

REGULAR SESSION-BOARD OF QUAY COUNTY COMMISSIONERS

November 13, 2017

9:00 A.M.

BE IT REMEMBERED THE HONORABLE BOARD OF QUAY COUNTY COMMISSIONERS met in regular session the 13th day of November, 2017 at 9:00 a.m. in the Quay County Commission Chambers, Tucumcari, New Mexico, for the purpose of taking care of any business that may come before them.

PRESENT & PRESIDING:

Franklin McCasland, Chairman
Mike Cherry, Member
Sue Dowell, Member
Ellen L. White, County Clerk
Richard Primrose, County Manager

OTHERS PRESENT:

Larry Moore, Quay County Road Superintendent
Vic Baum, Quay County Assessor
Gail Houser, Tucumcari Mainstreet Director
Daniel Zamora, Quay County Rural Addressing
Russell Shaffer, Quay County Sheriff
Patrick Vanderpool, Executive Director, Greater Tucumcari EDC
Lucas Bugg, Quay County Resident
Donald Adams, Quay County Fire Marshal
Darla Munsell, Quay County CDBG Administrator
Dennis Townsend, 10th Judicial District Court Security Officer
Curtis Simpson, Quay County Emergency Management Coordinator
Jackie Van Sweden, Quay County Resident
Albert Mitchell, Jr., 10th Judicial District Judge
Angie Coburn, Presbyterian Medical Services, Central Region Director
Renee Hayoz, Presbyterian Medical Services Administrator
Patsy Gresham, Quay County Treasurer
Cheryl Simpson, Quay County Manager's Office
Thomas Garcia, Quay County Sun

Chairman Franklin McCasland called the meeting to order. Lucas Bugg led the Pledge of Allegiance.

A MOTION was made by Sue Dowell, SECONDED by Mike Cherry to approve the minutes from the October 23, 2017 regular session as presented. MOTION carried with Cherry voting "aye", McCasland voting "aye", and Dowell voting "aye".

A MOTION was made by Mike Cherry, SECONDED by Sue Dowell to approve the agenda. MOTION carried with Cherry voting "aye", Dowell voting "aye", and McCasland voting "aye".

PUBLIC COMMENTS:

Jackie Van Sweden, whose residence is 3237 Quay Road 72, expressed concern regarding the disrepair of Quay Road 72 that leads to her home. Van Sweden said after she contacted the county last month regarding the blade operator damaging the road, no repairs have been made and no one from the County has contacted her with a solution or plan. The Board of Commissioners assured Ms. Van Sweden someone would be out to her residence this week.

Gail Houser, Executive Director of Tucumcari Mainstreet presented information regarding a Small Business workshop. Houser stated the workshop will be held on December 6, 2017 from 9:00 a.m. to noon at the North American Wind Research Center at Mesalands Community College. Houser encouraged anyone interested in the growth of Small Businesses in Quay County to attend.

ONGOING BUSINESS: NONE

NEW BUSINESS:

Angie Coburn, Presbyterian Medical Services, Central Region Director and Renee Hayoz, Presbyterian Medical Services Administrator presented the monthly RPHCA Report for the time period ending October 31, 2017. Coburn stated Renee Hayoz is the newly hired Administrator and has been on staff a little over two weeks. A copy of said report is attached to these minutes.

County Manager, Richard Primrose presented the Professional Medical Services Agreement between Quay County and Presbyterian Medical Services for approval. Primrose stated these services are specific to the need of the inmates in the Quay County Detention Center. A MOTION was made by Sue Dowell, SECONDED by Mike Cherry to approve the Agreement. MOTION carried with Dowell voting "aye", Cherry voting "aye" and McCasland voting "aye". A copy of said Agreement is attached to these minutes.

Tenth Judicial District Judge, Albert Mitchell, Jr. and Court Security Officer, Dennis Townsend addressed the Board of Commissioners regarding the lack of security at the Quay County Courthouse. Judge Mitchell stated that currently, people entering the District Courtroom are required to go through electronic screening devices on the second floor. Mitchell stated that with recent violent attacks of public places, it would be in the best interest of Quay County to lock the front entrances to the Courthouse. This would require everyone to enter through the north entrances and proceed through a screening process. Judge Mitchell said he believes a system can be put in place without any capital costs to the County.

Townsend added, the employees of the Courthouse are not the only people at risk of a violent attack, but the patrons that visit on a daily basis are even more at risk due to the fact they are

unaware of volatile situations that arise in the building. Currently second floor visitors are not allowed in with purses, handbags, brief cases or backpacks. Those items must be returned to their vehicles and are often being left at offices on the first floor until a person leaves court. Townsend said the Sheriff has purchased lockers that will begin to be utilized immediately on the first floor for people needing to leave items elsewhere while they are in court.

