

**FINAL COPY  
TORRANCE COUNTY BOARD OF COMMISSIONERS  
COMMISSION MEETING  
MAY 22, 2019**

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

**OTHERS PRESENT:** WAYNE JOHNSON-COUNTY MANAGER  
JOHN BUTRICK-COUNTY ATTORNEY  
LINDA JARAMILLO-CLERK  
YVONNE OTERO-ADMIN. ASST.

**1.) CALL MEETING TO ORDER**

Chairman Schwebach calls the May 22<sup>nd</sup>, 2019 Commission Meeting to order at 9:04 A.M.

**2.) PLEDGE AND INVOCATION**

**Pledge and Invocation lead by Chairman Schwebach**

**3.) CHANGES TO THE AGENDA**

Wayne Johnson states that agenda Item 12-A is an actual reimbursement under the travel policy. It is no longer necessary for the Commission to approve this as the authority was given to the County Manager per the newly updated policy. Therefore this item can be removed from the agenda.

**4.) PROCLAMATIONS**

Chairman Schwebach states that if there are employees or citizens who are not aware, he would like it known the Mr. Alton Ray Adams, a longtime resident of Torrance County has passed away. Chairman Schwebach reads Mr. Adams Obituary to the public and then gives his condolences to the family and states that he was a great member of the community and will be greatly missed.

**5.) CERTIFICATES AND AWARDS**

There were no certificates or awards presented.

**6.) BOARD AND COMMITTEE APPOINTMENTS**

There were no board or committee appointments made.

## 7.) PUBLIC COMMENT AND COMMUNICATION

There was no public comment or communication

## 8.) APPROVAL OF MINUTES

A.) **COMMISSION:** Motion to approve the May 8<sup>th</sup>, 2019 Torrance County Board of County Commissioners Minutes

**Chairman Schwebach** asks for a motion to approve the May 8<sup>th</sup>, 2019 Torrance County Board of County Commissioners Minutes.

**ACTION TAKEN:** **Commissioner McCall** makes a motion to approve the May 8<sup>th</sup>, 2019 Board of County Commissioners Minutes. **Commissioner Sanchez** seconds the motion. No discussion, all Commissioners in favor. **MOTION CARRIED**

## 9.) APPROVAL OF CONSENT AGENDA

A.) **FINANCE:** Approval of check disbursements.

**ACTION TAKEN:** **Commissioner McCall** makes a motion to approve check disbursements. **Commissioner Sanchez** seconds the motion. No discussion, all Commissioners in favor. **MOTION CARRIED**

B.) **FINANCE:** Line Item Transfers Resolution No. 2019-29

**Jeremy Oliver** states that all line item transfers have the appropriate funds within their budgets.

**Chairman Schwebach** asks for a motion to approve Resolution No. 2019-29 Line Item Transfers. **ACTION TAKEN:** **Commissioner McCall** makes a motion to approve Resolution No. 2019-29 Line Item Transfers. **Chairman Schwebach** seconds the motion. No discussion, all Commissioners in favor. **MOTION CARRIED**

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

No items were presented.

## 11.) ADOPTION OF RESOLUTION

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

**Belinda Garland** apologizes to the Commission for not having these resolutions in their packets before they were given out. We are nearing the end of the fiscal year and these needed to come before the Commission for approval.

Resolution 2018-52 was passed in November of 2018. This resolution was amended at the last meeting because this is what was thought needed to be done to get the \$225,000.00 worked into the budget per the new DFA LGBMS system. Ms. Garland spoke with Erica from DFA to work through things. She is bringing back this resolution for a second amendment to propose to increase the General Fund by \$125,195.00, which was the original amount, and excludes the \$225,000.00 which she was trying to put in as revenue.

Ms. Garland is requesting a budget increase and full expenditures to go with that budget increase out of the maintenance contracts, IT, professional services, administrative, building maintenance and repair, and the judicial building maintenance and repairs.

**Chairman Schwebach** states that as he understands this, it is mainly because of the new DFA system is why Commission approval is needed to make sure it's located in the right area.

**Belinda Garland** states that anytime there is a budget increase its needs to be approved by DFA and that requires a resolution.

