

FINAL COPY
TORRANCE COUNTY BOARD OF COMMISSIONERS
COMMISSION MEETING
MAY 8, 2019

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

OTHERS PRESENT: WAYNE JOHNSON-COUNTY MANAGER
LINDA JARAMILLO-CLERK
GENELL MORISS -ADMIN. ASST.

1.) CALL MEETING TO ORDER

Chairman Schwebach calls the May 5, 2019 Commission Meeting to order at 9:05 A.M.

2.) PLEDGE AND INVOCATION

Pledge lead by Belinda Garland

Invocation lead by Nick Sedillo

3.) CHANGES TO THE AGENDA

Manager Wayne Johnson asks that item 12C (Manager: NMFA Grant Approval: Cheryl Allen) be moved to above 10A naming it 10A-1 and item 12F (Assessor: Pictometry software approval for Assessor, Sheriff and Fire) be moved to above 10A and naming it 10A-2. Also informs Commission of changes in presentations in the Budget Hearing from the original agenda.

4.) PROCLAMATIONS

There were no proclamations presented.

5.) CERTIFICATES AND AWARDS

There were no certificates or awards presented.

6.) BOARD AND COMMITTEE APPOINTMENTS

A. **MANAGER:** Rhonda King-Re-Appointment to Estancia Basin Water Planning Committee.

Ms. Rhonda King thanks the Commission for the reappointment to the Estancia Basin Water Planning Committee and says that she has enjoyed serving on the board. She states that the

water in our basin is of utmost importance. She will continue to promote good use of our water.

Chairman Schwebach asks for a motion to approve re-appointment of Rhonda King to the Estancia Basin Water Planning Board.

ACTION TAKEN: **Commissioner Sanchez** makes a motion to approve re-appointment of Rhonda King to the Estancia Basin Water Planning Committee. **Commissioner McCall** seconds the motion. No discussion, all Commissioners in favor. **MOTION CARRIED**

B. COMMISSION: Proposal to change Fair Board Appointment to the month of October.

Ms. Marcie Wallin asks that the Fair Board Appointments be changed to October. As it is now appointments can be made from May through July. **Chairman Schwebach** states that what is being asked is that the 2 current board members who are up for appointment remain on the board until October. **Ms. Wallin** answers, yes. **Mr. Wayne Johnson, Manager**, states that the Fair Board Resolution will have to be amended to make this change instead of a motion. **Chairman Schwebach** agrees and the change to the resolution will be on the next meeting agenda. **NO ACTION TAKEN/DISCUSSION ONLY.**

7. PUBLIC COMMENT AND COMMUNICATIONS

No public comment or communications

8. APPROVAL OF MINUTES

A. COMMISSION: Motion to approve the April 24, 2019 Torrance County Board of County Commission Minutes

ACTION TAKEN: **Commissioner McCall** makes a motion to approve the April 24, 2019 Torrance County Board of County Commission Minutes. **Commissioner Sanchez** seconds the motion. No discussion, all Commissioners in favor. **MOTION CARRIED**

9. APPROVAL OF CONSENT AGENDA

A. COMMISSION: Motion to approve the Consent Agenda

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

B. FINANCE: Line Item Transfers, Resolution No. 28

Belinda Garland introduces Jeremy Oliver the new Finance Director. She goes on to explain these are line item transfers in different departments and that they are all within their budget funds.

ACTION TAKEN: Chairman Schwebach makes a motion to approve the line item transfers. Commissioner McCall seconds the motion. No discussion, all Commissioners in favor. **MOTION CARRIED**

12. APPROVALS

C. MANAGER: NMFA Grant Approval: Cheryl Allen

Ms. Allen, Grant Coordinator states that we received a letter from the New Mexico Finance Authority approving our grant application for the Torrance County Comprehensive Plan-Phase 1. It is in the amount of \$50,000.00 anything spent up to the \$50,000.00 will be paid by the New Mexico Finance Authority. Anything spent over that will be paid by Torrance County. Money will be paid to the county after the plan is completed. A consultant will be hired to complete Phase 1 of the plan. She goes into the specifics of the grant. A bid will have to go out for the consultant. Commissioner Sanchez asks when it will be advertised. Ms. Allen says she and Mr. Sedillo, procurement officer will decide on the date.

ACTION TAKEN: Chairman Schwebach makes a motion to approve the awarding of NMFA Grant to Torrance County and procedures to implement the grant. Commissioner McCall seconds the motion. No discussion, all Commissioners in favor. **MOTION CARRIED**

F. ASSESSOR: Pictometry software approval for Assessor, Sheriff and Fire

Mr. Jesse Lucero, County Assessor, states that this is an ongoing conversation from the last Commission meeting. Chairman Schwebach asked the sales representative from Eagle View to come here today to give a brief overview of what they are trying to accomplish. He introduces Mr. Brian Garcia.

Mr. Brian Garcia sales rep. with Eagle View goes over the technology aspects of their software and how it is being used by different counties and states. He explains that his technology is able to capture images at a 45 degree angle vs looking at objects/building from a straight down view. With this technology appraisers can look at buildings and measure from their desks vs going out in the field in order to derive a value. With these detailed images an appraiser can tell the different structures on the properties as to livable and storage, etc. He says that these images are captured by planes that fly over selected areas.

He gives stats as to how many counties his company serves. He says that it is entirely up to the county who and which departments will be able to use this technology. Assessors throughout the states, by using this technology, have been able to assess millions of dollars in actual value. He asks if there are any questions.

