

**FINAL**  
**Torrance County Board of Commissioners**  
**Regular Commission Meeting**  
**June 23, 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**  
**VALERIE SMITH – ADMINISTRATIVE ASSISTANT**

**1. CALL MEETING TO ORDER:**

**Chairman Schwebach:** Calls the June 23, 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:**

**Madam County Manager Barela:** Asked to defer item 12-B.

**Chairman Schwebach:** Suggested discussing formal deferment when the item was called.

**4. PROCLAMATIONS: NONE**

**5. CERTIFICATES AND AWARDS:**

**A. MANAGER: Employee of the Quarter**

**Madam County Manager Barela:** Presented the award of Employee of the Quarter to Mr. Nick Sedillo, Torrance County Operations Manager.

**Nick Sedillo, Torrance County Operations Manager:** Accepted his award, thanked his staff for all their great work, and thanked the Commission.

**6. BOARD AND COMMITTEE APPOINTMENTS: None**

**7. PUBLIC COMMENT and COMMUNICATIONS:**

**Torrance County Fire Chief Don Dirks: Fire Department Update Presented.**

There has been a high volume of EMS calls, nearly double the average at the same time last year. According to Fire Chief Dirks, there is an above average number of car accidents in the past month.

June 30<sup>th</sup> the Fire Department will begin conducting interviews for open positions. A part-time employee recently resigned, leaving a gap in manpower. Fire Chief Dirks is considering requesting that the position be made full-time, as it originally was.

The State Fire Marshal has provided the TC Fire Department with 15 Scott SCBA packs and bottles, which normally cost approximately \$4-6k each. Fire Chief Dirks is working on acquiring another 30 as to update the current equipment. Fire Chief Dirks has been working with Mountainair EMS and Fire to expand their Ambulance Service for the southern part of Torrance County. Mountainair has sent Fire Chief Dirks a preliminary plan and plans to put it on the next Commission Meeting agenda.

Draft of Memorandum of Understanding with Socorro, Mountainair, and Salinas Pueblo Missions. It will be put on the agenda for signature approval. This will be the first MOU with surrounding counties and will be used as a template going forward, subsequently drafting one with Estancia and Moriarty.

The new Willard Brush Truck was recently finished, picked up and is now in operation. There are 10 members in District 6 that responded to a structure fire in Mountainair.

The County EMS class has finished, the only thing left to do is national testing within the next month.

There is a new instructor for the Aerial Training Truck, and the Fire Chief is setting up a time and venue for that meeting for County Volunteers.

There will be an all-County, all-District meeting, hopefully in early August. Chief Dirks would prefer for it to be a 4-hour meeting, with catering and to have one of the Commissioners as a guest speaker.

**ON FIREWORKS:** Governor Michelle Lujan Grisham has declared extreme drought conditions. The County may now hold a hearing to announce restrictions on fires and fireworks. The State and County may not restrict fireworks less than 20 days before a holiday, as it is now (being before July 4<sup>th</sup>.) Fire Chief Dirks will be requesting restrictions on the next Commission Meeting Agenda.

**Chairman Schwebach:** Asked for the members of the County to have plenty of common sense, especially on the July 4<sup>th</sup> weekend.

**Commissioner Candelaria:** Concurred on the topic of citizens being proactive in their care around fireworks and hopes that he sees justice to anyone who causes a fire.

**Chairman Schwebach:** Agreed that they will hold whoever causes a fire accountable for EMS coming out and using resources.

**Fire Chief Dirks:** We do not have anything on the books in the County as far as laws and fines against those that cause fire damage, but the State of New Mexico does.

**Commissioner McCall:** Asked if Torrance County still has an MOU with Bernalillo County.

**Fire Chief Dirks:** Answered in the affirmative, that it is automatic aid with the Mountain Community off 217. He is still trying to convince them to be the first responders of the area of the community that borders Torrance.

**Madam County Manager Barela:** Was under the impression that “Automatic Aid” meant that they are toned out with that community.

**Fire Chief Dirks:** Answered in the affirmative,

**Chairman Schwebach:** Thanked Fire Chief Dirks. Asked if anyone on Zoom would like to speak to the Commission. There was no response from Zoom viewers.

Chairman Schwebach spoke about Zoom, and would like anyone who wishes to speak, unless they have prior approval, to come to the Torrance County Building and speak during public comment, beginning at the next Torrance County Board of Commissioner's Meeting.

There was no response, public comment portion of the meeting was closed.

