

**BOARD OF UNION COUNTY COMMISSION
REGULAR MEETING
November 14, 2017**

UNION COUNTY, NM
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1 of 7
BY Brenda Green

BOARD MEMBERS PRESENT:

Chairman Justin Bennett Commissioner Walter Hall Commissioner W. Carr Vincent

OTHERS PRESENT:

Clerk Mary Lou Harkins Treasurer Brandy Thompson Assessor Frank Aragon
Sheriff James Lobb Mgr. Angie Gonzales Admin. Asst. Cheryl Garcia
Emergency Mgr. Dusty Russell Superintendent Russell Kear

GUESTS:

Sue Richardson, Reporter - Union County Leader
Terri Martinez, CFO - Union County General Hospital
Bob Williams, member - Union County General Hospital Board of Directors
Lance Cherry, Chief Information & Education Division - New Mexico Game and Fish
Stephen Ross, Esquire - Union County Attorney
Richard Arguello
Judy Steen
Susie Bush

At 8:58 a.m., Chairman Hall 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 September 12, 2017. Discussion followed: It was suggested that agenda item "ix. Resolution #106-18 Interim Land Use Plan and Game and Fish" be moved behind agenda item number "4. Hospital Report". Commissioner Hall seconded. There being no further discussion. Vote: All YES. Motion carried. Amendment to agenda approved. Minutes signed.

HOSPITAL REPORT

Tammie Chavez, CEO, introduced the new member of the Union County General Hospital Board of Directors, Bob Williams. Williams spoke briefly about himself.

Chavez distributed copies of the "County Commissioner Monthly Report, Union County General Hospital, Tammie Stump, CEO/CNO, November 14, 2017", attached as an exhibit. Chavez reported on the following: USP Battery Back-up; Physician Recruitment; Dr. Van Wormer Recertification; and Revenue Cycle Corrective Action Plan. Chavez also reported on a critical issue regarding the Nurse Licensure Compact. Chavez urged the board to reach out quickly to our representatives and urge the passage of Enhanced Nurse Licensure Compact (eNLC). Chavez supplied a stock type letter prepared by Jeff Dye, CEO, of the New Mexico Hospital Association, regarding "Urging Passage of Enhanced Nurse Licensure (eNLC), as well as a copy of a letter to Senator Peter Wirth, New Mexico Senate Majority Leader dated November 2, 2017 regarding "Clarification on Grandfathering" for the board's information.

Terri Martinez, CFO, supplied a copy of the "Clayton Health Systems, October 25, 2017, Notes to Financial Statements, Period Ending September 30, 2017", and "Clayton Health Systems, Inc., Union County General Consolidated Executive Financial Summary - 3 Months FY 2018", attached as an exhibit. Martinez reported on

the following but not limited to the following: income statement, balances, statistics, revenues and expenses year to date, balances, cash on hand, and CD balances.

DISCUSSION/POSSIBLE ACTION ITEMS

RESOLUTION #106-18 INTERIM LAND USE PLAN AND GAME & FISH DONATION

Stephen Ross, attorney for Union County, spoke at length about the Union County Interim Land Use Plan Ordinance No. 1995-17 which was enacted on May 11, 1995. Ross explained the purpose of this ordinance.

A proposed Resolution, #106-18 Interim Land Use Plan and Game and Fish Donation, which refers to the enacted Union County Interim Land Use Plan Ordinance, was discussed. The resolution would allow the *Donor*, Susie Bush and the *Donee*, the New Mexico State Game Commission, through the Department of Game and Fish, to proceed with the construction of a 160-acre tract of land, the location of which is attached as an exhibit. The county was previously advised of the intent of Susie Bush during the August 8, 2017, regular meeting.

Lance Cherry, Chief Information & Education Division - New Mexico Game and Fish, spoke briefly and stressed the urgency to proceed with the project during the current fiscal year. This agenda item continued.

AUTHORIZATION TO PUBLISH TITLE AND SUMMARY OF AN ORDINANCE TO REPEAL ORDINANCE #1995-17 INTERIM LAND USE PLAN

The possibility of repealing Ordinance 1995-17 was discussed. Chairman Bennett will reach out to neighboring counties and the New Mexico Association of Counties for types/samples of various land use plans.

Commissioner Vincent moved to begin the process for repealing the interim land use ordinance and directed the manager to advertise for a public hearing during the next regular public meeting. Chairman Bennett stepped down as chair and seconded. Discussion followed. Vote: All YES. Motion carried. Resolution signed.

RESOLUTION #106-18 INTERIM LAND USE PLAN AND GAME & FISH DONATION - - continued

Commissioner Vincent moved to approve Resolution #106-18 Interim Land Use Plan and Game and Fish Donation. Commissioner Hall seconded. Vote: All YES. Motion carried. Resolution signed.

