

FINAL COPY
Torrance County Board of Commissioners
Regular Commission Meeting
February 26, 2020
9:00 AM

Commissioners Present:

RYAN SCHWEBACH – CHAIR
JAVIER SANCHEZ – MEMBER
KEVIN MCCALL – MEMBER

Others Present:

WAYNE JOHNSON – COUNTY MANAGER
JANICE BARELA – DEPUTY COUNTY MANAGER
JOHN BUTRICK – COUNTY ATTORNEY
GENELL MORRIS – ADMINISTRATIVE ASSISTANT

1. Call Meeting to order

Chairman Schwebach: Calls February 26, 2020 Regular Commission Meeting to order at 9:01 AM

2. Pledge lead by: Chairman Schwebach

Invocation lead by: Commissioner McCall

3. Changes to the Agenda: No Change

4. PROCLAMATIONS- None

5. CERTIFICATES AND AWARDS- None

6. BOARD AND COMMITTEE APPOINTMENTS - None

7. PUBLIC COMMENT and COMMUNICATIONS

Marco Banales – City of Moriarty and the Estancia Valley Solid Waste: In Celebration of the 50th Anniversary of Earth Day on April 22, 2020, we will be bringing in several activities to the County, not necessarily just Moriarty. In the next couple of weeks, we will be approaching the County Manager with regards to looking into joint proclamations throughout the Municipalities in the County.

County Manager Wayne Johnson: I have spoken with Mr. Lucero from the Estancia Solid Waste Authority about Earth Day Celebration with a potential County Clean up as part of the day. We are working out the details and will have something by the next Commission Meeting.

8. APPROVAL OF MINUTES

A. COMMISSION: Motion to approve the February 12, 2020 Torrance County Board of County Commission Minutes

Commissioner McCall: Motions to approve February 12, 2020 Torrance County Board of County Commission Minutes

Chairman Sanchez: Seconds the motion.

All in favor: MOTION CARRIED

9. APPROVAL OF CONSENT AGENDA

A. MANAGER: Motion to approve 4th Quarter Restrictive Housing Report.

Chairman Schwebach: Motion to approve 4th Quarter Restrictive Housing Report.

Commissioner McCall: Seconds the motion.

All in favor: MOTION CARRIED

B. FINANCE: Approval of Payables

Commissioner McCall: Motion to approve payables

Chairman Schwebach: Seconds the motion.

All in favor: MOTION CARRIED

10. ADOPTION OF ORDINANCE/AMENDMENT TO COUNTY CODE

11. ADOPTION OF RESOLUTION

A. DWI: Motion to approve Resolution No. 2020-10 Torrance County submission of grant application for LDWI funding from the Department of Finance Administration (DFA). (Staff Analysis Attachment)

Tracey Master – Torrance County DWI Prevention Program Coordinator:

The Resolution before you, authorizing Torrance County to submit an application to the Department of Finance and Administration Local Government Division to participate in the local DWI grant and distribution program. I am requesting approval of this Resolution.

Chairman Schwebach: Motions to approve Resolution No. 2020-10 Torrance County submission of grant application for LDWI funding from the Department of Finance Administration (DFA).

Commissioner Sanchez: Seconds the motion.

All in favor: MOTION CARRIED

1. Motion to approve Application Budget

Tracey Master – Torrance County DWI Prevention Program Coordinator:

Before you is the application coversheet for FY21 Local DWI distribution and grant funding, this will be submitted to the local government division of DFA on or before the March 6th deadline at 4pm. The estimated amount we will be receiving will be \$91,610 requesting \$102,283 in competitive grant. I request you approve this budget coversheet.

Chairman Schwebach: Motions to approve Application Budget

Commissioner Sanchez: Seconds the motion.

All in favor: MOTION CARRIED

2. Memorandum of Understanding (MOU) between Torrance County DWI Program and Department of Finance Administration (DFA).

Tracey Master – Torrance County DWI Prevention Program Coordinator:

The Memorandum lays out the privacy statutes that we must comply with. HIPPA and 42 CFR are part 2. I am requesting approval of this Memorandum of Understanding.