Quay County Sheriff, Russell Shaffer asked the Commissioners if they had any idea what other counties have in place as far as security. Shaffer said he, along with Townsend and Mitchell want to work with the Commissioners to develop a plan for controlled access.

Commissioner Dowell asked if it was a possibility to have a screening unit at the front door and also at the north entrance. Townsend responded that would create a need for additional officers to man both screening devices.

Commissioner Cherry asked if they had a written plan for this process for the Commissioners to look at or is this something they just want to test out. Judge Mitchell said they would like to try a process for a while and see how it works. Commissioner Cherry asked if the screening would be in affect only during days that court was in session. Judge Mitchell replied it would be every day during the open hours of the building. Cherry asked if this is going to require a full time deputy, it would be costing additional money as Shaffer would need to hire an extra deputy or pull one off patrol to do this job. Shaffer agreed that perhaps it would require an additional person at some point. Shaffer said he wanted to try to man the security check points on a rotation to begin with and determine if additional personnel will be required.

Judge Mitchell said just the presence of the screening devices changes the demeanor of people regardless of whether someone is there to initiate the personal contact. Mitchell said occasionally the check points will not be manned due to lack of personnel.

Townsend requested the Commissioners allow them to set up a trial for the screening and see how it affects the people and get some feedback before developing a formal written policy.

Chairman McCasland asked them to address the issue of the domestic violence classes that are held in the evenings and how this will affect voters. Commissioner Cherry echoed the concerns of voters being screened.

Quay County Clerk, Ellen White said she had several statutory and federal obligations to uphold regarding early voting. White's concerns included the perception of voter intimidation, providing an unobstructed polling place to voters with free ingress and egress and the lack of complying with regulations regarding polling places being able to handle heavy traffic volumes with minimum discomfort to voters. White said all of her concerns are based off regulations that have to be adhered to. White said another concern is the long hours during an election day and Saturdays when voters are required by law to have access to the County Clerk's Office for voting questions. White said a similar effort was launched in Lincoln County but a threatened Federal Lawsuit stopped the plan.

Judge Mitchell suggested signage during voting that would allow people to enter through security without search and seizures processes if they are in the building to vote. White added, she agreed additional security and procedures are probably required for Court, however she doesn't believe the Administration Offices can remain in a building that requires it for every person entering. Judge Mitchell agreed it would be a challenge.

Commissioner Cherry asked what the courthouse in Las Vegas, New Mexico does for court security. Judge Mitchell stated the Admin Offices are in a separate building. Cherry said Roosevelt, Curry and many others are also separate. Cherry said he would like to have time to investigate other entities and come back to the table during an open Work Session and present ideas and plans that can be discussed further.

Chairman McCasland stated the best solution is to have the two entities in separate buildings. Judge Mitchell agreed, stating funding is the primary reason that hasn't happened. McCasland said perhaps added security to individual offices needs to be looked into.

Commissioner Dowell asked White if her opposition was to the metal detector alone or if she had a concern with a person working on the first floor as a presence in the building. White said she didn't have a problem with the presence of security but believes the screening of individuals who are entering the building to vote will be perceived as intimidation, whether or not that's the intent. White fully supports closing the building during the lunch hour and says this issue has been discussed during safety meetings lately with Department Heads.

Chairman McCasland asked Judge Mitchell if he is satisfied with the security presently. Judge Mitchell and Townsend said they were not. They want security at all levels, not just the Courtroom.

County Manager stated another concern would be the use of the north door by inmates appearing in court. They will have to be re-routed through the sally-port!!

Sheriff Shafer thanked the Commissioners for listening to their concerns and said they would like to form a plan and move forward for controlled access of the building.

Commissioner Cherry said he would like to have the time to visit with other counties that have been presented with this issue and come back to the table with ideas and design a plan. Judge Mitchell asked if it was okay with the Board of Commissioners if he and Townsend spoke to the possibilities of the security with the NMAC Risk Management. The Board did not have a problem with reaching out to NMAC for assistance in planning.

Judge Mitchell stated if the Commission is satisfied with how things are currently being handled to let him know today that they aren't interested in alternative security measures. Mitchell said a lot of time and effort has been made towards securing the building. Commissioner Cherry said they are willing to discuss a formal plan after hearing what steps have been taken in other courthouses and not try and reinvent the wheel.

