

**BOARD OF UNION COUNTY COMMISSION
REGULAR MEETING
July 11, 2017**

UNION COUNTY, NM
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BY Brenda Green

BOARD MEMBERS PRESENT:

Chairman Justin K. Bennett Commissioner Walter C. Hall Commissioner W. Carr Vincent

OTHERS PRESENT:

Clerk Mary Lou Harkins Assessor Frankie Aragon Treasurer Brandy Thompson
Sheriff James Lobb Mgr. Angie Gonzales Admin. Asst. Cheryl Garcia
Superintendent Russell Kear Emergency Mgr. Russell Attorney Stephen C. Ross

GUESTS:

Sue Richardson, Reporter - Union County Leader
Tammie Stump, CEO - Union County General Hospital
Terri Martinez, CFO - Union County General Hospital
Ferdinand Garcia, President and CEO - Golden Spread Rural Frontier Coalition

At 9:01 a.m., Chairman Bennett called the meeting to order, in the Union County Commissioner's Office, located in the Union County Courthouse. The Pledge of Allegiance was recited.

Commissioner Vincent moved to approve the agenda and the regular meeting minutes of June 12, 2017. Commissioner Hall seconded. Vote: ALL YES. Motion carried. Minutes signed.

HOSPITAL REPORT

Tammie Stump, CEO, distributed copies of the "County Commissioner Monthly Hospital Report, Union County General Hospital, July 11, 2017" and "CHC (Community Hospital Corporation) Consolidate Operations Review for period ending May 31, 2017". Stump reported on the following: **USP Battery Back-up Bid** – did not receive any bids because they could not locate qualified electricians that had special qualifications required for this specific kind of battery. Will go out for bids again; **Physician Recruitment** continues; **Dr. Van Wormer's Recertification** was submitted to CMS on July 10th; **Rural Health Clinic** is being looked at by the compliance team for an accreditation; **Revenue Cycle** Safety Net Care Pool funds have been reduced from \$285,000 to \$87,000 monthly. All expenses will be looked at closely.

Terri Martinez, CFO distributed copies of the "Clayton Health Systems, June 22, 2017, Notes to Financial Statements, Period Ending May 31, 2017", "Clayton Health Systems, Inc., Union County General Consolidated Executive Financial Summary - 11 Months FY 2017", and "Clayton Health Systems, Inc., Clayton Family Practice Executive Financial Summary - 11 months FY 2017". Martinez reported on the following: income, balances, statistics, and expenses. Stump reported that a request for distribution of county Mill Levy/GRT (Gross Receipt Tax) monies, in the amount of \$300,000 to cover expenses, has been made. The Business Office Director position is still open pending recruitment.

DISCUSSION/POSSIBLE ACTION ITEMS

VIOLATION OF CLAYTON HEALTH SYSTEMS (CHS) BOARD OF DIRECTORS DUTIES

Tammie Stump, CEO, reported that a letter should be forthcoming from the hospital board to the county commissioners requesting that the commissioners evaluate the alleged violation.

BID #17/18-04 UCGH CT SCANNER UPGRADE AWARD

er Manager Gonzales, no bids were received for the upgrade. Will go out for bids again in a couple of months.

NEGOTIATIONS OF DISPOSITION OF KISER ELEMENTARY

Manager Gonzales sent a letter, dated June 12, 2017, to the school administration about the Kiser School building and the trade for in-kind services as previously agreed. Superintendent Stacy Diller replied on July 7, 2017 via e-mail. Copy of said e-mail was distributed to the commissioners. Commissioner Vincent suggested scheduling a joint board meeting including the county manager and road superintendent. Meeting dates discussed. Mgr. Gonzales will arrange a meeting with Superintendent Diller.

NM STATE ARMORY BOARD LEASE FOR SHERIFF'S OFFICE

Sheriff Lobb reported that James Chavez (Loss Prevention Specialist) with the New Mexico Association of Counties will be conducting a walk-through assessment of the armory. No further correspondence has been received from the armory board regarding the building lease.