Commissioner McCall: Motion to approve Memorandum of Understanding (MOU) between Torrance County DWI Program and Department of Finance Administration (DFA).

Chairman Schwebach: Seconds the motion.

All in favor: MOTION CARRIED

3. Statement of Assurance

Tracey Master – Torrance County DWI Prevention Program Coordinator:

This is for FY2021 beginning with July 1, 2020 and ending June 30, 2021. DFA has set a lot of rules and we are agreeing to follow them. I request your approval of this Statement of Assurances.

Chairman Schwebach: Motions to approve Statement of Assurance

Commissioner McCall: Seconds the motion.

All in favor: MOTION CARRIED

12. APPROVALS

- A. **FIRE:** Motion to approve payment for Taverners's Towing and Recovery from FY19. (Staff Analysis Attached)

Hannah Sanchez – Torrance County Fire Department: Requesting approval to pay Taverners Towing for towing Brush 2-2 to Two Gunz Customz for FY2019 in the amount of \$93.15. We do have the funds to pay for this. I'm requesting your approval to pay this.

County Manager Wayne Johnson: This is part of our policy, when a PO is not properly closed at the end of the year, we are required to bring it before the Commission and seek your approval on this item.

John Butrick – County Attorney: This will come out of the FY 20 budget.

Chairman Schwebach: Motion to approve payment for Taverners's Towing and Recovery from FY19.

Commissioner McCall: Seconds the motion.

All in favor: MOTION CARRIED

- B. **MANAGER:** Motion to approve Memorandum of Understanding (MOU) between Torrance County and Mesalands Community College, (Staff Analysis Attached)

County Manager Wayne Johnson: I'd like to make an amendment to the motion, the intent is to authorize me to finish the negotiation, we need to work out with Mesalands, as far as the timing, as to when we can open up classes to non-Torrance County residents. All schools in Torrance County have preference. We also don't want them to cancel a class if the classes are not full. We are close to completion. Superintendent Sims from Estancia Schools sent a letter in support of this project. Mr. Morris is here on behalf of Mesalands.

Tom Morris – Director of academic initiative Mesalands Community College: The County Manager and I will be meeting after this meeting to negotiate the final specific to the MOU. We are still interested in facilitating and working with Torrance County, Estancia Mountainair and Moriarty High Schools as well as surrounding counties if the classes are not filled. The Goal is to improve the future workforce for the training of the county as it relates to wind energy.

County Manager Wayne Johnson: The original document states if they ever cancel the program then we get the \$60,000 back. We are looking at a 5 year timeline , we want the program to have enough time to get established and be successful after that we would reduce it by 20% per year, if at that point the program failed they won't owe the county anything. The other issue is when can they open the class to non-county residents. They have to know if they have enough people to teach the class. We want to make sure Torrance County resident have preference. We have no problem taking non-county residents on a waiting list for that class during that time period. We need to get the exact numbers down.

Tom Morris – Director of academic initiative Mesalands Community College: In the short term we don't see a problem, we have a lot of Torrance County student in the classroom currently, we are looking in the future.

Commissioner McCall: When you say right now, we are currently offering classes?

Tom Morris – Director of academic initiative Mesalands Community College: Yes, online classes. There are 2 classes, with 15 students registered, from the 3 high schools. In the future, for us to pay for a faculty member, we need a minimum of 8 students in the class. Torrance County students/general workforce gets priority. This has to be worked out with the high school.

Commissioner McCall: I'd appreciate the adults getting training as well.

Tom Morris – Director of academic initiative Mesalands Community College: That is up to the high schools and who is allow on campus.

Commissioner McCall: It is a mobile unit; it can be taken off school grounds

Tom Morris – Director of academic initiative Mesalands Community College: Yes

John Butrick – County Attorney: Just as a reminder, this is \$60,000 commitment that the county is making.

