

**FINAL COPY
TORRANCE COUNTY BOARD OF COMMISSIONERS
COMMISSION MEETING
MAY 27, 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 May 27, 2020 Commission Meeting to order at 9:05 A.M.

2.) INVOCATION AND PLEDGE

Pledge led by Chairman Schwebach

Invocation led by Commissioner McCall

3.) CHANGES TO THE AGENDA

No Changes

4.) PROCLAMATIONS

There were no items presented

5.) CERTIFICATES AND AWARDS

There were no items presented

6.) BOARD AND COMMITTEE APPOINTMENTS

There were none for this meeting

7.) PUBLIC COMMENT and COMMUNICATIONS

Linda Jaramillo, County Clerk states she would like to give the Commission an update on the 2020 Primary Election. So far in Absentee by mail we have 1213 ballots in and 1150 ballots out. Ms. Jaramillo encourages those that still have a ballot out to get them in. May 28 is the last day to mail out a ballot and we can receive ballots up until 7pm election night. On May 28 the absentee board will start the processing the ballots that are on hand, within the law she can start the process. Voters can bring their ballots to the Clerk's office or one of the early voting sites in Estancia or at the alternate site at the Moriarty Civic Center as well as on election day at any of the polling sites. We will have runners that will go to any of the polling sites that have ballots to be picked up.

Commissioner McCall asks Ms. Jaramillo to speak a little about in person voting,

Ms. Jaramillo states that in person voting ends this Saturday (May 30) at both locations, Moriarty Civic Center and here at the Torrance County Admin Bldg. from 10am to 6pm. Both locations will also be open on Friday as well. Ms. Jaramillo encourages those that have ballots to take them to one of these sites or on election day to the polling sites because the mail can be slow at times. The polling sites are, Estancia High School Gym, Torreon Community Center, Manzano Center, Moriarty-Edgewood School Admin Bldg, Moriarty Civic Center, McIntosh Fire Station, Willard Community Center, Dr. Saul Community Center (Mountainair), Encino Community Center and Tajique Community Center. All polling sites will have PPE, the Secretary of State made sure each site has plenty of PPE. Each site will have a doorbell in place to allow voters in. There will only be 2 voters allowed in at a time. Everything will be sanitized after each voter; we are asking that everyone wear a mask, but no one will be denied their right to vote if they do not have a mask. Ms. Jaramillo encourages everyone to exercise their right to vote.

Kassandra Sandy, Torrance County Complete Count Coordinator states she wants to give a brief update on where the County stands with everything going on. The Governor gave an order to have the funding used by June 30th, which is roughly \$7000.00. Ms. Sandy explains that those funds are pending in invoices right now. Notice was given that there can be an extension given for those funds if needed. The additional \$12,000.00 for funding has a deadline of June 30, 2021. The money can be used for ads on the radio or social media. They have purchased swag material, and are waiting for the material to come in. Any money that is not used will be returned to the state. As it stands now Torrance County is 21% counted and 69% of the County has not received their initial packet. Due to COVID-19 some of the deadlines have been pushed back. From June 1 to August 1 the 69% that did not receive their packet will be targeted to get their info and get them counted. Though it will be a slower process because its people on the ground doing the research. Ms. Sandy encourages everyone to be counted.

8.) APPROVAL OF MINUTES

A.) COMMISSION: Motion to approve the May 13, 2020 Torrance County Board of County Commission Regular Minutes.

ACTION TAKEN: **Commissioner McCall** makes a motion to approve the May 13, 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 authorize publication of the Torrance County Financial Reserve Ordinance.

County Manger Johnson explains to the Commission that this approval is to advertise for the ordinance to establish an additional reserve funding through the PILT monies the County will be receiving with the new wind projects.

Commissioner McCall states that this will not conflict with the current reserves the County is required to have by DFA.