## 8. APPROVAL OF MINUTES

### A. Commission: Motion to approve the June 9, 2021, Torrance County Board of County Commission Minutes.

ACTION TAKEN:

**Chairman Schwebach**: Made a motion to approve the June 9, 2021, Torrance County Board of County Commission Minutes

**Commissioner McCall**: Seconded the motion.

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

## 9. APPROVAL OF CONSENT AGENDA

### A. Finance: Approval of Payables.

ACTION TAKEN:

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

**Commissioner McCall**: Seconded the motion.

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

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

**None**

**11. ADOPTION OF RESOLUTION:**

**A. CLERK: Motion to approve splitting of 3 existing Torrance County Precincts and creating 3 new Torrance County Precinct, Resolution No.:2021-22.**

**ACTION TAKEN:**

**Chairman Schwebach:** Made a motion to approve splitting of 3 existing Torrance County Precincts and creating 3 new Torrance County Precinct, Resolution No.: 2021-22.

**Commissioner Candelaria:** Seconded the motion.

**Torrance County Clerk Yvonne Otero:** Came before the Board of County Commissioners to request approval to split the 3 existing Torrance County Precincts and creating 3 new Torrance County Precincts. In each of the precincts 5, 6, and 17, there were more than 750 individuals that voted. They will be split if approved to add precincts 20, 21, and 22. No new polling locations will be necessary as some may be consolidated. Two of them will be sent to the Moriarty-Edgewood School District, the other shall vote at the Moriarty Civic Center. There are maps of where they will be located. 20 will be inside the city limits, 21 and 22 will not.

**Chairman Schwebach:** Asked if we had any option or if, based on state law, this is a mandatory move.

**Madam Clerk Otero:** Answered that it is mandatory to split the precincts.

**Chairman Schwebach:** Asked why the precincts are split at this number.

**Madam Clerk Otero:** Stated that it is either 750 voters or 2,500 people. It is a NM State Statute.

**Torrance County Attorney John Butrick:** Declared minor changes to be made to the resolution.

**Madam Clerk Otero and Chairman Schwebach:** Interrupted Mr. Butrick to inform him that we were on the first Resolution, not the second. Chairman Schwebach informed the audience to disregard Mr. Butrick's comments.

**John Butrick:** Corrected specific items on the current resolution. These were: Page 1 of the Resolution, first line which states that a "precinct must be divided if there were more than 750 votes." The word "more" was added. This Resolution will become effective January 1, 2022.

**Commissioner Candelaria:** Asked where Duran would be moved to.

**Madam Clerk Otero:** Stated that Duran will stay the same.

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

**B. CLERK: Motion to approve designating the location of polling places for 2021 Local Election and all Statewide Elections in 2022-2023 and appointing Board of Registration Members, Resolution No. 2021-23.**

ACTION TAKEN:

**Chairman Schwebach:** Made a motion to approve designating the location of polling places for 2021 Local Election and all Statewide Elections in 2022-2023 and appointing Board of Registration Members, Resolution No. 2021-23.

**Commissioner McCall:** Seconded the motion.

**Torrance County Clerk Yvonne Otero:** Asked for approval of Resolution No. 2021-23.

This will consolidate Torreon, Manzano, and Tajiique. The voting will be at the Torreon Community Center. The reasoning behind the consolidation is that it has become increasingly difficult to find presiding judges or other workers. She has had to ask people from outside this community to work.

Only members of the community should be working the polling locations, but it has gotten increasingly hard to find workers.

Because the County is V.C.C., that means everyone is welcome vote at any location. A mobile voting location could be sent out if necessary.

One member was taken out of Board of Registrations and may no longer work on it because she now works for Torrance County. There are only 4 members right now, who are Carolann McNeil, Roberta Chavez, and alternates Shanon Torok and Mary Theresa Otero. They are an even number of Democrats and Republicans.

**Torrance County Attorney John Butrick:** Asked for the changes previously requested, which were to change the date on page 2 to June 2021 from June 2019, and a corrected spelling of Mr. Butrick's name on the last page.

**Chairman Schwebach:** Asked Ms. Otero if she was asking for the resolution because she was strategically having trouble filling the roles, and she needs to consolidate.

**Madam Clerk Otero:** Answered in the affirmative. She said that Encino is also becoming a problem and that she is having trouble finding workers even though they know they are getting paid. She cannot consolidate them because the space is too far. She only had 3 workers when she should have had 4. She is considering placing an all-mail-in voting system.

**Commissioner McCall:** Asked if as V.C.C.'s, or Voting Convenience Centers, voters can vote anywhere.

**Madam Clerk Otero:** Answered in the affirmative. She explained that she has had to try different things to get voters to the polls. She puts signs in the Post Offices and in the grocery stores because there are a lot of older folks who do not use social media.