Commissioner McCall: What is the cost of the total unit?

Tom Morris – Director of academic initiative Mesalands Community College: Mesalands has the mobile unit already, we were looking for the training equipment, in terms of electrical, mechanical and hydraulic. The unit was only to transport it, the equipment will be stored at Moriarty High School.

Commissioner Sanchez: Did we ask the schools if they were willing to make a financial commitment?

County Manager Wayne Johnson: No, Mesalands is open to additional funding from the schools.

Tom Morris – Director of academic initiative Mesalands Community College: There was mention in the MOU about that, that is one thing we need to discuss, what you foresee as their commitment.

Commissioner McCall: As I recall, Moriarty's financial contribution was the storage.

Tom Morris – Director of academic initiative Mesalands Community College: Correct, and the security, we do need to talk about the insurance, if the equipment is located in Moriarty, is Moriarty High School is covering it.

County Manager Wayne Johnson: I didn't go through that, that's a technical issue, the equipment needs to be covered no matter where it is stored, by somebody. Somebody needs to be responsible for making sure insurance is in place. It is not reasonable that the county is providing that insurance because we are not housing the equipment or controlling it. If the school is in control of the equipment as part of their insurance policy, I think it is reasonable, it is not that high of an expense.

Tom Morris – Director of academic initiative Mesalands Community College: as long as the equipment is in the transportation unit. Mesalands will cover that.

Commissioner Sanchez: We should reach out to the other 2 school districts, asking if they are willing to make a financial commitment to it. This will give them incentive to make sure they have students enrolled. Its important that everyone is invested in this project. Its success is insured from the beginning. Estancia Schools sent a letter in support for this project.

County Manager Wayne Johnson: Reads letter of support from Estancia Schools. *Hereto attached.* This letter gives a good buy in, from Estancia. Moriarty School district was here at the original meeting back in September. I don't know that we want to hold up our financial contribution, waiting on the individual school districts trying to get them to contribute at the same time. If that is what the board would like us to do, direct us to do so. From a staff perspective, it don't think we should be holding up the good in search of the perfect.

Chairman Schwebach: I agree, I recall the original amount was \$100,000, I'm assuming you scaled this program down, to make the \$60,000 work?

Tom Morris – Director of academic initiative Mesalands Community College: Yes

Chairman Schwebach: It will be more than appropriate to go to all three districts and seek more funding, I agree with Commissioner Sanchez; financial buy in will send a message to get more kids involved, a viable option for students to have a career here and stay with in the valley. I would encourage that to be done but don't want to hold this up financially.

Tom Morris – Director of academic initiative Mesalands Community College: I believe there has been buy in by both Estancia and Mountainair, they are bringing their student out in late May to perform their climbs and safety classes.

Commissioner Sanchez: The school districts will meet between now and our next meeting, I'm sure two weeks wouldn't hold anything up. We meet with the school

district and ask them for a financial contribution. So, the success of the project is insured. Taking the extra step will make a big difference. At the very least letters of support for this project. I know the Managers office has a few things to iron out with Mesalands, we are probably having to ratify this at the next meeting, is that correct?

County Manager Wayne Johnson: The request for the motion was to grant me the authority to sign. We have held this for some time and I want to get this completed. I believe we have plenty of buy in, in the county to proceed with this. I'm not sure it's the county's role to approach the school districts and ask for additional funding for this project. This is not a County project; we are collaborating with Mesalands. Moriarty and Edgewood are the leads on this project. It's better to say we are or not on board with this project and not have us shadow what has already been done. If the board wants to hold this up and have me bring this back for final ratification, that can be done. If you direct us to approach everyone, that can also be done. This is not our direct project; we are joining others to try and make this successful. I will do whatever direction the board advises, but don't feel it's our job to take over lead on a project that is not our own.

John Butrick – County Attorney: Mesalands was going to lead the project, we were providing \$60,000 as a financial buy in for the county. It was going to be between Mesalands and the schools.