Commissioner Dowell said it is important to listen to the trained personnel that deal with security on this tough problem. Dowell said some plan is better than no plan.

Chairman McCasland stated he would like some time to reach out to other entities for procedures already in place in other buildings. McCasland agreed that the Courthouse needs to be and should be locked during the noon hour and stated that was an easy fix. McCasland asked Primrose and Shaffer to begin working on a solution to that issue immediately. McCasland stated the early voting process is a huge concern for him and encouraged them to work closely with County Clerk, Ellen White to figure out a solution.

As the item on the Agenda was for discussion only, County Manager Richard Primrose, Shafer, Townsend and Judge Mitchell agreed to gather more information. Chairman McCasland stated a work session will be slated when they are ready to present the information. Commissioners Cherry and Dowell, along with Chairman McCasland asked Primrose to proceed with a plan for locking doors at the Courthouse during the lunch hour.

Patrick Vanderpool, Greater Tucumcari EDC Executive Director presented the Quarterly Report. The following items were mentioned and the full report is attached to these minutes:

- Vanderpool was appointed to New Mexico Economic Development Corporation with term commencing on August 1, 2017
- LEADS Grant FY18 Update
- US Department of Interior National Park Service re-development plan of Tucumcari Five Mile Park
- ACT Work Ready Communities
- Retail Stores/Online Sales
- Truck terminal and corridor redevelopment project
- Legislative Forum to be held December 4 at Mesalands Wind Research at 6:00 p.m.
- NM Edge Curriculum development of the Community and Regional Economic Development Certification Program
- Greater Tucumcari EDC Quarterly Report ending September 30, 2017

Commissioner Dowell expressed a concern over the lack of quality child care in Quay County. Dowell said she had been approached by three women stating they have a desire and need to join the workforce but the fact they can't find child care prevents them from working. Dowell suggested contacting Representative Rebecca Dow, who is an advocate for child care and involved in the state agency that oversees daycare centers. Commissioner Dowell encouraged Vanderpool to reach out to Representative Dow for ideas. Vanderpool encouraged Dowell to attend the meeting on December 4th and present her concerns and ideas.

Quay County Sheriff, Russell Shafer presented the October 31 monthly activity report of his office. The report is attached and made a part of these minutes.

Chairman McCasland called for a ten minute break. Time noted 10:35 a.m.

Return to regular session. Time noted 10:45 a.m.

Patsy Gresham, Quay County Treasurer requested approval of FY2017-2018 Resolution No. 17; Authorization to Collect Property Taxes Where Total Due is Under Ten Dollars (\$10.00) in a Single Payment. Gresham explained this process allows the tax notices under \$10.00 to be due in full during the first half payment collections. Taxpayers would have the option of splitting the payments into halves but the notices generated would ask for it in its entirety. Commissioner Cherry stated his only concern is the Resolution states this can be done by Ordinance, which requires publications and public hearings. Commissioner Cherry asked Gresham to draft the Ordinance and publicize it accordingly and present it at the next meeting for approval.

A MOTION was made by Mike Cherry, SECONDED by Sue Dowell to take no action at this time. MOTION carried with Cherry voting "aye", Dowell voting "aye" and McCasland voting "aye".

Curtis Simpson, Quay County Emergency Management Coordinator requested approval of the 2014 Hazard Mitigation Grant Amendment. The Amendment allows for the deadline to be changed to June 20, 2018. A MOTION was made by Sue Dowell, SECONDED by Mike Cherry to approve the Grant Amendment. MOTION carried with Dowell voting "aye", Cherry voting "aye" and McCasland voting "aye". A copy of this Amendment is attached and made a part of these minutes.

Darla Munsell, Quay County CDBG Coordinator requested approval of the Agreement with Sites Southwest for the update of the Quay County Comprehensive Plan. A MOTION was made by Mike Cherry, SECONDED by Sue Dowell to approve the Agreement. MOTION carried with Dowell voting "aye", Cherry voting "aye" and McCasland voting "aye". The Agreement is attached to these minutes.

Quay County Fire Marshal, Donald Adams requested approval of the following donated items from the City of Clovis:

- 1996 Pumper Fire Engine to Porter Fire District
- 2008 Ambulance to Bard-Endee Fire District

A MOTION was made by Mike Cherry, SECONDED by Sue Dowell to accept and approve the donations from the City of Clovis. MOTION carried with Cherry voting "aye", Dowell voting "aye" and McCasland voting "aye".