Chairman Schwebach asks about the training requirements of the employees using this technology. Mr. Garcia that his company will do all the training at no cost to the county. This would be in person or online training. Chairman Schwebach says, "So the contract will cover the fly over, the software and the training, in person and on line?" Mr. Garcia states that that is correct.

Chairman Schwebach asks if this technology will stand up to protests by the public. **Mr. Garcia** answers, yes, it will stand up in an appeals case. **Commissioner McCall** asks about user permission and how we will protect the information they will be working with. **Mr. Garcia** says that an administrator will be assigned by the county who will be in control of the information used by employees and protection of the information they have access to. **Chairman Schwebach** who owns the pictures once they are taken. **Mr. Garcia** they are a licensing model so the county would have the rights to the images. Not an ownership product but a licensed product. There is discussion about being able to access this imagery in the event of a natural disaster. The company takes steps in assuring that imagery is safe via a hard drive and other methods. **Commissioner McCall** asks if his company will be able to sell the imagery they have collected of Torrance County and how often does it happen. **Mr. Garcia** answers, yes, we can sell the imagery we collect and in the rural setting such as Torrance County, there is not a big demand for such imagery. He explains that the trend to making this imagery available to the constituents or the county in general. He says that if you go out to larger jurisdictions there are websites from the assessor's offices that have assessments along with the imagery available to the public.

Chairman Schwebach asks that being a government entity will the public have access to this imagery if requested. He is thinking of this as a liability issue such as someone casing a place for entry to do damage and where are the assurances that the public is protected. **Mr. Garcia** states that is a decision by the county if this imagery is available on the internet for the public to view. He explains that at this time there is free imagery available on the internet if you google your address and your home that a "bad guy" could potentially use. **Mr. Lucero, Assessor**, says that it is not his intention that this technology be used for public use. He has in place on the internet information that can be used by the public such as maps with a hyper link to their website and their current orthoimagery. This particular software we are discussion is strictly for his office or if the manager's office deems it appropriate for others to use it. **Mr. Johnson, County Manager** informs the Commission that any record produced by the county is subject to an IPRA. **Mr. Garcia** says he is very familiar with IPRA and as far as the accessing rights of the constituent, if they were to come and request information on their property assessment the assessor would have to comply with that request in a PDF/digital form.

Chairman Schwebach would like to discuss the basic costs per section and the continuing costs of the fly overs. **Mr. Garcia** states that he and Mr. Lucero have been talking about the more populated areas of the county in their negotiations with a higher resolutions. In the rural areas they would be shooting with a lower resolution. Pricing is done by a square mile in addition to the resolution with the higher resolution costing more. Currently they are discussing 2 flights over a 4 year period. First flight could be paid off over a 2 year period with no interest. The second project would take place two years after this with the same payment terms. **Commissioner McCall** asks for the cost to the county in the off years. **Mr. Garcia** says that say the first year's fly over is \$100,000.00. That would be paid off at \$50,000.00 per year until the next fly over 2 years later. This would include the online access. He says that there is a safety net for the county in the event that they would not be able to do the second fly over because of budget constraints.

Chairman Schwebach asks what is the concept of the second fly over. He understands the need in places like Los Angeles where things are constantly changing but does not feel like we

have the same issue. He asks if Eagle View is willing to postpone the second fly over in view of this. Mr. Garcia says the schedule is dictated by the Assessor. The 2 year contract is what the Assessor decided would be good for his office. What his company offers is an every year flight, an every other year flight or an every 3 year flight. All this is based on growth change. Chairman Schwebach states that we are here because of certain budget constraints. If in the future there is money available can we re-schedule a flight sooner than we agreed upon. Mr. Garcia says that it would be a matter of adjusting the contract.

Chairman Schwebach asks for input from his fellow Commissioners. Commissioner McCall asks where is this money coming from and asks Assessor Lucero if he has the money in his budget. Mr. Lucero, Assessor says that obviously the intent was to get as many partners as possible because we all know this is an expensive project. To work it within his budget he would have to lower the coverage area which is less expensive. He says he is going to move forward with this project and his question is he going to get help from the whole county or is he going to have to do it himself. But either way he is moving forward.

The Commission is given the figures by Mr. Garcia for the first fly over as \$107,000.00 and approximately \$53,000.00 per year for 2 years. That would be for 456 square miles with the higher resolution and 117 square miles with the lower resolution. Discussion of fall fly over which could be from September through December. After this is complete it will be anywhere from a 45 to 60 day period when the imagery will be available for use which would make it available to the Assessor, if they do the first fly over at the latest in December.

Mr. Lucero, Assessor states that if he will have to fund this solely out of his budget he would begin on the northern side of the county in district 1 which more populated make the project smaller. He explains the difficulty is assessing properties with locked gates, people being irate because they are on their property no notifications as to when they will be on their properties and they have no authorization to go on anyone's property that has a no trespassing sign on their gate. Letters and calls are made to initiate communication. Some of the realities we face is that some properties have not been appraised since 1979.

Further discussion continues on different coverage and resolution options. Chairman Schwebach says he would like to dig into the budget deeper before making any kind of commitment. This will come up later in the budget hearing so there is no need for a motion at this time. Mr. Lucero, Assessor thanks the Commissioners for their time and moving this item up on the agenda. NO MOTION/DISCUSSION ONLY

10. ADOPTION OF ORDINANCE/AMENDMENT TO COUNTY CODE

- A. **COMMISSION PUBLIC HEARING:** Whether Torrance County should issue and sell Industrial Revenue Bonds up to a maximum of \$75,000,000 to finance the Repower project for High Lonesome Mesa Wind, LLC.

