

**SIERRA COUNTY COMMISSION
REGULAR MEETING
JULY 21, 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, July 21, 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, Chuck Wentworth-Sentinel, Glenn Hamilton, Jocelyn Holguin, Paul Tooley

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. Special Meeting-June 11, 2020**
- B. Regular Meeting- June 16, 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
John and Megan Richardson-See Attached**

IV. CONSENT AGENDA:

- A. Resolution No. 109-001- Account Payables**
- B. Resolution No. 109-002- Indigent Claims**
- C. Resolution No. 109-003-Budget Adjustment**
- D. Resolution No. 109-004-Budget Adjustment**
- E. Lodger's Tax Board Recommendation**

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

V. PRESENTATIONS/REPORTS:

- A. Ray Pierce-USDA Wildlife Services**
- B. County Official Reports**

VI. BOARD OF FINANCE:

VII. OLD BUSINESS:

VIII. NEW BUSINESS:

- A. Sheriff/Department Operations Discussion**

Commissioner Day spoke about the last couple of meetings being uncomfortable. Mr. Day stated what happened in the past is the past. It is time to move forward.

Commissioner Luna spoke about the Sheriff's Office handling their own personnel files and doing their own interviews. Ms. Luna stated the need to resolve why the Sheriff's Office is holding personnel files. The originals need to be with the Human Resource office.

Commission Vice-Chair Day said there needs to be communication moving forward.

Sheriff Hamilton clarified that he keeps copies, but the originals go to the HR office. Mr. Hamilton offered a meeting with the Commissioners at his office to go over the personnel files he keeps.

County Manager Swingle will set up a meeting.

B. Infrastructure Placement Permit 2020-0001-Garfield MDWCA

Commissioner Luna MOVED to approve Infrastructure Placement Permit 2020-0001-Garfield MDWCA as presented. Commission Vice-Chair Day SECONDED the motion. Motion carried with Commissioner Districts 1-2-3 voting yes.

C. Infrastructure Placement Permit 2020-0002-Valor Telecommunications of Texans LLC

Commission Vice-Chair Day MOVED to approve Infrastructure Placement Permit 2020-0002-Valor Telecommunications of Texans LLC as presented. Commissioner Luna SECONDED the motion. Motion carried with Commissioner Districts 1-2-3 voting yes.

D. Film Report & Request for Reappointment to the NM Film Office for Cary Jagger Gustin

Commissioner Luna MOVED to Table Film Report & Request for Reappointment to the NM Film Office for Cary Jagger Gustin, and proposed creating a Film Advisory Board. Commission Vice-Chair Day SECONDED the motion. Motion carried with Commissioner Districts 1-2-3 voting yes.

E. Direct Deposit Exemption Form

Commissioner Luna MOVED to approve Direct Deposit Exemption Form as presented. Commission Vice-Chair Day SECONDED the motion. Motion carried with Commissioner Districts 1-2-3 voting yes.

F. Request for Exemption from Direct Deposit Ordinance No. 20-002-Sheriff Hamilton

Commissioner Luna MOVED to Deny Request for Exemption from Direct Deposit Ordinance No. 20-002-Sheriff Hamilton. Motion died due to a lack of a SECOND.

Commission Vice-Chair Day MOVED to approve Request for Exemption from Direct Deposit Ordinance No. 20-002-Sheriff Hamilton as presented. Commission Chair Paxon SECONDED the motion. Motion passed with Commissioner Districts 1 and 2 voting yes. Commissioner District 3 voted no.

G. NM Geographic Names Committee

Commission Vice-Chair Day MOVED to approve NM Geographic Names Committee as presented. Commissioner Luna SECONDED the motion. Motion carried with Commissioner Districts 1-2-3 voting yes.

H. Letter to U.S. Fish and Wildlife Service et al-Wolf Correspondence-Richardson's

Commissioner Luna MOVED to approve Letter to U.S. Fish and Wildlife Service et al-Wolf Correspondence-Richardson's as presented. Commission Vice-Chair Day SECONDED the motion. Motion carried with Commissioner Districts 1-2-3 voting yes.

I. Appointment of Protest Board Members-Thomas Pestak & Gary Schinagel-Assessor's Office

Commissioner Luna MOVED to approve Appointment of Protest Board Members-Thomas Pestak & Gary Schinagel-Assessor's Office as presented. Commission Vice-Chair Day SECONDED the motion. Motion carried with Commissioner Districts 1-2-3 voting yes.

IX. CONTRACTS – AGREEMENTS – PROCUREMENT:

A. Professional Service Agreement between Smithco & County of Sierra-Design Build AIA Agreement-Amins Building

Commission Vice-Chair Day MOVED to approve Professional Service Agreement between Smithco & County of Sierra-Design Build AIA Agreement-Amins Building as presented. Commissioner Luna SECONDED the motion. Motion carried with Commissioner Districts 1-2-3 voting yes.

B. Service Agreement between the County of Sierra & Olive Tree-BGSD Grant

Commissioner Luna MOVED to approve Service Agreement between the County of Sierra & Olive Tree-BGSD Grant as presented. Commission Vice-Chair Day SECONDED the motion. Motion carried with Commissioner Districts 1-2-3 voting yes.

