

**MINUTES**  
**REGULAR MEETING**  
**HIDALGO COUNTY BOARD OF COUNTY COMMISSIONERS**

**November 8, 2017 at 9:00 A. M.**

**BE IT REMEMBERED** that the Hidalgo County Board of County Commissioners met in regular session on November 8, 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:

Tisha Green, Interim County Manager	Randy Piper, LMS
Melissa K. De La Garza, County Clerk	Ruben Gomez, LMSSB
Priscilla Maxwell, Dispatch Supervisor	Hector Maese, USBP
Dave Carbine, GIS	Gerald Hancock, USBP
Tracy Chavez, HCSO	Brandi Warshark, DOH
Albert Davalos, HCDC	Margaret Diaz, DOH
Clarence Rudiger, Road Department	Alisha Alvarez, DOH
Jennifer Medina, Animas Foundation/Diamond A Ranch	A.J. Sandavol, DOH
Marcia Johnson, DOH	Meira Gault, PLAC
Alfredo Morelos, LMS	Alice Webb, Library
Stephen Gault, MidBar Ranch	Patricia Saucedo, DWI

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

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

**APPROVAL OF AGENDA:** Commissioner Mora moved to approve the agenda. Commissioner Shannon seconded the motion, motion passed.

**APPROVAL OF MINUTES**

Commissioner Shannon stated the minutes had too many mistakes on these corrected minutes. Commissioner Mora moved to table the minutes of Regular Meeting October 11, 2017. Commissioner Shannon seconded the motion, tabled until next meeting.

**Guests**

**NMDOH-Hidalgo Public Health Office Update-Margaret Diaz-discussion**

Margaret Diaz, nurse manager for New Mexico Department of Health for Hidalgo County gave an update to the Board. Ms. Diaz introduced the new clerk for the public health office. She also discussed the different programs that are now available to provide services to the citizens of Hidalgo County.

**Learning Center-Request-Randy Piper-discussion/action**

Randy Piper stated the Learning Center is currently being used for classes for welding. When WNMU left, the internet access was no longer provided. Those services are missed in the building. With the new high school, additional computer labs were built but the schools plan would be to provide Mr. Baca the votech teacher with a secure office space. If the school could

obtain the full building usage, which would provide classroom space for many of the vocational classes. Currently laptops with a mobile hotspot are being used and are not very effective. If the school had the building, it would give the students more access to computer based programming that they use. Mr. Piper stated that the transfer agreement when it was set up was meant to be a vocational training center and if it was not used for such the center would revert back to the schools. Mr. Piper asked if the Board would consider giving the building to the schools now. Mr. Piper stated he has meetings set up with other colleges for vocational classes that students can utilize. Mr. Piper asked the Board for consideration in potential action in converting it over to the school. Commissioner Mora stated the potential for the building was for Hidalgo County residents to experience the higher education portion before going on to the next level. Mr. Piper stated the building would also be utilized as a training center for staff. The school does have a Community-Use policy, so after hours this could be effective. Commissioner Shannon stated that vocational is at the top of the list and one of the most important things to approach. She does not think this building has not gotten the maxim use. Commissioner Mora stated that the Board needs to check and see if this transfer can be done and do so legally. Commissioner Shannon moved that the Board allows themselves to move forward in letting the Lordsburg Schools take possession and instructive moving forward with the vocational building and let them move on to their meeting to make a decision. Commissioner Mora seconded the motion, motion passed.