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

**B.) FINANCE:** DFA Budget: Line Item Adjustments Resolution No. 2019-30.

**Belinda Garland** states that this resolution is to correct revenues in the LGBMS system. The amounts are \$225,000.00, \$425,000.00, & \$2,000.00 in receivables in the LGBNS system that need to be moved over into revenues in the system. These corrections will not affect any budget increase the county is operating on nor will it change any finances in the county finance system. This will only correct changes in the LGBMS systems.

**ACTION TAKEN:** **Chairman Schwebach** makes a motion to approve Resolution 2019-30 DFA Budget Line Item Adjustments. **Commissioner McCall** seconds the motion. No discussion, all Commissioners in favor. **MOTION CARRIED.**

**C.) DWI:** Juvenile Adjudication Fund, Grant application for FY20

**Tracey Master** states that the Commission has before them a resolution authorizing Torrance County to submit an application to the Department of Finance and Administration, Local Government Division to participate in the Juvenile Adjudication Program. Ms. Master is requesting approval of this resolution so that the department can apply for funding.

**Chairman Schwebach** states that the Resolution will be No. 2019-31 and asks for a motion to approve said resolution. **ACTION TAKEN:** **Commissioner McCall** makes a motion to approve Resolution No. 2019-31 authorizing Torrance County to submit an application to the Department of Finance and Administration, Local Government Division to participate in the Juvenile Adjudication Program. **Commissioner Sanchez** seconds the motion. No discussion, all Commissioners in favor. **MOTION CARRIED**

**Tracey Master** states that the Commissioners also have before them the FY20 Juvenile Adjudication Funding Application Cover Sheet. The dollar amount requested is \$25,725.00, the in-kind match is \$25,725.00 for a total of \$51,450.00. The match is not a cash match, DFA permits us to use any services provided to teen court. The funding that we already have through LDWI to pay for the Teen Court Coordinator, can be used as a match to pay for this. Ms. Master is requesting the Commissions approval of the application cover sheet and the corresponding budget of \$51,450.00.

**ACTION TAKEN:** **Chairman Schwebach** makes a motion to approve the FY20 Juvenile Adjudication Funding Application Cover sheet. **Commissioner McCall** seconds the motion. No discussion, all Commissioners in favor. **MOTION CARRIED**

## **12.) APPROVALS**

**A.) Removed from Agenda.**

**B.) CLERK:** Motion to approve splitting precincts 5, 6, and 13 per statute 1-1-3

**Linda Jaramillo** states that she would like to discuss splitting precincts 5, 6, & 13 in the Northern part of the county because they meet certain criteria. When 750 votes are cast by voters at a precinct in a General Election or 2,500 persons reside within the boundaries of the precinct they should be split. The statute states that it is by a General Election but will be based on the two most recent General Elections. Ms. Jaramillo states that she gave the figures for one General Election. She discussed this with the attorney and he said that would be ok.

This needs to be done by a resolution. The agenda does not state that this is a resolution. We can discuss this today and then the Commission can approve them at the next Commission meeting, if you chose to do so, in resolution form.

**Wayne Johnson** states that the Commission did not receive a resolution on this because it was not known that it needed to be in the form of a resolution. Mr. Michael Sharp is here for discussion, we can draw up the Resolution and have it ready for approval at the next Commission meeting.

**Linda Jaramillo** states that Michael Sharp is present and will discuss the splits with the Commission. Ms. Jaramillo states that she will pass out hard copies of the new maps as there were some revisions made to the maps that were placed in the Commission packets.

**Commissioner McCall** asks if the revisions that were made are based on the Senate seat.

**Linda Jaramillo** replies that everything will remain the same after the splits, we are only making the precincts more compact.

**John Butrick** states that the one thing he had an issue with was the splitting and combining of precinct 6 & 11 that were originally suggested. According to the County Clerk and the Secretary of State's office, that has been changed and addressed and is ok.

**Michael Sharp**, Vice-President of Research & Polling, states that he has been asked to provide a brief presentation on the splits and the reasons why. This is part of the Redistricting Data Program. The splits, once they are approved, are sent to the census bureau. The census bureau takes these boundaries and returns population figures to the state and the county at the precinct level. This is coming up now because of the House Bill that was recently passed. We submit the precinct boundaries to the census bureau in May of this year, and by the time 2021 rolls around and they return the figures to us we will have accurate precinct level data that will be used from the splits that the county will approve.

