

**FINAL COPY
TORRANCE COUNTY BOARD OF COMMISSIONERS
COMMISSION MEETING
APRIL 8, 2020**

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

OTHERS PRESENT: WAYNE JOHNSON-COUNTY MANGER
JANICE BARELA-DEPUTY COUNTY MANAGER
JOHN BUTRICK-COUNTY ATTORNEY
SYLVIA CHAVEZ-ADMIN. ASST.

1.) CALL MEETING TO ORDER

Chairman Schwebach calls the April 8, 2020 Commission Meeting to order at 9:00 A.M.

2.) INVOCATION AND PLEDGE

**Pledge led by Chairman Schwebach
Invocation led by Commissioner McCall**

3.) CHANGES TO THE AGENDA

County Manager Johnson states that items 10. A, B & C along with 11 A, need to be deferred to the next meeting. **ACTION TAKEN:** **Chairman Schwebach** makes a motion to defer items 10. A, B & C and 11. A. **Commissioner McCall** seconds the motion. All in favor. **MOTION CARRIED.**

County Manager Johnson reads his statement into the record: please be advised that items 10. A, B & C relating to the hearing in consideration of Ordinances authorizing industrial revenue bonds. The notice being duly published in the Independent on March 6, 2020 upon which action was deferred at the March 25, 2020 Torrance County Commission Meeting and will not be considered at today's Commission Meeting. This is notice to all members of the public present for the purpose of attending the hearing on these ordinances and those members of the public not in attendance interested in the hearing at such hearing in consideration of the ordinances by the Commission will be held over until the next regularly scheduled Commission meeting on April 22, 2020, commencing at 9am in the Commission chambers at the Administration offices of the County. Located at 205 S 9th Street, Estancia, NM, for all interested persons the agenda for the April 22, 2020 will be available at least 72 hours prior to the meeting and posted on the County's website in accordance with the open meeting act resolution for the County.

4.) PROCLAMATIONS

There were no items presented

5.) CERTIFICATES AND AWARDS

There were no items presented

6.) BOARD AND COMMITTEE APPOINTMENTS

A.) **MANAGER:** Motion to appoint Steve Guetschow to represent the City of Moriarty on the Torrance County Heritage Center Development Committee. **Deferred from 3/25/2020 meeting.**

ACTION TAKEN: **Chairman Schwebach** makes a motion to approve the appointment of Steve Guetschow to the Torrance County Heritage Center Development Committee to represent the City of Moriarty. **Commissioner McCall** seconds the motion. No further discussion, all in favor. **MOTION CARRIED.**

7.) PUBLIC COMMENT and COMMUNICATIONS

A.) **MANAGER:** Announcement of Employee of the Quarter: Cheryl Allen

County Manager Johnson informs the Commission that the 1st employee of the quarter has been selected and it is Cheryl Allen. Mr. Johnson can't think of a more deserving employee, Congratulations Ms. Allen. Ms. Allen will be presented her award after all of this has passed (COVID-19).

B.) **EMERGENCY MANAGER:** COVID-19 Response Update

Matt Propp, Emergency Manager informs the Commission with the latest update on COVID-19, there are 7 confirmed cases in the County. The good thing about these cases is that they are not community spread. They got the virus from direct contact with someone who is positive. Mr. Propp has secured two new vendors to purchase PPE. The priority right now is hospitals, health care facilities and nursing homes where the need is warranted. Mr. Propp placed a large order which is reimbursable and should be receiving the PPE within a week. The DOH is doing continuous testing in Torrance County, which is not being done in other Counties. People must still call and be screened, if they have the symptoms they will be directed to go be tested. There is a good response from the Community, there are about 30-50 calls a week and about 10-15 people getting tested that meet the requirements. The EOC is still at a level 3 activation, in talking with the state that is their recommendation at this point. The City of Albuquerque just escalated to level 2 due to the overwhelming resource requests and dealing with a large crisis at one of their nursing homes. Mr. Propp is working on another partnership with the DOH due to the County's unique position, where we don't have the ability to create an advanced health care facility. The green light was given after about a week from the state to have a building built for us as used as a quarantine site if needed or as a long-term care facility. And then to have a partnership with our CRI for the future, is still in the work. Talking with the Army Corps of Engineers and with the DOH on how to proceed with that project.