### **PLAC-Update-Meira Gault-discussion**

Meira Gault stated she was here to give the draft minutes from the PLAC meeting from October 25, 2017. When a quorum is present these minutes will be passed. No motions that really pertained to Hidalgo County except the one item on the Gila Forest Region Economy. If you would like to see the information, it is available. Commissioner Shannon stated she is part of the Southwest County Commission Alliance and that group is addressing this issue. Commissioner Shannon will bring back whatever decision made. The forest service came up with a document showing businesses and factories in Hidalgo County that is wrong information that is being corrected through NMSU. Commissioner Shannon suggests that the Board should support Grant County and Catron County because of the Gila Forest in allowing things that our citizens can enjoy the forest for whatever reasons. Mrs. Gault discussed road matters and the Sierra Club litigations. Mrs. Gault stated that the secretary that has helped her with the minutes is ready to be a member for the PLAC. Commissioner Shannon stated that since only two people are currently representing the ranchers--if this board loses a rancher as a member, they should be replaced with a rancher. Mrs. Gault states that this is a businessperson, but she is willing to fill the position and would be a good choice. Commissioner Shannon stated she does not recollect any recommendations from PLAC on anything that is going on. The County has not been kept in the mainstream of this Coronado issue. The PLAC has not advised the County in a long time. The PLAC makes motions and makes statements but nothing is ever brought back to the Commission. Mrs. Gault stated she sees the PLAC as an informative board not a board that makes decisions that will harm the County legally. Commissioner Mora inquired how many members where on the Board and stated what the Commission is struggling with is that the Board would like the PLAC to be a resource to the Commission-which an advisory committee/board advises. The Commission would like the PLAC to hold regular meetings and when it comes to adding board members, it should be in a written letter to see somewhat of a balance of the members. Commissioner Mora would like to see the PLAC board decrease to a five-member board. Commissioner Mora stated the County is fixing to go into road issues and would like to use the PLAC as a road review board. The Board would give assignments to go out and look at certain roads and report back to the Commission. This kind of board would be beneficial to the Commission. Commissioner Stewart stated that she feels the purpose of the PLAC has lost its way and that it needs to be re-looked at the organization of the PLAC. Mrs. Gault asked if the Board would like to disband the PLAC now and start all over again. Commissioner Mora would like to wait until the road issue policy is looked over, and re-identify

the purpose of this board, perhaps rename it. The Board of Commissioners would like recommendations from the members.

**i. Appointment of Board Member-action**

No appointment of Board Member/No action taken

Resolutions & Agreements

**Professional Services Contract for Legal Services between Hidalgo County and Holt Mynatt Martinez PC-action**

Tisha Green stated this would be a one-year contract, with three annual renewals for a total of four years. Commissioner Mora moved to enter into a contract with Holt Mynatt Martinez, P.C. for the County's legal services. Commissioner Shannon seconded the motion, motion passed.

**MISCELLANEOUS**

**County Maintained Roads-discussion/action**

Commissioner Stewart stated that Mr. Carbine has done extensive research and made these spread sheets and would like to thank him. Mr. Carbine stated that the latest spreadsheet gives a break down on County maintained roads, what portion are BLM, private or easement, and even deeded. Carbine stated that some of these easements are so complicated that he would need a surveyor to find out what is being talked about. Others are so general but several roads may exist and does not know what road the easement belongs. Mr. Carbine stated that this sums up what he has been doing. As regards to changes in the policy, Mr. Carbine feels that the road viewers should be a property tax payer that is looking at the roads. Commissioner Mora states the Board needs to start somewhere and he thinks the Board should start with the policy and even hold a public hearing to work on the policy. This would get the policy cleaned up where it is a little better to read and give direction to how the Board will handle the landowners with and without easements. Commissioner Mora suggest for the Board to start in January. The board would bring up the road policy in a workshop/public hearing format. Advertise and provide opportunity to the public. Commissioner Shannon moved to have a public hearing workshop regarding the road policy. Commissioner Mora seconded the motion, motion passed.

**McCants/Power Plant Millings Project Update-Road Department-discussion**

Clarence Rudiger stated that by the end of next week this project should be complete. If any millings are left, Mr. Rudiger plans to spread it out at the fairgrounds parking lot. Mr. Rudiger stated that in the future the best way to keep these millings is to put a chip seal on top.