The precinct level data is used at all levels of government. This is not only used for Commission districts, Senate, MESD, House, Congressional, and anything throughout the state that is districted. We will submit the data at the end of this month, we will be able to confirm at the beginning of next year to make sure the census put in the boundaries we wanted, and then we will receive the population data by March of 2021.

Mr. Sharp states that Research & Polling also works with the legislative council service. The contract they have requires them to work with all the counties in the state to help them accomplish this goal.

House Bill 407 was approved and signed by the Governor. It took effect immediately upon signing. There was an emergency clause that allowed the counties to have time to incorporate the required splits by June or July. There is new criteria for splitting the precincts. The new law states that it must meet 1 of the 3 criteria. According to the most recent census, if a precinct has more than 2500 people in that precinct it must be split, or if you have more than 750 votes cast by voters of that precinct in either of the past 2 General Elections, the precinct must be split. This will provide more building blocks for redistricting in general, the more we have for redistricting the better we can create districts that makes sense for counties, cities, and the state.

This data must be submitted by May 31<sup>st</sup>, 2019, but the county has until June or July to adopt the precincts by resolution. Mr. Sharp states that he will submit the data that he has now under the assumption that the county is going to adopt this at the next Commission meeting.

**Wayne Johnson** asks Mr. Sharp if the May 31<sup>st</sup> deadline is a must, because if we need to, we can pause on this item, draw up a quick resolution, and come back to it later in the meeting.

**Michael Sharp** states that he has to submit this to the Census by May 31<sup>st</sup>, but because this was signed in April the counties are given up until July to get this done. Mr. Sharp is confident in sending this information with the assumption that the county is going to pass the resolution.

The splits will take effect for the 2020 election, and there has been some discussion for them to take effect in the 2019 election in November. There are other opportunities that you could do later this year that do not relate to splits and there are some modifications to the precinct boundaries that can be done that will take effect in 2021 for redistricting purposes.

**John Butrick** states that the statute provides that if we want to make changes for 2020, we must provide that information by early December 2019 so the Secretary of State can make the changes effective in 2020.

**Michael Sharp** states that the reason the changes have to take effect in 2021, is because a boundary we make will be looked at to be used by Senate, House, or Commission lines. If this is the case all the changes will take effect in 2021 because that is when all the re-districting will take place.

There are 3 precincts that meet the criteria. Precincts 5 & 6 have a population of over 2,500 people and had over 750 voters in the past 2 General Elections. Precinct 13 had less than 2,500 people in the 2010 census and had fewer than 750 votes cast in the 2018 General Election, but had more than 750 votes cast in the 2016 General Election, and that is why it qualifies to be split.

Mr. Sharp states that Precinct 5 will be split into 5 & 17, Precinct 6 will be split into 6 & 18, and Precinct 13 will be split into 13 & 19, and explains the maps that he is showing on the projection screen.

While looking at the population data he had to make a revision on Precinct 17. The data he received was incorrect and he noticed that the area was too big. He made the revision to make the split 50/50 so that Precinct 17 will not have to be split again in the future. Mr. Sharp shows the revision on the map on the projection screen.

The population numbers for Precincts 13 & 19 are a little off because they had fewer votes cast and they do not have to split in half to make sure they stay under 750 votes cast. They were split with logical boundaries and still meet the criteria. If not he would have to split more neighborhoods and that is something he wants to avoid.

**Commissioner McCall** asks if the reason Precinct 13 doesn't need to equal is because the required amount of votes wasn't cast in this last election cycle.

**Michael Sharp** states that in Precinct 13 there was 801 votes cast in the 2018 General Election. Mr. Sharp asked himself what would be 72% of 800, which would be around 500 votes cast. Given that particular distribution of votes cast, he felt comfortable saying that the resulting split would have less than 750 votes cast even on the bigger side of the split.

**Commissioner McCall** asks if we should even that out now or roll off the numbers from the last election. Do you think the numbers from the 2018 were due to lower voter turnout, therefore we may be doing this again?

**Michael Sharp** the 2018 General Election was a mid-term election, and historically mid-term elections have a lower voter turnout. The 2016 General Election was one of the highest turnouts he had seen. Mr. Sharp states that you would have to have a much larger participation rate in future elections than those in 2016 and population growth north of the freeway in order for that proposed Precinct 19 to go over 750. Mr. Sharp states that it can be moved from Route

66 into town, but then that would split the people along Route 66. The northern part would be in 19 and the southern part in 13.

