

**FINAL COPY  
TORRANCE COUNTY BOARD OF COMMISSIONERS  
COMMISSION MEETING  
APRIL 24, 2019**

**COMMISSIONERS PRESENT:** RYAN SCHWEBACH –CHAIRMAN  
KEVIN McCALL- DISTRICT 1  
JAVIER SANCHEZ –DISTRICT 3

**OTHERS PRESENT:** BELINDA GARLAND-ACTING COUNTY MANAGER  
LINDA JARAMILLO- COUNTY CLERK  
SYLVIA CHAVEZ-ADMIN. ASST.

**1.) CALL MEETING TO ORDER**

Chairman Schwebach calls the April 24<sup>th</sup>, 2019 Commission Meeting to order at 9:00 A.M.

**2.) PLEDGE AND INVOCATION**

**Pledge lead by Chief Lester Gary**

**Invocation lead by Sylvia Chavez (myself)**

**3.) CHANGES TO THE AGENDA**

Commissioner Sanchez asks the Commission to differ action on item 10B, Commissioner Sanchez has received notification from constituents and Community leaders that would like to speak to the Commission about this item but are not able to attend today's meeting.

Chairman Schwebach asks for clarification on whether or not this will be a public hearing.

Belinda Garland, acting County Manager responds that the public hearing was held in January for the 5 member Commission and at that time the Commission differed it to this date and that is why it was on the agenda.

Chairman Schwebach has no problem tabling or differing this.

**4.) PROCLAMATIONS**

**A.) COMMISSION:** National Public Safety Telecommunicators Week  
Sylvia Chavez and Kristin Oliver on behalf of the Safety Committee present the Torrance County Regional 911 Dispatch Center with a proclamation thanking them for their service to the County. The proclamation declares the week of April 14-20<sup>th</sup> National Public Safety Telecommunicators Week.

Sylvia Chavez reads a statement into record: "911 Dispatchers: The thin line gold line between the thin red line, the thin blue line, and the thin white line lies the "thin gold line". This narrowest of lines represents those who are rarely seen but always heard and appreciated. The calm voice in the dark, the heroes behind the scenes, the golden link that holds us all together: 911 Dispatchers. Ms. Brandi Howell accepts the proclamation on behalf of the dispatch center

and is given key chains from the safety committee. The Commission thanks the 911 dispatchers for their service.

#### 5.) CERTIFICATES AND AWARDS

There were no items presented

#### 6.) BOARD AND COMMITTEE APPOINTMENTS

There were no items presented

#### 7.) PUBLIC COMMENT and COMMUNICATIONS

There was no public comment at the meeting

#### 8.) APPROVAL OF MINUTES

A.) **Commission:** Motion to approve the April 10, 2019 Torrance County Board of County Commission Minutes.

**ACTION TAKEN:** Commissioner Sanchez makes a motion to approve the April 10, 2019 Regular Commission Meeting minutes. Commissioner McCall seconds the motion. No further discussion, all in favor. **MOTION CARRIED**

#### 9.) APPROVAL OF THE CONSENT AGENDA

A.) **FINANCE:** Motion to approve the Consent Agenda.

**ACTION TAKEN:** Commissioner McCall makes a motion to approve the consent agenda. Commissioner Sanchez seconds the motion. No further discussion, all in favor. **MOTION CARRIED**

#### 10.) ADOPTION OF ORDINANCE/AMENDMENT TO COUNTY CODE

A.) **Commission:** Public Hearing- Adoption of Ordinance #2019-02. Approval of issuance of up to \$675,000,000.00 of Torrance County Industrial Revenue Bonds to provide funds to finance the acquisition, construction, equipping and installation of the La Joya Wind LLC Project.

Parker Shank with Sherman and Howard Law firm and they are bond counsel to the County. Mr. Shank introduces Mark Stacey, of Avangrid and Catherine McKinney legal counsel for the developer. Back in March Mr. Shank came before the Commission for the initial reading of the ordinance and all supporting documents. Since then there have been changes made to the documents between the lawyers which are in benefit to the County. There are few things that need to be tweaked but the documents are in substantial form for approval. Mr. Shank stands for question.

Chairman Schwebach asks Mr. Shank to give an overview of the changes.