**Detention Center Update-Administrator Davalos-discussion**

Albert Davalos stated the primary focus of Hidalgo County Detention Center is safe housing the incarceration of inmates either awaiting trial or sentencing. Safety and security as discussed last time is a big focus. Retraining staff on inmate handling has been an important milestone that has been achieved. A few minor violations with commissary/policy have arose but all have been remediated. Something else that has been accomplished this weekend is the usage of inmates to clean the whole facility. These inmates are the sentenced ones that have only a few months to get out. These provide self-worth for the inmates and are rewarded. Mr. Davalos long-term goal is on a trusting program--to get these lesser charged inmates out into the public using them on county/city facilities. This will save the County money. Mr. Davalos stated that overtime has been a big issue for the detention center. Currently the overtime is at thirty-four hours this pay period versus 170 hours previously. Mr. Davalos is covering shifts and doing all he can to eliminate overtime. Everything seems to be running well. Officer safety is the big priority. Luna, Grant and Dona Ana counties have volunteered to come and help with training the officers on inmate items on correctional value. Mr. Davalos will continue to utilize the local law enforcement trainings as well. Commissioner Stewart stated that the City of Lordsburg has

a stake in place at the detention center and as long as they pay, they need to be more aware of what really goes on at the detention center. Mr. Davalos stated that he has asked them to take part on being on the interview board to have their input.

### **2020 Census Local update of census Addresses Operation (LUCA)-Liaison designation-discussion-action**

Tisha Green stated this is a request from the US Census Bureau. What they are requesting is a liaison to be appointed from a governing board if the County wants to participate and update addresses for the Census Bureau for the 2020 Census. Dave Carbine has volunteered to do this. Ms. Green stated there is two choices the Board has to provide a response to the census bureau by December 15, 2018. The County can either register to participate in LUCA or state no and the reasons being. The decision is the governing board. Mr. Carbine stated that someone would be coming to him for the information. Commissioner Stewart stated that Mr. Carbine is busy and it could be a conflict of interest if the census was to compensate him. Commissioner Stewart's recommendation is that the County does not have the staff to fulfill this duty. No action taken.

### **Round Table Discussion**

**Meira Gault-** asked if the Board still wanted the draft minutes from the PLAC meeting. Commissioner Stewart stated yes please give them to the County Interim.

**Dave Carbine-**concerning this PLAC secretary being a voting member--would she be the secretary without being a voting member for the PLAC. Shannon stated they are desperate to find someone to show up at the meetings so the board can have a quorum. Commissioner Shannon stated a few years ago the County passed a gross-receipts tax that was supposed to be used for infrastructure. It does not generate a huge amount of money. Ms. Green and Commissioner Shannon if there is any way the Board could designate this to go into the road department fund being it just is thrown in the general fund. If should be designated for something--could this be considered to go into the road fund. Commissioner Shannon's other question is that she has been trying to find out this gross receipts tax that the County should be getting every month that was for emergency services and communication. How can the Board designate this as well, instead of just going into the general fund? Commissioner Shannon stated should it just all go into the ambulance fund and use those revenues for what they were intended?--The board never knows what part gets used where especially when the financials that are received from the treasurer's office can't tell what is what. Commissioner Mora stated that is right. Ms. Green stated as of today \$91,000 have been received in that Emergency GRT and a portion can be designated to go into ambulance and dispatch. Commissioner Shannon stated this is something the Board can put on the agenda so the Board can know how much general fund support is used for these departments. Commissioner Shannon stated this intergovernmental agreement could also be designated so the Board can see where the revenues are going Commissioner Stewart stated she would like the departments to be more frugal and conscious on what they are spending. These will be on the next agenda.

**EXECUTIVE SESSION-Commissioner Shannon moved to go into executive session and stated that**

- i. **Limited Personnel Matters as authorized pursuant to NMSA 1978 SECTION 10-15-1 (H) (2)- County Manager Position**

**Commissioner Mora seconded the motion.**

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

MOVED SECONDED AND CARRIED UNANIMOUSLY TO GO INTO EXECUTIVE SESSION  
AT 10:34 A.M.

**REVCONVENE** Commissioner Shannon moved to reconvene at 11:43 A.M. Commissioner Mora seconded the motion.

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

**Action taken/not taken in Executive Session**

**Commissioner Mora moved for the Board to go into negotiations with Tisha Green to be the new County Manager and begin contract negotiations immediately. Commissioner Shannon seconded the motion.**

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

**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 made the motion to approve 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 11:43 A.M.

ATTEST:

HIDALGO COUNTY BOARD  
OF COUNTY COMMISSIONERS

\_\_\_\_\_  
Melissa K. De La Garza, County Clerk

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Marianne Stewart, Chairman

APPROVED:  
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Anthony J. Mora, Member

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Darr R. Shannon, Member