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2-3-84
Date of Filing

Manuel T. Serna
Chairman
Grant County Commissioners

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compensation and hours, together with matters concerning the duties and functions of the deputies and other personnel in order that all such personnel may be fully informed at all times concerning his or her rights and duties under such employment.

INTRODUCED, PASSED and ADOPTED by the BOARD of COUNTY COMMISSIONERS of GRANT COUNTY, NEW MEXICO on this the 2nd day of FEBRUARY, 1984, on a vote of 3 yeas and 0 nays.

IT IS SO ORDERED.

Manuel T. Serna
Manuel T. Serna, Chairman
Grant County Commissioners

ATTEST:

Isabel Quinones
Isabel Quinones,
Clerk and Recorder

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Grant County Sheriff's Office regulations concerning personnel policy, affirmative action plan and a merit system.

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2-3-84
DATE OF PUBLISHING
MAY 1984
CAMERA OPERATOR

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Preface

The purpose of these regulations is to set forth the general conditions of employment and establish uniform personnel procedures for all employees of the Grant County Sheriff's Department (except the Sheriff, Undersheriff and Executive Secretary).

Employment by any government agency carries with it a higher accountability than does employment in private enterprise. Public employees are continually in the public eye so their official and personal conduct should meet those standards the public expects. Accepting a job with the Sheriff's Department also means accepting the responsibility to be professional, courteous and efficient.

The Personnel Policy, Affirmative Action Plan and Merit System are designed to insure the recruitment, hiring and retention of a permanent work force which is dedicated to individual development and public service.

The Sheriff has overall responsibility and authority for operation of the department. These regulations are not intended in any way to reduce that responsibility and authority. They are intended to assist the Sheriff by providing general standards for all employees except those exempted by this ordinance. They are also intended to provide job security for those employees who meet the standards of performance.

These regulations shall be continuously in effect from the date of adoption. They may be amended, altered or repealed only by the direct action of the Board of County Commissioners. Should any part of these regulations be declared unconstitutional or invalid, such action shall not invalidate any other part or portion of this Ordinance, it being the intent of the Board of County Commissioners to enact each section, subsection, paragraph, sentence and part hereof independently of every other part.

DENS1

Personnel Policy

Section	Topic	Page
Section I	Recruitment	
I-A	Application Procedures	1
a.	Receipt	
b.	Classification	
c.	General Requirements	
I-B	Recruiting Procedures and Sources	1
a.	Posting and advertising	
b.	Consideration of other County employees	
c.	Re-employment of former employees	
I-C	Basic Qualifications	2
Section II	Selection Procedures	
II-A	Determination of highly qualified candidates	3
a.	Selection Board	
II-B	Testing	3
a.	Performance tests	
b.	Written Tests	
c.	Interview	
II-C	Determination of best qualified candidates	3
a.	Selection	
b.	Discrimination	
c.	Recommendation	
II-D	Hiring	4
a.	Final authority	
b.	Interview	
c.	Physical examination	
II-E	Ineligibility	4
a.	Reasons for ineligibility	
II-F	Employment of relatives	4
Section III	General Conditions of Employment	
III-A	Introduction	6
III-B	Hours of Work	6
a.	Breaks	
III-C	Attendance and Absenteeism	6
III-D	Dress and personal appearance	6
III-E	Pay periods	7
III-F	Time sheets	7
III-G	Payroll deductions	7
III-H	Compensatory time	7
III-I	Pay plan	7
III-J	Evaluations	7

CERTIFICATION

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the possession of this agency as set out in the Statement of Document Certification on file
in this agency. These documents are currently microfilmed as necessary operation in the