**Chairman Schwebach** asks Mr. Sharp what would happen if the Commission doesn't approve the resolution.

**Michael Sharp** states that it is required by law and the Secretary of State may come along and tell you that you need to split them.

**Chairman Schwebach** ask Linda Jaramillo what this means for her office and what does the county need to prep for on educated the citizens.

**Linda Jaramillo** states that because of all these changes to the election code, she will be educating the people on the new precincts and the new local election law by sending out mailers. On moving people to the new precincts, it's a matter of using the software and assigning them a different precinct.

Ms. Jaramillo states that this can be incorporated into the local election on November 5<sup>th</sup>, 2019, it will save a lot of confusion changing it in 2020. We will be going to VCC's and we will have to add precincts 17, 18 & 19 to that list.

**Wayne Johnson** states that the Commission is creating the lines that they may re-district by. Each one of these new precincts may be a line that changes a Commission district. By splitting these precincts you have a finer control over what the districts will look like. You can only re-district along precinct lines. You can split them again later, but you can only do it within those lines.

**Linda Jaramillo** states that when this is done in the future, the clerk will have to change those district lines. The clerk in the future will have to incorporate the changes in the district after the 2021 election. Ms. Jaramillo would like that the Commission incorporate these changes into the local election to avoid any confusion for the voters. We can do this in resolution form at the next Commission Meeting.

**John Butrick** states that he would like to confirm what Mr. Sharp said the statute does require that the precincts are divided if one of those two instances occur with the population of 2,500 or over 750 votes cast on a General Election.

**Chairman Schwebach** states that it makes sense to him. It's logical and if we are confident that we can draw up a resolution and pass it at the next Commission meeting, he would prefer to pass it then instead of rushing through it and getting it done today.

**Wayne Johnson** states that he would recommend the Commission go with the revised version that Mr. Sharp presented. Mr. Johnson requests that the Commission make a motion to direct staff to create a resolution that incorporates the Precinct 5 split revision and Precincts 6 & 13 as presented. We will draw up that resolution and Mr. Sharp can confidently move forward and submit these new splits.

Linda Jaramillo states that Mr. Sharp has been a great help to her in all of the different census' and re-districting she has done over the years. She is very thankful and appreciative for his help over the years.

**ACTION TAKEN:** Chairman Schwebach makes a motion to approve the splits of Precincts 5, 6, & 13 with the revised version to precincts 5 & 17 & Precincts 6 & 13 as presented. Commissioner McCall seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

**C.) PURCHASING:** Motion to approve FY19 Audit Contract with Hinkle & Landers, PC

Noah Sedillo is requesting the Commission's approval for the 3<sup>rd</sup> and final year of the audit contract with Hinkle & Landers, PC. This contract was approved by the state auditor and has been signed by Farley Vener, the President of Hinkle & Landers, PC.

Commissioner McCall asks Mr. Sedillo how this number compares to last year's number.

Noah Sedillo states that this year's number is identical to last year's number. The number is higher than the first year as the services that were needed after the fact, were increased.

**ACTION TAKEN:** Chairman Schwebach makes a motion to approve FY19 Audit Contract with Hinkle &\* Landers, PC. Commissioner McCall seconds the motion. No discussion, all Commissioners in favor. **MOTION CARRIED**

**D.) PURCHASING:** Award IFB 2019-04-CSS-1 Fog Seal

Noah Sedillo states that before the Commission is the one bid they received for this project from Holly Frontier, along with the bid tabulation. This product and service is not on state contract, we would like it to be, and unfortunately we have to go out for bid. It would be cheaper if the state would award this to all entities, however it is only awarded to the NMDOT. We do not have the equipment to lay in place, so we asked them to submit their price in place. That comes out to \$470.77 per ton, and we asked them to submit a bid not to exceed 600 tons which came out to \$282,462.00. This will coincided with the materials approved at the previous meeting for road projects.

This will be contingent upon a correction that needs to be made that was brought up to Mr. Sedillo by Attorney Butrick.