**Chairman Schwebach:** Asked if the Resolution were not approved, how it would affect the voting process, or if it would at all.

**Madam Clerk Otero:** Stated that she needed it signed by the end of the month.

**Chairman Schwebach:** Stated that he understood but was curious to know what would happen if it was not approved because they did not want to consolidate it.

**Madam Clerk Otero:** It would not change the voting.

**Chairman Schwebach:** Asked if it was the most logical option in her opinion.

**Madam Clerk Otero:** Answered in the affirmative.

**Commissioner Candelaria:** Stated that it was the job of the Commission to support the County and support the Election process and make it better.

**Madam Clerk Otero:** Stated that she has had people call her and tell her that they have nightmares of being presiding judge, or that they do not want to work because the workday is too long.

**Chairman Schwebach:** Stated that we need to make sure we keep up with the times on voting but also not leave any of the elderly behind.

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

## 12. APPROVALS

**A: PURCHASING: Motion to approve contract between Torrance County and Gilbert A. Ortiz as Teen Court Coordinator/Prevention Specialist.**

ACTION TAKEN:

**Chairman Schwebach:** Made a motion to approve contract between Torrance County and Gilbert A. Ortiz as Teen Court Coordinator/Prevention Specialist.

**Commissioner Candelaria:** Seconded the Motion.

**Noah Sedillo, Chief Procurement Officer:** On Behalf of the DWI Program and Ms. Tracey Master, and a grant received from CYFD (Corrected to Department of Finance and Administration), they went on to RFP on April 23, 2021, for a request proposal for a Teen Court Coordinator/ Prevention Specialist. This provides a service for youth offenders to be held accountable for their actions, while providing sanctions so that they do not develop a criminal record. They received one solicitation and met solicitation requirements for advertising in the local paper.



Gilbert A. Ortiz is already in place as the Teen Court Coordinator/ Prevention Specialist and was the only one who applied. It is recommended for him to continue in this position.

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

**B. DWI: Motion to approve contract between Torrance County and John Steiner for Evaluation Services.**

ACTION TAKEN:

**Chairman Schwebach**: Motion to Deter 12. A. (Actually 12. B.) to next regulatory meeting.

**Commissioner McCall**: Seconded the motion.

**Chairman Schwebach**: Asked for discussion, none at the time.

Roll Call Vote. Commissioner Candelaria voted “yes”, was interrupted by Madam County Manager Barela.

**Madam County Manager Barela**: Interrupted to ask for motion to be amended to “defer” from “deter,” and that it may not come up on the next agenda, or at all, depending on the procurement process. Mrs. Barela stated that she was unsure if “defer” or “tabled” was the correct word.

**Chairman Schwebach**: Retracted his previous motion. He said he believes “tabled” is the correct term, since they may not need the motion at all.

**Torrance County Attorney John Butrick**: Believes that if a motion is tabled, it needs to be voted on in the same meeting, and so “defer” would be the correct term.

**Chairman Schwebach**: Amended motion to defer item 12-B.

**Commissioner McCall**: Seconded the motion.

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

**C. DISPATCH: Motion to approve FY22 annual maintenance contract for 911 phone system with ConvergeOne.**

ACTION TAKEN:

**Chairman Schwebach:** Made a motion to approve FY22 Annual Maintenance contract for 911 phone system with ConvergeOne.

**Commissioner McCall:** Seconded the motion.

**Ben Daugherty, Torrance County Dispatch:** Came before the board to request approval for FY22 Maintenance Contract with ConvergeOne. He said there are no budgetary constraints to contend with because the bill is paid directly by DFA. Dispatch receives 24-hour maintenance with ConvergeOne.

**Commissioner McCall:** Asked Mr. Daugherty if he was pleased with the service provided by ConvergeOne.

**Ben Daugherty:** Answered in the affirmative. Explained that the maintenance service is the best they have had in the 20 years he has been working with Torrance County.

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

**D. Human Resources: Motion to approve the Equal Employment Opportunity Plan (E.E.O.P.)**

**Chairman Schwebach:** Made a motion to approve the Equal Employment Opportunity Plan (E.E.O.P.).

**Commissioner Candelaria:** Seconded the motion.

**Kristin Oliver, Torrance County Human Resources Director:** Replaced handouts from the packet, there were corrections made to the page numbers and the data charts were added. Explained that an Equal Employment Opportunity Plan, or “E.E.O.P.” for short, is a workforce report that Torrance County must complete as a pre-requisite to receiving Justice Department Funding.