DENSITY

III-K	Resignation	8
a.	Resignation in good standing	
b.	Termination interview	
c.	Eligibility for rehire	
d.	Reductions in force	
III-L	Leaves	9
a.	Annual leave	
b.	Compensation for annual leave	
c.	Sick leave	
d.	Maternity leave	
e.	Injury leave	
f.	Funeral leave	
g.	Military leave	
h.	Holidays	
i.	Leave without pay	
III-M	Prohibited Activities	14
a.	Strikes	
b.	Conduct	
c.	Outside employment	
d.	Political activities	
e.	Gratuities	
f.	Garnishments	
g.	Uniforms	
h.	Misuse of county property	
i.	Other activities	
Section IV	Non Disciplinary Actions	16
IV-A	Demotions, Suspensions, Separations Transfers	16
a.	Discontinued or abolished practices	
b.	Probationary employees	
c.	Disability	
d.	Death	
e.	Retirement	
Section V	Disciplinary Actions	18
a.	Oral reprimand	18
b.	Written reprimand	18
c.	Suspension	18
d.	Demotion	19
e.	Termination	19
Section VI	Appeals	21
a.	Appeals from disciplinary action	21
b.	Appeals for non-disciplinary action	21
c.	Appeals for discriminatory acts	22
Section VII.	Miscellaneous Policies	23
VII-A	Personnel Records	23
a.	Contents of personnel file	
b.	Maintenance of personnel file	
VII-B	Retirement	24
VII-C	Insurance	24
VII-D	Safety and health	24

Classification

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/17/07 BY SP/SP

DENSIT

VII-E	Responsibility for County property	25
VII-F	Supplemental Rules and Regulations	25
VII-G	Suggestions	26
VII-H	Funeral and Burial Expense	26
VII-I	Uniform and Clothing Allowance	26

Affirmative Action Plan

Section I	Purpose	27
Section II	Policy	27
Section III	Communication of Plan	27
III-A	Internal Communication	27
III-B	External Communication	28
Section IV	Responsibility	28
IV-A	General	28
IV-B	Employee Relations Officer	28
Section V	Personnel Policies and Procedures	29
V-A	Recruitment	29
V-B	Employment Parity	29
V-C	Selection	29
V-D	Promotions and job assignments	29
V-E	Training	29

Merit System

Section I	Introduction	31
Section II	Lines of authority	31
II-A	Patrol	31
II-B	Administration	31
II-C	Detective	31
II-D	Position description	32
Section III	Types of Employment	32
III-A	Probationary	32
III-B	Permanent - Full time	33
III-C	Permanent - Part time	33
III-D	Temporary	33
III-E	Casual	34
Section IV	Compensation Plan	34
IV-A	Step increases	34
IV-B	General	35

DATE OF FILMING: 08/10/1998
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DENSIT

Section V.	Types of Personnel Actions	36
V-A	Recruitment	36
V-B	Promotions	36
V-C	Transfers	37
Section VI	Selection Procedures	37
VI-A	Posting and advertising	37
VI-B	Review Board	38
Section VII	Training and Professional Development	38
VII-A	Department responsibility	38
VII-B	Employee responsibility	39

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Personnel Policy

Section I.
RecruitmentI-A. Application1. Application procedure

a. Receipt of application. Each applicant shall obtain the required form furnished by the Sheriff and fill it out completely. Any false statement made on the application may be grounds for rejection or automatic dismissal from employment. Applications shall remain in an active file for six months. Persons desiring to extend the application time limit may do so by contacting the Department Head.

b. Application classification. Each application is classified according to fields of work in which the applicant's principal qualifications are the most suitable. If no immediate vacancy exists, the applications will be filed so that it will be available for review should a suitable vacancy occur. County employees are considered for promotion or transfer before new applications are reviewed. In the case of new hiring for deputy or jailer positions, those applicants who are certified officers in the State of New Mexico will receive priority consideration. Veterans of the armed services will also receive priority consideration for all vacancies within the department.

c. General requirements. Evidence of job performance and capability, experience, education, training, skills, and other abilities are carefully considered in reviewing individual qualifications. Applicants must be citizens of the United States. Deputies must be registered voters of Grant County.