John Butrick states that on page 2 of the document on the second to the last paragraph states that the state or local public body may cancel a solicitation or proposed award. This is before the award has been accepted or executed. The statute provides that it shall cancel a solicitation or proposed award. That word will need to be changed to shall. The other thing he noticed in the second lines, it states may be ratified or terminated, it should state, ratified, affirmed, and revised, or terminated, so that it lines up with the statute.

Mr. Butrick also states that on the first page it states that this is an invitation for bid, he is ok with it stating this for this bid. According to a 2017 directive from the State Auditor's Office,



the invitation for bids are in the amounts from \$20,000.00 to \$60,000.00, but anything over \$60,000.00 the correct terminology is request for proposal. For future reference anything over this amount will have to have that terminology.

Towards the bottom of page 3 it doesn't include a line that states contribution made to. This is so the prospective contractor can be clear as to the contribution made. On the last page, so that it is clearer, it should read, were made to an applicable public official by (me), or take that out and replace it with prospective contractor. Aside from these he is good with the contract.

**Wayne Johnson** states that we need to do some review on our standard contracts as this language may be old and pre-dates himself and Mr. Sedillo. We will have the county attorney look into this as some of the technical language may have changed in the statutes that we need to catch up on moving forward.

**Noah Sedillo** states that he would ask the Commission for a motion to approve this award with said changes from the county attorney.

**ACTION TAKEN: Chairman Schwebach** makes a motion to approve to award IFB 2019-04-CSS-1 Fog Seal to Holly Frontier, contingent upon changes requested by legal. **Commissioner McCall** seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

**E.) PURCHASING:** Motion to approve Animal Shelter Addition Project Change Orders.

**Noah Sedillo** This project began 3 years ago, it never went out to bid, and it was awarded the end of last Calendar year, and is almost complete. We are asking for 2 change orders, one request is a safety issue as the inspector will not pass the electrical. The request is in the amount of \$472.80 for the change order and will bring the electrical up to code. There are some hot wires that have not been attended to and those need to be fixed.

The original award amount was \$52,000.00 for this project. The second request is in the amount of \$1,074.79. This was an overlook on the part of the architect. He did not include metal on the fascia that wraps around the building. It is currently painted plywood, and will get destroyed by the elements and need replacing sooner than later. Replacing it with metal will minimize future maintenance.

There are two separate requests that total \$1,547.59, again 1 is a safety issue, and the other would be adding life to the building. This will not exceed the next closest bid.

**Commissioner McCall** states that the \$52,000.00 was awarded by the previous Commission and how close, with these additions, will it get us to the next bid.

**Noah Sedillo** states that it was a couple of thousand dollars to the next bid.

**Commissioner Sanchez** asks where the overage is budgeted from.

**Noah Sedillo** states that the overages are coming from the capital outlay, but was already budgeted and did not even come close to the budgeted amount that was approved.

**ACTION TAKEN:** Commission Sanchez makes a motion to approve the Animal Shelter Addition project change orders. Commissioner McCall seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

**F.) FINANCE:** Final Approval of FY20 Operating Budget.

Belinda Garland states that the Commissioners have before them the final proposed FY20 Operating Budget. She would like to thank all the department heads, the County Manager, the new Finance Director Jeremy Oliver, and Tracy Sedillo for all their hard work.

There were a few changes from what was talked about at a previous meeting. Some of the grants were pulled out. We do not have the final amounts on these grants, if we are awarded the grants we can always request a budget increase. We have learned with the new LGBMS system it is easier to put a number in than it is to make changes to a number. Pulling out these numbers will not affect the General Operating budget. The proposals that were submitted to you were out of the General Fund.

Some Appropriations were added in. If we are awarded the appropriations by the legislature we, need to have money in the budget to cover the cost, but will be reimbursed for them.

Chairman Schwebach states that at the last meeting there were some major changes to the budget on a cheat sheet and asks if Ms. Garland can go over them.

Commissioner Sanchez asks where number 4 is in the budget and what page it is on because he is having trouble finding it.

Belinda Garland states that it is coming out of the Capital Outlay funds. This can be found on page 40. This is fund 621 Capital Outlay GRT line item #611 Capital Outlay Buildings and Improvements and there is a budget of \$300,000.00 in that line item.

Ms. Garland reads from the list as requested by Chairman Schwebach. Out of General Fund 401 there is a \$0.75 raise for all eligible employees and an increase of \$2,730.00 to the Animal Services Operating budget 401-82.