Motion to approve an Ordinance 2019-03 authorizing the sale of up to a maximum of \$75,000,000 of Torrance County Industrial Revenue Bonds to finance the repower, including equipment and installation of equipment and other construction necessary for the repower of the High Lonesome Mesa Wind, LLC project.

Mr. Johnson, County Manager informs the Commission that there is no one who has signed up to speak at this public hearing. Chairman Schwebach introduces Mr. Gabe Enaham. Mr. Gabe Enaham says he is the project manager for the High Mesa Wind, LLC project and gave a presentation to the Commission a few months ago. He says it is basically a re-power of the clipper turbine with new GE turbines which are more efficient and more reliable. The process will begin in June and be completed by September. Chairman Schwebach asks if there are any questions from the Commission or the public. There are none and public hearing is closed.

At this time Commission goes back into regular session.

Mr. Johnson, County Manager explains to the Commission that the motion should be made to approve an ordinance to authorize the issuance of Industrial Revenue Bonds up to a maximum of \$75,000.00 to finance the repower project for High Lonesome Mesa Wind, LLC. Commissioner McCall so moved. Chairman Schwebach seconds the motion. All Commissioners in favor. **MOTION CARRIED.**

B. FINANCE: FY2020 Budget Hearing, Public Hearing

Ms. Belinda Garland Finance Director explains to the Commission that this morning she placed two individual packets for requests for additional funding and special projects by department heads. She says that they had to change a little bit from what was originally placed on the agenda which is allowed for public hearings. So in order to streamline the process and better understand and keep track of what's being presented today they did create 2 different packets. The first packet is program funding and additional staff funding and the 2nd is for equipment. Chairman Schwebach continues as follows:

PROGRAM FUNDING

1. USDA WILDLIFE SERVICES: PROGRAM SUPPORT

Mr. Justin Hendricks, Wild Life Specialist says he is here to request continuing support for funding fiscal year 2020. In fiscal year 2020 they were under 300,000 acres in Torrance County and protecting about 56,000 head of livestock. Most of their work is predator damage management and they do some rodent control. They are asking for \$34,000.00. Chairman Schwebach asks if this is the same as last year. Mr. Hendericks replies that it is \$1,500.00 more.

Ms. Garland Finance Director explains that the Commission does not have to make a decision after each item. What they are looking for is guidance on whether or not they want these requests to go in the final budget. Mr. Johnson, County Manager informs the Commission that at this point one of their recommendations is to give all county employees a bit of a pay raise. One reason is that we do have a minimum wage change that is coming statewide and the other is we are having problems with retaining staff and a raise would help in that regard.

It will be the direction of the Commission that will tell them which way these raises will go. They have projected about a dollar an hour but the Commission can go lower if they wish to. If they go to a dollar an hour it will use up all the projected revenue just with the raises. He would like the Commission to keep this in mind as they listen to the requests. You could do the raise but not necessarily the other requests or we can do a lower rate and some of the requests.

2. NEW MEXICO STATE UNIVERSITY

Ms. Garland Finance Director explains that there is no one present from the state university. She explains that this is for the Extension Office and it is the same as last year.

Salary Schedule

Ms. Garland Finance Director explains that this is the proposed salary schedule for all employees at \$1.00 per hour and it does take in all of the projected revenue for the county. With a lesser rate you can consider the additional staff requests. Mr. Johnson, County Manager tells the Commission that this \$1.00 raise is a projected revenue raise to the county of is \$419,299.00. This raise if implemented in the salary schedule would use up roughly \$394,824.00 of the additional revenue. There will also be a PERA increase that was passed by the legislature and that is included in this projection. We have a 6.9 million dollar payroll budget and the increase would be the \$394,824.00. Tracy Sedillo, Treasurer would like to clarify one thing that Mr. Johnson said. The revenue projection is the general fund only and not the overall budget and the \$394,824.00 does not totally come from the general fund. That figure is a little bit lower. She give the figure as \$332,933.00.

3. TORRANCE COUNTY DOMESTIC VIOLENCE: Program Support

Ms. Anna Martinez, Domestic Violence is here to request \$46,500.00 for the continuance of this program. It is the same amount requested last year. There is a staff of 3 part time employees. They provide services for victims and the offenders of domestic violence. She describes those services. She gives statistics of those services. She explains there was a grant in the past that funded this program from CYFD for a 4 year cycle but the funding was lost 3 years ago. We are requesting the money for this last fiscal year and they will again re-apply for this 4 year grant again in January. No question from the Commissioners.

4. OPERATIONS: Request For An Additional Full Time Janitorial Position

Mr. Sedillo, Operations Manager states that when he took over as Operations Manager one of the things he was tasked with was building maintenance. Like everyone else he was not aware of how intense building maintenance is. With only a staff of 2 they have 12 facilities that they must maintain. He names those off. When he started his position he was bombarded with maintenance requests so he created a work order to determine the order in which these requests were handled. He goes over the excel spread sheet he handed out. He has had 38 maintenance request from January to present. He gives examples of maintenance requests and how difficult it can get for the 2 employees to handle them all. For this reason he would like to add an additional maintenance employee. He says there is some overtime built into the general

fund budget and he is willing to use some of this money to offset the hiring of the additional employee. Chairman Schwebach states the overall salary for this position would be about \$32,000. He asks how much is in the overtime budget. Mr. Sedillo says he has about \$10,000.00 in the overtime budget.

