

**SIERRA COUNTY COMMISSION  
REGULAR MEETING  
MAY 19, 2020**

**CALL TO ORDER: 10:00 A.M.**

**The Sierra County Board of County Commissioners met in Regular Session at 10:00 A.M. on Tuesday, May 19, 2020, at the Sierra County Commission Chambers, 855 Van Patten, Truth or Consequences, New Mexico.**

**ROLL CALL:**

**Commissioner Travis Day, Vice-Chair  
Commissioner Frances Luna, Member  
Commissioner James Paxon, Chairman**

**Clerk of Board: Shelly Trujillo**

**County Attorney: Dave Pato**

**County Manager: Bruce Swingle/Serina Bartoo**

**PLEDGE OF ALLEGIANCE:**

**NEW MEXICO STATE FLAG PLEDGE:**

**ALSO IN ATTENDANCE:**

**Serina Bartoo, Glenn Hamilton, Chuck Wentworth-Sentinel**

**I. APPROVAL OF AGENDA:**

**Commission Vice-Chair Day MOVED to approve the agenda as presented. Commissioner Luna SECONDED the motion. Motion carried with Commissioners District 1-2-3 voting yes.**

**II. APPROVAL OF MINUTES:**

**A. Regular Meeting-April 21, 2020**

**Commission Vice-Chair Day MOVED to approve the minutes as presented. Commissioner Luna SECONDED the motion. Motion carried with Commissioners District 1-2-3 voting yes.**

**III. PUBLIC COMMENT: LIMITED TO 3 MINUTES**

**Deb Nicoll-See attached  
Brendan Tolley-See Attached  
Dimid Hayes-See Attached  
M Nolan Winkler-See Attached  
Victoria Boynton-See Attached  
Dennis Dunnum-See Attached  
Ariel Dougherty-See Attached**

**IV. CONSENT AGENDA:**

- A. Resolution No. 108-072- Account Payables**
- B. Resolution No. 108-073- Indigent Claims**
- C. Resolution No. 108-074-Budget Adjustment**
- D. Indigent Burial B2020-002**

**Commissioner Luna MOVED to approve Consent Agenda as presented. Commission Vice-Chair Day SECONDED the motion. Motion carried with Commissioner Districts 1-2-3 voting yes.**

**V. PRESENTATIONS/REPORTS:**

- A. County Official Reports-See Attached**
- B. USDA Wildlife Services-Rudolph Fajardo, Rob Gosnell & Trisha Ortega**

**VI. BOARD OF FINANCE:**

**VII. OLD BUSINESS:**

**VIII. NEW BUSINESS:**

- A. Direct Publication of Direct Deposit Ordinance No. 20-002**

**Commission Vice-Chair Day MOVED to approve Direct Publication of Direct Deposit Ordinance No. 20-002 as presented. Commissioner Luna**

**SECONDED the motion. Motion carried with Commissioner Districts 1-2-3 voting yes.**

**IX. CONTRACTS – AGREEMENTS – PROCUREMENT:**

**A. Professional Service Agreement Between George Lee, DWI and the County of Sierra-Increase and Date Extension-Amendment 4**

**Commissioner Luna MOVED to approve Professional Service Agreement Between George Lee, DWI and the County of Sierra-Increase and Date Extension-Amendment 4 as presented. Commission Vice-Chair Day SECONDED the motion. Motion carried with Commissioner Districts 1-2-3 voting yes.**

**B. Amendment 1 Between the Olive Tree and the County of Sierra-Title Correction and Signatory**

**Commission Vice-Chair Day MOVED to approve Amendment 1 Between the Olive Tree and the County of Sierra-Title Correction and Signatory as presented. Commissioner Luna SECONDED the motion. Motion carried with Commissioner Districts 1-2-3 voting yes.**

**C. Clean and Beautiful Grant Agreement between the State of NM Tourism and the County of Sierra**

**Commissioner Luna MOVED to approve Clean and Beautiful Grant Agreement between the State of NM Tourism and the County of Sierra as presented. Commission Vice-Chair Day SECONDED the motion. Motion carried with Commissioner Districts 1-2-3 voting yes.**

**X. RESOLUTIONS – ORDINANCES – PROCLAMATIONS:**

**A. Resolution No. 108-075-Preliminary Budget**

**Commission Vice-Chair Day MOVED to not approve Resolution No. 108-075-Preliminary Budget as presented. Commissioner Luna SECONDED the motion. Motion carried with Commissioner Districts 1-2-3 voting yes.**

**B. Ordinance No. 20-001-and Proclamation Restricting Open and Controlled Burns in the Unincorporated Areas of Sierra County**

**Commissioner Luna MOVED to approve Ordinance No. 20-001-and Proclamation Restricting Open and Controlled Burns in the Unincorporated Areas of Sierra County as presented. Commission Vice-Chair Day**

**SECONDED the motion. Motion carried with Commissioner Districts 1-2-3 voting yes.**

**XI. EXECUTIVE SESSION (11:44 A.M.) SECTION (10-15-1E THRU H):**

**At 11:44 A.M. Commission Vice-Chair Day MOVED to go into Executive Session for Personnel, Real Estate, Pending and Threatened Litigation. Commissioner Luna SECONDED the motion. Roll call vote was taken with all Commissioners present voting yes.**

**District 1 – Yes  
District 2 – Yes  
District 3 – Yes**

**PENDING AND THREATENED LITIGATION:**

- A. Freedom from Religion Foundation v. Sierra County Sheriff**
- B. Sierra County v. Montoya**
- C. Eddy County v State of NM**

**PERSONNEL:**

**REAL ESTATE:**

**XII. OPEN SESSION ACTIONS FOR EXECUTIVE SESSION:**

**Commission Vice-Chair Day MOVED to come back into Regular Session. Commissioner Luna SECONDED the motion. Roll call vote was taken, with all Commissioners present voting yes.**

- A. Eddy County v. State of NM-Staff Directive**

**Commissioner Luna MOVED to approve Eddy County v. State of NM-Staff Directive as presented. Commission Vice-Chair Day SECONDED the motion. Motion carried with Commissioner Districts 1-2-3 voting yes.**

**DATE AND TIME OF NEXT REGULAR SIERRA COUNTY COMMISSION MEETING: (June 16, 2020)**

**The date and time of the next Regular Sierra County Commission Meeting has been scheduled for Tuesday, June 16, 2020, at 10:00 A.M. at the Sierra County Commission Chamber at 855 Van Patten, Truth or Consequences, New Mexico.**

**Commission Vice-Chair Day MOVED to adjourn the meeting.  
Commissioner Luna SECONDED the motion. Motion carried with  
Commissioner Districts 1-2-3 voting yes.**

**ADJOURNMENT: (12:59 P.M.)**


**There being no further business to come before the Board. Commission  
Chair Paxon adjourned the meeting at 12:59 P.M.**

Dated this 19th day of May, 2020.

**SIERRA COUNTY BOARD OF COUNTY COMMISSIONERS**



Commissioner James Paxon, Chairman



Commissioner Travis Day, Vice Chairman



Commissioner Frances Luna, Member

ATTEST:



Shelly K Trujillo, County Clerk