BID 317/18-01 FRONT END WHEEL LOADER AWARD

Manager Gonzales reported that two (2) bids were received: Golden Equipment Company (2017 Volvo L150 H for \$377,675 with no lease option) and, Wagner Equipment Company (2017 CAT 966M for \$362,909 with a lease option of \$4,677.04 at 4.70%). Gonzales discussed bid options with Superintendent Kear.

Commissioner Vincent moved to approve the bid received from Wagner Equipment Company for the 2017 CAT 966M, lease option. Commissioner Hall seconded. Vote: ALL YES. Motion carried.

BID #17/18-02 CATTLEGUARD AWARD

Manager Gonzales reported no bids were received because there was an error made in the published bid. It will be corrected and published in tomorrow's local newspaper. The bid will be for a three (3) year term.

CLINTON D. HARDEN LOBBY CONTRACT

A proposed contract between Union County and Clinton D. Harden and Associates, term included July 1, 2017 through June 30, 2018, for government relation services, was discussed.

Commissioner Vincent moved to approve Professional Services Contract with Clinton D. Harden and Associates. Commissioner Hall seconded. Vote: ALL YES. Motion carried. Contract signed.

RESOLUTION #106-03 PARTICIPATION IN THE EPCOG

A proposed resolution allowing participation as a member in the Eastern Plains Council of Governments (EPCOG) programs and policy development for the FY 2017-2018 was discussed. Annual membership is \$1,241.

Commissioner Vincent moved to approve Resolution #106-03 Participation in the EPCOG. Commissioner Hall seconded. Brief discussion followed - Chairman Bennett will be the designated representative and Manager Angie Gonzales will be the alternate. Vote: ALL YES. Motion carried. Resolution signed.

RESOLUTION #106-04 NMDOT CO-OP PARTICIPATION

A proposed resolution between Union County and the New Mexico Department of Transportation for participation in the Local Government Road Fund Program administered by the New Mexico Department of Transportation was discussed.

RESOLUTION #106-05 NMDOT SCHOOL BUS PARTICIPATION

A proposed resolution between Union County and the New Mexico Department of Transportation for participation in Local Government Road Fund Program administered by the New Mexico Department of Transportation was discussed.

RESOLUTION #106-06 NMDOT CAP PARTICIPATION

A proposed resolution between Union County and the New Mexico Department of Transportation for participation in Local Government Road Fund Program administered by the New Mexico Department of Transportation was discussed.

RESOLUTION #106-07 NMDOT CO-OP MATCH WAIVER

A proposed resolution between Union County and the New Mexico Department of Transportation for Department of Transportation was discussed.

RESOLUTION #106-08 NMDOT CAP MATCH WAIVER

A proposed resolution between Union County and the New Mexico Department of Transportation for participation in Local Government Road Fund Hardship Match Waiver program administered by the New Mexico Department of Transportation was discussed.

Commissioner Vincent moved to approve Resolution #106-03 Participation in the EPCOG, Resolution #106-04 NMDOT Co-op Participation, Resolution #106-05 NMDOT School Bus Participation, Resolution #106-06 NMDOT CAP Participation, Resolution #106-07 NMDOT Co-op Match Waiver and Resolution #106-08 NMDOT CAP Match Waiver. Commissioner Hall seconded. Vote: ALL YES. Motion carried. Resolutions signed.