5. SHERIFF: Additional Position For A Full Time Patrol Sergeant

Mr. Martin Rivera, Sheriff states that this is the only position they will be requesting. This will be for closer supervision in the field to reduce liability and to give advice immediately. The cost for this position would be about \$52,000.00. This would be about \$3.00 more than the other deputies make. Commissioner McCall asks if his department is fully staffed at this time. Sheriff Rivera says, yes, he is fully staffed as of Monday. Commissioner McCall asks if this includes PERA. Sheriff Rivera no it does not. Chairman Schwebach says with PERA it will be about \$68,000.00.

6. ASSESSOR: Additional Positions

Mr. Lucero, Assessor introduces Christy Humphrey Deputy Assessor. He apologizes for not introducing her to the Commission and to the public sooner. Mr. Lucero, Assessor says he would like to give some statistical data before Ms. Humphrey speaks. Currently they are assessing 3,000 mobile homes. They currently have 5,426 residential accounts 898 commercial accounts, 2,573 vacant accounts and 19,000 accounts that are agricultural or irrigated. So the need is great. He turns it over to his deputy who has created the budget for their office.

Christy Humphrey Deputy Assessor she was tasked to look over their budget. There has been some restructuring done in their office where they have taken from higher paid positions for more mid-level positions and there are savings in the budget by doing this. She goes over the re-structuring which saved about \$19,810 in the overall budget. She goes on to the additional position that they are requesting.

In the past there was an appraiser assistant position in their office that was not filled and it got swept. It was a needed position. Right now they are sitting at about 4,000 per appraiser but that is with no support staff. The IAAO (International Association of Assessing Officers) recommends 3,000 to 5000 with support staff which their appraisers do not have. The support staff recommended by IAAO and is what they are looking to get back. The cost for that position is \$23,150.00. This does not include PERA or FICA. With the restructuring this would only increase the budget by \$6,814.00 and this does include benefits. The next position they are requesting is for a Jr. Appraiser. The cost for that is \$27,040.00. This does not include PERA and FICA. With both you are looking at \$51, 000.00 to about \$52,000.00. She adds that this is where the new software would help in having employees essentially acting as Jr. Appraisers from their desks. It will help the office be more thorough, more efficient and more effective in their appraisals.

7. TREASURER: Additional Position

Tracy Sedillo, Treasurer says that they have done a lot of research and they have found that there are some inconsistencies' in the reconciliation. The new position for a Treasury Controller could help build stability for the county going forward. As election officials and deputies change the knowledge isn't there to train them. In her office the Treasurer and Deputy handle all reconciliations of all funds in their office. This new employee position will be trained to do all reconciliations to keep consistency going if a new Treasurer and Deputy Treasure should come in. The salary for this new position is \$39,500.00 and with benefits it will be \$54,500.00.

She is also looking into quality control checks. With just the 2 of them it is really hard to for them to keep track of what's going on and done properly. They are receipting everyday not just during tax time. She says that they receipt for all departments. They are the county bank. The higher wage is because this position will require accounting and banking experience. At this time Mr. Johnson, County Manager thanks Ms. Sedillo for her extensive help in the budget process. She has been indispensable in creating this budget.

8. ROAD DEPARTMENT: Additional Positions

Leonard Lujan, Road Superintendent is here to ask if he can add a 3 more positions to his department. One of those is one he had before but with the continual rehiring it did not get filled. He has about 98 miles of chip seal road and he needs 2 of these employees dedicated to the chip seal roads. The funds for hiring these employees is within his budget with no increase to his budget. Because he is now paying for leases out of his capital outlay funds this frees up money in his operating budget.

Tracy Sedillo, Treasurer wants to clarify why there is additional money in Mr. Lujan's budget. A couple of years ago additional money was allotted to the County from the Forest Reserve which is Title 1 money which is designated for the road department. This money just came in and it is 95,000.00 which will roll into the 2020 budget. The new employees will start at \$12.00 per hour and it will increase to \$13.00 per hour as they gain experience. There is discussion about the maintenance of chip seal roads. Chairman Schwebach asks if the amount of \$32, 430.00 is with benefits. Mr. Lujan answers, yes.

Chairman Schwebach announces that this completes Program Funding.

BASIC EQUIPMENT

1. ROAD: Cab and Chassis for Service Truck, Admin

Leonard Lujan, Road Superintendent explains that they have a welding truck and a service truck the welding truck broke. This truck does not have a title. He would like to just buy a new truck to replace this truck and it will serve as both a welding an service truck.

2. ROAD: Request To Pave The Parking Lot At the Admin. Building.

Leonard Lujan, Road Superintendent asks for additional money to finish the county parking lot. They were allotted \$60,000 but need an additional \$30,000 to finish the project. Ms.

Garland Finance Director they will be paving the parking lot instead of chip sealing it so that is why they need the additional funding. This will come out of the Capital Outlay Fund.

3. ANIMAL CONTROL: Requesting The Purchase Of A New Vehicle

Cindi Sullivan, Animal Services Director says she requesting 3 vehicles. She has a 1990 Dermo now that has electrical problems and has been in and out of mechanical shops and needs replacing. She has another Dermo and a van. When she is fully staffed she has 3 animal control officers and they each need a vehicle. Chairman Schwebach asks Ms. Sullivan to explain the fully dressed pick up for \$39,000.00. She got the quote for this from Tillery's for this truck. She explains the Tommy lifts and the shell with shelves added to the pick-up. Chairman Schwebach asks the Sheriff about any vehicles he might have available. Mr. Martin Rivera, Sheriff says he has a pick-up he is willing to give them. It is a 2015 and has about 110,000 miles. Discussion follows.