County Manager Johnson explains that this will be additional reserves the County will establish with the new money from the wind projects. The County has historically experienced economic downturns and unforeseen increases in expenses. With the County's enhanced revenue picture it will provide the opportunity to create an additional reserve to address future economic crises. County Manager Johnson states the way the process will be done is when 40% of the annual PILT funds received in excess of \$800,000.00 shall be placed in the County reserve, it will not exceed 1/3 of the total amount of the County reserve annually. Once the PILT funds placed in the reserve has reached 1/3 of the reserve or the reserve is fully funded 100% of the PILT revenue shall be placed in the County's General Fund. County Manager Johnson states to think of the COVID situation and any expenses related to the pandemic, the additional reserve would help with those costs. Documentation hereto attached. **ACTION TAKEN: Chairman Schwebach** makes a motion to approve the publication of the Torrance County Financial Reserve Ordinance. **Commissioner McCall** seconds the motion. No further discussion, all in favor. **MOTION CARRIED.**

B.) PLANNING & ZONING: Annual renewal of Solid Waste Facility Permit. (PUBLIC HEARING)

Steve Guetschow, P/Z Director informs the Commission that this is the annual renewal of the solid waste permit for Special Waste Disposal, Inc. The site is located at 91 Liberty Valley Rd, Mountainair NM. Mr. Guetschow goes over the list of exhibits and needs to correct a typo. Exhibit 3 should read May 6, 2020 draft minutes. The P/Z board did recommend a Do Pass for the renewal.

Adrian Montano, Representative for Special Waste Disposal Inc. thanks the Commission for the opportunity to be here and for the long-standing partnership with the County. Mr. Montano explains that all the employees excluding himself are Torrance County residents. So Special Waste Disposal Inc., has employed local people for 3 decades.

Commissioner McCall wants it to be on the record that Special Waste Disposal Inc., has not had any violations in the last year.

Mr. Montano replies that, no, there were no violations.

There was no public comment in favor or against.

ACTION TAKEN: Chairman Schwebach makes a motion to close the Public Hearing for approval of the renewal for the Solid Waste Facility Permit. **Commissioner McCall** seconds the motion. No further discussion, all in favor. **MOTION CARRIED. (PUBLIC HEARING CLOSED)**

ACTION TAKEN: Commissioner McCall makes a motion to approve the annual renewal Solid Waste Facility Permit for Special Waste Disposal Inc. **Chairman Schwebach** seconds the motion. No further discussion, all in favor. **MOTION CARRIED.**

C.) PLANNING & ZONING: Special use Approval for Zia RV Park, Tract 2 Long Horn Ranch Subdivision. (PUBLIC HEARING)

Steve Guetschow, P/Z Director explains that he needs to correct a typo on the list of exhibits/ Exhibit 3 should read May 6, 2020 draft minutes. Mr. Guetschow goes over the list of exhibits in the packet. The RV park went out of business in 2009 and Mr. Clyde is in the process to get the park in compliance and is meeting the current regulations. The P/Z board did recommend a Do Pass.

Roger Clyde states that he moved to the County in 2005 and his place is close to the RV park. At that time, the park was up and running and Mr. Clyde thought it would be a nice place if it was cleaned up. When the property went up for sale, he purchased it. The park will be opened initially as a dry park with 48 spaces with water only. On the day it is opened there will be 23 spaces that are full hook-ups. The water system will be restored, and they will be undergoing monthly testing as required. Mr. Clyde's goal is to replace all the old structures within 5 years. He feels this will be a great revitalization of the Long Horn Area. The one thing Mr. Clyde is asking for is a waiver on the fence, the fence will take away from the view. Mr. Clyde mentions that some of the surrounding neighbors have stopped by to thank him for cleaning up the park. He envisions having chili cook off's there and it will be open for people to stop in and have a picnic at no charge.

Commissioner McCall thanks Mr. Clyde for his vision on getting the RV park up and operating.

Mr. Guetschow states that part of the do pass recommendation from the P/Z board is the waiver of the privacy fence. There are beautiful views in that area and would do it no justice by blocking the views. If the park stays in compliance there will be no problems, and this will be a benefit to the area.

There was no public comment in favor or against.

