

**FINAL COPY**  
**Torrance County Board of Commissioners**  
**Regular Commission Meeting**  
**March 10, 2021**  
**9:00 AM**

Commissioners Present:

**RYAN SCHWEBACH – CHAIR**  
**KEVIN MCCALL – MEMBER**  
**LEROY CANDELARIA – MEMBER**

Others Present:

**JANICE BARELA – COUNTY MANAGER**  
**PHILIP TENORIO – DEPUTY COUNTY MANAGER**  
**JOHN BUTRICK – COUNTY ATTORNEY**  
**YVONNE OTERO – COUNTY CLERK**  
**GENELL MORRIS – ADMINISTRATIVE ASSISTANT**

**1. Call Meeting to order**

**Chairman Schwebach:** Calls the March 10, 2021 Regular Commission Meeting to order at 9:01 AM.

**2. Pledge lead by: Chairman Schwebach**

**Invocation lead by: Commissioner Candelaria**

**3. Changes to the Agenda: None**

**4. PROCLAMATIONS: None**

**5. CERTIFICATES AND AWARDS: None**

**6. BOARD AND COMMITTEE APPOINTMENTS**

**A. COMMISSION:** Motion to change the requirement for the District 2 Commission's appointment to the Estancia Valley Solid Waste Authority Board from a District 2 resident to a Torrance County resident At-Large.

**Action Taken:**

**Chairman Schwebach:** Makes a motion to change the requirement for the District 2 Commission's appointment to the Estancia Valley Solid Waste Authority Board from a District 2 resident to a Torrance County resident At-Large.

**Commissioner McCall:** Seconds the motion.

**Chairman Schwebach:** I placed this on the agenda because I am having a hard time filling this position and feel Tracy Sedillo as a County employee will fit this position well.

**Commissioner McCall:** I have no problem with this, Tracy will be a great fit since she is the Treasurer and representing the county.

**Commissioner Candelaria:** I see no problem with this either.

**Roll Call Vote:** Candelaria - Yes; Schwebach - Yes; McCall -Yes: MOTION CARRIED

**B. COMMISSION:** Motion to appoint Tracy Sedillo to the Estancia Valley Solid Waste Authority Board in the District 2 position.

**Action Taken:**

**Commissioner McCall:** Makes a motion to appoint Tracy Sedillo to the Estancia Valley Solid Waste Authority Board in the District 2 position.

**Chairman Schwebach:** Seconds the motion.

**Roll Call Vote:** Candelaria - Yes; Schwebach - Yes; McCall -Yes: MOTION CARRIED

**7. PUBLIC COMMENT and COMMUNICATIONS**

**Fire Chief Don Dirks:** Torrance County is moving forward in the Fire Department and is needing more volunteers. Applications can be found at [www.torrancecountynm.org](http://www.torrancecountynm.org), in the Fire Department tab or call 505-544-4400 for more information. We offer in house training in addition to state training after a successful completion of a 6-month probation period.

Some of the major incidents in the last 3 weeks we have had here in the county. We had a grass fire on the Harvey Ranch at the wind farm approximately 1450 acres. A structure fire in Encino next to the Fire Department. Semi-trailer fire on the interstate. Structure fire on Tyler Loop off of Saline Pump Road. Grass fire on I-40, 4 ½ acers.

We had our 1<sup>st</sup> meeting at district 3 with returning and new personnel volunteers, total 8 people. We took possession of the ladder truck. District 6 in Willard approved 5 applicants. District 1 in Duran will have 4 additional members.

We are working with the state Fire Marshal, a reinspection on Monday, this is a follow up from the inspection from 6 months ago, including building renovations and paperwork.

**Chairman Schwebach:** The volunteers are the central part of the Torrance County Fire Department.

**8. APPROVAL OF MINUTES**

- A. COMMISSION:** Motion to approve the February 24, 2021 Torrance County Board of County Commission Minutes

**Action Taken:**

**Chairman Schwebach:** Makes a motion to approve the February 24, 2021 Torrance County Board of County Commission Minutes

**Commissioner McCall:** Seconds the motion.

**Madam County Manager Barela:** On page 1 my name is spelled incorrectly on two places and on page 8 a correction needs to be made; Action Taken: Chairman Schwebach makes a motion to authorize County Manager to do a purchase agreement with what we have discussed in the amount of \$50,000 including cost. That is not accurate, it was \$50,000 with a limit of \$7,000 for the closing cost. I would like the minutes to accurately reflect that.