I-B. Recruiting Procedures and Sources

2. Posting and advertising. For each vacancy within the Department, the Sheriff will prepare a job announcement listing the position, location, and basic qualifications. All job announcements shall be posted for at least three (3) working days on designated bulletin boards in the County offices and other work sites. Job announcements shall indicate a closing date after which applications will not be received; however, depending upon the position and area of recruitment, job announcements may be posted longer than the stated three (3) days. If there are not qualified applicants on file, the position will be advertised.

b. Consideration to County employees. Since County employees are encouraged to transfer and take promotional opportunities, they will be given

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consideration to apply for a posted job vacancy, the County employee must contact the Department Head with a letter or request for transfer or promotion. All employees seeking promotion shall be expected to meet the basic qualifications for the position for which they are applying including physical examination and/or other tests when deemed necessary by the Sheriff.

c. Re-employment of former employees. Re-employment preference will be given in the following order: employees returning from military service, reduction in force, part-time employees, and temporary employees.

I-C. Basic Qualifications

Basic qualifications together with desirable attributes are contained in the job description for each position within the Department and include a number of different educational levels and skills which relate particularly to that individual job. For example, high school education will not be a basic qualification unless the particular position requires this level of education in order for the individual to perform the particular job duties involved. Waivers may be granted on basic qualifications by the Sheriff.

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Section II.

Selection Procedures

II-A. Determination of Highly Qualified Candidates

a. Selection Board. For each vacancy the Sheriff shall appoint a Selection Board of three supervisory department employees to screen applicants, test applicants and conduct pre-employment interviews.

Normally that Selection Board will consist of the Undersheriff, the Lieutenant, Patrol and Lieutenant, Administration. The Sheriff may substitute other supervisory personnel to the Selection Board as he sees fit.

The Selection Board shall review applications and identify those candidates who are highly qualified. Highly qualified candidates will be further tested and interviewed.

II-B. Testing

a. Performance tests. Performance tests may be conducted by the Selection Board for typing, shorthand, and spelling for clerical/secretarial employees.

Performance tests may also be given by the Selection Board for positions requiring operation of certain equipment to test the applicant's ability to operate equipment or vehicles. Physical agility tests may also be given to determine fitness for certain positions.

b. Written Tests.- Written tests will also be given to those candidates who are selected as highly qualified for positions as deputy sheriffs.

c. Interview - Those highly qualified candidates will be interviewed by the Selection Board. That interview will be used to further determine qualifications for the vacant position.

II-C. Determination of Best Qualified Candidates

a. Selection - The Selection Board will determine the three best qualified candidates (or less if there are not sufficient applicants). That determination will be made based on education, experience, background, employment application, performance tests, written tests and oral interview.

b. Discrimination - The Grant County Sheriff's Office will see that its policies (a) do not discriminate on the basis of race, age, handicap, color, sex, religion, political affiliation, or marital status,

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(b) do not show partiality, or (c) do not grant special favors to any employee or group of employees. Individuals will be considered for appointment on the basis of bona fide occupational qualifications only.

c. Recommendation - The Selection Board will recommend the three best qualified candidates to the Sheriff. That recommendation will be ranked in order of the Board's determination.

II-D. Hiring

a. Final Authority - The Sheriff shall have final authority in hiring.

b. Interview - Before final appointment, applicants will be subject to a personal interview by the Sheriff to further determine qualifications for the position.

c. Physical examinations. The Department shall also require a physical examination to determine fitness for employment. The examination shall be performed by a licensed physician certified by the County and contracted to provide such physical examinations. Applicants must successfully qualify on physical examinations before being eligible for final appointment. Fees for the required physical examination shall be paid by the County.

Upon request, applicants who have prior disabilities will be required to furnish a doctor's report before employment.

II-E. Ineligibility

a. Reasons For Ineligibility - Applicants will be considered ineligible for employment by the County for any of the following reasons:

1. Proof of fraud or intentional false statement in an application.
2. Failure to complete the medical examination or other requirements as directed by the Sheriff.
3. Failure to appear for processing or for work after notice of appointment as directed by the Sheriff.
4. Leaving previous County employment in poor standing.
5. Prior criminal record, bad debts, or bad reputation in the community.