ROAD CROSSING PERMITS

The following permits with attached maps were discussed:

Permit No. **247**, for the purpose of allowing Permittee (Plateau Telecommunications, Inc.) to lay pipe or cable for the purpose of laying fiber optic telecommunication lines along the west side of Speer Road; Permit No. **248** for the purpose of allowing Permittee (Plateau Telecommunications, Inc.) to lay pipe or cable for the purpose of laying fiber optic telecommunication lines along the south side of Proffitt Road; Permit No. **249**, for the purpose of allowing Permittee (Plateau Telecommunications, Inc.) to lay pipe or cable for the purpose of laying fiber optic telecommunication lines along the north side of Proffitt Road; Permit No. **250** for the purpose of allowing Permittee (Plateau Telecommunications, Inc.) to lay pipe or cable for the purpose of laying fiber optic telecommunication lines along the west side of Perkins Road; Permit No. **251** for the purpose of allowing Permittee (Plateau Telecommunications, Inc.) to lay pipe or cable for the purpose of laying fiber optic telecommunication lines under Callis Road; Permit No. **252** for the purpose of allowing Permittee (Plateau

Telecommunications, Inc.) to lay pipe or cable for the purpose of laying fiber optic telecommunication lines under Lechner Road; Permit No. **253** for the purpose of allowing Permittee (Plateau Telecommunications, Inc.) to lay pipe or cable for the purpose of laying fiber optic telecommunication lines under Proffitt Road; Permit No. **254** for the purpose of allowing Permittee (Plateau Telecommunications, Inc.) to lay pipe or cable for the purpose of laying fiber optic telecommunication lines along the East side of Callis Road; and, Permit No. **255** for the purpose of allowing Permittee (Plateau Telecommunications, Inc.) to lay pipe or cable for the purpose of laying fiber optic telecommunication lines under Proffitt Road.

Commissioner Vincent moved to approve permit numbers 247, 248, 249, 250, 251, 252, 253, 254, and 255. Commissioner Hall seconded. Vote: ALL YES. Motion carried. Permits signed.

INVENTORY ITEMS DISPOSITION

No items presented for dispositions.

HEALTH CARE ASSISTANCE PROGRAM - Approval of Claims

Claims for the Health Care Assistance Program were reviewed. A total of three (3) claims were considered in the amount of \$1,578.42.

Commissioner Vincent moved to approve the payment of three (3) claims in the amount of \$1,578.42. Commissioner Hall seconded. Vote: ALL YES. Motion carried.

COUNTY TRAVEL REQUESTS

The following employees requested travel approval: Commissioner Vincent will be traveling to Santa Fe on July 19th to meet with the governor's chief of staff. Vincent may also be attending the July El Llano Estacado RC&D meeting in White Oak; Chairman Bennett may be attending the EPCOG meeting on the 1st of August and will also be traveling to Alamogordo on August 2nd for the New Mexico Association of Counties Board meeting on the 3rd and 4th of August; Commissioner Hall will be traveling to Santa Rosa on July 26th for the Northeast Regional Transportation and Planning Organization (NERTPO) meeting; Sheriff Lobb reported that Undersheriff Shumate attended a Clandestine Lab Recertification training on the 20th of June in Meridian, Mississippi and on June 13th Deputy Sheriffs Reeser and Skaggs went to an Intoxilyzer training; and Assessor Frankie Aragon reported that Holly Cruz will be attending an appraisal school in Socorro from July 23rd through the 28th.

APPROVAL OF BILLS

The Board reviewed and discussed bills in the amount of \$166,753.33.

Commissioner Vincent moved to approve and pay bills in the amount of \$166,753.33. Commissioner Hall seconded. Vote: ALL YES. Motion carried.

The request was made by Judith Cooper, President of the hospital board of Union County General Hospital, for distribution of the Mill Levy/GRT monies in the amount of \$301,658.90 to be considered. Discussion followed.

Commissioner Vincent moved to approve and ratify the distribution of Mill Levy/GRT monies to Union County General Hospital in the amount of \$301,658.90. Commissioner Hall seconded. Vote: ALL YES. Motion carried.

At 10:02 a.m., meeting recessed for a short break. At 10:17 a.m., meeting resumed.