At 9:47 a.m., Commissioner Vincent moved to go into executive session pursuant to NMSA 1978, §10-15-1 (H) (7), pertaining to or threatened litigation in which the county is or may become a participant. Commissioner Hall seconded. Vote: Chairman Bennet -YES; Commissioner Hall - YES and Commissioner Vincent - YES. Motion carried.

At 11:15 a.m., Commissioner Vincent moved to come out of executive session and certified that matters that were discussed in the closed meeting were limited to only of that as specified in the motion for closure and no action was taken. Commissioner Hall seconded. Vote: Chairman Bennet -YES; Commissioner Hall - YES and Commissioner Vincent - YES. Motion carried.

CITIZEN'S FORUM

No citizen's present for forum.

ORDINANCE REVIEW - Ordinance #1995-17 Interim Land Use Plan, Ordinance #21-1997 Subdivision and Ordinance #30 Local Economic Development Planning

In an effort to update county ordinances, Mgr. Gonzales asked that the Board review the ordinances so that they can be updated by the county attorney. No action taken. Item tabled.

CLAYTON SCHOOL DISTRICT PURCHASE AND SALE AGREEMENT

A copy of a Purchase and Sale Agreement was contained in the meeting packet. Attorney Ross gave a brief overview of the proposed purchase contract which included in parts, a sale agreement, a license to use the school's property until the closing and, a list of services provided by the county in exchange of the school's property. Ross made his recommendation to the board that the school's property be transferred to the county for a \$1, and to then have a separate agreement with respect to the trade in kind services.

Commissioner Vincent moved to approve the direction of attorney Ross to proceed with the preparation of a Quit Claim Deed, and a memorandum of understanding for the trade in kind services for the Kiser School property. Commissioner Hall seconded. There being no further discussion. Vote: All YES. Motion carried.

Road Superintendent Kear commented that the county's road department work is priority and that he is concerned with the school district's suggested commitment to a time frame of May 15th to August 1st. Kear stated that he is more than happy to work within the suggested time frame - - if permitted. Commissioner Vincent suggested to the attorney that wording be included in the MOU that reflects this understanding.

BID #17/18-08 UCGH CT SCAN UPS EQUIPMENT BID AWARD

Mgr. Gonzales reported that no bids were received. No action taken.

RESOLUTION #106-14 BUDGET INCREASE MANAGER & ASSESSOR HEALTH INSURANCE

A proposed resolution was discussed authorizing a budget increase from the General Fund to Administration/Manager and to the Assessor's Reappraisal Fund for health insurance because of changes during the open enrollment period.

Commissioner Vincent moved to approve Resolution #106-14 Budget Increase for Health Insurance for county administration and the assessor's office. Commissioner Hall seconded. There being no further discussion. Vote: All YES. Motion carried. Resolution signed.

RESOLUTION #106-15 INTRABUDGET TRANSFER LAW ENFORCEMENT FEES FUND

A proposed resolution authorizing an intra-budget transfer, within the law enforcement fees fund, due to adding half of a salary for a deputy sheriff, was explained by the manager.

Commissioner Vincent moved to approve Resolution #106-15 Intra-budget Transfer within the Law Enforcement Fees Fund. Commissioner Hall seconded. There being no further discussion. Vote: All YES. Motion carried. Resolution signed.

RESOLUTION #106-16 SEVERE WEATHER PLAN

Manager Russell reported that the proposed plan has been reviewed and approved by the committee. The plan

was discussed. Chairman Bennett suggested a few changes to the notification list which included adding contact information for the Sedan and Amistad Fire districts. Commissioner Hall voiced concerns about the management of local street/road/highway routes - - specifically the jurisdiction issues.

Commissioner Vincent moved to approve Resolution #106-16 Severe Weather Plan with an attached map, along with the discussed changes to the notification checklist. Discussion: Commissioner Hall stressed that the various entities cooperate to provide the best and safest access to all routes. Commissioner Hall seconded. Vote: All YES. Motion carried. Resolution signed.

Mgr. Gonzales encouraged attendance of the snow removal/winter weather meeting on November 21st, at 9:00 a.m., at the Union County Sheriff's Office. Mgr. Russell reported that he will not be able to attend this meeting and had asked for it not to be scheduled at this time. The meeting was scheduled despite Russell's efforts to change the date so that he could attend.

RESOLUTION #106-17 EMERGENCY OPERATIONS CENTER (EOC) ACTIVATION PLAN

Mgr. Russell spoke about the proposed Emergency Operations Center Activation Plan. Russell reported that the plan is ready for consideration and approval. The EOC Preparation on page 3 where the lines are blank - - this will change depending on location. The current Emergency Operations Center is at the Clayton Fire Department. The EOC could change as needed. Commissioner Vincent suggested that if accommodations are needed by staff and they live out of town, personnel can be accommodated at the new sheriff's office at the armory building.