III-F. Employment of Relatives of County Employees - No person shall be employed in the Department if the Department employs a member of his immediate family. Immediate family members include: husband, wife, father, mother, brother, sister, son, daughter, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, and ex-spouse. If, by marriage after employment, such a

situation is found to exist, one of the employees shall be transferred to another department; however, if no opening exists, the employee will voluntarily terminate and, if the employee does not voluntarily terminate, he will be given notice to leave his employment.

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III-E. Pay Periods - A "pay period" is a two-week period beginning on Sunday at 12:01 a.m. and ending Saturday at midnight. This method of payment results in twenty six (26) pay periods per year. Checks will be issued every other Wednesday at a time and place determined by the Sheriff. If a holiday falls on Wednesday, checks will be issued on Tuesday. Checks may be issued early, but only in cases of emergency, and only after clearance by the accounting office and the County Commission.

III-F. Time Sheets - Time sheets are furnished for each employee at the beginning of each new pay period. At the completion of such pay period and after approval by the Sheriff, the time sheets are forwarded to the Accounting Department. In addition to time worked each day, time spent on vacation, sick leave, etc. during the pay period must be recorded on the time sheet. Any compensatory time or special pay considerations should be noted on the time sheet and initialed by the supervisor.

III-G. Payroll Deductions - There are several items for which payroll deductions may be made from an employee's paycheck. Deductions are mandatory for the following: FICA, Federal Income Tax, State Income Tax, and PERA. If the employee desires to secure group insurance, the employee's portion will be deducted from his paycheck. Deductions for the Credit Union may be arranged by contacting the accounting department.

III-H. Compensatory Time - In lieu of cash payment for overtime, compensatory time will be granted at the rate of one and one-half (1-1/2) hours per each hour worked. If not taken within one year or at the time of termination, all comp time will be forfeited.

III-I. Pay Plan - The Sheriff will prepare and submit a Salary Proposal to the Board of Commissioners at the yearly budget review. The Board will consider all requests and set the pay schedule and policy regarding any raises and promotional type increases for the entire fiscal year for all Department Employees. The pay schedule and policy of raises and promotions depend on availability of funds and economic conditions.

III-J. Evaluations - Employee performance evaluations shall be considered by the Sheriff in determining salary increases, as a factor in promotions, as a factor in determining the order of layoffs, and as a means of discovering employees who should be promoted or transferred, or who, because of their low performance, should be

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demoted or dismissed. Employees shall be given a performance evaluation by their Supervisor Lieutenant, the Undersheriff or Sheriff at the end of the probationary period and each six months thereafter. Those supervisors will consult with the employees immediate supervisor prior to preparing an evaluation.

Each evaluation will be discussed with the employee, a copy of such evaluation will be made available to the employee and a copy will be retained in the personnel file.

III-K. Resignation

a. Resignation in good standing. A Department employee who wishes to resign in good standing must submit a letter to the immediate supervisor at least five (5) days before leaving. The letter should give the date the resignation is effective and the reasons for leaving. If it is impossible to give five days' notice, the letter should explain what circumstances prevent it. All County equipment, uniforms, and other County property shall be turned into the department upon termination, and the employee's final paycheck may be reduced by the value of the unreturned items or damaged items.

b. Termination Interview. Prior to the last day of work, each employee who resigns should report to the Department Head at the convenience of his Supervisor for an exit interview and completion of necessary paperwork which includes application for refund of retirement contributions.

c. Eligibility for rehire. A person's eligibility for rehire, following termination, will depend on the circumstances surrounding the termination and their job performance evaluations. In cases where an employee resigns without the five (5) days' notice and causes an inconvenience to the County, the employee may be judged not eligible for rehire.

d. Reductions in force. Should it become necessary for the Department to reduce its number of employees or to abolish certain positions, the reduction will occur in the following manner:

1. Newly-hired probationary employees will be laid off first.
2. Reduction of permanent employees will be determined by division, based on seniority, ability to perform available work, and relative job performance.
3. Employees to be laid off shall be notified at any time during a pay period and will be allowed to work through the end of that regular pay period.