CITIZEN'S FORUM

Ferdinand Garcia, President and CEO - Golden Spread Rural Frontier Coalition, reported to the Board that the coalition's board is approving of the proposed Transportation Allocation Agreement. Garcia will return the signed agreement. Garcia thanked the Board for their support.

Chairman Bennett suggested that the Board go into an executive session regarding threatened litigation and personnel matter.

At 10:19 a.m., Commissioner Vincent moved to go into executive session pursuant to NMSA 1978, §10-15-1 (H) (7) (i) OXY USA Inc. v NMTRD and (ii) OXY YSA Inc. v. Frankie J. Aragon, pertaining to threatened litigation in which the County is or may become a participant and NMSA 1978, §10-15-1(H) (2) (v) Emergency Manager evaluation, a limited personnel matter. Commissioner Hall seconded. Vote: Commissioner Vincent - YES, Commissioner Hall - YES and Chairman Bennett - YES. Motion carried. Chairman Bennett directed that the session will break for lunch and then resume.

At 2:34 p.m., Commissioner Vincent moved to come out of the executive session and certified that matters that were discussed in the closed meeting were limited to only of that as specified in the agenda and motion for closure. No action taken. Commissioner Hall seconded. Vote: Commissioner Vincent - YES, Commissioner Hall - YES and Chairman Bennett - YES. Motion carried.

EMERGENCY MANAGER JOINT POWERS AGREEMENT WITH TOWN OF CLAYTON

A proposed agreement between Union County and the Town of Clayton governing the position of the Emergency Manager was briefly discussed. It was suggested that this item needs to be tabled and that updates and changes be made to the Joint Powers agreement and to the personnel policy.

Commissioner Vincent moved to table the Emergency Manager Joint Powers Agreement with the Town of Clayton. Chairman Bennett directed Manager Gonzales to let Ferron Lucero, the Town of Clayton Manager, know that changes to the agreement will be worked on. Commissioner Hall seconded. Vote: ALL YES. Motion carried.

RESOLUTION #106-02 2017 FINAL QUARTER FINANCIAL REPORT

A proposed resolution whereby the commissioners approve the final quarterly report for FY 2017 and requests approval from the Local Government Division of the Department of Finance and Administration was discussed.

Commissioner Hall moved to approve Resolution #106-02 with an attached Final Quarterly Financial Report. Commissioner Vincent seconded. Vote: ALL YES. Motion carried. Resolution signed.

FY 2018 BUDGET WORKSHOP

Mgr. Gonzales distributed copies of budget recap. Discussion followed. Chairman Bennett reported on the letter dated June 8, 2017, from the Department of Finance and Administration, Local Government Division (DFA). After examination of the proposed county budget, DFA granted approval and certification for use. Sufficient resources were available to cover the proposed budgeted expenditures. Approval was contingent upon submission of listed requirements. Chairman Bennett thanked elected officials and administration for being fiscally responsible and reminded all to be mindful of the budget.

UCCDC & GLOBAL GRID ADVISORS (GGA)

rief discussion. No Action taken.

RESOLUTION #106-01 FY 2018 BUDGET ADOPTION

A proposed resolution whereby the commissioners developed a budget for FY 2017-2018 was discussed. Local Government Division of the NM Department of Finance and Administration has reviewed the interim budget. The budget meets the requirements as determined for FY 2017-2018.

Commissioner Vincent moved to approved Resolution #106-01 FY 2018 Budget Adoption. Commissioner Hall seconded. Vote: ALL YES. Motion carried. Resolution signed.

ICIP 2019-2023 WORKSHOP

County Mgr. Gonzales asked that elected officials/department heads note their ideas for Infrastructure Capital Improvement Plan. Ideas to be presented at the August meeting.