4. ANIMAL CONTROL: Request for Additional Funds for Improvement of the Dog Kennels

Cindi Sullivan, Animal Services Director explains that she would like to purchase pro panels to replace the current metal walls which have corroded drastically over the years. The cost for these plastic panels is about \$10,000.00. The old metal panels are contaminated.

5. DISPATCH: Requesting Additional Funds To Purchase Small Portable Generator And Wiring

Ms. Garland Finance Director No one could be here from Dispatch due to being short staffed. Because of the crucial service they provide if the electricity goes out they will still need to provide services. They have a generator now but it won't carry the load to properly continue with their service. The amount for the generator is \$10,600.00. Mr. Johnson, County Manager explains that during the last electrical outage they were without water out there because of their well.

6. DISPATCH: Requesting Additional Funds To Purchase A New Backup Generator For Capilla Peak Communication Site

Ms. Garland Finance Director the generator they have out there but it is not handling the load due to all the new equipment that has been installed. The cost of this generator will be \$43,500.00. This new generator will hold more fuel.

7. MANAGER: Requesting Additional Funds For New Furniture, Flooring And Blinds In the Manager's Office

Mr. Johnson, County Manager explains that in his office they have desks that are broken, carpet is worn and torn and all blinds are in bad shape. He is asking for about \$15,000.00 for these improvements in his office.

8. ASSESSOR: Pictometry

Mr. Jesse Lucero, County Assessor informs the Commission that he has already taken on the contract with Eagle View for 3 years which will cost less. He rescinds his request.

9. ASSESSOR: Property Valuation Fund-Sketch Verification & Reappraisal Management Program

Chairman Schwebach asks if he is rescinding this also. Mr. Jesse Lucero, County Assessor says, no, but, says nothing more on this.

10. Clerk: Additional Vehicle

Linda Jaramillo, County Clerk wants to clarify that in the agenda it says I am requesting an additional vehicle but wants clarify that it is not an additional vehicle she is requesting. She has never had a vehicle. Since 1997 she and Linda Kayser have used our own vehicles for elections and our own gas and have used the road department vehicles to deliver our voting machines. She says that the initial request was a van for about \$43,000.00 but they were able to find a van for a lot less about \$35,000.00. She passes out pictures of the trailer they are currently using and the truck they pull it with and van with the lesser price. This new van would be used for mobile voting

In June or July when you approve the new polling places mobile voting will be approved also, if you agree, of course. For mobile voting you would take a voting machine 2 printers to these mobile sites. As you can see from the pictures the trailer we use now is way too big for this purpose. We would also use this same vehicle to pull the trailer when we deliver voting machines for Election Day. We would no longer be using the road department vehicles. This would make it much easier for me to move my equipment from polling place to polling place during mobile voting. I could use my own budget money to add a lift to this vehicle so that Linda and I could transport machines without needing help to load and making us self-sufficient.

When you approve the polling places and mobile voting is included it would be very difficult to transport in the big trailer. I might as well not do it. Mobile voting will give voters 5 more days of early voting. That would be 2 days in Mountainair, 1 day in McIntosh and 2 days at the Edgewood Elementary School. If she doesn't get the van then we should do away with mobile voting. I believe we should give voters, as much as possible, the opportunity to vote. More and more people are voting early. We had about 3,000 vote early in the last election and those numbers are growing. Mobile voting gives the voters an opportunity for vote early in their locations.

Chairman Schwebach asks if the trailer they have is still working. Linda Jaramillo, County Clerk replies that it is working but as an example, before she was running elections for the municipalities and schools she would have to take this big trailer for just maybe 1 machine. Chairman Schwebach asks if the present trailer would still be used. Linda Jaramillo, County Clerk yes, for delivery of voting machines on Election Day. But when we deliver voting machines and there is bad weather the trailer will not accommodate all the materials and those have to be put in the back of the pickup. To protect the materials we use a tarp for

protection. It's just not a good way to do things. The Van would pull the trailer and also offer protection for all the other materials to be delivered and makes it totally efficient.

Chairman Schwebach asks how much would this van be used. **Linda Jaramillo, County Clerk** It would be used for every election and we will now be having elections every year. We would put about 1,000 miles per election but this would last for many elections to come for future Clerks and Elections. **Chairman Schwebach** asks if a rental van would work just as well. **Linda Jaramillo, County Clerk** we used to rent vans it is just a lot of hassle. She goes on to say that she and Linda Kayser have never had a vehicle, she has 5 people in her office and has not increase that number and Linda Kayser was able to acquire the \$100,000 for warehouse form the legislators. She says that together they have contributed a lot to this county.

Linda Jaramillo, County Clerk She knows that everyone here who has requested is entitled and she feels that she too should have the proper equipment to service our voters. **Michael Godey** makes the comment that if you are going to get a vehicle that will last that long, you should get an electrical vehicle. He also says that if it lasts that long it might be antiquated. **Mr. Jesse Lucero, County Assessor** says that he has a vehicle that he is going to re-cycle and he can speak to the Clerk at another time. **Chairman Schwebach** says he would like to get an inventory of all these vehicles the county has. **Linda Jaramillo, County Clerk** asks Mr. Lucero if this vehicle would be able to accommodate a voting machine.