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e. Final pay check - An employee who resigns will receive his final pay check on the first regularly scheduled payday following his termination. Any employee who is discharged will receive his final pay check within five (5) days. Day one begins the day after discharge and includes Saturday and Sunday. The check will be issued by 5:00 p.m. on the fifth day.

1. In case of death, final salary and compensation for unused vacation shall be paid to the employee's estate.

XII-L. Leaves

a.. Annual Leave (Vacation)

1. Permanent full-time employees shall earn 1½ days of leave per month with a maximum accrual of twenty (20) days. They shall earn and accrue annual leave on a prorated basis.
2. Employees eligible for annual leave must work or be on paid leave for all scheduled working days in a month in order to earn annual leave for the month.
3. Employees who are reinstated shall earn and accrue leave as though their date of reinstatement is the date of initial employment.
4. Employees shall not earn annual leave during a period of leave without pay.
5. An employee may accrue annual leave above the 20 day maximum but such additional annual leave must be taken in the calendar year in which it is accrued, or the employee will lose credit therefore. Each January 1, the accrued, annual leave of each employee shall be adjusted, so that no employee begins a calendar year with more annual leave credited to his account than the 20 days maximum.
6. An employee may take annual leave only when authorized by the Sheriff, except that the authority to approve annual leave may be delegated by the Sheriff. Annual leave will be taken all at one time or broken down into one week intervals. Less than one week is not acceptable unless unusual circumstances prevail.
7. An employee who takes annual leave without authorization shall be subject to disciplinary action without pay for a period equal to twice the amount of unauthorized leave.
8. Employees shall earn annual leave during periods of leave with pay, except that leave shall be credited only when they return

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c. STICK LEAVE

1. Upon termination, for whatever reason, or retirement, an employee shall be compensated for unused accrued annual leave.

2. Upon death of an employee, compensation for unused accrued annual leave shall be paid to the surviving spouse. If there is no surviving spouse, the payment shall be divided equally between the surviving children. If there are no surviving spouse or children, the payment shall go to the parents. If there are no survivors, the payment shall be to the estate of the decedent.

3. An employee shall not lose accrued stick leave when promoted, demoted, or transferred.

4. Forfeiture of stick leave as a disciplinary action shall not be authorized.

5. An employee shall earn and accrue stick leave from the date of initial employment, but shall not be granted stick leave until authorized.

6. Stick leave shall be used only for a bona fide illness or injury, or for medical or psychiatric examination or treatment.

7. When an employee has used all of his accrued stick leave and accrues annual leave and is unable to return to work because of illness or injury, he may be granted sick leave without pay for a period not to exceed one year in the discretion of the Sheriff.

8. Subject to approval by the Board of County Commissioners, a period not to exceed one year in the discretion of the Sheriff, stick leave may be granted sick leave without pay for accrual of annual leave and is unable to return to work because of illness or injury.

8. The Sheriff may require an employee on sick leave, either paid or unpaid, to provide a certificate from a physician verifying the continued illness or injury. If the requested certificate is not provided, sick leave shall be terminated and the employee ordered to return to work by a specific date or be subject to dismissal.

9. Upon termination, for whatever reason, or retirement, an employee shall forfeit all accrued unused sick leave.

d. Maternity Leave

1. When a pregnant employee's physical condition is such that her continued employment may be injurious to her or not in the best interest of the Department, she may be granted maternity leave without pay. Annual leave must be used before maternity leave is granted, and the total of annual leave and maternity leave shall not exceed six months.
2. After completion of maternity leave, the employee may be required to present medical certification of fitness to resume employment.

e. Funeral Leave

1. Granting of Funeral Leave.

In the discretion of the Sheriff, an employee may be granted a maximum of three (3) days of funeral leave with pay to attend the funeral of an immediate member of his family or his spouse's family. Immediate members of the family include: a wife, husband, child, parent, child-in-law, grandchild, grandparent, brother, or sister.

The amount of funeral leave to be granted shall be determined according to the distance to be traveled and the mode of transportation.