ACTION TAKEN: **Commissioner McCall** makes a motion to close the Public Hearing for a Special Use for Zia RV Park, Tract 2 Long Horn Ranch Subdivision. **Chairman Schwebach** seconds the motion. No further discussion. **MOTION CARRIED. (PUBLIC HEARING CLOSED)**

ACTION TAKEN: **Chairman Schwebach** makes a motion to approve the Special Use for Zia RV Park, Tract 2 Long Horn Ranch. **Commissioner McCall** seconds the motion. No further discussion. **MOTION CARRIED.**

11.) ADOPTION OF RESOLUTION

A.) MANAGER: Motion to approve Resolution 2020-18, The Torrance County Fiscal Agent Policy.

Resolution hereto attached. **ACTION TAKEN:** **Chairman Schwebach** makes a motion to approve Resolution 2020-18 Torrance County Fiscal Agency Policy. **Commissioner McCall** seconds the motion.

County Manger Johnson explains that this policy will require any governmental entity or non-governmental entity who seek grant funding or legislative capital outlay funds and want to have the County serve as their fiscal agent, must obtain Commission approval prior to applying funding.

All in favor. **MOTION CARRIED.**

B.) MANAGER: Motion to approve Resolution 2020-19, Switching PERA Police Plan to Municipal Police Plan 4 and set Election day.

Kristen Oliver, HR Director explains that this resolution will set the election date to start the process of switching the PERA plan for the Sheriff's office.

John Butrick, County Attorney explains the changes that were made to the original resolution, it was the years of service and the percentage amount that was changed.

County Manger Johnson states that the timeline is set by PERA, the County will still implement the raises in July and they will still contribute the current amount into PERA and the Sheriff's department is aware what they pay now and they are aware that the amount they contribute will increase.

Ms. Oliver states that the election will be in August and the new PERA will take effect in September.

Resolution hereto attached. **ACTION TAKEN:** **Chairman Schwebach** makes a motion to approve Resolution 2020-18 Switching PERA Police Plan to Municipal Police 4 and set election day. **Commissioner McCall** seconds the motion. No further discussion, all in favor. **MOTION CARRIED.**

C.) FIRE: Motion to approve Resolution No. 2020-20, Imposing burn restrictions

Lester Gary, Fire Chief explains to the Commission that he has been working with the Cibola Forest Service out of Mountainair and the Forest service and State Forestry have put burn restrictions in place on state and federal lands due to the increase of temperature. Chief Gary would like to follow suit and place restriction for the County, this is different than a ban. The restriction will be for certain fires that are out in the public. Those restrictions are open burns, ceremonial burn or recreational burns. Chief Gary will be handling burns on a case to case basis if they absolutely need to be done. Due to the predicated dry conditions and the persistent COVID-19 emergency, Chief Gary has requested the County declare a fire danger emergency.

County Manger Johnson states that if there were to be a large fire this would put a strain on the County's resources and Firefighters. Also, County Manager Johnson mentions that ordinance 87-2 needs to be looked and revised, the wording needs to include the Fire Chief. He also informs the Commission that they can repeal this resolution at any time after.

Resolution hereto attached. **ACTION TAKEN:** **Chairman Schwebach** makes a motion to approve Resolution 2020-20 Imposing Fire Restrictions. **Commissioner McCall** seconds the motion. No further discussion, all in favor. **MOTION CARRIED.**

12.) APPROVALS

None

13.) DISCUSSION

A.) MANAGER/GRANT COORDINATOR: Presentation and discussion of the draft of Southern Torrance County Economic Development Plan 2020. Deferred from the 3/25/2020 Meeting.

Cheryl Allen, Grant Coordinator explains that the County contracted with Site Southwest to development the Southern Torrance County Economic Development Plan. The draft copy has been available since March.

Phyllis Taylor, Sites SW states that she is presenting the draft copy of the Southern T.C. Economic Development. They went into the Communities and asked what their thoughts were on what economic development meant to them, each community identified better job opportunities that would keep the kids in the valley, success for local businesses and bring new businesses into the Communities. There were meetings held in the Communities, with land grants and local farmers to get their input. One of their concerns was how to grow the tax base in the County. There were also meetings with the local stake holders and their thoughts were about local resources and moving forward what will be available for the Communities. Marketing the local grass-fed beef, movie locations, the National Monuments, and the scenic by-ways. Ms. Taylor mentions that now will be great time to really advertise the locally grown foods due to the COVID pandemic we are currently in. Torrance County is close enough to Albuquerque to have the grass-fed beef in places like Noble Meats. Torrance County is producing alternate energy through the wind farms and solar energy. Mesa Land Community College is also helping promote alternate energy by offering courses here locally within the school districts. Ms. Taylor states that the local industries support is available but there is no coordination that comes with that. There is local hiring for potential skilled laborers. Ms. Taylor will now turn it over to Ms. Rosemary (Rosie) Dudley to go over the revitalization of the Torrance County Fair Grounds.