Commissioner Sanchez asks how often is the testing being done.

Matt Propp replied that there is continuous testing in the County and it is done once a week.

Commissioner Sanchez asks if it's the same place, same time every week?

Matt Propp answers no, the place is the same but the time and day is different due to staffing and having people come out to administer the tests.

Chairman Schwebach asks if the turn around is still 2-3 days.

Matt Propp states that it is actually more like a 24 hour turn around and that is due to have more certified labs.

County Manager Johnson gives out the number to call here in Torrance County which is at the County Public Health office, 505-222-6530 if people need to be tested for COVID-19.

Matt Propp also mentions and reiterates for people not to just show up at the Public Health office for the safety of the staff and the rest of the Community. People will be turned away.

Noah Sedillo, Chief Procurement Officer states that he has been working with Matt on the 2 new vendors for the PPE and 2 emergency contracts that are posted on the County website for the possibility of purchasing or renting a travel trailer in the event that a first responder comes in contact with COVID-19 for quarantine purposes. Mr. Sedillo also has an informational update for the Commission in regard to an RFP that will be going out this Friday, the 10th for audit services for 3 years. The County's current contract with our auditor, Hinkle + Landers PC, will expire as of this year. Mr. Sedillo is hoping to have the RFP's to the Commission by May 27 for a potential contract to award.

8.) APPROVAL OF MINUTES

A.) COMMISSION: Motion to approve the March 25, 2020 Torrance County Board of County Commission Regular Minutes.

ACTION TAKEN: **Commissioner McCall** makes a motion to approve the March 25, 2020 Regular Commission Meeting minutes. **Chairman Schwebach** seconds the motion. No further discussion, all in favor. **MOTION CARRIED**

9.) APPROVAL OF THE CONSENT AGENDA

A.) Finance: Approval of Payables

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

10.) ADOPTION OF ORDINANCE/AMENDMENT TO COUNTY CODE

A.) MANAGER: Motion to approve an ordinance authorizing the issuance and sale of Torrance County Taxable Industrial Revenue Bonds for the Duran Mesa, LLC wind energy project in the amount of \$350,000,000.00, Ordinance 2020-____ (Public Hearing) Deferred from 3/25/2020 meeting. Deferred to the 4/20/2020 meeting.

B.) MANAGER: Motion to approve an ordinance authorizing the issuance and sale of Torrance County Taxable Industrial Revenue Bond for the Tecolote Wind, LLC project in the amount of \$556,000,000.00, Ordinance 2020-____ (Public Hearing) Deferred from the 3/25/2020 meeting. Deferred to the 4/20/2020 meeting.

C.) MANAGER: Motion to approve an ordinance authorizing the issuance and sale of Torrance County Taxable Industrial Revenue Bond for the Red Cloud Wind, LLC project in the amount of \$490,000,000.00, Ordinance 2020-____ (Public Hearing) Deferred from the 3/25/2020 meeting. Deferred to the 4/20/2020 meeting.

D.) PLANNING & ZONING: Motion to approve Special Use for 207 Salt Mission Trail, Tract C-1 Lands of Evelyn Smith Revocable Trust SE4 Section 25 T7N R9E (Conduct Public Hearing)

County Manager Johnson informs the Commission that this is for the property for the new Road Department shop and we must follow our own P/Z regulations.

Steve Guetschow explains that part of the property is currently zoned D-1 and the back part of the property is zoned AP5. The County would like to move it to a Special Use, so that the road department will have more functional use with the property. The Planning and Zoning board did recommend a do pass at the February 5 meeting, they only stipulation they made was to dispose of the vehicle fluids and oil. Mr. Guetschow goes over the documents that are in the packet which are the deed to the property, billing from Thermal fluids, documents of the special flood zone, site plan/sketch plan and the water rights from the State Engineer office.

Mr. Guetschow goes over the site plan and the addition for two more buildings on the property, there is currently one building on there now that will be used. There will be privacy fencing installed, right now different options are being looked at but the thought is to go with a pro-panel fence, have the road department install the fence and that will help eliminate cost to the County. There will also be space available for the Sheriff's vehicles and Sheriff Rivera is ok with the space being provided. They only thing Sheriff Rivera is requesting is chain-link fence around his vehicles for further security. There will be a 3000 gallon storage tank installed and the later the road department will install harvesting tanks so that they can utilize the harvested water for some road projects and the water will be readily available to the fire department if needed as well.