The purpose of the E.E.O.P. is to “ensure recipients of financial assistance from the Justice Department receive full and equal employment opportunity to men and women in the workplace regardless of sex, race or national origin.” A written E.E.O.P. is necessary to ensure the grant from the Justice Department is received.

**Cheryl Allen, Torrance County Grants Manager:** At the last Commission Meeting that was held, Mrs. Allen and Mrs. Oliver sought approval for the Community Policing Program through the Juvenile Justice Grant Fund. (Also referred to as the Justice Assistance Grant, or J.A.G. for short). One of the certifications for the program is to implement the E.E.O.P. Mrs. Allen assumed that because Torrance County is currently an equal opportunity employer and it was touched upon in the personnel ordinance, that it was sufficient to meet this year’s qualifications set forth by the Justice Department. This was not the case. After she brought the plan to Mrs. Oliver, they did research and found that an additional plan written and set into place was necessary to obtain the grant funding. Mrs. Allen contacted the agency and requested until the June 23<sup>rd</sup> meeting to update any changes to the new E.E.O.P., and to get approval for it, before the grant, which is some \$41K.

**Chairman Schwebach:** Asked Cheryl Allen to confirm that what the County are doing is adopting an Equal Opportunity Employment Plan.

**Kristin Oliver:** Stated that mostly the project is stating hard facts. The first 15 pages are the Personnel ordinance, specifically stating how the applications are done, the onboarding process, showing that they give equal opportunity and the end of the packet states that the County will not discriminate.

**Chairman Schwebach:** Asked how the E.E.O.P. will be implemented.

**Kristin Oliver:** On the last page there is a dissemination. According to the Justice Department, the basic requirement is to make the E.E.O.P. available to the public, and readily available. It informs the community of the E.E.O.P., and that it will be recorded in the Clerk’s Office.

On the Torrance County Human Resources Page, the public is informed that they can see this information in Mrs. Oliver’s office or in the Clerk’s Office.

**Madam County Manager Barela:** Stated that she had not had a chance to review the packet as much as County Attorney John Butrick had. She pointed out the data on the back of the packet.

She brought to attention where Torrance County stands in relation to Gender Discrimination, and what the County's policies are on discrimination and that the County is following the Personnel Ordinance that defines gender, race, and national origin. It also breaks down the disciplinary actions that are taken when/if someone chooses not to follow the policy. They want to see that not only does the County have the policies in place, but that they have that data that shows they are following through on disciplinary action. County Manager Barela pointed out that the County goes out of their way while advertising open positions to make it clear and known that Torrance County does not discriminate. Kristin Oliver does an excellent job ensuring the non-existence of discrimination in the County.

**Kristin Oliver:** The data is only available from employees who volunteered this information willingly. People have the right not to disclose personal information. The data therefore does not encompass every single person.

**Chairman Schwebach:** Asked what time frame the County is on to get this finished and submitted into the Justice Department.

**Cheryl Allen:** We would not be eligible to receive funding until the Equal Employment Opportunity Plan is enacted, and then the grant is submitted.

**Chairman Schwebach:** Mentioned concerns regarding having so much of Torrance County employees' information available to the public, and the probability of self-interest groups using the information in a negative way. This could be due to many different reasons, chief among them because they do not agree with who the County hires.

**Kristin Oliver:** Noted that although the information is compiled in a different way now, that it is not one sided.

**Madam County Manager Barela:** If anyone did try to accuse the County of discrimination, we have everything we need to prove that we have done due diligence to be an Equal Opportunity Employer.

**John Butrick, Torrance County Attorney:** Addressing Chairman Schwebach, Mr. Butrick explained that anyone may still make an accusation against the County, regardless of what the County does with the E.E.O.P. We already have this data. It is just a recompilation.

**Kristin Oliver:** Believes that the data does not show any discrimination to anyone at all looking at the applications received versus hires.

**John Butrick:** All employees will be sent a copy of this plan.

**County Manager Barela:** Asked Kristin Oliver to elaborate on how this plan came to be.

**Kristin Oliver:** Stated that she was unsure of exactly how long, but that it is based on the "Safe Streets Act of 1968."

**John Butrick:** Offered to answer any other questions Mr. Schwebach and the Commission may have.

**Chairman Schwebach:** Asked for further questions; no questions or discussion was asked or presented.

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

**D. EMERGENCY MANAGEMENT: Motion to approve Memorandum of Understanding (MOU) between Torrance County and New Mexico Department of Health (DOH) for Cities Readiness Initiative (CRI) Award for \$10,000.**

**ACTION TAKEN:**

**Chairman Schwebach:** Made a motion to approve Memorandum of Understanding (MOU) between Torrance County and New Mexico Department of Health (DOH) for Cities Readiness Initiative (CRI) Award for \$10,000.

