Shannon moved to approve the Intergovernmental Services agreement between the Hidalgo County and the City of Lordsburg and that the County stay very clearly on top of the quarter percent gross receipts tax that is to be collected quarterly so that is doesn't get confused with the semiannual other payment. Commissioner Mora seconded the motion as stated, motion passed.

Consent Agreement-NM Finance Authority/Hidalgo

County Manager Bob Hill stated this is the consent agreement that the main change states that the disbursement of fire protection and law enforcement protection fund loan payment will be periodically rather than in one lump sum. Commissioner Mora moved to approve this Consent Agreement on the fire fund loans. Commissioner Stewart seconded the motion, motion passed.

MISCELLANEOUS

Annual approval of two liquor license-county Clerk-discussion/action

County Clerk Melissa De La Garza stated the two annual renewal liquor licenses in the County need approval. As of now, Leaping Lizard will purchase the previous Rodeo Tavern license. Commissioner Mora moved to approve the two liquor licenses in Hidalgo County. Commissioner Shannon seconded the motion, motion passed.

**Lodgers' tax Advisory Board recommendations for funds distribution-discussion/action
Commissioner**

Commissioner Mora moved to approve the recommendations of the 2017 Hidalgo County Lodgers Tax Advisory Board.

Requested/Approved

HYRA- \$0/\$1,000

Animas Youth League-\$1,000/\$0

Discover Hidalgo-\$1,000/\$0

RCA-2017 Holiday Event-\$2,000/\$2,000

Rodeo 4th of July Committee-\$2,000/\$1,000

Elks-Mud Volleyball-\$800/\$0

DARE-\$500/\$0

Commissioner Shannon seconded the motion, motion passed.

Letter to Department of Interior regarding monument designations under the Antiquities Act of 1906-discussion/action

Commissioner Shannon stated this is a letter that is very important to take the opportunity to write to the Secretary of Interior regarding these monuments that is being executed in the past by executive direction of the President. It started with Organ Mountains as one and added the Desert Peaks, which added thousands of acres of flat land, which is affecting ranchers' livelihood. Mr. Zinke, secretary of the Department of Interior, has requested local input to give thoughts and information on whether to cut back or left alone. Commissioner Mora moved to approve the letter to support how Hidalgo County feels. Commissioner Shannon seconded the motion, motion passed.

Comments on Gila National Forest Need for Change-discussion/action

Chairperson Stewart stated that these comments are from the PLAC that were submitted on their view need for change. Commissioner Mora stated these were good comments. Commissioner Shannon stated that these comments were simple and to the point. Commissioner Stewart stated this is what the PLAC has been designed and set up to do. Commissioner Shannon moved to approve the comments on the Gila National Forest need for change that were presented today. Commissioner Mora seconded the motion, motion passed.

Pre-employment and post-accident drug testing by certified Hidalgo County EMT discussion/action

County Manager Bob Hill stated that a proposal from Mr. Whipple in one of the previous meetings, that possibility of hiring or training an EMT employee to conduct the drug testing for the County employees, pre-employment and post accidents. This was passed through the County's legal counsel, which they advised against this proposal. If any issues from employee to employee, the potential cost in litigation would outweigh any savings. No action taken.

Policy & Procedure review and approval

Hidalgo County Personnel Policy Section 4. Recruitment and Selection-discussion/action

County Manager Bob Hill presented all the changes from a previous meeting. He noted the under Section D. F & G. An item that was added was an agility test-pre and post agility test to find out if he/she is physically fit to perform. Now this will be a requirement.

County manager Bob Hill stated that in item G. pre-employment workforce physical for individuals going into certain job of more strenuous nature.

Commissioner Shannon suggested changing Section D. 5. Add a number 6. It should be separated. Section 4.5 D.

5. Should state- Having three or more accidents for which the applicant was at fault, after an evaluation of the offenses.

6. Having three (3) or more traffic violations during the previous three years, after an evaluation of the offenses.

Commissioner Mora moved to approve Section 4 with the new changes. Commissioner Shannon seconded the motion, motion passed.