Tom Morris – Director of academic initiative Mesalands Community College: Correct, we have done a lot of the groundwork with Moriarty in terms of where we will be storing and the security of the equipment. If the classes get big enough, we will move the equipment to other school locations. The three schools have already made a commitment in terms of the course work that needs to be done.

Commissioner Sanchez: in order to not hold anything up, we should allow the Manager to proceed. I foresee there will be support. Then have the Commission ratify it at the next meeting, this will allow us to make progress in preparing the agreement. In the meantime, this will allow Mountainair to express its support.

Chairman Schwebach: Makes a motion to authorize, to have the County Manager move forward with the MOU and to pursue communications with Mesalands on financial buy in.

Commissioner McCall: Seconds the motion.

Commissioner Sanchez: We need to all vote yes on this. It would be nice if the Estancia and Mountainair School Districts have an expression of support, that way they are saying yes officially.

Chairman Schwebach: We have support from two schools, when Mountainair gives us a letter, we will ratify that and put it in there. If they don't support it, I

don't see why we shouldn't move forward, for the respect of the individuals that have put time into this. Have we communicated with Mountainair?

County Manager Wayne Johnson: We have not reached out to Mountainair; I was given direction from our closed Executive Session to produce this agreement. We can make you motion contingent upon receiving a letter of support from Mountainair. I don't think that will be difficult to get. Mr. Morris and I can reach out to Mountainair and get a letter similar to what we have received from Estancia Municipal Schools. We don't have a letter for Moriarty but were present at that last meeting. We can get that for the record. In order not to hold this up, once I receive that letter, I can go ahead and have the authority to sign this agreement. We can then present the letters to you at the next commission meeting.

Chairman Schwebach: I will amend my motion to reflect that.

Commissioner McCall: Seconds the motion.

All in favor: MOTION CARRIED

13. DISCUSSION

A. **MANGER/GRANT COORDINATOR:** Torrance County Complete Count Committee activity report.

Kassandra Sandy – Complete Count Committee Coordinator: Our committee chair is out for family medical issue. Our thoughts and prayers are with her and her family.

Financially we have a balance of \$20,407, we have 1 pending PO for stamps. We will be submitting 4 PO's regarding media sourcing that will leave us with a balance of \$17,638. We have purchased banners, we will be sending out 4000 informational post cards, printed fliers, and printed 500 educational coloring books for the Estancia Elementary School student to take home. Senate Bill 4 was passed for 8 million dollars across the state. Each county that received the grant will get the exact same funding that they originally received, we will receive \$24,219.53. The Governor signed that on February 10th, 2020. We do not have a date as to when the funds will be delivered. With the additional funding, the County Manager and I are looking for additional media sources.

One of our main focuses it to educate the community is, self-count. Self-count starts March 12th and Census day is April 1st. The difference between self-counting until April 1st is a Census worker will not come to your property. If the address has been rendered, saying someone has been counted at that location, a census worker

will not go to your home. We are aware that a lot of people move out here to not be bothered, so we are educating if you self-count by phone, online or by mail, you will not be bothered. You will start seeing Census workers out between May to July.

The Estancia library held a Census hiring event encouraging Torrance County citizens to work temporary for the Census, this was a good turnout. We have had two complete radio interviews with Angela Coburn – PMS Services and Mayor Nieto – Mountainair and we have scheduled Deputy County Manager Janice Barela for this week, explaining the importance of the census and why we need to be counted. We have meeting schedule with the Land Grant to get them on board with us, as to how we can get the community centers involved by getting computers out there for people to use to be counted.

We will be printing 3 stands, we are in the works with informational guidelines, to be held here at the County offices, Mountainair and Moriarty. We plan on having a booth for the Health Fair on April 25th and would like to be a part of Earth Day.

In 2010 Torrance County expected a 2% under count. We had around 300 people that were not counted, this comes to a 9-million-dollar loss of money over a 10-year period. This information was clarified with DFA. Information sheets and copy of questionnaire, *hereto attached*. We plan on putting this information on our website.