**Commissioner McCall:** Seconded the Motion.

**Senaida Anaya, Torrance County Grants Assistant:** The Grants Department asked for approval of the Cities Readiness Grant of \$10k. It is to prepare major U.S. cities and metropolitan areas for an effective response to a large-scale public health emergency. There are 8 tasks specified, which are on the handout.

**Commissioner McCall:** Asked if this is a grant that Torrance County has had before.

**Senaida Anaya:** Answered in the affirmative and stated that last year's grant was for \$14,942. The overage was because of a carryover from the previous year. She was just asking for approval of the \$10k from this year.

**Commissioner McCall:** Asked what it is and has been used for.

**Senaida Anaya:** Answered that it is to prepare Metro Cities for effective response in happenstance of a large-scale disaster. Examples were given from the handout.

**Cheryl Allen, Torrance County Grants Manager:** In the past, coordinated efforts with Bernalillo and Rio Rancho have been utilized for COVID-19 vaccination sites, including coordinating for the sites, and assuring they are prepared for any event. They have annual training for different emergency situations that could arise by playing out mock disasters.

**Commissioner McCall:** Asked if it was safe to assume that Emergency Management used these funds in the past.

**Cheryl Allen:** Answered in the affirmative.

**Noah Sedillo, Chief Procurement Officer:** The Mobile Command Unit was purchased with a portion of funds from this grant. The Mobile Command Unit is an important tool for the County because the Fire, Police and Emergency Response Team may all use it.

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

**E. MANAGER: Motion to approve three-month extension of Torrance County's current contract with Estancia Valley Solid Waste Authority (E.V.S.W.A.).**

ACTION TAKEN:

**Chairman Schwebach:** Made a motion approve three-month extension of Torrance County's current contract with Estancia Valley Solid Waste Authority (E.V.S.W.A.).

**Commissioner McCall:** Seconded the motion.

**Madam County Manager Barela:** Clarified the origin of the motion, which is a three-month extension to the current contract on file between Torrance County and Estancia Valley Solid Waste Authority. The current contract is set to expire June 30<sup>th</sup>, 2021. All the current terms and conditions of the contract will remain in place until September 30<sup>th</sup>, 2021, or until a new, fully realized contract is set in place, whichever comes first. Manager Barela had asked to put a motion extending the contract on this day's Meeting during the previous Board of County Commissioner's Meeting, held on June 9<sup>th</sup>, 2021.

**Chairman Schwebach:** Asked if EVSWA had already approved an extension to the current contract while a new contract is drafted.

**Madam County Manager Barela:** EVSWA held a special meeting where they approved Executive Director Martin Lucero to sign on their behalf to approve this extension.

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

### 13. DISCUSSION

**A. Manager: Discuss the process and options for getting Torrance County buildings on a self-sustained electric solar system.**

**Chairman Schwebach:** Introduced discussion topic.

**Madam County Manager Janice Barela:** Introduced Deputy County Manager Tenorio.

**Deputy County Manager Philip Tenorio:** Deputy Tenorio read the Meeting Item 13. A. introduction and then presented a slideshow of information. He explained that there is a lot of information herein contained in the slideshow presentation. He reminded everyone in the Commission that it is just a discussion item, and he is presenting so that the Commission and the Torrance County community can make informed decisions regarding the Self-Sustaining Solar System.

Deputy Tenorio thanked Jeremy Oliver for the role he played in acquiring the quotes for investing in solar energy.

He stated that Mr. Oliver recognizes the value in possibly switching to a fully self-sustaining solar system. Deputy Tenorio explained that he began his research journey approximately 2 years ago, and he searched the entire country for the best companies. He stated the best price for solar came from Positive Energy Solar, whose ground mounts are the best deal versus other companies.

Deputy Tenorio began to read information off the presented slides, beginning with the price comparisons.

Deputy Tenorio stated that his team searched for and recorded information from every electric meter the county owns, anything over 500 kilowatts of average usage would be better served using solar instead of the current electric that is used.

Breakeven Analysis: There is a 25-year warranty on the solar panels and system. The best projections say upwards of 40 years, but 25 is the guarantee.