At 11:58 a.m., the meeting recessed for lunch. At 1:35 pm., the meeting resumed.

RESOLUTION #106-19 OPPOSITION OF LAW ENFORCEMENT PROTECTION FUND CHANGES

Sheriff Lobb spoke about the proposed resolution whereby Union County opposes any proposal or legislation that would change the Law Enforcement Fund. The current Administrative Code states that qualifying entities can use the LEPF fund for no more than fifty percent of the replacement salaries of municipal and county law enforcement personnel of municipalities or counties rates as Class 1 that participate in basic law enforcement training. A proposed change to the code would remove fifty percent of the replacement salaries that help retain qualified deputies for Union County. Discussion followed. Sheriff Lobb requested that this agenda item be tabled pending further information from the Department of Finance Administration.

Commissioner Vincent moved to table Resolution #106-19 Opposition of Law Enforcement Protection Fund Changes pending further information from the Department of Finance Administration. Commissioner Hall seconded. There being no further discussion. Vote: All YES. Motion carried. Item tabled.

MOU WITH MOTOR VEHICLE DEPARTMENT DRIVER'S LICENSE MONITORING

The proposed Tax and Revenue Department/MVD Memorandum of Understanding (MOU) was reviewed and discussed. This MOU is between Union County and NM Taxation and Revenue Department for the purpose of providing the county access to the NM interactive online services (driver history records, motor vehicle records and/or driver monitoring), to provide information to compliment the identification of individuals or vehicles pertaining to official business duties (volunteer fire departments, emergency medical services, etc.).

Commissioner Vincent moved to approve the Memorandum of Understanding between Union County and the Taxation and Revenue Department /Motor Vehicle Division. Commissioner Hall seconded. There being no further discussion. Vote: All YES. Motion carried. MOU signed.

APPROVAL OF BILLS

The board reviewed and discussed bills in the amount of \$342,345.67.

Commissioner Vincent moved to approve the payment of bills in the amount of \$342,345.67. Commissioner Hall seconded. There being no further discussion. Vote: All YES. Motion carried.

ROAD CROSSING PERMITS

The following permits were discussed: Permit No. 259, to cross Cain Road (C 101), for the purpose of allowing Permittee (ENMR Telephone Cooperative), to lay pipe or cable for the purpose of laying fiber optic telecommunication lines; Permit No. 260, with attached map, to allow Permittee (Plateau Telecommunications), to lay fiber optic telecommunication lines, along the South side of Nilee Road; Permit No. 261, with attached map, to allow Permittee (Baca Valley Telephone Company, Inc.), to lay cable to improve phone and internet services, across Purvines Road; and Permit No. 262, to cross Seaton Road, allowing Permittee (Baca Valley Telephone Co., Inc.), to lay cable to improve phone and internet services.

Commissioner Vincent moved to approve permit no's 259, 260, 261 and 262. Commissioner Hall seconded. There being no further discussion. Vote: All YES. Motion carried. Permits signed.

INVENTORY ITEMS DISPOSITION

No items considered for disposition.

HEALTH CARE ASSISTANCE PROGRAM - Approval of Claims

Claims for the Health Care Assistance Program were reviewed. A total of thirteen (13) claims were considered in the amount of \$6,229.12. Discussion followed.

Commissioner Vincent moved to approve the payment of thirteen (13) claims in the amount of \$6,229.12. Commissioner Hall seconded. There being no further discussion. Vote: All Yes. Motion carried.

COUNTY TRAVEL REQUESTS

The following employees reported/requested travel approval: Sheriff Lobb reported that **Sgt. Deputy Curtis Skaggs** attended a tourniquet training in Red River on October 23rd; **Deputy Jody Reeser** will attend a hazmat re-certification in Omaha, NB on November 15-17th; **Deputy Luke Hall** will attend a drug interdiction and criminal patrol training in Oklahoma on November 16-17th; **Mgr. Gonzales** and **Treasurer Thompson** will be attending a budget conference in Albuquerque on November 16-17th; **Commissioner Hall** and **Mgr. Gonzales** attended the Northeast Regional Transportation and Planning Organization (NERTPO) meeting in Las Vegas on October 27th; **Mgr. Gonzales** attended the Northeast Economic Development Organization (NEEDO) meeting in Tucumcari on November 8th; **Assessor Aragon** attended an Assessor's Affiliate meeting; **Chairman Bennett** and **Assessor Aragon** attended a mediation on October 27th and hearing on November 3rd in Santa Fe; **Chairman Bennett** may attend a EPCOG meeting early in December. All travel approved.

UNION COUNTY STRATEGIC PLAN WITH NM ECONOMIC DEPARTMENT

Chairman Bennett reported that pursuant to the Joint Communications Meeting on September 12, 2017, Sandy Chancey, Executive Director of the Eastern Plains Council of Governments, offered the support of the COG to

assist the county with the preparation of a grant application so that the county can work towards a comprehensive study/plan.

