

**FINAL COPY**  
**Torrance County Board of Commissioners**  
**Regular Commission Meeting**  
**November 08, 2023**  
**9:00 AM**

Commissioners Present:

**RYAN SCHWEBACH – COUNTY CHAIRMAN**  
**KEVIN MCCALL – COUNTY VICE CHAIRMAN**  
**SAMUEL SCHROPP – COUNTY COMMISSIONER**

Others Present:

**JANICE BARELA – MADAM COUNTY MANAGER**  
**MICHAEL GARCIA – COUNTY ATTORNEY**  
**LINDA JARAMILLO – COUNTY CLERK**  
**GENELL MORRIS – ADMINISTRATIVE ASSISTANT I**  
**DONALD GOEN – COUNTY P & Z DIRECTOR**

1. **Call Meeting to order.**

**Ryan Schwebach – County Chairman:** Calls the November 08, 2023, Regular Commission Meeting to order at 9:05AM.

2. **Pledge lead by:** Ryan Schwebach – County Chairman

**Invocation lead by:** Samuel Schropp – County Commissioner

3. **Changes to the Agenda:**

**Janice Barela – Madam County Manager:** Defer 5 A, Dominic Romero is unavailable. Defer 12 I, more information needs to be gathered. Move 13 A to before 12 A, presentation relates to agenda item 12 A Consent and Crossing Agreement.

4. **PROCLAMATION: None**

5. **CERTIFICATES AND AWARDS:**

A. **MAINTENANCE:** Employee Service Year Pin: Dominic Romero (2)

**Deferred**

B. **FIRE:** Employee Service Year Pin: Felicia Braman-Mahan (2)

**Hanna Sanchez-Acting Fire Chief:** Felicia Braman-Mahan also known as Cricket. Cricket came to us after providing service to us on the volunteer side in District 5. She then moved to District 2 where she was able to obtain eight EMTs, two were paramedics with an 87% response rate. She is a true asset to this County.

C. **MANAGER:** Employee Service Year Pin: Samantha O'Dell (2)

**Janice Barela-Madam County Manager:** Samantha is our Emergency Manager, she started as our Emergency Management Specialist. When the vacancy occurred she put in for that. We took a shot on her and it was one of the best decisions we made here in the County. She has made a big impact across the county and across the state. She has mended a lot of bridges that Torrance County had broken through previous Emergency Managers. It got to the place that no one was trusting Torrance County when it came to operating and taking care of emergencies. That is no longer the case in Torrance County. She is networking across the state making sure we are in compliance.

**Samuel Schropp-County Commissioner:** It is good to see that our trust in creating a full-time position and hiring Ms. O'Dell was well placed. Thank you for your hard work.

**D. ASSESSOR:** Employee Service Pin: Helen Gutierrez (2)

**Linda Gallegos-Chief Deputy Assessor:** Helen was hired by the Assessor's Office to fill the CAMA Data Analyst position in 2021. CAMA stands for Computer Aided Mass Appraisal. This position is absolutely critical to the function of the Assessor's Office. The Data Analyst is responsible for all data integrity and managing all assessment information that is added to the tax rolls and maintained by the Assessor's Office. In addition to the quality control and analyzation of our data, Helen processes reports daily to stay apprised of all data and submits the County Assessor's mandated annual reports to New Mexico Property Tax Division and the New Mexico Department of Finance. Helen started during a tumultuous time when the Assessor's Office was transitioning from the Real Ware software to our current Tyler software. Having to learn the Real Ware system before Tyler was fully functional was not easy. Helen not only learned the Real Ware system, that we continued to use for six months, but also trained on the use of the Tyler programs, at the same time. Helen almost single handedly with some technical support from Tyler and Crystal, was able to decipher the new software, but also assisted Tyler by discovering and pointing out areas that needed to be reprogrammed to assist all New Mexico Assessor's Office's that use the Tyler software program. She also has been able to assist other departments within this building with Tyler usage. Additionally, a CAMA person is not required to take appraisal classes, but Helen has elected to take those classes and has already taken two, completed and passed. This was to increase her understanding and learning of the appraisal process to better understand the relative nature of all of our processes in the Assessor's Office. Her intelligence and dedication to current and correct data integrity makes Helen an invaluable employee to the Assessor's office. I'd like to thank Helen for your contributions and congratulations on your accomplishments in this short two years.