Rosie Dudley, Sites SW states that they met with the Torrance County Fair board to discuss what their 20-year vision would be for the fair grounds. Their thoughts are for the grounds to be a year-round destination. It will have a space to showcase the cultures within the County and to show the County's heritage. there will be a space for indoor and outdoor events. The grounds have two entry and exit areas. The thought would be to open the north part of the fence that leads to Arthur Park and a walking path within the grounds to bring people in the area. There will be a Community Garden that people can sit and enjoy the garden area. they would like to reconstruct the barn area which would be a secured barn for the steers, goats & sheep, the show barn, chicken & rabbits, the pig barn and the red barn. This secured barn area will be within the adobe wall that already part of the grounds. They would like to have a cover installed over the rodeo arena. Ms. Dudley states that the reconstruction can be done over the years in phases. The current exhibit hall needs to be renovated as well; this building can be used for multiple things such as trainings.

Ms. Dudley mentions that they have received some comments back regarding the plan and they have been the following: consistency, improvement to the internet and cell phone areas. More assistance for the Seniors in the County. Also address homesteading vacant properties in the County to help revitalize the area. Promoting the Mountainair School System with their low teacher ratio. Currently Ms. Dudley asks if the Commission has any questions in regard to the economic plan.

Commissioner Sanchez asks if the comment section can be extended for a little longer, there are folks that have not had the opportunity to go over the plan.

County Manager Johnson states that the comment section will go on until the end of June, they are getting pressure from DFA to get the plan complete, but they will take comments until the end of June.

DISCUSSION ONLY, NO ACTION WAS TAKEN.

Commissioner Sanchez asks for a COVID update.

County Manger Johnson states that Emergency Manager Propp could not attend today's meeting. The ICE detainees were not supposed to be part of the County's count but that in fact is what has happened. The increase in numbers comes from the ICE detainees at the prison. 100% of the inmates were tested and there are 11 positive inmates, 2 of the 11 are systematic. There were 3 staff members that tested positive, but they were all A systematic, the facility is working with department of health to quarantine those positive cases.

Commissioner Sanchez states that looking at the numbers in the County and having those accounted for at the prison, the County currently has 12 cases and of those 12 how many are active cases?

County Manager Johnson replies, that the last he heard there are 5 active cases. The one death that the County has is someone that was in a long-term care facility and died there.

Commissioner Sanchez asks what the 5 cases are being advised to do.

County Manager Johnson replies that he assumes they are being advised to quarantine, but he does not know if they are home or at a long-term care facility. County Manager Johnson explains that some of these people may be A systematic. Emergency Manager Propp has mentioned that request for testing in the County has dramatically dropped. So, he is urging people that feel they have systems to go get tested. If people would like to get information on the latest information for the County you can go to CV.NMHEALTH.ORG.

14.) EXECUTIVE SESSION

No Executive Session

15.) Announcement of next Board of County Commissioners Meeting

June 10, 2020 at the Torrance County Administrative Building at 9:00 AM

16.) Signing of Official Documents

***ADJOURN**

ACTION TAKEN: **Chairman Schwebach** makes a motion to adjourn the May 27, 2020, Commission Meeting. **Commissioner McCall** seconds the motion. No further discussion, all in favor. **MOTION CARRIED**

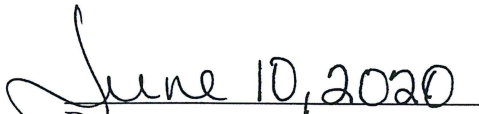
MEETING ADJOURNED AT 10:35 A.M.



Ryan Schwebach-Chairman



Sylvia Chavez-Administrative Assistant



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.