**Chairman Schwebach:** Asked what the service factor is on the panels, and what the lifespan is.

**Deputy Tenorio:** The panels are guaranteed consistent performance to 25 years. After 25 years there will be some normal degradation, where they become less efficient. Some companies' equipment begins to significantly degrade after 12 years. 25 guaranteed years is quite a high number. The ICIP group came up with tangible numbers, since 1.8 million is a huge number.

The breakdown on the Judicial Center is:

It is one of the newer buildings, it is used consistently, and has potential to be used even more.

It is a 109 KW system. On a ground mount, which is what they would be using, one of the additional costs necessary is fencing. The Judicial Complex has an area that was previously fenced and would work for the ground mount solar panels and equipment. He does not want the roof to potentially be ruined by putting solar panels on it.

As far as numbers go, Positive Solar Energy gave better numbers than the state pricing agreement. That adds up to an extra \$36,000 in savings, on top of the \$13,000 savings on electric.

**Noah Sedillo, Chief Procurement Officer:** Explained the State Pricing Agreement. The company is willing to honor a price that is less than the price agreement, which is allowed.



The carport system has changed on the pricing agreement. Mr. Sedillo suggests a fixed carport system to protect the fleet due to recent events like theft and vandalism.

**Deputy Tenorio:** Spoke about the admin building and the advantages and disadvantages of roof, ground and carport mount solar panel installation, and pricing comparisons.

**Jeremy Oliver, Finance Director:** Spoke about funding sources for the separate buildings. He split up the Dispatch and Fire Department buildings, as well as the Senior Centers. Would like to speak to the State Fire Marshal and the Fire Departments about getting approval. Would like to talk about possible increased GRT's and a possible NMFA loan, or a Purchase Power Agreement, although he was hesitant to look at that as a possible option because of procurement issues.

**Deputy Tenorio:** Positive Energy can help with this. There are tax benefits that can be acquired for having solar electricity. Mr. Tenorio explained that as a government entity the County cannot take advantage of tax breaks, but the company that the County hires can. Mr. Tenorio also explained that there are ethical issues about choosing which company to go through. Mr. Tenorio suggested looking at different ways that the American Rescue Plan funds could be used. They may not be used for Capital Improvements, though it can be used for water improvement. There is a line item that says it may be used for Green Renewable Projects, and Mr. Tenorio let Cheryl Allen speak to this.

**Cheryl Allen, Torrance County Grants Manager:** Stated that she has interpreted "Green Renewable Projects" as stated in the American Rescue Plan Grant language, to mean only green water projects.

**Deputy Tenorio:** He said that he does not want to completely discount the use of American Rescue Plan Funds to begin the solar electricity project. Another option is using P.I.L.T. money. He said that in the end, it does pay for itself, with the absence of electric bills.

**Chairman Schwebach:** Referencing a particular slide from the attached presentation, Mr. Schwebach asked Mr. Tenorio to speak about the absence of utility bills, how it pays for itself, and how this conclusion was reached.

**Noah Sedillo:** The savings is based on actual previous utility bills that the County paid in the past year.

**Chairman Schwebach:** Asked what the County pays on the Judicial Building.

**Deputy Tenorio:** The County pays approximately \$34,000 annually.

**Chairman Schwebach:** Asked if the \$13,000 is what represents the power coming off the solar panels.

**Deputy Tenorio:** Replied in the affirmative. Explained that there are many different factors, and the savings does include the buyback of leftover electricity from CNMEC. Explained that these projections are the best possible outcomes for Solar. That the weather is temperamental, but in a time of drought, solar power steps up to the plate.

**Chairman Schwebach:** Explained that he has many more questions, such as how much insurance will cost.

**Deputy Tenorio:** Stated that he does not want to be a salesman for Positive Energy, that there are other companies which could do the job just as well, but that they have done extensive research and case studies. He stated that all questions should be asked and answered before moving forward. There are many other counties that use solar energy that could be used as models for what to and not to do.

**Commissioner Candelaria:** Asked for hard numbers on other facilities that have installed solar.

**Deputy Tenorio:** Will bring hard numbers on the July 14<sup>th</sup> Commission Meeting.

**Commissioner McCall:** Asked if CNMEC does an energy buy-back.

**Deputy Tenorio:** Answered in the affirmative, although they do not buy it back at the same rate as they sell it. Mr. Tenorio spoke of specifics of the buying of electricity.

**Commissioner McCall:** Wants to know for sure if CNMEC would buy back energy.

**Chairman Schwebach:** Wants more specifics and to look more closely at this.

**Deputy Tenorio:** Expressed that every location has intrinsic quandaries.

**Chairman Schwebach:** Wants to focus on just one location for solar.

**Commissioner McCall:** Concurs with Chairman Schwebach but believes that what the County is doing with the windmills should count as their contribution to the “green energy/renewable movement.”