Mr. Shank explains that the changes are in the form of remedies for the County if there is no performance by the developer. It deals with the club act provisions on how the County can recoup some of the benefits that have been given to the County that are scaled down over the

10 years. There are a lot of technical provisions that deal with late fees if the PILOT is not paid on time. So most of the changes are for the remedies that are in favor of the County.

There was no one to make public comment

**ACTION TAKEN:** **Chairman Schwebach** makes a motion to approve Ordinance 2019-02, Issuance of up to \$675,000,000.00 of Torrance County Industrial Revenue Bonds to provide funds to finance the acquisition, construction, equipping and installation of the La Joya Wind LLC Project. **Commissioner McCall** seconds the motion. No further discussion, all in favor. **MOTION CARRIED.**

**B.) Commission:** Final Action on Public Hearing held on January 23, 2019. Motion to adopt Ordinance # \_\_\_\_\_ (Previously Identified as Ordinance # 2019-01); increasing the number of Commissioners on the Board of County Commissioners from 3 member to 5.

**Belinda Garland, acting County Manager** would like to make a clarification on the number of the Ordinance, it was originally advertised as Ordinance 2019-01 but it was not approved so the ordinance number 2019-01 was issued to another ordinance that was passed at the last Commission meeting. Ms. Garland explains that it will be issued a new number if and when it is approved.

**ACTION TAKEN:** **Commissioner Sanchez** makes a motion to table till the June 19, 2019 Commission Meeting. **Chairman Schwebach** seconds the motion. No further discussion, all in favor. **ITEM DIFFERED.**

## 11.) ADOPTION OF RESOLUTION

**A.) Commission:** Ratify FY18 Audit Report presented at the March 27, 2019 Torrance County Commission Administrative Meeting as Resolution No. 2019-25

**Belinda Garland, acting County Manager** explains to the Commission that at the last meeting this was not approved as a resolution and it needs to be approved in a resolution form to be sent to DFA for approval. **ACTION TAKEN:** **Chairman Schwebach** makes a motion to ratify Resolution 2019-25 FY18 Audit Report. **Commissioner McCall** seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED.**

**B.) FINANCE:** Budget Increase, Resolution No. 2019-26

**Belinda Garland, acting Finance Director** presents the Commission with a resolution for a budget increase due to a loan obtained by the Assessor's office to purchase the Harris software update. This software is what the Assessor's office uses for property evaluations. The loan has already been approved, there just needs to be the budget increase so that Harris can be paid.

**Chairman Schwebach** asks for the amount to be stated for the record.

**Belinda Garland** states that the amount is \$70,422.00.

**ACTION TAKEN:** **Chairman Schwebach** makes a motion to approve Resolution 2019-26 Budget Increase. **Commissioner McCall** seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED.**

**C.) FINANCE:** Line Item Transfers, Resolution No. 2019-27

**Belinda Garland, acting Finance Director** presents the Commission with line item transfers, it does not change the overall budget it is being transferred within each departments budgets. **ACTION TAKEN:** **Chairman Schwebach** makes a motion to approve Resolution 2019-27

Line Item Transfers. **Commissioner Sanchez** seconds the motion. No further discussion, all in favor. **MOTION CARRIED.**

## 12.) APPROVALS

**A.) MANAGER:** Motion to authorize the County Manger to execute the CYFD Alternative to Detention Services for JJS Contract for FY20.

**Jenea Ortiz, Continuum Coordinator** explains to the Commission what this contract entails. There are two programs within this contract, the gender specific runs the boys council and the girls circle. Both are in the Estancia School district, this program helps youth with self-esteem and helps reduce bullying. The other program is RAC, this program helps with at risk youth. The youth are giving an assessment which has different categories to best help them avoid further risk for these youth.

**Belinda Garland** explains to the Commission that due to the dollar amount the Commission needs give the authority for the County manager to execute the contract.

**Commissioner McCall** asks what the dollar amount of the contract is.

**Jenea Ortiz** replies that the dollar amount is \$113,600.00 of which requires a 40% match by the County and that amount is \$45,440.00. Ms. Ortiz explains that the match can be done as in-kind match which is usually what covers the County's portion.