Item II is the 620 Fund, Infrastructure, there are positions for Operations a Janitorial position, Treasurer's Office position, Sheriff Patrol Sergeant, & the Assessor's office for an appraiser. From the same fund dog kennel panels and improvements for the Manager's office.

Item III Wind PILT 641 Fund will be a generator & wiring at dispatch, a back-up generator for the communications tower at Capilla Peak, a vehicle for Animal Services, and Road Department Cab/Chassis as a service truck. One change that was made on item E was a vehicle was budgeted in for a vehicle in the Clerk's Office.

Item IV is the Fair Barn that will come out of Capital Outlay for \$75,000.00.

Ms. Garland states that with the vehicles they will look at other sources aside from purchasing out of the Wind PILT. They are budgeted in and there is a lump sum fund.

**Commissioner McCall** asks Ms. Garland if there is a number on the \$0.75 raise.

**Belinda Garland** states that it came out to around \$389,000.00 for the \$1.00 raise, but does not have the exact amount for the adjustment.

Ms. Garland would also like to mention that the ICE budget was increased from \$3million to \$6million.

**Chairman Schwebach** asks if there is any further questions from the Commission.

**ACTION TAKEN:** **Chairman Schwebach** makes a motion to approve the FY20 Operating Budget. **Commissioner McCall** seconds the motion. Chairman Schwebach & Commissioner McCall are in favor of approving the budget as presented. **Commissioner Sanchez** states that he is in favor of the budget with the exception that he is not in favor of expenditures to the 641 fund items A-E. He is hoping they will be able to find other funding sources for these items. **Wayne Johnson** states that if there is any way to find grant funding for some of these items, we will use the grant funds. However, it is important for them to be in our budget should that grant funding not materialize. No further discussion. **MOTION CARRIED**

**G.) GRANT COORDINATOR/EMERGENCY MANAGER:** Approval from County Manager regarding EMPG Grant Application

**Matt Propp** is asking the Commission for permission to assign the County Manager as the signatory for the EMPG Grant application. We apply for this grant annually and it covers half the salary for the Emergency Manager. We looked into other grants but there is nothing that we qualify for so we decided to just stick with what we have received in the past and just apply for the salary.

**Cheryl Allen** states that this is a 50/50 Grant. The amount we will be requesting is \$251,395.16. Torrance County will be responsible for the same amount.

**ACTION TAKEN:** **Commissioner Sanchez** makes a motion to approve allowing the County Manager to be the signatory for the EMPG Grant application. **Chairman Schwebach** seconds the motion. No discussion, all Commissioners in favor. **MOTION CARRIED**

**H.) COMMISSION:** NMFA Grant Directive to County Manager-Commissioner Sanchez

**Commissioner Sanchez** states that they are close to hiring a contractor to work on this for us and would like to give County Manager Johnson the authority to move forward with this as soon as the process is terminated. It may happen before the next commission meeting therefore it would make things easier to give the County Manager the authority to move forward.

**Wayne Johnson** states Cheryl Allen has been researching the various vendors and contractors that are available. We are planning on doing a quick RFI to publish this, get the information in house, and then evaluate the information to choose a vendor in going forward for the Economic Development Plan for Southern Torrance County. Since we are 100% grant funded, he wants

any price to be inclusive of all costs including GRT's. Those will be the terms and conditions and we can get that executed as soon as we get the information in house. We also want to be as transparent as possible and give opportunities to those companies that we are not aware of. They can respond to the RFI and we can do this because it is under \$60,000.00. Commissioner Sanchez is requesting that he be given the authority to move forward so that it does not have to be brought back before the Commission.

**Chairman Schwebach** states that if we need to place another \$10,000.00 into this and we come up with our own money, will it change the dynamic of how we go out to bid or would it be ok.

**Wayne Johnson** would recommend that if they would make that amendment, they should make it in the amount of \$9,999.00 so that we don't go over the \$60,000.00 threshold. If we go over that amount then we would have to go out for an RFP.

**ACTION TAKEN:** **Chairman Schwebach** makes a motion to authorize the County Manager to enter into that contract. **Commissioner McCall** seconds the motion.