Hidalgo County Personnel Policy Section 5. Changes in Employment Status-discussion/action

Commissioner Shannon item I regarding the definition of a classified employee-A classified employee must be specifically designated as such on a personnel action form which shall be

made part of the employee's personnel file. After the probationary period is, there a document that shows the change to a classified employee. County Manager Bob Hill stated yes, there is a document, which is placed in their file in conjunction with their anniversary date that is placed in their file.

Commissioner Mora inquired if performance evaluations are being conducted on classified employees. County Manager Bob Hill stated yes they are being completed.

Commissioner Stewart stated when these performance evaluations are done they need to be turned into the payroll department in a timely manner. Discussion over if the supervisor prevails to turn in the performance evaluations in a timely manner, perhaps a reprimand from the County Manager would be suitable.

Commissioner Shannon stated that under 5.4 Resignation-does not feel that if someone who resigns, they should not be given their original hire date and they should be held accountable for their resignation. Commissioner Mora agreed also agreed that the last sentence should be omitted, which states-If an employee who resigns is rehired within 3 months of leaving they will retain their original hire date; if they rehire at more than 3 months of leaving, the employee's date of rehire shall be the first day of re-employment.

Commissioner Shannon would also like to change 5.7 Dismissal-Employees, other than classified employees, serve at the discretion of the elected official under whom they are employed and may be dismissed with or without cause. ALL dismissals shall be discussed with the county manager and County attorney before any action is taken. Commissioner Mora stated that all it states is that there will be a discussion with county attorneys. Maybe the commission should be informed and involved in the discussion and the attorney should not be involved. After discussion of the Board, the last sentence under 5.7 DISMISSAL should, read- All dismissals shall be discussed with the County Manager and County Commission be informed before any action is taken.

Section 3 on a classified employee's packet and forms should be discussed at the next meeting. Commissioner Mora moved to approve Section 5 with all the changes. Commissioner Shannon seconded the motion, motion passed.

Detention Center update-discussion/action

Skeater Lassiter stated there are currently 16 detention officers. Medical staff there is one working Monday-Friday 9-2 P.M. Kitchen staff Patricia is now on salary. The two other employees in the kitchen work twenty-five combined hours weekly. Currently, there are eleven inmates. Otero County did sign their contract with twenty to thirty inmates that will be contracted to stay here at the detention center. Colfax County should have their contract signed by the 27th for twenty to thirty inmates as well. The U.S. Marshalls are still waiting with a matchable number of 1,500 of the whole state of New Mexico. County Manager Bob Hill questioned communication regarding bringing detainees back to Hidalgo County, Commissioner Shannon stated that they are dropping for a reason and because of that, she remains concerned that the County will not have get the detainees back. Skeater Lassiter stated that getting ahold of DOC has been very hard. With that being said, he was able to get a hold of the BIA in Mescalero and they are interested in working with the Detention Center and are willing to give sixty inmates. Chairperson Stewart questioned which guidelines these BIA inmates fall under, Skeater Lassiter responded with the Federal guidelines. Chairperson Shannon questioned if the Detention Center can manage with sixteen detention officers without spending overtime, Skeater responded by stating that there will be five officers during the day and three on graveyard. Commissioner Shannon would like to start seeing on a weekly basis numbers from the Detention Center and how many inmates are being held daily for the month of May and so on. County Manager Bob Hill recommended a spreadsheet that was once used for daily inmates. Moving onto the GRT County manager Bob Hill stated that the inmates of the city are responsible, such as municipal. Lastly, Skeater Lassiter stated that the inmates are getting two sack lunches during the week with the only hot meal being lunch, on the weekends they will be getting three sack lunches. Commissioner Shannon questioned Skeater Lassiter on the

month of May with a payout of \$4,482.21 in overtime and no money spent on fuel. She questioned if there were transports during the month of May because no fuel was used. Skeater Lassiter stated that he would look into it ASAP. County Manager Bob Hill stated that changes were made on the locations of where fuel was going to be coming out, Commissioner Shannon stated that she had gone over both locations of fuel and stated that there was still no fuel used during the month of May. County Manager Bob Hill commented on the power flush being done requiring draining the tanks, He mentioned that they had gone through the process of draining the fuel tank with the company to do the work using their scopes and stating that they could not continue because of the baffles. The power flush was unable to continue, with that being said Skeater Lassiter was able to find someone to continue the work that required a different process. Skeater Lassiter stated a possibility of transporting marshals to El Paso, TX. Chairperson Stewart mentioned expenditures of unnecessary spending.