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Funeral leave shall not be granted for settlement of estates nor any other reason except the required time to travel to, attend, and return from a funeral. Any leave taken in excess of that required to attend the funeral shall be charged as annual leave or leave without pay, as appropriate.

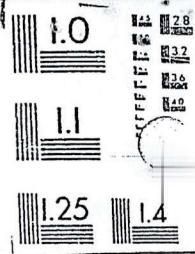
f. Military Leave

1. Any full-time employee who is a member of the National Guard, or Air National Guard of New Mexico, or any organized reserve unit of the armed forces of the United States shall, if placed on active duty, be granted paid military leave for a period not to exceed fifteen working days per calendar year in addition to other authorized paid leave. A full-time employee, who is a member of an unorganized reserve component shall be granted military leave with pay not to exceed fifteen working days per calendar year for the purpose of attending organized courses of instruction or training period officially authorized for members of such components. In all cases when military leave with pay is granted, the Department is required to maintain a copy of the official orders in the employee's personnel folder.

If an employee is called to active military duty in an emergency by the President of the United States or the Governor, the time spent on active duty, not to exceed five additional working days within a twelve-month period, shall be authorized. Absence which is not chargeable to military leave can be charged to annual leave. Therefore, employees who are called to duty for a period beyond the fifteen day period chargeable to military leave can use annual leave or leave without pay for the excess period. Emergency, term, temporary, or part-time employees are not entitled to military leave with pay under this rule.

g. Holidays

1. The following days are designated by statute as legal holidays and shall apply to Department employees: New Year's Day, Lincoln's Birthday, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day and Christmas Day.
2. Additional legal holidays when designated by the President of the United States, or the Governor shall also be recognized for



Department employees.

3. A special day of observance declared by the President of the United States or by the Governor shall not be considered a legal holiday, unless the declaration so states and it is extended to County employees.
4. Any permanent full-time or part time employee who is required to work on a legal holiday shall be granted a compensatory day of leave at a time determined by the Sheriff or delegated supervisor.
5. Any employee who is on paid leave on a legal holiday falling on a working day shall be granted an additional day of leave.

h. Leave Without Pay

1. When recommended by the Sheriff and approved by the County Commission, an employee may be granted leave without pay for justifiable personal reasons for a period not to exceed (12) months.
2. Leave without pay shall not be granted until all accrued annual leave has been exhausted. No type of leave shall be earned during period of leave without pay, and the periods of leave without pay shall not be credited as service for annual leave, or any other benefits.

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III-M. Prohibited Activities

- a. Strikes - Department employees will not call, sanction, encourage, or participate in any way in any strike, work stoppage or work slowdown.
- b. Conduct - Prohibited activities include conduct unbecoming an officer, use of alcohol or drugs while on duty, association with criminals, immorality, and bribery. Other prohibited acts include: failure to pay debts, misuse of firearms, unauthorized release of information to the public or news media or criminal violations of Federal, State or local statutes.
- c. Outside Employment - Department employees will not engage in outside employment without prior approval of the Sheriff.
- d. Political Activities - Personnel of the Grant County Sheriff's Office shall be prohibited from campaign activities during their working hours or while present in a County building. Campaign material and literature shall not be dispensed on County premises.
- e. Gratuities - Sheriff's Department employees shall not accept gifts and/or other consideration when given in the course of their professional duties.

f. Garnishments

The garnishment of an employee's salary by his creditors is a poor reflection of both the employee and the County and should be avoided; may result in disciplinary action.

g. Use of Uniforms

If a uniform is prescribed for an employee's function, it shall be worn at all times while on duty. In cases where employees are required to wear uniforms, allowances will be provided, or other arrangements made, for purchasing and care of the uniforms. Failure to wear designated uniforms while on duty will be considered insubordination.

h. Misuse of County Property

The responsibility for County equipment or property used by an employee in the discharge of one's duties belongs to the employee. The employee is charged with equipment by the Sheriff assumes sole and complete responsibility for the condition and proper use of such property or equipment from the time of assuming use or control until acknowledgement of its return by the Sheriff. Monetary costs of damages to County property or equipment caused by careless, negligent, or deliberate acts or omissions by the using employee may be deducted from the net pay of such employee.

i. Other Employee Activities

Any employee activity which is found to substantially affect or lead

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to a diminishing of the integrity, efficiency or discipline of departmental service is prohibited. Use of coercion, intimidation, sexual harassment or threat of reprisal to any other employee is also prohibited.