11. TORRANCE COUNTY FAIR

Marcie Wallin, Fair Board says that we all know that the Torrance County Fair is a big part of the Torrance County Heritage and in order for the fair board to keep promoting it in a positive way she is here to request \$75,000.00 to build an addition to the current steer barn so they can quit spending money on tents every year.

Chairman Schwebach states that now that everyone has made their requests the Commission will now start hashing out all the details of the budget. He asks the County Manager for direction. **Mr. Johnson, County Manager** says that now it is the Commission that gives direction as to how they will take all this information and give their opinion on how the budget should move forward and what their priorities are. **Commissioner Sanchez** says that he would like to get a better perspective he would like to see the actual projected budget. **Mr. Johnson, County Manager** says that they don't have the actual projected budget. What they did is take the last year's budget and created a salary schedule without the requested additions. He ask Commissioner Sanchez if he wants a budget with all these requests added. **Commissioner Sanchez** says he would like to see where our actuals are and a good perspective on what was spent last year at this time he can't decide what the best options are because he cannot make any comparisons.

Chairman Schwebach says that in his opinion he would like to concentrate on a raise for everyone across the board. He believes that we are behind the curve on competitive salaries. We have a lot of employees who have stuck with the county. When they are taken care of then we can look at additional employee requests. **Tracy Sedillo, Treasurer** answers Commissioner Sanchez's question. She says that the budget process has changed. Instead of

doing a full blown 2 step budget. Now the interim budget that is submitted will be the final budget and the only adjustments they will allow without Commission action in the form of a resolution will be to adjust the ending cash balances. This makes it difficult to complete the interim budget because we don't have actual expenditures for FY19. These won't be available till mid-July. So we are working now on projections. She also says that her last Board of Directors meeting she learned that the Governor signed a bill that de-earmarks the county gross receipts tax and no one knows how this will affect counties. There are other factors such as detention costs so they are doing their best at these projections but there will be no absolute numbers or absolute expenditures. Hopefully the projections will work.

Mr. Johnson, County Manager perhaps we could maintain paying for the raises first and then look at these re-structures. Basically look at the additional personal requests based upon the pay raises for established employees first and then work on the capital side of it. Commissioner McCall agrees and says that the request for generators by dispatch sticks out in his mind because it is public safety at stake. Commissioner Sanchez asks what projections do we have on detention. Mr. Johnson, County Manager says that we have signs saying that Core Civic is opening but as of yet they have not received a contract. They are assuming that the detention cost will remain the same until or if it does open. Commissioner Sanchez asks so what are those numbers for detention. Mr. Johnson, County Manager \$1,200,000.00 for housing. Commissioner Sanchez feels that we should go a middle ground in our projections in the event the prison opens.

Mr. Johnson, County Manager says that even if they were to walk in tomorrow with all the proper paper work to open there is no way to know as to when they would be up and running, taking prisoner and we do not know how long it would take to get our prisoners back here. Mr. Martin Rivera, Sheriff it would take about 2 months to get the prisoners back here from Santa Fe. The prison will still have training to do for their guards. They should be done with their training by mid-July. Chairman Schwebach asks Sheriff Rivera about how much saving would we have based upon our previous costs if we were to bring our prisoners back, about \$500,000.00? Mr. Martin Rivera, Sheriff says, yes, but in Santa Fe we do not pay medical because all prisoners are on Obama Care. We could look into doing the same here. He says it would be a savings of about \$20.00 per prisoner per day if they are brought back here to Core Civic.

Chairman Schwebach his line of thinking is that we need to have it our heads that if Core Civic opens it will be after we present our budget. This could potentially free up money and we have to keep in our heads what we would do with that money. Mr. Johnson, County Manager says that they could come in here before next Wednesday and we could start the process of adjusting our figures before the budget is presented. He believes that it will be closer to a \$250,000.00 to \$300,000.00 savings and not the \$500,000.00. Commissioner Sanchez says the PILT and detention are very important to him and also capital outlay. He feels that there should be more in depth conversation about these with the Board of Finance. Mr. Johnson, County Manager says that the Board of Finance does not make these decisions, it is the Commissioner's decision.

Chairman Schwebach makes the assumption that the departments that their budgets remains the same let's just leave it. He thinks the USDA request for \$1,500.00 should not be approved.

Domestic Violence-same as last year. Operation additional at \$22,000.00 should be put aside. He thinks we should leave the raises straight across the board but look at other options. As for the Sheriff's request for a sergeant ant \$68,000 should be put on the side until we see what Core Civic does. Assessor there were 3 options he feels that option 2 which slightly increases his budget we can approve. Road Department is within his budget he is inclined to allow him to hire.

Commissioner Sanchez is not aware of this meeting next week and what is the purpose of that meeting. Chairman Schwebach we discussed this and were going to announce it today. Mr. Johnson, County Manager explains that it is to get the direction of the Commission on your priorities which will shed a little more focus on the budget and see what it will look like considering those priorities. Commissioner Sanchez is there a way that we could go into the details of the projections presented to us then and prioritize the requests. He would like to work these requests at that time into the budget. Chairman Schwebach says that is what we are essentially doing now. Mr. Johnson, County Manager says that there is no way the budget can support all these request no matter how we slice them. What you are doing here today is what you are asking to be done at the next meeting. Tracy Sedillo, Treasurer the driving force here is staff and the proposed raises. What you allow will determine the budget for all the rest of the requests. The impact to the budget with the \$1.00 raise is \$332,933.00.