**Commissioner McCall** asks how many vendors we will be choosing from.

**Wayne Johnson** states that at this point we have made contact with a couple of vendors and a 3<sup>rd</sup> vendor has approached the county. We will be asking for information from all those vendors and publishing it in the Independent, and on the county website. We are not going to do an extended amount of time on this, but he does want people to know that this is available, and there may be companies that we are not aware of. M. Johnson states that he knows 2 of the vendors and 1 of them would be solid for the county but he does want to keep this as transparent as possible.

**Commissioner Sanchez** requests that he and the other Commissioners be copied on grant committee meetings and things of that nature that the County Manager receives. No further discussion, all Commissioners in favor. **MOTION CARRIED**

### **13.) DISCUSSION**

**A.) MAYOR DIAL:** Discussion of Fairgrounds lease between Town of Estancia and Torrance County.

**Nathan Dial**, Mayor for the Town of Estancia, states that he is here to emphasize the need for the Town of Estancia & Torrance County to come up with a course of action concerning the current lease for the Fair Grounds. The lease is up in 10 weeks and would like for something to be done within this time. Mayor Dial states that he would like to see the county purchase the Fairgrounds. His offer would be \$100,000.00 and be made in payments of \$10,000.00 a year for 10 years with no interest. If that is not an option for the county then he would like for the county to come up with their own course of action and go from there.

**Chairman Schwebach** states that the town and the county need to enter into negotiations.

**Mayor Dial** states that he and Marcy have been talking and Marcy was given the authority to negotiate by the Commission. This is the course that Mayor Dial would like to go down, but if this is not what the Commission wants he wants to know what road the Commission wishes to take.

**Chairman Schwebach** states that it would be wiser and logistically better if the county did own that property so that we can maintain and make improvements as we see fit.

**Mayor Dial** states that the offer is not only for the land the county is currently leasing, but for some other adjacent land.

**Commissioner McCall** states that there needs to be some serious discussion as the offer just got better.

**Chairman Schwebach** states that we will get county staff together and try to have something put together by the next Commission meeting. Whatever we decide to do we will have it in writing. He asks Mayor Dial if his board is aware of this offer.

**Mayor Dial** states that his board is fully aware of this offer and they support it.

**Marcie Wallin** would like to clarify that she just opened up the dialogue with the town, with the possibility of talking with the county Commission on purchasing the Fairgrounds. She did not enter into negotiations.

**John Perea** asks if it's Wayne Johnson that they need to go through for direction as far as getting the negotiations portion started. Where exactly do we go from here?

**Wayne Johnson** states that it would be appropriate to go through him at this point.

**Chairman Schwebach** states the Manager will look at what is at the table and bring it to the Commission to sign a contract or enter into a new lease.

**Mayor Dial** states that there has been some questions on who owns the Fairgrounds, and after some searching the deed was found, and the town does own the property.

**Commissioner McCall** asks how many acres are involved.

**Mayor Dial** states that there are 9.6 acres under the current lease.

**Commissioner McCall** ask Mayor Dial what all will be part of the deal.

**Mayor Dial** states that across from the main entrance there is a stretch of land that looks like it was set up for RV parking and then there is another area that is fenced in next to the baseball field that could be used for parking. Also across from the Soil & Water Conservation building there is another piece that could be made part of the deal as well. No structures on the land and have gas and electricity available.

**Chairman Schwebach** states that we have direction and we will move forward rapidly as fair season is coming up.

**Betty Cabber** would like to compliment the County Manager on his interview with 770 KKOB the previous morning. It was a great interview and a great opportunity for a large area of New Mexico to hear about Torrance County, the prison re-opening, and for economic development in the area. It was a great interview and great publicity for our county.

**14.) EXECUTIVE SESSION**

There was no Executive Session

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

**Chairman Schwebach** states that the next meeting will be held June 12<sup>th</sup>, 2019 at 9:00 am

**\*ADJOURN**

**Chairman Schwebach** asks for a motion to adjourn the May 22<sup>nd</sup>, 2019 Commission Meeting. **ACTION TAKEN:** makes a motion to adjourn the May 22<sup>nd</sup>, 2019 Commission Meeting. **Commissioner Sanchez** seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

**MEETING ADJOURNED AT 10:25 AM**

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

  
\_\_\_\_\_  
Yvonne Otero-Administrative Assistant

6/12/19  
\_\_\_\_\_  
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.*