

**SIERRA COUNTY COMMISSION
REGULAR MEETING MINUTES
MAY 18, 2021**

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 18, 2021, at the Sierra County Commission Chambers, 855 Van Patten, Truth or Consequences, New Mexico.

ROLL CALL:

**Commissioner James Paxon, Chairman
Commissioner Travis Day, Vice-Chair
Commissioner Hank Hopkins, Member**

Clerk of Board: Shelly Trujillo by Amy Whitehead

County Attorney: Dave Pato

County Manager: Interim Serina Bartoo

PLEDGE OF ALLEGIANCE:

NEW MEXICO STATE FLAG PLEDGE:

ALSO IN ATTENDANCE:

Serina Bartoo, Dora Miranda, Jocelyn Holguin, Ernie Armijo, Chuck Wentworth-Sentinel, Michelle Atwell, Josh Baker, Candace Chavez, Billy Neeley, Max Gruner, George Lee, John Badal, Misti Willock, Neo Nicolaou, Denise Barrera

I. APPROVAL OF AGENDA:

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

II. APPROVAL OF MINUTES:

A. Regular Meeting-April 20, 2021

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

III. PUBLIC COMMENT: LIMITED TO 3 MINUTES

IV. CONSENT AGENDA:

- A. Resolution No. 109-075- Account Payables**
- B. Resolution No. 109-076-Budget Adjustments**
- C. Resolution No. 109-077-Indigent Claims**
- D. Resolution No. 109-080-Budget Transfer**
- E. Indigent Burial B2021-002**
- F. Indigent Burial B2021-003**

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

V. PRESENTATIONS/REPORTS:

- A. Department Reports**
- B. Presentation of Years of Service Certificates**
- C. Ernie Armijo- Service Award**
- D. Neal Brown-Rio Lago Marina**

Mr. Brown spoke about the lake getting down to 12 feet deep in front of the dam. He stated that this happened in the 1950's and people stopped coming to the lake due to the awful smell of dead fish.

E. Bureau of Reclamation

Area Manager, Jennifer Faler presented Mary Carlson who is the Public Affairs person for BOR.

Ms. Faler stated there is a lot of false information floating around without facts. BOR thinks that the recreation, conservation, minimum pool is doable and they are here to help any way they can.

F. Sacred Wind Broadband

CEO and Founder of Sacred Wind Broadband, John Badal, stated that Sacred Wind Broadband is the first company in New Mexico to provide broadband to Navajo homes by solar.

The project being done in Sierra County is an 8.2 million dollar project. They are purchasing a building in Elephant Butte to be their network operations center.

G. NMEDD-New Mexico Economic Development Department

Max Gruner of NMEDD stood in for Luise Marquez of Aerovironment who could not attend to explain the amended agreement to the original PPA. NMEDD added \$24,201 to the \$500,000 per the amendment.

VI. BOARD OF FINANCE:

A. April Reconciliation

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

VII. OLD BUSINESS:

VIII. NEW BUSINESS:

A. Take Home Vehicle Request for Ryan Williams

Commissioner Hopkins MOVED to approve Take Home Vehicle Request for Ryan Williams as presented. Commission Vice-Chair Day SECONDED the motion. Motion carried with Commissioner Districts 1-2-3 voting yes.

IX. CONTRACTS – AGREEMENTS – PROCUREMENT:

A. MOU between Sierra County Clerk and CSC E-Recorders Solutions

Commission Vice-Chair Day MOVED to approve MOU between Sierra County Clerk and CSC E-Recorders Solutions as presented. Commissioner Hopkins SECONDED the motion. Motion carried with Commissioner Districts 1-2-3 voting yes.

B. Amendment to PPA between Sierra County and Aerovironment

Commissioner Hopkins MOVED to approve Amendment to PPA between Sierra County and Aerovironment as presented. Commission Vice-Chair

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

C. Cooperative Agreement between Sierra County and EMA-CVFD and LN Curtis

Commission Vice-Chair Day **MOVED** to approve Cooperative Agreement between Sierra County and EMA-CVFD and LN Curtis as presented. Commissioner Hopkins **SECONDED** the motion. Motion carried with Commissioner Districts 1-2-3 voting yes.