C. Service Agreement between the County of Sierra Sheriff's Department & Truth or Consequences Municipal Schools

Commissioner Luna MOVED to approve Service Agreement between the County of Sierra Sheriff's Department & Truth or Consequences Municipal Schools after revising the contract. Commission Vice-Chair Day SECONDED the motion. Motion carried with Commissioner Districts 1-2-3 voting yes.

D. Purchase of Defibrillator-Hillsboro VFD-Paul Tooley

Commission Vice-Chair Day MOVED to Table Purchase of Defibrillator-Hillsboro VFD-Paul Tooley. Commissioner Luna SECONDED the motion. Motion carried with Commissioner Districts 1-2-3 voting yes.

X. RESOLUTIONS – ORDINANCES – PROCLAMATIONS:

A. Resolution No. 109-005-Approving Participation in the Program of the South Central Council of Government & Appointing Members for FY 20/21

Commissioner Luna MOVED approve to Resolution No. 109-005-Approving Participation in the Program of the South Central Council of Government & Appointing Members for FY 20/21 as presented. Commission Vice-Chair Day SECONDED the motion. Motion carried with Commissioner Districts 1-2-3 voting yes.

Commission Chair Paxon will be the Primary member and Commission Vice-Chair Day will be the alternate.

B. Resolution No. 109-006-Approval of Final Budget FY 20/21

Commission Vice-Chair Day MOVED to approve Resolution No. 109-006-Approval of Final Budget FY 20/21 as presented. Commissioner Luna SECONDED the motion. Motion carried with Commissioner Districts 1-2-3 voting yes.

C. Resolution No. 109-007-Participation in Local Government Road Fund Program & Request for Match Waiver Administered by NM DOT-CAP FY 20/21

Commission Vice-Chair Day MOVED to approve Resolution No. 109-007-Participation in Local Government Road Fund Program & Request for Match Waiver Administered by NM DOT-CAP FY 20/21 as presented. Commissioner Luna SECONDED the motion. Motion carried with Commissioner Districts 1-2-3 voting yes.

D. Resolution No. 109-008-Participation in Local Government Road Fund Program & Request for Match Waiver Administered by NM DOT-SP FY 20/21

Commissioner Luna MOVED to approve Resolution No. 109-008-Participation in Local Government Road Fund Program & Request for Match Waiver Administered by NM DOT-SP FY 20/21 as presented. Commission Vice- Chair Day SECONDED the motion. Motion carried with Commissioner Districts 1-2-3 voting yes.

E. Resolution No. 109-009-Participation in Local Government Road Fund Program & Request for Match Waiver Administered by NM DOT-SB FY 20/21

Commissioner Luna MOVED to approve Resolution No. 109-009-Participation in Local Government Road Fund Program & Request for Match Waiver Administered by NM DOT-SB FY 20/21 as presented. Commission Vice- Chair Day SECONDED the motion. Motion carried with Commissioner Districts 1-2-3 voting yes.

F. Resolution No. 109-010-A Resolution Establishing Protocol for Public Hearings

Commission Vice-Chair Day MOVED to approve Resolution No. 109-010-A Resolution Establishing Protocol for Public Hearings as presented. Commissioner Luna SECONDED the motion. Motion carried with Commissioner Districts 1-2-3 voting yes.

XI. EXECUTIVE SESSION (12:08 P.M.) SECTION (10-15-1E THRU H):

At 12:08 P.M. Commissioner Luna MOVED to go into Executive Session for Personnel, Real Estate, Pending and Threatened Litigation. Commission Vice-Chair Day 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. Sims v. BOCC

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.

DATE AND TIME OF NEXT REGULAR SIERRA COUNTY COMMISSION MEETING: (August 18, 2020)

The date and time of the next Regular Sierra County Commission Meeting has been scheduled for Tuesday, August 18, 2020, at 10:00 A.M. at the Sierra County Commission Chamber at 855 Van Patten, Truth or Consequences, New Mexico.

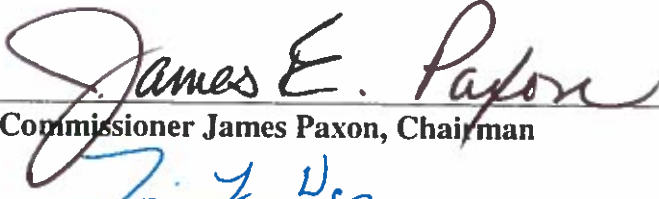
Commission Vice-Chair Day MOVED to adjourn the meeting. Commissioner Luna SECONDED the motion. Motion carried with Commissioner Districts 1-2-3 voting yes.

ADJOURNMENT: (1:10 P.M.)

There being no further business to come before the Board. Commission Chair Paxon adjourned the meeting at 1:10 P.M.

Dated this 21st day of July, 2020.

SIERRA COUNTY BOARD OF COUNTY COMMISSIONERS



Commissioner James Paxon, Chairman

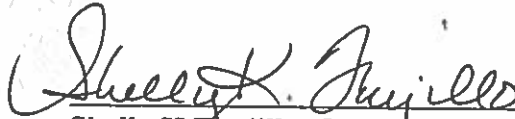


Commissioner Travis Day, Vice-Chairman



Commissioner Frances Luna, Member

ATTEST:



Shelly K Trujillo, County Clerk