**E. ASSESSOR:** Employee Service Pin: Crystal Garcia-Salas (10)

**Linda Gallegos-Chief Deputy Assessor:** Crystal was hired to work with Torrance County as a float clerk ten years ago in October of 2013. She was initially placed at the Project Office Assistant as a facilitator for the TOP program, which is known as the Teen Outreach Program. Working with teens ages 12 to 18 from the

community in areas of teen pregnancy prevention, life skills and knowledge, and was also certified through the New Mexico DOT to distribute and install safety seats. Crystal was later placed in the Assessor's Office; Betty Cabber was the Assessor at the time. Crystal stated that she was intrigued by the functions of the Assessor's Office and was interested in obtaining as much knowledge as possible in this area. Mrs. Cabber saw Crystal's potential, so she asked her if she'd be interested in taking classes and handed her the 101 Fundamentals of Real Property Appraisal curriculum. Crystal took on this challenge, accepted it and took the course. Classes are four days of what equals out to a semester's worth of training and then take a test in five days and you're expected to pass that exam in order to get your certification. With the support and training of several coworkers, she became a state certified appraiser in a short two-year period. It usually takes at least four years or more to accomplish that. She has since progressed to her current position as the Senior Lead State Certified Appraiser overseeing the appraisal department, which consists of knowledge of all valuation of the properties in the county, including analyzing sales and the market for determination of fair, equitable, current, and correct assessments. She is responsible for the planning and implementation of the Annual Reappraisal Plan and leads her staff through guidance and training. Crystal was also instrumental in the software conversion process as she stepped up to assist when our office didn't have a CAMA Specialist at the time. Crystal, thank you for your contributions to the Assessor's Office and congratulations on your accomplishments.

**F. DISPATCH: Employee Service Year Pin: Ben Daugherty (20)**

**Janice Barela-Madam County Manager:** I am honored to give this 20-year service pin to Ben Daugherty. He has also served in the Volunteer Fire Department. He has been amazing to work with during the time that I've been in the Manager's Office, He is very good at what he does, both administratively and on the floor, working with his staff. I know first-hand instances where he went above and beyond to actually care for the dispatchers that are under his watch. It's not uncommon for him to sit on the floor with them, even when they were better staffed and actually helped them through difficult calls. With how short staffed they are, he's not only taken on the role of the Night Shift Supervisor, he also is dispatching full time. On top of that, he is also in charge of the IT for dispatch. He

plays a lot of roles. Ben does each one of them exceptionally well and we are honored to have him here in Torrance County. I know that he's part of a tier one and can get out of here in five years, he may be looking at that as his end goal. To have him stay longer would be great. He is a wealth of knowledge and we're very honored and blessed to have him as we are continuing to try to recruit people into dispatch, he will have an impact in their training with his influence and his experience.

**Ben Daugherty - 911 - Supervisor (Night Shift) Daily Operations:** Thank you for the recognition, I originally started in 1997, left twice and came back. I would, however, like to take this opportunity to point out some things to think about. I don't want to use the word, problems, but I don't know another way to phrase it. Your comment about being tier one actually plays into it perfectly, even though it wasn't planned. I would like to know what you think about, when it comes to Dispatch, what are we? I'm tier one, a 25-year retirement plan, but because I'm considered clerical, by Torrance County in the state of New Mexico, I'm 22 years from retirement age. When it comes to a snowstorm, bad weather, losing power, no heat, or air conditioning, we're considered Emergency Services and have to be there. It's kind of confusing. I, for one, would like to see something happen to clarify that. I know it's not just here, it's at the state level, but it has to start somewhere. The other one that I greatly apologize for bringing up today is, payroll was discussed back in July. It's very nice to stand here and get a 20-year service award. However, five, six months ago, it literally felt like a slap in the face when half of our department was given one raise and those of us with 15- and 20-years' experience were given 50% of that. I bring it up here in public and I feel bad doing it, but we have tried to reach out through normal means, and I've gotten no response back. Thank you for your time and listening. Thank you very much for the recognition. I do appreciate that. I'm sorry.