**Chairman Schwebach:** I will amend my motion to approve the agenda as amended.

**Commissioner McCall:** Seconds the motion.

**Roll Call Vote:** Candelaria - Yes; Schwebach - Yes; McCall -Yes: **MOTION CARRIED**

**9. APPROVAL OF CONSENT AGENDA**

- A. FINANCE:** Approval of Payables

**Action Taken:**

**Chairman Schwebach:** Makes a motion to approve payables.

**Commissioner McCall:** Seconds the motion.

**Roll Call Vote:** Candelaria - Yes; Schwebach - Yes; McCall -Yes: **MOTION CARRIED**

**10. ADOPTION OF ORDINANCE/AMENDMENT TO COUNTY CODE:**

None

**11. ADOPTION OF RESOLUTION: None**

## 12. APPROVALS

- A. **FIRE:** Motion to approve the 2020 Annual Reporting for District 1 (Duran) Volunteer Firefighters.

### **Action Taken:**

**Chairman Schwebach:** Makes a motion to approve the 2020 Annual Reporting for District 1 (Duran) Volunteer Firefighters.

**Commissioner McCall:** Seconds the motion.

**Madam County Manager Barela:** Established in 1983: a member of the Volunteer Fire Department who meets the active-duty requirements plus the requirements of the Volunteer Firefighters Retirement Act. Qualifications for PERA Volunteers Firefighter Retirement are: 1.) Be at least 18 years of age, 2.) Attend a minimum for 75% of all regular business meetings, 3.) Attend a minimum of 75% of all required trainings, 4.) Respond to 50% of all emergency response for which the member is responsible. The volunteer's pension is determined by years of service. 1.) At least age 55 with 25 or more years of service, volunteer will receive \$250 per month. 2.) At least age 55 with 10 or more years of service, volunteers will receive \$125 per month. Before you is a list of volunteer firefighters approved by Chief Dirks for District 1 showing who qualifies. We are going through all the districts to ensure the volunteers get proper credit.

**Roll Call Vote:** Candelaria - Yes; Schwebach - Yes; McCall -Yes: **MOTION CARRIED**

- B. **ANIMAL SERVICES:** Motion to approve submission of application for funding from Adopt a Pet Pantry Grant to support Torrance County Animal Services' pet food pantry.

### **Action Taken:**

**Chairman Schwebach:** Makes a motion to approve submission of application for funding from Adopt a Pet Pantry Grant to support Torrance County Animal Services' pet food pantry.

**Commissioner McCall:** Seconds the motion.

**Danette Mead-Langdon – TC Animal Services:** We have an operational pet food pantry that opened in 2008. We provide citizens in need with animal foods, everything that has been donated by the public. With this adopt a pet grant it will allow us to turn our pet food pantry into a pet supply pantry. We would like to have more public outreach. We see a lot of pets in need of more items. We will use the money to fully stock our pantry with dry and canned cat and dog food, treats,

including dental and grooming supplies. We would like to allow citizens to come twice a month, currently we allow citizens to come once a month. Our pet food pantry is completely donation subsidized. We do not purchase anything. We would like to improve our outreach and possibly deliver these essentials to home-bound citizens. We want to the help the pets stay fed, happy, and healthy.

**Commissioner Candelaria:** Do you still work with Wal-Mart etc.?

**Danette Mead-Langdon – TC Animal Services:** We have worked with Wal-Mart in the past but with a different Manager we get different support. Last we heard they trash the product for credit. We get donations from Tractor Supply occasionally. Donations from individual Citizens. Business in Edgewood seem to prefer to donate to the Edgewood pantry. We do have an Amazon wish list we post from time to time with needed items. We also have the Sammy Foundation it is a 501c3 that does a donation collection for us all year and arrives in December. There is a statewide Foundation called Long Leash On life receiving donations all year with a donation event in December.

**Chairman Schwebach:** Donations are not keeping up with demand?

**Danette Mead-Langdon – TC Animal Services:** They are not. The Sammy Foundation collected money and they purchased the food from locally owned pet food store in Albuquerque, about 6,000 pounds of food. The need has grown so great that we are low and are not able to keep up with the demand. We get straw and dog houses and donate to pets in need.