**Deputy Tenorio:** Believes that the leaps in solar technology, among other factors, other factors have improved significantly enough to make going solar a worthwhile endeavor.

**Commissioner McCall:** Believes that the tax credits make solar worthwhile for an individual, but not as much for a government entity because they cannot take part in the program.

**Deputy Tenorio:** Stated that the incentives may not be there, but as a business decision he believes solar energy installation makes sense.

**Chairman Schwebach:** Stated that he thinks that if we open the door, they need to look at every facet of the project to make sure it is the right thing for the County to do.

**Deputy Tenorio:** Explained that there are many ways that the companies can help with saving money, while outfitting the County buildings well. If they want to go for it, there are many cost- and energy-saving ways to improve the County’s buildings.

**Chairman Schwebach:** Repeated that he would like to hear more and would like to have savings anywhere he can. Wrapped up the discussion.

### **C. MANAGER’S REPORT:**

#### **D.**

**Torrance County Manager Barela:** Read the Manager’s Report, Hereto Attached.

Manager Barela began by reading the first two items about Legislative Appropriations, the paragraphs entitled “Reappropriations” and “Junior Appropriations.”

Manager Barela Went into some more detail regarding the funding from DFA and how and when it may be used. She clarified that as soon as it is signed by Director Donny Quintana, the funding may be used, if the guidelines are followed. Manager Barela explained that the funding may be used at-will, without prior approval, for each project the funds are intended. She stated that the County, with Torrance County Attorney John Butrick, are looking into appealing the usage rules that may affect the renovations Moriarty has placed on the Emergency Management Building. She wants to have positive decisions made before moving forward with use of the funds.

After reading these two paragraphs, Commissioner McCall had a question for Manager Barela.

**Commissioner McCall:** Questioned whether the funds that are being used are the funds that became available when the Road Department project fell through.

**Manager Barela:** Unsure of the answer but will ask. Manager Barela continued to read her report.

#### **COMMISSIONER'S UPDATES:**

**Commissioner McCall:** Thanked Fire Chief Don Dirks. Commissioner McCall lives near Interstate 40. While working at night, Commissioner McCall sees many first responders going on call; he expressed that he is very proud of the Torrance County Fire Department, and especially Chief Dirks.

**Chairman Schwebach:** Mimicked Commissioner McCall's sentiments on the Fire Department and first responders. He spoke out about how happy he was to see how many interns there are.

He discussed the water rows in the Estancia Valley. He wants to bring in EMWT to discuss the lack of water, wells that are going dry, etc. He wants to speak to them about helping the County.

**Commissioner Candelaria:** Concurred with Commissioners McCall and Schwebach regarding the Fire Chief, Fire Department and First Responders. Believes that Fire Chief Dirks has stepped up to the plate in respect to the challenges set forth by the Commission and the County as a whole and thanked the Fire Chief for all his hard work.

Commissioner Candelaria announced the FFA Ranch Rodeo on Saturday, June 26, 2021.

Commissioner Candelaria and Undersheriff Eli Lucero introduced themselves to the residents of the La Cienega and Mountainair area, and were received well.

They plan on going to the Duran/Willard/Encino areas next.

Commissioner Candelaria thanked Nick Sedillo for everything he has done for the County and is proud of the work he has accomplished with the Safety Program. He pointed out that there have been many checks awarded via the Program since 2004, and a lot of it is due to Nick.

**Madam County Manager Barela:** Announced the closure of the restrooms to the public and County employees on Thursday, June 24 due to the repair of the sewer system. She thanked Nick Sedillo for his work on the repairs and made Nick available to thank privately after the meeting.

**Nick Sedillo, Operations Manager:** Gave an update of the sewer system repairs. Made himself available to the Commissioners if they were interested in an update of the repairs, to see up close the details that were being improved.

#### **14. EXECUTIVE SESSION:**

No Executive Session on This Day

#### **ACTION TAKEN:**

Roll Call Vote: **Commissioner Candelaria** - Yes; **Chairman Schwebach** - Yes; **Commission McCall** - Yes:

**MOTION CARRIED**

#### **15. ANNOUNCEMENT OF THE NEXT BOARD OF COMMISSIONER'S MEETING:**

July 14, 2021 @ 9:00 AM.