Ellen White, Quay County Clerk presented FY2017-2018 Resolution No. 16; Designating Polling Places for the 2018-2019 Election Cycle. A MOTION was made by Sue Dowell, SECONDED by Mike Cherry to approve said Resolution as presented. MOTION carried with Cherry voting "aye", Dowell voting "aye" and McCasland voting "aye". A copy is attached to these minutes.

Larry Moore, Quay County Road Superintendent, gave the following update on projects:

1. Received executed Agreements for 2018 LGRF Projects.
2. Sent in the signed Extension Agreements for 2017 CAP and School Bus Projects.

3. Sent in request for millings to proceed with the 2016-2017 School Bus Project. (Route 66 and Quay Road K)
4. OCCAM Engineers, Inc. started the Environmental Studies for the 2017-2018 Projects.
5. Crews have completed work on Quay Road BH.
6. Equipment is being serviced before moving it to Quay Road R to complete the CAP Projects.
7. Upon receipt of the donated millings, crews will then move to the San Jon area for the project on Route 66 and Quay Road K.
8. Environmental studies are being conducted to place millings on 3.4 miles of roadway in various areas. Millings will be used due to the lack of caliche in those areas.
9. An RPO meeting was held in Tucumcari and Moore, along with Primrose, attended. Procedures to request millings were discussed.
10. Blade Reports were distributed.
11. Will be meeting with representatives from NextEra regarding roads for their project. Primrose stated an Agreement will be on the Agenda at the next meeting for approval between Quay County and NextEra.

Richard Primrose, Quay County Manager presented the following items for approval:

1. Requested approval of Ordinance No. 53; Amending the name of the Lessee in Ordinance No. 51 from New Mexico Wind Energy LLC to FPL Energy New Mexico Wind LLC.

Chairman McCasland opened the floor for discussion of Proposed Ordinance No. 53 for public comments and input. Having none, Chairman McCasland closed the Public Hearing portion for comments.

A MOTION was made by Mike Cherry, SECONDED by Sue Dowell to approve Ordinance No. 53 as presented. MOTION carried with Cherry voting "aye", Dowell voting "aye" and McCasland voting "aye". The copy of Ordinance No. 53 is attached to these minutes.

2. Requested approval of the Easement between Phillip H. Bidegain, successor trustee of the Phillip B. Bidegain and Yetta Hoover Bidegain Revocable Trust and Quay County for access to the county tower located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, Township 11 North, Range 31 East. (Tucumcari Mountain).

A MOTION was made by Sue Dowell, SECONDED by Mike Cherry to approve the Easement as presented. MOTION carried with Dowell voting "aye", Cherry voting "aye" and McCasland voting "aye". The original Easement will be filed in the Real Estate Records of the County Clerk's Office and attached to these minutes.

Primrose presented the following correspondence:

1. The courthouse will be closed November 23-24 for the Thanksgiving Holiday.
2. Auditors are expected to be ready for the exit conference on November 27 during the regularly scheduled meeting.

Commissioner Dowell expressed a concern over the Quay County Website being antiquated and reported all search engines could not locate it. Dowell said she has requested the Website being updated and suggested enlisting a vendor to assist with the creation of a new Website. Curtis Simpson, who currently tries to maintain the Website, said the IP Address incurred a problem and he is working to resolve the search engine issues. Primrose stated he would seek a vendor to develop a new Website for Quay County at the direction of the Commissioners.

ACCOUNTS PAYABLE: A MOTION was made by Sue Dowell. SECONDED by Mike Cherry to approve the expenditures included in the Accounts Payable Report ending November 10, 2017. MOTION carried with Dowell voting "aye", Cherry voting "aye" and McCasland voting "aye".

Other Quay County Business That May Arise During the Commission Meeting and/or Comments from the Commissioners:

NONE

There being no further business, a MOTION was made by Sue Dowell, SECONDED by Mike Cherry to adjourn. MOTION carried with Cherry voting "aye", McCasland voting "aye" and Dowell voting "aye". Time noted 11:45 a.m.

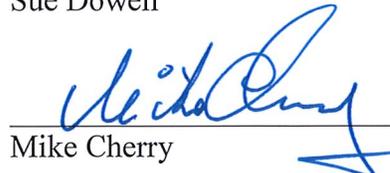
It was noted the Commissioners will conduct a review of policies in a Work Session beginning at 1:00 p.m.

Respectfully submitted by Ellen White, County Clerk.

BOARD OF QUAY COUNTY COMMISSIONERS


Franklin McCasland


Sue Dowell


Mike Cherry

ATTEST:


Ellen L. White, County Clerk