**Philip Tenorio – Deputy County Manager:** Also working with the Independent getting a news article on the newly renovated Animal Shelter in McIntosh, partially with the intent of stirring up additional donations. I would like to follow up with Wal-Mart and Smiths in Edgewood to revisit the potential of donations. I feel it does not make sense to throw it away when we can put it to good use. I will find out what credit they get and what credit they need. If its PR, we can work with them to get their name out there.

**Roll Call Vote:** Candelaria - Yes; Schwebach - Yes; McCall -Yes: **MOTION CARRIED**

**C. DOMESTIC VIOLENCE PROGRAM:** Motion to approve funding increase of \$7,500 for FY2021 Domestic Violence Grant for the DVOTI Services component.

**Action Taken:**

**Chairman Schwebach:** Makes a motion to approve funding increase of \$7,500 for FY2021 Domestic Violence Grant for the DVOTI Services component.

**Commissioner McCall:** Seconds the motion.

**Anna Martinez – Director Domestic Violence Program:** This funding is specific to the offender program. DVOTI stands for Domestic Violence Offender Treatment Initiative.

**Madam County Manager Barela:** In your motion can you include, giving me as the County Manager, authorization to sign.

**Chairman Schwebach:** I will amend my motion to add the County Manager authorization to sign.

**Commissioner McCall:** Seconds the amendment.

**Roll Call Vote:** Candelaria - Yes; Schwebach - Yes; McCall -Yes: MOTION CARRIED

- D. **SHERIFF:** Motion to ratify application submission for the Justice Assistance Program (JAG) Grant program to request funding for the Community Partnership Initiative (Community Policing).

**Action Taken:**

**Chairman Schwebach:** Makes a motion to ratify application submission for the Justice Assistance Program (JAG) Grant program to request funding for the Community Partnership Initiative (Community Policing).

**Commissioner McCall:** Seconds the motion.

**Stephanie Dunlap – Sheriff Administrator:** We applied for a JAG grant to help cover overtime and equipment costs for our community policing program. Before you is the updated budget worksheet. We are asking for \$27,613.50 to go toward overtime and \$16,370.00 for supplies and \$2400.00 for brochures and advertising. We will get reimbursed for any overtime and purchased equipment.

**Roll Call Vote:** Candelaria - Yes; Schwebach - Yes; McCall -Yes: MOTION CARRIED

- E. **SHERIFF:** Motion to approve Law Enforcement Protection Funds (LEPF) Application.

**Action Taken:**

**Chairman Schwebach:** Makes a motion to approve Law Enforcement Protection Funds (LEPF) Application.

**Commissioner McCall:** Seconds the motion.

**Stephanie Dunlap – Sheriff Administrator:** Before you is our annual Law Enforcement Protection Funds Agreement. Every year the state sends out funds based off the population of our County and the number of certified officers. This funding goes towards advanced training, field supplies or uniform needs.

**Roll Call Vote: Candelaria - Yes; Schwebach - Yes; McCall -Yes: MOTION CARRIED**

F. **DISPATCH:** Motion to approve payment from FY2020 for Biddle Consulting Group (Criticall Pre-employment Screening Program).

**Action Taken:**

**Chairman Schwebach:** Makes a motion to approve payment from FY2020 for Biddle Consulting Group (Criticall Pre-employment Screening Program).

**Commissioner McCall:** Seconds the motion.

**Ben Daugherty – Dispatch Supervisor:** I am asking for approval to pay a \$400.00 balance from last fiscal year on this year's renewal of our Criticall testing software. There was an accounting mistake last January the vendor gave us an incorrect quote. An agreement was made with the vendor to roll the \$400.00 into this year's quote. We have the money in the budget, we need Commission approval because it is from last year's line item.

**Roll Call Vote: Candelaria - Yes; Schwebach - Yes; McCall -Yes: MOTION CARRIED**

**13. DISCUSSION**

**Commissioner McCall:** Pattern Energy is 25% completed, and on track to be completed by December. They are moving forward with turbines and the transmission line.

**14. MANAGER'S UPDATE:** Full update hereto attached

There are 10.5 days left in this year's Legislative Session. Some bills we are following are HB 4 – New Mexico Civil Rights Act; HB 40 – Private Detention Moratorium Act; HB 105 – In-Lien Tax Payments for Municipal Electrical Generation or Transmission Projects.