Fairgrounds Renovation Project update-County Manager

County Manager Bob Hill mentioned how the fairgrounds renovation is coming along as far as the electrical and lighting. The completion is far enough that a sound test could be performed. He mentioned that he was present for the sound test and that it was impressive. The new sound system is a significant improvement than before with a separate microphone that is wireless that can be used anywhere in the facility. He mentioned the new improvements throughout the facility and how they will be noticeable for the next event. He stated a new transition to be made for transferring the electricity to the trailer being the last. County Manager Bob Hill mentioned that the amount of money spent so far is \$268,132.00 with the total amount being \$307,000.00 with \$16,000.00 coming from PNM for installing an additional pole and transformers on existing poles. There will be about \$70,000.00 funding still available after the facility is completed. He mentioned that they would like to replace doors throughout the facility as well as painting. Chairperson Stewart recommended that those who use the facility know how to use the equipment to take proper care.

ROUND TABLE DISCUSSION

Maria Sanchez showed the Board an example of the appointed employee form with an exact location of signing.

Commissioner Shannon mentioned a letter she received from New Mexico State University regarding an extension agent for the county thanking those who helped. She mentioned that they would have to re-advertise the position. She is concerned of the money they are holding and wants to make sure that they can only sign the contract when the money has been reimbursed or spent. Next, she questioned *Tracy Chavez* on the end of May of expenditures of comparison to the budget. *Tracy Chavez* responded by stating that it will revert. County Manager stated that it will drop off to the next budget and the money will revert. Chairperson Stewart stated that they would be crossed out on the final budget. *Tracy* mentioned that *Edgar* prepares it for the city and *Ricky* prepares RFP's for the state and are no longer able to sign their logs. Lastly, *Commissioner Shannon* mentioned that at the last meeting they communicated on creating a policy for using local businesses. *Commissioner Mora* mentioned that he is still working on it and stated that he would like to make it for services in the policy stating that local vendors will be treated fair and equitable with opportunities.

Priscilla Maxwell handed out surveys, she mentioned that apart of the LEPC local planning committee has begun working on the hazard mitigation plan, with a part of it having to be submitted surveys for input on what needs to be in the plan. She mentioned that she would be attending meetings to get the surveys completed and that she would like to have as many participants as possible.

County Manager Bob Hill mentioned that the surveys are related to hazard mitigation process going underway.

EXECUTIVE SESSION- TO DISCUSS

Limited Personnel Matters as authorized pursuant to NMSA 1978 SECTIONS 10-15-1(H)(2)-Manager’s Office, Detention Center

Commissioner Mora moved to go into executive session pursuant to NMSA 10-15-1(H)(2) for the purpose of discussing personnel matter in Hidalgo County Detention Center. Commissioner Shannon seconded the motion.

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

MOVED, SECONDED, AND CARRIED UNANIMOUSLY TO GO INTO EXECUTIVE SESSION AT 11:11 AM.

RECONVENE

Commissioner Mora 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 Shannon seconded the motion.

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

MOVED, SECONDED, AND CARRIED UNANIMOUSLY TO RECONVENE AT 12:27 P.M.

ACTION TAKEN/NOT TAKEN IN EXECUTIVE SESSION

No action taken.

Set date for Budget Workshop-discussion/action

Set date for County Manager Evaluation-discussion/action

CERTIFICATION OF PAYROLL

Commissioner Shannon moved to approve the Certification of Payroll. Commissioner Mora seconded the motion, motion passed.

CERTIFICATION OF ACCOUNTS PAYABLE

Commissioner Mora moved to approve the Certification of Accounts Payable. Commissioner Shannon 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 12:31 A.M.

ATTEST:

HIDALGO COUNTY BOARD

OF COUNTY COMMISSIONERS

Melissa K. De La Garza, County Clerk

Marianne Stewart, Chairperson

APPROVED:

Darr R. Shannon, Member

Anthony J. Mora, Member