**Commissioner McCall** asks if match is within the budget.

**Belinda Garland** replies, that yes it is.

**ACTION TAKEN:** **Commissioner Sanchez** makes a motion to authorize the County Manager to execute the CYFD Alternative to Detention Services for JJS Contract for FY20.

**Chairman Schwebach** seconds the motion. No further discussion, all in favor. **MOTION CARRIED.**

**B.) DWI:** Approval of Local DWI Grant Amendment-19-D-J-G-31 Amendment 1

**Tracey Master, DWI Prevention Coordinator** informs the Commission that what is actually before them for approval should be Professional Services Agreement Torrance County DWI Prevention Contract FY2019-DWI-02 Amendment 1 Contract for the Teen Court Coordinator, Adrian Ortiz. This amendment is to assure Mr. Ortiz's salary will be paid until the end of the FY and the additional amount will be covered by DWI distribution grant.

**ACTION TAKEN:** **Chairman Schwebach** makes a motion to approve the Professional Services Agreement Torrance County DWI Prevention Contract FY2019-DWI-02 Amendment 1. **Commissioner McCall** seconds the motion. No further discussion, all in favor. **MOTION CARRIED.**

**C.) FIRE:** Discussion & Approval of Torrance County Fire Department fund roll over to the State Fire Marshall's Office for all Fire Districts

**Chief Gary** explains to the Commission that as we are coming to the end of the budget cycle and in order to roll over money to the next FY budget it must be applied for and also be earmarked on what it will be spent on. He states that usually what the money is earmarked for is training, purchase of safety equipment, uniforms, building repairs and any major vehicle repairs. Chief Gary informs the Commission that he just got word that Torrance County Fire Department did pass its annual audit from the state Fire Marshalls office. Chief Gary explains that the money comes from all 6 districts as well as from admin.

**Chairman Schwebach** states that from what he is reading he sees that the estimated amount being rolled over is \$91,000.00, is that correct? Chairman Schwebach asks what the overall budget for the Fire Department is and asks why is there \$91,000.00 to roll over.

**Chief Gary** explains that they try and hold funds, so if a fire engines were to go down they can have the funds to have it repaired. Or if there was a catastrophic event happen there is funding to cover it. Chief Gary explains that last year's roll over amount was more than this year's projected amount. Chief Gary's intention for the years to come is to have less and less to roll over, if the money is given to us we might as well use it.

**Commissioner McCall** asks if there is a certain amount that is mandated to be rolled over.

**Chief Gary** replies, that no we are not, its left to the discretion of the department.

**Commissioner McCall** asks what percentage is being rolled over, if there is \$91,000.00 being rolled over what percent is that from the overall budget. Commissioner McCall would just like clarification on what reserves are being held over.

**Chairman Schwebach** clarifies that the \$91,000.00 is from each district or as whole from the fire department.

**Chief Gary** explains that it's from the department as a whole, for example from fire admin., the projected roll over amount is \$75,000.00, from district 1 the projected amount is \$91,000.00, district 2 \$91,000.00, district 3 \$137,000.00, the reason district 3 is higher is because of the anticipation of the purchase of the new fire engine. District 4 is \$22,000.00, district 5 \$129,000.00 and district 6 \$43,000.00

**Belinda Garland** goes over the entire budget by district:

**District 1** budgeted amount was \$86,929.00, revenues \$52,844.00, expenditures \$129,929.00 with an estimated amount to leave \$9,844.00

**District 2** budgeted amount was \$77,337.00, revenues \$100,268.00 with an estimated amount to leave \$28,527.00

**District 3** budgeted amount was \$100,787.00, revenues \$124,418.00 with an estimated amount to leave zero. Ms. Garland explains that this budget will be left in the red, so if the Chief has other monies left over it will cover this districts budget.

**District 4** budgeted amount was \$25,690.00, revenues \$36,327.00 with an estimated amount to leave \$9,924.00

**District 5** budgeted amount was \$72,962.00, revenues \$137,766.00 with an estimated amount to leave \$2,571.00

**District 6** budgeted amount was \$43,145.00 revenues \$49,397 with an estimated amount to leave \$12,471.00

**ACTION TAKEN:** **Chairman Schwebach** makes a motion to approve Torrance County Fire Department fund roll over to the State Fire Marshal's office for all Fire Districts.