Chairman Schwebach moves on to capital outlay. Commissioner McCall approves the generators for Dispatch because of the safety factor for our citizens. Chairman Schwebach agrees. As for the vehicles he needs to see our inventory and what we have to work with before he commits to any of them. Mr. Johnson, County Manager says that money granted from the legislature for sheriff's vehicles might actually free up some other vehicles that we might re-purpose. He says he will get the Commission an inventory. Mr. Martin Rivera, Sheriff agrees with this. Some of these are high mileage. Chairman Schwebach says as for the Animal Control we should get those walls up. He states that this concludes the Public Hearing on the budget.

We are now in regular Session

11. ADOPTION OF RESOLUTION

A. FINANCE: Budget Increase, Amendment to Resolution No. 2018-52

Ms. Belinda Garland Finance Director explains that a resolution was passed by the previous Commission on November 14, 2018. There was some revenue coming from the equalization gross receipts tax of \$125,195.00 that authorized a budget increase. These funds were put in the new DFA program, LGBMS, and it has been hung up there since then. She says she got it un-hung about a week ago. In the interim since these funds have been hung up the funds that we were going to apply this money to, the needs have changed. One of those was money set aside for 2 new commissioners which is not going to happen before the end of this fiscal year. She would like the funds to be redirected to some maintenance contracts. Those would be for IT professional services, the administrative and judicial buildings which have needed a

multiple amount of repairs. She is looking to use these funds to cover the deficits in those maintenance contracts. She is looking to an amendment of Resolution No. 2018-52 to redirect the funds to the maintenance contracts I just mentioned.

ACTION TAKEN: Chairman Schwebach makes a motion to approve the amendment to Resolution 2018-52. Commissioner McCall seconds the motion. No discussion, all Commissioners in favor. **MOTION CARRIED**

12. APPROVALS

A. MANAGER: Request For Financial Support For EMWT Regional Water Association

Mr. Johnson, County Manager says that Mr. Art Swenka is here to speak on this. Mr. Art Swenka explains that EMWT was expecting to get capital outlay money from the legislature but that did not happen. They have the grant for \$3,900,000.00 at this time EMWT does not have any operating funds. They need to act on this or lose the funding by USDA. The amount that EMWT is asking for from the county is \$2,500.00. Chairman Schwebach asks if this is for today and this year's budget. Mr. Art Swenka says for today.

ACTION TAKEN: Chairman Schwebach makes a motion to approve \$2,500.00 for the EMWT operating funds for one time only. Commissioner McCall seconds the motion. No discussion, all Commissioners in favor. **MOTION CARRIED**

B. COMMISSION: Request For A Letter Of Support For The Clines Corners Wind Farm Project.

Mr. Dale Lyons, Sutter, Mills and Assoc. is here to speak on behalf of Orion Wind Energy Group. One of the milestones they must cross is getting approval from the New Mexico Public Regulation Commission for the site location and right of way determination. He is asking for letters of support from Guadalupe County and Torrance County to be included in the application to the New Mexico Public Regulation Commission and to the PRC.

ACTION TAKEN: Chairman Schwebach makes a motion to approve letter of support to the New Mexico the New Mexico Public Regulation Commission and PRC. Commissioner McCall seconds the motion. No discussion, all Commissioners in favor. **MOTION CARRIED**

D PURCHASING: Consider Award/postpone/cancel RFP # TC-Fy19-001 For Legal Services.

Mr. Johnson, County Manager asks to have this tabled until after the executive session.

E PURCHASING: Request approval for awarding IFB No. 2019 HFE100P Oil

Noah Sedillo, Purchasing Director explains that before the Commission they have is a sole bid we received from HFE 100P Oil for chip sealing for the road department. At the price of

\$630.77 per ton to be laid in place and not to exceed 600 tons until December 1st of this calendar year.

ACTION TAKEN: Chairman Schwebach makes a motion for approval of HFE 100 P Oil bid. Commissioner McCall seconds the motion. No discussion, all Commissioners in favor. **MOTION CARRIED**

13. DISCUSSION

A. Planning And Zoning: Written Report Of Special Waste Disposal, LLC (Keers) & Set BOCC Public Hearing Date.

Mr. Steve Guetschow, Planning & Zoning Director He reads the report for the record. Report hereto attached. This is for the special waste disposal for asbestos facility, Keers, for renewal of their special use permit.

ACTION TAKEN: Chairman Schwebach makes a motion for approval of application by Keers for special use permit and public hearing. Commissioner McCall seconds the motion. No discussion, all Commissioners in favor. **MOTION CARRIED**

B. COMMISSION: On Public Hearing Held On January 3, 2019. Discussion To Adopt Ordinance # (Previously Identified As Ordinance # 2019-01); Increasing The Number Of Commissioners On The Board Of County Commissioners from 3 To 5.

Chairman Schwebach says that he is the one who requested this. This was deferred in January and was put on the agenda at our last meeting as an action item. At that time you said you wanted to defer it again due to your presentations not ready or not available. He feels that he has to make his stance perfectly clear on this. At this time he is not willing to go to a 5 member Commission Board or devote any funds towards it. He believes that this county does not have a Commission problem and needs resources for others. That being said he would like to know what his intent was and what direction was on district lines and other issues. He did not want to lead anyone on because this requires a unanimous vote and he was not going to vote in favor of this.