County Manager Johnson states that everything is being thrown at this property, trying to get as much use out of the property as we can. It can be used not only by the road department but it can service the sheriff's department and the fire department.

Steve Guetschow states that Sheriff Rivera would like to keep the command vehicles at the Sheriff's office.

Commissioner McCall asks if now is a good time to talk about the logistics of the site.

County Manager Johnson replies that anytime is a good time.

Commissioner McCall asks how the Sheriff's department will access their vehicles, we there be more than one access into the yard.

Steve Guetschow explains that there will only be one individual gate to come in and go out of the yard.

Commissioner McCall asks about the 45-degree access onto the road, it should be at a 90-degree angle.

Steve Guetschow states that Leonard is looking at the access.

Commissioner McCall asks about the parking for personal vehicles and where it will be located. Personal vehicles should be outside of the yard, so that there is no chance of personal vehicles getting hit by County vehicles. Commissioner McCall suggests that there be a section left for personal and public parking.

Steve Guetschow states that there is plenty of room to do that off Salt Mission Trail road.

Documentation hereto attached. **ACTION TAKEN: Commissioner McCall** makes a motion to approve the Special Use for 207 Salt Mission Trail. **Chairman Schwebach** seconds the motion. No further discussion, all in favor. **MOTION CARRIED.**

11.) ADOPTION OF RESOLUTION

A.) Motion to approve restructure and reauthorize Torrance County Fair Board. Resolution No. 2020-____ **Deferred from 3/25/2020 meeting.** **Deferred to the 4/20/2020 meeting.**

12.) APPROVALS

A. **FAIRBOARD/PURCHASING:** Motion to approve payment on an invoice which proper Procurement procedures were not taken. **Deferred from 3/25/2020 meeting.**

County Manager Johnson states that the proper procurement procedures were not followed, the purchase amount is \$822.34 and the money is available in their budget. Documentation hereto attached. **ACTION TAKEN: Chairman Schwebach** makes a motion to pay the invoice in the amount of \$822.34. **Commissioner McCall** seconds the motion.

Commissioner McCall asks what the invoice was for.

County Manager Johnson states that it was for the calendar given to the buyers.

All in favor. **MOTION CARRIED.**

B. **MANAGER/GRANT COORDINATOR: PUBLIC MEETING:** Regarding USDA Community Facilities Direct Loan & Grant application, to apply for a grant that would assist in purchasing & equip two (2) Sheriff patrol vehicles. **Deferred from 3/25/2020 meeting.**

Cheryl Allen, Grant Coordinator brings an application for 2 patrol vehicles for the Sheriffs department. Sheriff Rivera is asking for 4x4 vehicles, the application is through USDA for Community Facilities Direct Loan & Grant Community Facilities Direct Loan. It will be for 2 Chevy Tahoe's and they will be fully equipped. The total cost is \$107,995.00, the County currently has \$90,000.00 from state appropriations, the 15% from the Grant funds through USDA is \$16,200.00 which leaves a balance of \$1,795.00 which will be covered by the Sheriff's department budget. Ms. Allen asks that County Manager Johnson be able to sign all the documentation. Documentation hereto attached. **ACTION TAKEN: Chairman Schwebach** makes a motion to approve the USDA Community Facilities Direct Loan & Grant application for 2 Sheriff patrol vehicles. **Commissioner McCall** seconds the motion. No further discussion, all in favor. **MOTION CARRIED**

REVIST TO AGENDA ITEM 10. D SPECIAL USE 207 SALT MISSION TRAIL

10.)

D.) **PLANNING & ZONING:** Motion to approve Special Use for 207 Salt Mission Trail, Tract C-1 Lands of Evelyn Smith Revocable Trust SE4 Section 25 T7N R9E **(Conduct Public Hearing)**

County Manager Johnson informs the Commission that the agenda stated that this item have a public hearing. So, the Commission needs to reopen to reconsider the public hearing portion.