Road Department – New Mexico Department of transportation sends a letter to local governments asking them to submit their proposals for the upcoming fiscal year. The deadline to submit their projects this year is March 15, 2021. These are the CAP, SB and SP projects. If we receive the funding for the projects, the agreements will come before you at that time for Commission approval. Torrance County is submitting the following project proposals:

1. CAP Project – (Paving) County Roads – McNabb Rd from I-40 proceed S on Hwy 41 for 4 miles to McNabb Rd. turn W. project starts at Hwy 41 and

proceed west for 1 mile to end of project. Estimated mileage and cost 1 mile, \$265,504.96

2. SP Project – (Chip Seal) County Roads – Melody Ranch from I-40 exit on Hwy 41 proceed S to old hay 66 then proceed w from 5 miles to Pony express Dr. start project at Melody Ranch subdivision. Project covers Tom Mix Dr, Cottonwood Rd, Cisco Dr., John Wayne Dr, and Will Rogers Dr. Estimated mileage and cost 2.65 mile, \$82,854.88
3. SB Project – (Chip Seal) Sunset Acres from I-40 proceed N on Hwy 41 for ½ mile to Abrahams W turn W for 3 miles to Glorieta St. start project on Manzano st, Sandia St. and Sangre De Christo St.; Gloria St. from I-40 proceed N on Hwy 41 for ½ mile to Abraham W turn for 3 miles to Glorieta St. start project n then e to end project. Estimated mileage and cost 3.15 mile, \$120,059.00.

Finance is accepting bids for our vehicle auction. The deadline is March 11<sup>th</sup> by 5:00 PM to submit a bid. Bids will be held for seven days, at which point the next highest bidder will be awarded.

COVID Update: The Department of Public Health along with all the community partners host vaccination events every Wednesday. They are increasing the number of vaccines they are administering, for example, today in Moriarty they will administer 1,000 vaccines.

Capital Outlay: We received the fully executed agreement for the following Capital Outlay project:

1. \$225,000 to purchase and equip emergency medical response vehicles for the Torrance County Volunteer Fire Department.
2. \$105,000 to plan, design, construct and equip improvements to the County Fairgrounds in Estancia in Torrance County.
3. \$50, 000 to purchase and equip a double steel roller and other equipment for the Road Department in Torrance County.
4. \$75,000 to plan, design, constrict and equip County Administration Office in Estancia in Torrance County.

The next step is for the County to submit a Notice of Obligation which includes written quotes for each project to DFA for approval. Once we receive their approval, we can begin work.

## **15. EXECUTIVE SESSION:**



- A. ATTORNEY:** Discuss threatened or pending litigation, closed pursuant to NMSA 1978, Section 10-15-1(H)(7).
- B. ATTORNEY:** Discuss limited personnel matters (County Attorney), closed pursuant to NMSA 1978, Section 10-15-1(H)(2).

**Action Taken:**

**Chairman Schwebach:** Makes a motion to enter into executive session.

**Commissioner McCall:** Seconds the motion.

**Roll Call Vote:** Candelaria - Yes; Schwebach - Yes; McCall -Yes: **MOTION CARRIED**

**Enter into Executive Session: 10:14 AM**

**Action Taken:**

**Chairman Schwebach:** Makes a motion to enter into regular session

**Commissioner McCall:** Seconds the motion.

**Roll Call Vote:** Candelaria - Yes; Schwebach - Yes; McCall -Yes: **MOTION CARRIED**

**Enter into Regular session 11:45AM**

**Chairman Schwebach:** During the Executive Session we discussed matters of threatened or pending litigation, closed pursuant to NMSA 1978, Section 10-15-1(H)(7), and Discuss limited personnel matters (County Attorney), closed pursuant to NMSA 1978, Section 10-15-1(H)(2). No other discussions were had. County Manager has direction on how to proceed.

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

March 24, 2021 9:00 AM @ the Torrance County Admin Building.

**16. Signing of Official Documents**

**17. Adjourn.**

**Action Taken:**

**Chairman Schwebach:** Makes a motion to adjourn Commission Meeting

**Commissioner McCall:** Seconds the motion.