Commissioner Sanchez wonders, why? Chairman Schwebach answers that because being commissioner for 4 months he does not feel that 2 more Commissioners resources needs to be put towards 2 more Commissioner and resources need to be put towards other things. He is not ready to do this. He feels like a lot of other issues have to be ironed out before getting 2 more Commissioners. Commissioner Sanchez and what are we to do with the imbalance and under representation of the southern part of the county. Chairman Schwebach feels that it an opinion that there is under representation of the southern part of the county. He is willing to look at this. Commissioner Sanchez under representation of the southern part of the county is not an assumption, it is a fact. It has been quantified and he would like to know why the Commission would allow such an imbalance to persist. Chairman Schwebach because he doesn't feel like the Commission will balance. He doesn't feel like it is a Commission problem.

Commissioner Sanchez what problem is it? Chairman Schwebach there are several problems and one of them is policy, the way things have been done. Not updating policies within the county. Commissioner Sanchez says here is the problem. Power is derived from, in our system of government, from elections. There is a tie between political power and actual power when we talk about government. If we were to look at the last 5 election cycles we would find some pretty interesting information. For example if you look at the City of Moriarty has 2 commissioners that represent 2 half's of Moriarty. Moriarty has a population of about 1,500 people. The City of Moriarty has about 1,300 people. Yet if you were to look at the past 5 election cycles you would see that the City of Moriarty plays a 60 percent chance of electing the Commissioner in District 2 and a 50 percent chance of electing the Commissioner in District 1. That benefit is not afforded to any other community in Torrance County. The imbalance is quantified right there. The City of Moriarty gets to have 2 commissioners but others do not.

Chairman Schwebach says that it is also the population center. He feels that Commissioner Sanchez is making the assumption that 2 commissioners are serving only Moriarty and nothing else. While they do represent the rest of the county. It is a County Commissioner and not a District Commissioner and that is the direction the county needs to go. Commissioner Sanchez says the he would differ with Commissioner Schwebach because if you look at the proclamations of support that came to the Commission the only entity that chose to withhold a proclamation was the City of Moriarty. He would say that what Commissioner Schwebach said about representing all of the county, actions speak louder than words.

Chairman Schwebach says he can't speak for the City of Moriarty or past Commissioners but he can speak for himself. Commissioner Sanchez says that he cannot see why someone would not support a 5 member board other than for the motive of concentrating power. Chairman Schwebach A five member Commission has as much potential to twist the tables as what you are insinuating with Moriarty controlling the 2 commissioners. Further Discussion Follows. Modification of maps, district lines, culture, geography, 2020 census and leadership by the Commission to make changes are discussed. Imbalances and the distribution of power are also discussed. Chairman Schwebach asks if there is any further discussion. There is none. **NO ACTION TAKEN.**

14. EXECUTIVE SESSION

A. MANAGER: Limited Personnel Matters: Negotiations of Contract for Legal Council (Closed pursuant to NMSA 1978 Section 10-15-1 (H) (2))

ACTION TAKEN: Chairman Schwebach makes a motion to enter into Executive Session. Commissioner McCall seconds the motion. Roll Call Vote: District 1-Yes, District 2-Yes, District 3-Yes. No discussion, all Commissioners in favor. **MOTION CARRIED**

ACTION TAKEN: Commissioner McCall makes a motion to reconvene from Executive Session. Chairman Schwebach seconds the motion. Roll Call Vote: District 1-Yes, District 2-Yes, District 3-Yes. No discussion, all Commissioners in favor. **MOTION CARRIED**

Chairman Schwebach states that they are now in regular session and discussed Limited Personnel Matters: Negotiations of Contract for Legal Council (Closed pursuant to NMSA 1978 Section 10-15-1 (H) (2) in executive session.

ACTION TAKEN: Chairman Schwebach makes a motion to allow the county manager to enter into the employment agreement with an amendment to section 1 to add a 2 year contract. Commissioner McCall seconds the motion. No discussion, all Commissioners in favor. **MOTION CARRIED**

12-D Cancel RFP # TC-FY19-001 for legal services.

ACTION TAKEN: Chairman Schwebach makes a motion to cancel RFP # TC-FY19-001 for legal services Commissioner McCall seconds the motion. No discussion, all Commissioners in favor. **MOTION CARRIED.**

Noah Sedillo, Purchasing Director says he will inform the other two submittals.

15. Announcement of the next Board of County Commissioners Meeting.


Chairman Schwebach announces that the next meeting will be held next Wednesday at 9:00 AM to continue with budget discussions. Mr. Johnson, County Manager answers, yes, unless we get something from Core Civic then that would be added to the agenda.

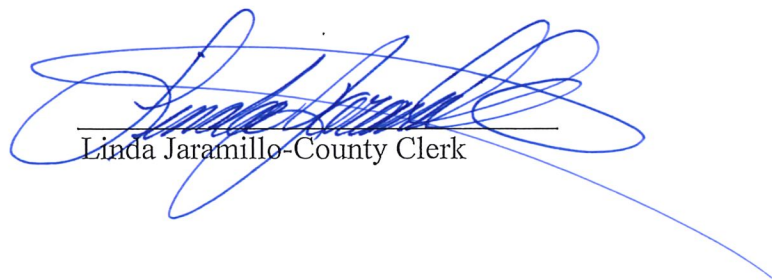
16. Signing of Official Documents

***ADJOURN**

Chairman Schwebach asks for a motion to adjourn the May 8, 2019 Commission Meeting. **ACTION TAKEN:** Chairman Schwebach makes a motion to adjourn the May 8, 2019 Commission Meeting. Commissioner Sanchez seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

MEETING ADJOURNED AT 1:51 PM


Chairman Ryan Schwebach


Linda Jaramillo-County Clerk

5/22/2019
Date