**G. MANAGER:** Employee of the Quarter: Arely Cuevas

**Janice Barela-Madam County Manager:** Every quarter we ask for nominations from the staff who they believe should receive Employee of the Quarter award. We ask for some staff members to look out for these going above and beyond what their regular job duties are. We received quite a few nominations. I'm excited to present Arely Cuevas with the quarter award for taking on extra work during this quarter. We currently have a vacancy for another custodian. Arely has been split between two positions. We do have that position open. If anybody's willing to put

in an application, we would appreciate it. She did so willingly. She saw where there is some areas that needed improving, particularly here in the administrative building. Arely asked for a chance to get this in tip top shape before you bring somebody else in. That's the kind of attitude and work ethic Arely brings to her position here in Torrance County. It's not just this one instance. It is over and over again in all of her buildings; she always has such a smile on her face and a positive attitude no matter what she's doing or who she's talking to. She has this with every encounter that she has with the public or with us here in the staff. If you reach out to her for anything she's always willing to help. She'll drop whatever it is that she's doing, and she gets things done, quickly. For all of that and much more, thank you for everything that you've done through the years. I know this can be a very thankless job. We can certainly tell when someone's not doing the job of custodian, but you do it so well that we become so accustomed to that work ethic that you have. This is a great opportunity for not just administration to say thank you, but the fact that so many of your coworkers have acknowledged and shown appreciation for this says a lot.

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

**7. PUBLIC COMMENT and COMMUNICATIONS**

**Linda Jaramillo-County Clerk:** We had our Regular Local Election yesterday; it was a good turnout. The Early Voting and Absentee were a little slow, but that was expected. I want to thank everybody in my office, Sylvia Chavez, my Chief Deputy Clerk, Senaida Anaya, Bureau of Elections Administrative Assistant, Genell, McKenzie, Sam Chavez, and Kevin Pham, who are my techs and all my precinct workers, they did an excellent job. Yes, we had some ups and downs, and some mistakes were made, but that's part of running an election. It is such a complicated process. We had write-in candidates in Mountainair for municipal judge, two write-in candidates in Willard, and two write-in candidates here in Estancia. Those are not in this report because we have to qualify them. We should be able to complete the qualifying of the write-ins today, that will change the report. Everybody did such an excellent job, were helpful and followed my

direction. Yes, I am a little rusty from not running an election for three years, it was kind of a learning process because the election laws change all the time, I had to get familiar with all the new laws and everybody was really patient with me because I kept questioning everything. I have to get back to canvassing this election. Thank you.

**Ariel Prado – Director of Civic Engagements for Innovation Law Lab:** I'm going to start with a quote "There is such a thing as integrity. Some people are noble. There is such a thing as courage." The terrible thing is that the reality behind these words depends ultimately on the human being. Meaning every single one of us believes it to be real. The terrible thing is that the reality behind all these words depends on choices one has got to make. Forever and ever every day. In addition to being Law Lab's Director of Civic Engagement, I'm an accredited representative with the U.S. Department of Justice. Before I stepped into my current position, I spent over seven years providing legal services in immigrant detention centers in rural Texas, Georgia, Louisiana, California, and New Mexico. I have seen time and again how people in power in rural communities and this is not meant to be about the folks in this room, but it is a thing that is incentivized in rural communities with immigrant detention centers. That there's an incentive to ignore human suffering or to deny human suffering and human rights violations because there's a need to focus on tax income and jobs that can come with the federal funds that come in. Now in my role as Director of Civic Engagement, I work with people in these communities around detention centers to develop shared visions for thriving communities and economies that might meet the needs of the people who live there. I hope to design outreach projects that encourage people to consider the things they love about where they live. The challenges that they and their loved ones face and to imagine how their communities might change in that. To consider how they might survive and even thrive without relying on an industry of suffering. In talking with Torrance County residents, I've learned what is likely obvious to you all. That many feel conflicted about the continuing existence of a jail. On the one hand, the jail funded with our federal tax dollars, brings money and jobs to Estancia in the county. On the other hand, there's discomfort with the frequent reports about conditions inside the jail. I've been humbled and inspired by the warmth, hospitality, patience, and the thoughtfulness which the residents of Torrance County have engaged in this conversation. A few weeks ago, my colleagues at Innovation Lab, along with the ACLU of New Mexico, the New Mexico Law Center, Immigrant Advocacy Center, Santa Fe Dreamers Project, and Viva, a group of volunteers who spend one Sunday out of every month going out to the Torrance County Detention Facility or the Cibola Correctional Facility. They