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repair the truck. Mr. Serna told Mr. Baker to keep the check and not to even give them a partial payment.

Next on the agenda was the Elevator Maintenance. Mr. Diaz stated that they are trying to get a contract for maintenance. Mr. Diaz said that they finally found two quotations. One is from Dover Elevator Company and they are asking for \$135.00 a month, this also includes one examination per month of the elevator, the cleaning and lubrication of the machine, motor, interlocks and controller, the lubrication of guide rails and the making of minor adjustments at the time of the regular examinations. They will furnish the necessary lubricants and cleaning materials, but do not include the replacement of hydraulic fluid. The second quote was from Century Elevator in the amount of \$559.00 per month. Mr. Serna moved to accept the contract effective 7-1-85, with the Dover Elevator Company for \$135.00 a month. Mr. Diaz second. Motion carried.

Mr. McArthur, from the Gila Regional Medical Center, came before the Commission to see if they had received any correspondence in regards to the guide line on the hospital Indigent Funds. Mr. Lewis from the District Attorney's office told the Commission that he had found all the information and that Mr. David Lane, District Attorney, is going to get together with him on this.

Liquor License Fees Resolution #85-07-02 was signed by the Commission. This resolution is to impose an annual non-prohibitive license tax upon the privilege of all Retailers, Dispensers and Clubs holding State licenses under the provisions of the Alcoholic Beverage Act to operate within this County (outside of the municipalities) in the sum of \$300 per year for Retailers, \$400 per year for Dispensers and \$300 per year for Clubs, to be due and payable on or before July 1 of each year. This was passed, adopted and approved by the Grant County Commissioners, July 2, 1985.

Mr. Diaz moved to sign this Resolution #85-07-02. Mr. Serna second. Motion carried.

Next on the agenda was Joint Powers Agreement between Grant and Hidalgo Counties, for police protection for the townsite of Hatchita. Mr. Bethea, Sheriff, came before the Commission to let them know about the retirement of Mr. Hale Jacobs. He also stated he felt that they are in need of full-time protection and suggested that they get someone who resides in Hatchita. Mr. Bethea told the Commission that the Hidalgo Commission is to meet on the 9th of July. Mr. Diaz moved, subject to approval from DFA to approve this Joint Powers Agreement between Grant and Hidalgo Counties. Mr. Serna second. Motion carried.

Mr. Kenneth Myers, came before the Commission to represent the Central Senior Citizens. He is requesting \$13,200 to set up an addition to the center. Mr. Diaz told Mr. Myers that as soon as they receive the money they will be taken into consideration. Mr. Serna stated that they had been cut 2/3 on the Co-op program.

Mr. McArthur, from the Gila Regional Medical Hospital, stated that they are in need of a resolution from the County to adopt an ordinance for the July 18, 1985 meeting for the refinancing of the hospital revenue bonds. Mr. Diaz moved to adopt Resolution #85-07-02-(1). Mr. Serna second. Motion carried.

Mr. Stillman came to request from the Commission to eliminate the maintenance of Stillman county road #4-3. Commission stated they will get an opinion from the District Attorney on the road and the appointing of a viewers board. He also inquired about the status of the Redrock Bridge. Mr. Cardoza stated that Mr. Matotan, the engineer for the design of this bridge, will be at the next meeting to give an update. Mr. Serna moved to adjourn. Mr. Diaz second. Motion carried.

3771

582

Commission minutes
Page 3

Meeting adjourned at 8:20 p.m.

David Diaz
David Diaz, Chairman

Manuel T. Serna
Manuel T. Serna, Member

Angel Placencio
Angel Placencio, Member