ACTION TAKEN: Commissioner McCall makes a motion to reconsider item 10) A. **Chairman Schwebach** seconds the motion. All in favor **MOTION CARRIED.**

Chairman Schwebach states that he will open the floor for the public hearing for the Special Use for 207 Salt Mission Trail. There being none from the audience or telephonically **Chairman Schwebach** closes the public hearing. **ACTION TAKEN: Commissioner McCall**

makes a motion to approve the Special Use for 207 Salt Mission Trail. **Chairman Schwebach** seconds the motion. No further discussion, all in favor. **MOTION CARRIED.**

12.) APPROVALS (CONTINUED)

C. PRESBYTERIAN MEDICAL SERVICES/GRANT COORDINATOR: Motion to approve submission of applications to NM Aging and Long-Term Services (ALTSD) requesting Capital Outlay funding for Estancia, Mountainair and Moriarty Senior Centers.

County Manager Johnson states that these applications are for the Senior Centers in Moriarty, Estancia and Mountainair. The opportunity for funding last year was missed, the centers were part of the County's ICIP but we now know that this is the best way for funding source by applying for a grant through Aging and Long-term services. So moving forward we are submitting the applications.

Angela Coburn, PMS states that she has been working with Cheryl on the applications Ms. Coburn mentions that the funding for the centers last year were all line item vetoed by the Governor. So there is no funding source for the centers this year. There was a walk through by herself, Nick Sedillo, Stetson Lujan and Pat Dyer (General Service Manager for PMS) of all three centers and came up with a master plan for the centers.

In Estancia the plumbing and water heater need to be fixed, replace carpet and paint the interior. Replace refrigerated air units, stucco and paint exterior fix the culverts and repave the parking lot. In Mountainair the roof needs to be replaced, paint the interior and replace the carpet. Repair the kitchen hood and dishwasher and plan and design and construct to become ADA-compliant sidewalks. Repair the awning in the main entrance and resurface the parking lot. And in Moriarty which is housed out of an old church, and despite renovations and repairs it is no longer suitable for use as a nutrition center. Ms. Coburn explains that it is probably best to do this in different steps and phase it out. So the first would be the plan and design which is \$55,000.00 for the construction and this would have to be applied for separate. The architectural & engineering will be \$75,000.00 and again it must be applied for separately. The building would not be possible to bring it up to the latest ADA requirements. A new building with accessible entries and bathrooms is essential for the safety and enjoyment of the County's oldest residents. It also needs up-to-date kitchen equipment and facilities which will initiate more productive meals preparation and serving to both the dining room and in-home clients. The old kitchen will need to be upgraded while the structure is built. The surrounding parking lot needs to be resurfaced. Ms. Coburn goes over the funding amounts for each center, for Estancia the request amount is \$115,000.00, Mountainair is \$170,000.00 and Moriarty is \$300,000.00.

Commissioner McCall asks about the plan and design cost at the Moriarty Center.

Ms. Coburn replies it will cost \$75,000.00 and \$55,000.00 for construction each one will be applied for separately.

Cheryl Allen states that there is no match to the County, this will basically put the Centers in line for appropriations from the state.

County Attorney Butrick mentions that Governor did line item vetoed these last year.

Chairman Schwebach asks for clarification, the time line, we need a new building but in the meantime there are repairs that need to be done, correct?

Ms. Coburn replies, yes, there is more specific work on this application versus what was submitted on the ICIP.

Cheryl Allen explains that now that there is a plan and have some construction cost, we would have a much stronger agreement to present to for construction dollars. Documentation hereto attached. **ACTION TAKEN: Chairman Schwebach** makes a motion to approve submission of applications to the NM Aging & Long Term Services for the Estancia, Mountainair and Moriarty Senior Centers. **Commissioner McCall** seconds the motion.

Ms. Allen asks that County Manager Johnson be authorized to sign the applications. **ACTION TAKEN: Chairman Schwebach** amends his motion to reflect the addition to have County Manager Johnson sign the application. **Commissioner McCall** seconds the motion. No further discussion, all in favor. **MOTION CARRIED.**

D. DISPATCH: Motion to approve payment on an invoice for which proper procurement procedures were not followed, no purchase order and no purchasing/finance/manager's approval.

County Manager Johnson states that this is same as the previous invoice, proper procurement procedures were not followed. The amount of this invoice is \$333.00 to fix a zone valve at dispatch. There was prior approval from purchasing or approval from County Manager. Documentation hereto attached. **ACTION TAKEN: Commissioner McCall** makes a motion to approve the payment of the invoice in the amount of \$333.00. **Chairman Schwebach** seconds the motion.