#### **16. SIGNING OF OFFICIAL DOCUMENTS**

#### **17. ADJOURN**

#### **ACTION TAKEN:**

**Chairman Schwebach:** Made a motion to adjourn.

# TORRANCE COUNTY



## MANAGER'S REPORT

6/23/2021

Janice Y. Barela

505-544-4703

[jbarela@tcnm.us](mailto:jbarela@tcnm.us)



# *Legislative Appropriations*

## **Reappropriation – Road Shop and Yard**

Commissioner McCall requested that I confirm the process for the reappropriation of the capital outlay funds for the Road Shop and Yard. I spoke with Carmen Morin from the Department of Finance and Administration (DFA). She said that I was correct. When there is a change in the description, like in this case, it does require the sale of a Severance Tax Bond. These bonds are sold in June and in November. Thankfully, this project was included in the recent sale this month. She is waiting for the final confirmation when she views the final report before she can confirm that with 100% certainty. It is on her spreadsheet of projects that were scheduled to be included. So, if all goes well, the County should be getting our Agreement soon. Once we receive it, it will come before the Commission for approval.

## **Junior Appropriation – Emergency Management Building**

I also sought clarification on how the Junior Appropriations are processed. Carmen stated that DFA emailed us a Certification Form. The form requires my signature and the Finance Director Jeremy Oliver's signature, so we took care of that yesterday and submitted the form back to DFA. As soon as Director Donny Quintana signs it, the funding will be available. This funding does not require an agreement, and it does not require any Notices of Obligation. The County can start on the project.

# *Department Updates*

## **Animal Services**

The New Mexico Department of Health (NMDOH) advises residents not to touch unknown animals or wildlife in distress, but to instead report the incident to your city or county animal control services for proper care or action. This month, the NMDOH has received increasing reports of people coming into contact with bats. Because of current high temperatures and lack of water, bats can have the tendency to fall on the ground from their perches where the nocturnal animals normally hang during daylight. Their reaction to extreme heat can cause bats to seem ill and display unusual behavior. If you see a sick or dead bat, don't touch it. You might think you are doing the kind thing by trying to help an animal, but if that animal bites or scratches you, you could put yourself at risk for rabies. Dead animals can also pose risk for rabies if improperly handled. Parents are encouraged to teach children not to touch strange animals, and to tell an adult if they see one.

Two bats from Torrance County have tested positive for rabies in 2021.

Here are some additional tips to protect you and your family from rabies:

- Always keep pets on a leash when outdoors. Pets should be up to date on rabies vaccinations and wearing current license tags on their collar. If your cat or dog has been bitten or scratched, call your pet's veterinarian, even if the wound appears very minor.
- Horses or other livestock should be considered for rabies vaccination to protect them from rabid animals that may attack them.

- Stay away from wild or unfamiliar animals. This includes animals who are acting sick, fearless, aggressive or even friendly. Do not attempt to feed, approach, or touch wild animals (dead or alive).

## **Human Resources**

### **Summer Internship Program:**

The County through the funding from the Public Education Department, hired two coordinators and 38 interns. They had orientation on Monday June 21<sup>st</sup> and started work right after.

The interns are being mentored at the following agencies.

EMW Gas  
 Salinas National Park Service  
 EVSWA  
 Town of Estancia  
 Estancia Library  
 Town of Mountainair  
 City of Moriarty  
 CNMEC

Along with our County Departments.

Clerk  
 Treasurer  
 Assessor  
 Grants  
 Finance  
 Animal Services  
 Fire  
 Maintenance

### **Open Posted Positions:**

- Deputy County Manager
- Delinquent Tax Specialist
- Victim Support Specialist
- Mechanic-Equipment Operator
- 911 Dispatcher (6)
- Student Work-Study Program (Moriarty High School Senior)

### **Open but Not Posted:**

- Code Enforcement Officer
- Legal Assistant
- Emergency Manager Specialist

To get more information about these positions or to apply for any of these positions, please visit the County's website at [www.torrancecountynm.org](http://www.torrancecountynm.org). Click on "Job Opportunities".



**Commissioner McCall: Seconded the Motion.**

Roll Call Vote: **Commissioner Candelaria - Yes; Chairman Schwebach - Yes;**

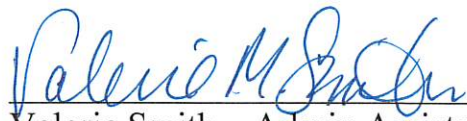
**Commissioner McCall -Yes:**

MOTION CARRIED

**MEETING ADJOURNED at 10:51 A.M.**



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



\_\_\_\_\_  
Valerie Smith – Admin Assistant

7-14-21

\_\_\_\_\_  
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 out local radio station KXNM.