This money goes to our kids, roads, communities, health and senior centers, thing that we don't always get funding for. If we can get an accurate count, we can get the appropriate funding. We have had questions concerning the prison contract, how many people are in the prison through the federal contract. The Census has federal contract workers. Those people do get counted in a different way, by the federal Census Bureau.

Commissioner McCall: Reiterate the importance of the count and the undercount.

Kassandra Sandy – Complete Count Committee Coordinator: Each person counted is a little over \$3,000. Torrance County had a 67.4% response rate in the 2010 U.S. Census, 32.6% did not respond 5,055 non-responses. This is where the bulk of taxpayers money goes to pay for the U.S. Census in hiring Federal U.S. Census Bureau enumerators to go 'door knockers' to the households, addresses in the U.S. Census Bureau Master File that did not respond to the Census. We are trying to recruit local community residence to work as federal U.S. Census Bureau enumerators during May – July 2020. What this number means is these are people that did not self-render. Not responding after April 1st, 2010, the number that could

not be reached during this non-response follow-up phase was 284 people. A total population of 15,506 = $0.18315 \times 100 = 1.83\%$ undercount or round up to 2%. With the 2% undercount it's a \$9,216,766 10-year revenue loss. Programs affected are Medicaid, SNAP, highway planning and construction, Medicaid plan B, grants to local education agencies, school lunch programs, special education grants, Head Start, Section 8 housing vouchers, CHIP, health center programs, WIC, Section 8 housing assistance, foster care Child care & development fund and low income home energy assistance and roads. Everyone counts, if a woman gives birth before April 1st that child is counted. Money can't be allocated if we don't have an accurate count. We want to inform everyone that it's not about if you have too many people in your house or you are citizen or not, it's only about the resources being used in this county by the people that are here. Let's get money here and keep them here and support our community. The information cannot be shared, no social security numbers, if you see something like that it is a fraudulent ballot form. We are encouraging the community to self-count if they have any concern.

Commissioner McCall: Thank you for all you are doing, and everyone involved.

Kassandra Sandy – Complete Count Committee Coordinator: We have had a lot of community support. We are also open to any ideas to inform the community.

County Manager Wayne Johnson: I like to thank Ms. Sandy on her work with this.

Chairman Schwebach: County Manager - I would like a report from Mr. Quintana concerning EMWT, I heard he may or may not be representing Torrance County wishes within EMWT, I would like to visit with him in front of the Commission if you could reach out to him.

County Manager Wayne Johnson: Would you like a meeting with myself and Mr. Quintana or would you like to be a part of that meeting?

Chairman Schwebach: The three of us maybe the way to go, the we can decide if we need to bring anything before the Commission if he truly representing the county's wishes.

County Manager Wayne Johnson: I'd be happy to do that for you.

14. EXECUTIVE SESSION: - None

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

March 11, 2020 9:00 am @ the Torrance County Admin Building.

16. Signing of Official Documents

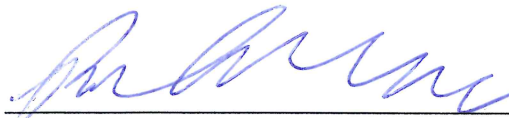
**Adjourn*

Chairman Schwebach: Motions to adjourn Commission Meeting

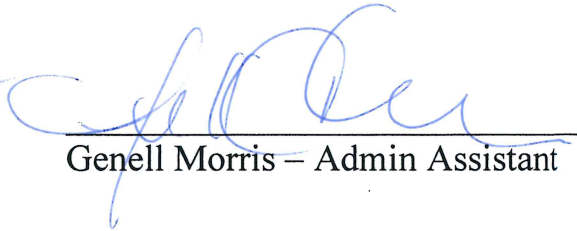
Commissioner Sanchez: Seconds the motion.

All in favor: MOTION CARRIED

Meeting adjourned at 09:51 PM



Ryan Schwebach – Chairman



Genell Morris – Admin Assistant

3.11.20

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.