Commissioner McCall asks why this is happening, it is because this is a new policy.

County Manager Johnson states that it isn't new, it's just sloppy work. Maybe there was extenuating circumstances, but the policy must be followed.

Dorothy Rivera, 911 Director states that there is radiant heating through the flooring at the dispatch center and one of the zone's went out and needed to fixed ASAP, everyone at the dispatch center was freezing.

County Manager Johnson explains that this is something that an emergency PO can be issued for. Staff members need to be aware of that and follow proper procedures to get a PO. We need to be concerned that proper procedures were not followed but it is a minimal amount to pay.

Commissioner McCall states that he is not trying to call out Dispatch here but having two on the same agenda, we need to find out what is going on.

Chairman Schwebach states the he just wants to make sure everyone is aware of the proper procedures and that everyone understands them.

All in favor. **MOTION CARRIED.**

13.) DISCUSSION

Steve Guetschow states that he spoke with Leonard about the 90 degree angle from agenda item 10) A and he is here to discuss that with the Commission.

Leonard Lujan, Road Superintendent states that he was here to discuss the turn into the road department yard. *At this time Mr. Lujan shows the Commission a diagram of the turn in and the Commission understands and agrees with Mr. Lujan's entry to the yard.*

Commissioner McCall asks about parking for personal vehicles and public.

Mr. Lujan explains that Charmen is the only staff member that has a personal vehicle the rest of the department has County issued vehicles.

Commissioner McCall asks about public access.

Mr. Lujan states that the placement of the entry to the yard was done this way so that you can see who is coming in and going out of the yard. There will be signs posted stating there is no public access and signs for public parking.

Commissioner McCall wants to make sure that the DOT guidelines are followed for entry and existing the yard.

14.) EXECUTIVE SESSION

A.) MANAGER: Purchase of real property for the Pattern Duran, LLC, Tecolote, LLC and Red Wind, LLC wind energy projects. Closed pursuant to NMSA 1978 10-15-1 (H)(8).

ACTION TAKEN: Chairman Schwebach makes a motion to go into Executive Session. Commissioner McCall seconds the motion. Roll call vote: District 1, Yes, District 2, Yes, District 3, Absent.

Executive Session began at 10:10 am.

Reconvened from Executive Session:

ACTION TAKEN: Chairman Schwebach makes a motion to reconvene from Executive Session pursuant to NMSA 1978 10-15-1 (H)(8). Commissioner McCall seconds the motion. Roll Call vote: District 1, Yes, District 2, Yes, District 3, Yes.

Reconvened at 10:52 am

Chairman Schwebach states that only those items listed for closed session were discussed during the Executive Session on Wednesday April 8, 2020

15.) Announcement of next Board of County Commissioners Meeting

April 22nd, 2020 at the Torrance County Administrative Building at 9:00 AM

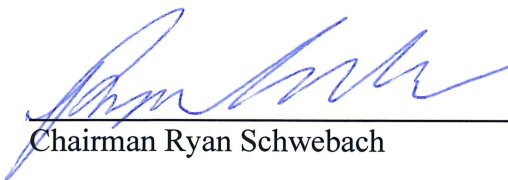
Due to the Governor's Public Health Order the public is encouraged *not to attend* the meeting in person. The public may attend via teleconference by dialing 505-544-4339 and entering conference ID 546375 or listen live on KXNM radio.

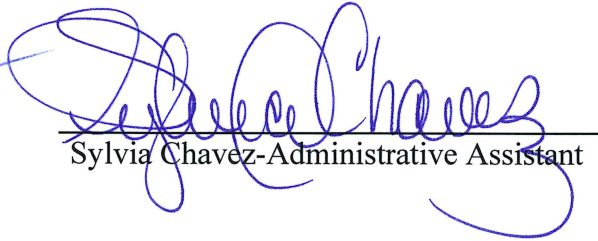
16.) Signing of Official Documents

***ADJOURN**

ACTION TAKEN: **Chairman Schwebach** makes a motion to adjourn the April 8, 2020, Commission Meeting. **Commissioner McCall** seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

MEETING ADJOURNED AT 10:55 A.M.


Chairman Ryan Schwebach


Sylvia Chavez-Administrative Assistant

4/22/2020
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.