ROAD SUPERINTENDENT'S REPORT

The Board asked that Road Superintendent Kear plan to attend the pending joint meeting with the Clayton Municipal School Board (CMS). Kear reported that he has done some assessment of the trade for in-kind requests made by the CMS Board. Kear reported routine road maintenance; Weatherly Road project status: half complete; cleaned out cattle guards; and the road department has completed a defensive driving course. Commissioner Hall asked that Bullard Road be considered and added to the list for caliche (Shawn Jeffery has a caliche pit available for material use).

EMERGENCY MANAGER'S REPORT

Emergency Manager Russell provided a written report, updated on July 3, 2017, which included the following: **LEPC** (Local Emergency Planning Committee) - meeting is scheduled for July 26th; **SHSGP** (State Homeland Security Grant Program) the battery backups for the repeaters on Sierra Grande should be complete by the end of this week. If the generator should quit, the life of the batteries should be approximately three (3) days. Working on quotes for the Clayton Police Department backups for the repeaters; **EMPG** (Emergency Manger Performance Grant) received all three (3) payments; **Severe Weather Plan** has been distributed to fire departments and the LEPC and will be added to the August agenda for approval; **EOC (Emergency Operations Centers)** - Activation Plan has been distributed to departments and LEPC for review; **Fire Department Visits** county wide should be complete by the end of the month; **DMAT** (Disaster Medical Assistance Team) as a member of this team, Russell reported that the team will be on call during the month of July and October. Russell is enrolled in **paramedic school** and will not be taking call in October with DMAT; Russell has updated the **County website** and added several emergency related information tabs with more to come; and, pursuant to Chairman Bennett's request, Emergency Mgr. Russell looked into custom-made road closure signs and reported his findings. More research needs to be done before applying for grant money to acquire the signs.

ELECTED OFFICIAL'S REPORTS

Sheriff Lobb reported on the following: transports, citations, civil services, offense incidents/crash/accident reports, and various arrests. On June 13th, Deputy Sherriffs Skaggs and Reeser received their certification for the Intoxilyzer 8000 for DWI testing; and negotiations for the local armory building will continue.

Assessor Aragon reported that he has received his evaluation; copies were delivered to each commissioner. The Assessor's Office software update is complete, which enables online look-ups.

Treasurer Thompson reported that the Treasurer's Office software update is complete, allowing for online look-ups. Electronic payments can also be made for taxes and other county transactions. The vendor for electronic payments will generate a flyer, which will go out with every tax bill, alerting tax payers of the new service. The Delinquent Tax Sale scheduled for July 19th has been cancelled due to a technicality and will be rescheduled.



Clerk Harkins reported on the patent index project which is almost complete, and reported that permission has been granted by the State Archives Division to destroy several boxes of past elections.

Vice Chairman Hall reported on his attendance of the Northeast Regional Transportation Planning Organization (NERTPO) meeting. Hall commented on the opposition over the request for road easement at the Industrial Park during the recent Joint Communications meeting. Chairman Bennett asked Assessor Aragon to print large maps showing the Industrial Park area for future discussion.

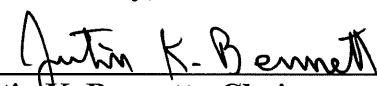
Chairman Bennett reported that the Society of Geologists will be meeting in Clayton this fall. The volcanic fields will be studied to detect geothermal heat.


The next regular meeting will be held on Tuesday, August 8, 2017 at 9:00 a.m. The next Joint Communications Meeting will be on Tuesday, September 12, 2017 at 9:30 a.m.


ADJOURN: At 4:32 p.m., Commissioner Vincent moved to adjourn the meeting. Commissioner Hall seconded. Vote: ALL YES. Motion carried. Meeting adjourned.

The seal is circular with the text "UNION COUNTY CLERK" around the perimeter and "NEW MEXICO" at the bottom. In the center, it says "SEAL".
ATTEST
SEAL


Mary Lou Harkins - Clerk

Board of County Commission
Union County, New Mexico


Justin K. Bennett - Chairman


Walter C. Hall - Member


W. Carr Vincent - Member