Commissioner Vincent moved to formally request the assistance of the Eastern Plains Council of Governments to begin the application for the grant process for a comprehensive study/plan. Discussion followed which included that the Town of Clayton needed to support and be a willing participant with this application process. Commissioner Hall seconded. Vote: All YES. Motion carried.

ROAD SUPERINTENDENT'S REPORT

Kear reported on the following: the new water truck is in Albuquerque for repair again; county wide road maintenance; Clarence Getman with Volcanic Stone has asked if the county could widen the road from the turn off on Sophia Road to the pit and back to the loop. Getman will donate the material and trucks. Kear commented that this would be beneficial to the county and will be worked on as permitted; project statuses on Southfork, Horseshoe, Archuleta and Weatherly Roads; routine equipment maintenance; leased a new loader; preparing for the winter weather season. Lastly, Kear has been looking for fuel storage options. Discussion followed about various options for fuel access and/or storage.

FIRE COORDINATOR - No report

EMERGENCY MANAGER REPORT

Manager Russell submitted a copy of his "Emergency Manager's Report - October 2017", updated on November 6, 2017. Russell reported on the following: **LEPC (Local Emergency Planning Committee)** the next meeting will be on January 17, 2018; **SHSGP (State Homeland Security Grant Program)** batteries for the repeaters at the Clayton Police Dispatch have been installed; **EMPG (Emergency Management Performance Grant - Salary Grant)** first quarter report has been submitted; **Severe Weather Plan** has been approved by LEPC; **EOC (Emergency Operations Center) Activation Plan** has been approved by the LEPC; **Hazard Mitigation** grant was submitted at the end of September; and **Incident Command Classes (IC) 300/400** have been cancelled. Will try and reschedule in the spring. Elected officials, county and town managers will be required to take these classes until notified otherwise. Commissioner Hall suggested to Russell that these classes be offered through the New Mexico Edge Program; Russell handed out copies of "Road Closure Information". This information will be distributed in and around our area; communications meeting will be scheduled around the 1st of December for the Union County Fire frequency/repeater issue; Russell reported that he will not be attending the Joint Communications meeting on December 12th because he will be attending a Winter Weather Hazards: Science & Preparedness AWR-331 training on the 12th; Russell will be giving a county road tour to the new police department dispatcher, Chad Painter; Russell will be attending a state preparedness meeting in Santa Fe on January 24th; lastly, Russell will be giving a defensive driving class on January 23rd.

ELECTED OFFICIAL'S REPORTS

Sheriff Lobb reported on the following: transports, citations, civil services, offense incidents/crash/accident reports, and arrests; Lobb expressed his appreciation of the new housing for his department at the armory building. Lobb will continue to work with various community groups so that the building can remain used for various community functions; Lobb will be submitting a walk-through inspection report of building issues to the state armory board. The department's contract with the state armory board specifies that this needs to be complete within 60 days.

Clerk Harkins reported on staff attendance of a recent training in Tucumcari for the new voter registration/election administration software; a new deputy clerk was hired - Caitlyn M. Gonzales; Harkins asked the board if it was okay to move the voting machines into the old sheriff's building. This would afford the voting machines a climate controlled and a less dust free environment. The board agreed. Lastly, Harkins reported that a new tool is available within the land records software called FraudSleuth. FraudSleuth will allow users to monitor their property transactions in the clerk's office.

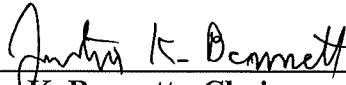
Commissioner Vincent reported that he may attend the upcoming El Llano Estacado Resource Conservation and Development Council meeting on December 5th in Tucumcari.

Chairman Bennett reported on his attendance of the last New Mexico Association of Counties board meeting and the various items discussed. Union County will host the May 2018, Board of Directors meeting. Lastly, Bennett spoke about the county's recent tour made by New Mexico True.

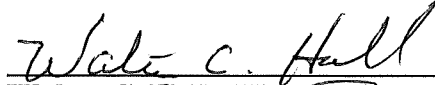
The next regular meeting will be held on Tuesday, December 12, 2017, at 9:00 a.m. The next Joint Communications meeting will be on Tuesday, December 12, 2017, at 9:30 a.m.

ADJOURN: At 3:15 p.m., Commissioner Vincent moved to adjourn the meeting. Commissioner Hall seconded. There being no further discussion. Vote: All YES. Motion carried. Meeting adjourned.

**Board of County Commission
Union County, New Mexico**



Justin K. Bennett - Chairman




Walter C. Hall - Vice Chairman



W. Carr Vincent - Member

ATTEST
SEAL



Mary Lou Harkins - Clerk