**Commissioner Sanchez** seconds the motion. No further discussion, all in favor. **MOTION CARRIED.**

**D.) FIRE:** Discussion & Approval of Torrance County Fire Departments Policy & Procedures/SOG Manual Section 1. Sections 2 & 3 and forms were approved by previous Commission.

**Chief Gary** informs the Commission that when he came on board 20 months ago, he was tasked with coming up with Policy and Procedure/SOG's for the department because there were no formal ones to go by. In the table of content sections 2, 3 and the forms are the standard operating guidelines when on a scene. So those are pretty basic guidelines and they were taken before the previous Commission for approval. The last part of the SOG's was

given to County Attorney Wallin for his approval as well as given to the Battalion Chiefs to go over and give their input. They have done that and this is the final document for the Commission to approve. Chief Gary explains that with Policy and Procedures are a living/working document and we will review this again in 6 months to see if everything is applicable. For instance if you look at section 1.24 Vehicle and Equipment Maintenance Program, this is for every piece of equipment the department has, from the fire engines to the chain saws.

**Commissioner McCall** clarifies that each Battalion Chief had an input on these.

**Chief Gary** replies, yes they did, every time we would put one together it would go to the Chief's meeting for review. Any changes they had would be reviewed and implemented.

**Chairman Schwebach** asks for clarification on what exactly the Commission will be approving today.

**Chief Gary** explains that section 1 through 1.25, the Policy and Procedure Manual is being approved today.

**Commissioner McCall** asks Chief Gary about the vehicle maintenance, this will be left up to each district to have done, is that correct.

**Chief Gary** states that yes, each district will be in charge of all their vehicle maintenance. Due to each district knowing their vehicles and knowing how they run and when they need maintenance we just left it up to each district to have their maintenance done.

**Commissioner McCall** asks if they go through Chief Gary to get the go ahead on getting the maintenance done.

**Chief Gary** each district must do a requisition form informing Fire Admin what needs to be done and if they have gotten any quotes for the work to be done. At this time there are no RFP's in place to have vehicle maintenance done, in the past there were two vendors that the Fire department had RFP's with but those have since expired.

**Belinda Garland** explains that the Fire Department has very good checks and balances on the PO issuance for each district. Everything goes to Hanna Sanchez, Fire Admin., Ms. Sanchez makes sure that procedures for the PO has been followed and she insures that there is proper funding in the budget.

**ACTION TAKEN:** **Commissioner McCall** makes a motion to approve Torrance County Fire Department Policy & Procedures/SOG Manual Section 1. **Commissioner Sanchez** seconds the motion. No further discussion, all in favor. **MOTION CARRIED.**

#### **E.) SHERIFF: Deputy Salary Increase, Patrol Sergeant Positions**

**Sherriff Martin Rivera** comes before the Commission to ask for consideration on pay raises for his deputies and for 2 sergeant positions. Sheriff Rivera states that the SO is competing with other agencies such as APD, Edgewood & Moriarty PD on salaries, and those agencies are paying \$26 to \$22 per hour. Sheriff Rivera would like to bump the pay for the deputies to \$22 an hour and for cadets to start off at \$19 an hour until completion of the academy then they will go to \$20 an hour, then after a year they will go up to \$21 an hour and if they stay longer eventually go to the \$22 an hour.

**Chairman Schwebach** asks what the difference between a Patrol Sergeant and a regular deputy.

**Sheriff Rivera** explains that a Patrol Sergeant will have more responsibility, they will set up the schedule and manage the deputies when out in service. They will be considered management.

**Belinda Garland** asks the Commission to differ this until the budget hearing, which will be held at the next Commission May 8<sup>th</sup>.