D. Purchase Agreement between Hinkle and Landers and County of Sierra

Commissioner Hopkins **MOVED** to approve Purchase Agreement between Hinkle and Landers and County of Sierra as presented. Commission Vice-Chair Day **SECONDED** the motion. Motion carried with Commissioner Districts 1-2-3 voting yes.

E. MOU-City of T or C and Sierra County for PPE Storage

Commissioner Hopkins **MOVED** to approve MOU-City of T or C and Sierra County for PPE Storage 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. 109-078-Declaration of Emergency Drought Disaster

Commissioner Hopkins **MOVED** to approve Resolution No. 109-078-Declaration of Emergency Drought Disaster as presented. Commission Vice-Chair Day **SECONDED** the motion. Motion carried with Commissioner Districts 1-2-3 voting yes.

B. Resolution No. 109-079-Authorization of Intercept Agreement

Commission Vice-Chair Day **MOVED** to approve Resolution No. 109-079-Authorization of Intercept Agreement as presented. Commissioner Hopkins **SECONDED** the motion. Motion carried with Commissioner Districts 1-2-3 voting yes.

XI. EXECUTIVE SESSION SECTION (10-15-1E THRU H):

At 12:18 P.M. Commission Vice-Chair Day **MOVED** to go into Executive Session for Personnel, Real Estate, Pending and Threatened Litigation.

Commissioner Hopkins 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. Sierra County v. TRD

B. Sierra County v. Smithco

C. BOCC v. FWS

D. BOCC v. Turner Foundation

PERSONNEL:

A. County Manager

REAL ESTATE:

XII. OPEN SESSION ACTIONS FOR EXECUTIVE SESSION:

A. Sierra County v. Smithco

County Attorney Pato requested the board to entertain a motion to proceed with matters discussed in Executive Session and deny a request for arbitration.

Commission Vice-Chair Day MOVED to proceed with matters discussed in Executive Session and deny a request for arbitration. Commissioner Hopkins SECONDED the motion. Motion passed with Commissioner Districts 1-2-3 voting yes.

B. County Manager

County Attorney Pato requested a motion to direct administration to negotiate terms and conditions of contract with highest ranked applicant.

Commissioner Hopkins MOVED to direct administration to negotiate terms and conditions of contract with highest ranked applicant. Commission Vice-Chair Day SECONDED the motion. Motion passed with Commissioner Districts 1-2-3 voting yes.

C. Commission Vice-Chair Day MOVED to remove BOCC vs Fish and Wildlife Service from executive session and add it as an action item after

Executive Session. Commissioner Hopkins SECONDED the motion. Motion passed with Commissioner Districts 1-2-3 voting yes.

D. Commission Vice-Chair Day MOVED to proceed with action discussed in Executive Session and do what is necessary to protect the wildlife and residents of Sierra County. Commissioner Hopkins SECONDED the motion. Motion passed with Commissioner Districts 1-2-3 voting yes.

DATE AND TIME OF NEXT REGULAR SIERRA COUNTY COMMISSION MEETING: June 15, 2021

The date and time of the next Regular Sierra County Commission Meeting has been scheduled for Tuesday, June 15, 2021, at 10:00 A.M. at the Sierra County Commission Chamber at 855 Van Patten, Truth or Consequences, New Mexico.

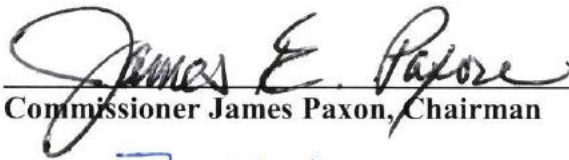
Commissioner Hopkins MOVED to adjourn the meeting. Commission Vice-Chair Day SECONDED the motion. Motion carried with Commissioner Districts 1-2-3 voting yes.

ADJOURNMENT:

There being no further business to come before the Board, Commission Chair Paxon adjourned the meeting.

Dated this 18th day of May, 2021.

SIERRA COUNTY BOARD OF COUNTY COMMISSIONERS



Commissioner James Paxson, Chairman

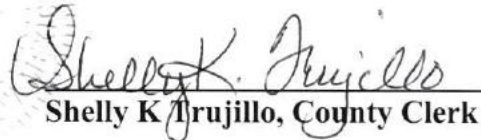
Travis Day

Commissioner Travis Day, Vice-Chairman



Commissioner Hank Hopkins, Member

ATTEST:



Shelly K Trujillo, County Clerk