**ACTION TAKEN:** **Commissioner Sanchez** makes a motion to differ the Deputy Salary increase and Patrol Sergeant Position until the next Commission meeting which will have the budget workshop. **Commissioner McCall** seconds the motion. No further discussion, all in favor. **ITEM DIFFERD**

### 13.) DISCUSSION

**A.) GRANT COORDINATOR:** Consideration of New Mexico True Grants

**Cheryl Allen, Grant Coordinator** comes before the Commission with information for the New Mexico True Grants. At the last Commission meeting Commissioner Sanchez asked that the County look into these grants. Unfortunately it is too late for the County to apply for this year's grant cycle but can get prepared for next year's funding cycle. The information Ms. Allen was able to get was on two different types of grants:

#### **Flex Grant-**

Traditional grant program with initiatives proposed by grantee, 50/50 match after the execution of program and payment, no maximum award, grantee handles vendor negotiations, insertion orders, vendor payments creative trafficking, proof of placement and reporting, Eligible expenses would be: Any media placement, any media vendor, out of Home/Billboards, website development, website search engine, tradeshow exhibit, fees and booth rentals.

#### **Media Menu Program-**

Set menu of media programs and production options at negotiated rates, 50/50 match prior to program execution, Torrance County pays match in mid-July and mid-December depending on package(s) selected, NMTD Coop Team handles vendor negotiations, insertion orders, vendor payments, creative trafficking, proof of placement, reporting, Torrance County responsible for making payments to NMTD on time, identifying assets and creative delivered on time and to spec. respond timely to reviews and approvals, end of year tracking and impact report to complement MMP vendor reporting.

**Cheryl Allen** informs the Commission that if the County were to shoot a video it would cost the County \$4089.00 for the video shot and if for instance the County wanted the video to be played at the El Paso airport it would cost the County \$2,884.00. Ms. Allen recommends the Commission to go with the Media Menu Grant, when she spoke with the staff at New Mexico True Grant they suggested to Ms. Allen to attend training to be prepared for next year's application cycle.

**Chairman Schwebach** states that he thinks this is a great opportunity for the County and would like to move forward with this.

**Belinda Garland** reminds the Commission that this is just a discussion item but if the Commission would like to take action on this it can be put on another agenda for approval.

**Commissioner Sanchez** suggests that the County work with the economic development strategy we are currently working on and if tourism is one the things identified as an avenue for economic growth then we should move forward with this.

**Commissioner McCall** asks where this would fit into the County's budget.

**Belinda Garland** explains to the Commission that the jail fund is a huge part of the County's budget and impacts the PILT funds. Ms. Garland states that the rumor is that the prison will be opening again, so that may help with our funding issue on the jail fund. What she will be

suggesting to the Commission is to approve the budget as status quo and if anything changes the Commission can amend the budget.

**Commissioner Sanchez** recommends that Ms. Allen attend the training to be prepared for next year's grant cycle.

#### 14.) EXECUTIVE SESSION

There was no executive session

#### 15.) Announcement of next Board of County Commissioners Meeting


Next meeting to be held on May 8, 2019 in the Torrance County Administrative Chambers

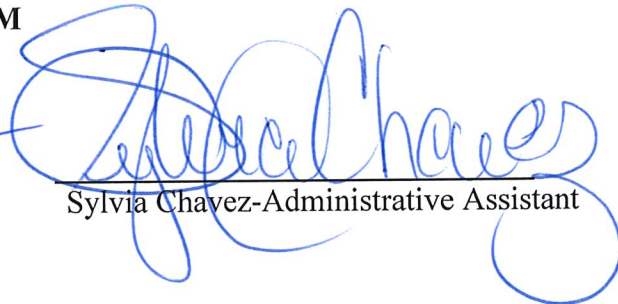
**Belinda Garland, acting County Manager** states that today is Administrative Assistant day and would like to thank all the Administrate Assistants for all their hard for the County.

#### **\*ADJOURN**

**ACTION TAKEN:** **Commissioner Sanchez** makes a motion to adjourn the April 24, 2019 Commission Meeting **Chairman Schwebach** seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

**MEETING ADJOURNED AT 9:50 AM**

  
\_\_\_\_\_  
Chairman Ryan Schwebach

  
\_\_\_\_\_  
Sylvia Chavez-Administrative Assistant

5-8-19  
\_\_\_\_\_  
Date

**The video of this meeting can be viewed in its entirety on the Torrance County NM website, Audio discs of this meeting can be purchased in the Torrance County Clerk's office and the audio of this meeting will be aired on our local radio station KXNM.**