submitted a letter to this commission asking you not to renew the ICE contract for the Torrance County Detention Facility when it expires in 2024. My colleagues who wrote that letter have collectively spent thousands of hours working with people out of the county, and they have dedicated themselves to understanding humanitarian crises in countries around the globe and then supporting the people who flee those crises to seek asylum in the United States. When people seek safety from persecution in the United States, they are met with a system designed around the principle of deterrence. I have these reports that I'd be happy to share. But the idea of deterrence is that you make the consequences worse than the situations that people are fleeing. If the situation here is bad enough, they'll tell their family members it's not worth coming. We saw that, for instance, when Kamala Harris, went to Guatemala and told people, don't come. The border is not open. It was an attempt to tell people who are considering leaving their homes and their families and everything they know and left behind, that the U.S. is not a safe place for them. To me the consequences of seeking safety here are worse than the reasons that would drive the family to leave home and everything they know to travel across the globe to a place they do not know to seek a better life. I'm here because Torrance County has become one of the places that is used to discourage people from seeking safety in the United States. There are not enough attorneys for everyone held at the Torrance County Detention Facility. It is designed with that in mind. There are not enough legal visit rooms for everyone.

**Ryan Schwebach – County Chairman:** We have a two-minute rule are we getting close to wrapping it up?

**Ariel Prado – Director of Civic Engagements for Innovation Law Lab:** There are not enough legal visit rooms for everyone who are held at the Torrance County Detention Center to have a chance to meet with an attorney, even if they had one. Even if it were possible to triple or quadruple the size of the legal service organizations who helped write that letter, there would not be enough attorneys for every person detained by ICE at the Torrance County Detention Facility. This being so, my colleagues do what they can, to help as many as they can, to understand expedited removal, a screening process with a complex set of legal standards of events. The Torrance County Detention Facility more often than not, entails a telephone interview in a room with approximately 18 other men simultaneously conducting telephonic interviews about their reasons for leaving their homes and seeking safety in the United States. Over the past year, my colleagues have worked with men after their interviews and learned that they were terrified to admit to a stranger on the phone in a room full of 18 strangers that they had been raped before they fled their homes, or that they were afraid to admit that they were threatened by police for being gay.

**Ryan Schwebach – County Chairman:** Your time is up.



**Ariel Prado – Director of Civic Engagements for Innovation Law Lab:** Two more sentences. I would ask, I guess in that letter we did ask for a meeting with the commission to discuss our work and also to understand what your vision for the county is and what it looks like for Torrance County to thrive and survive without the detention center. So we appreciate a response. We know that you are good leaders, strong men, and we very much like to hear from you about what it looks like to move forward. We are in touch with the people in the detention center and we want to be in touch with the people in the county.

**Samuel Schropp-County Commissioner:** Because we're a three-person commission, we don't get to discuss these things. I am currently writing a letter in rebuttal to the request by these folks, which I will pass on to the county manager. However, it's appropriate for us all to agree on what the positions I present in that letter is, what I will be bringing to these NGOs.

**Albert Beckwith - Resident:** This is directed to the Chief of Police. We are part of Torrance County, yet we have no police action in our neighborhoods. We have people that are carousing around all night long, breaking into people's property. As a person who cares about my neighborhood, I'm one of the people that's willing to stand up for it. We have a Sheriff who lives in our community, but yet we're not getting any patrol. We were promised years ago by the previous Sheriff they would do what they call a close patrol. It never happened. We're still waiting. We have a senior center that's not open. The only time it's open is when we go and spend our money to eat a meal. Seniors can't go and play pool, we can't go and read a book, the place is closed, constantly. I offered our Sheriff, that I would be a volunteer to keep it open so senior citizens have a place to go during the day to hang out together. There's nothing there, no theaters, nowhere that we can go to but a senior center. It is only opened once a month, that pays the bills for that place, but yet it's never opened. It's a good meal, there's good music, dancing afterwards, but it's never opened. Why have a building that we are paying to keep open, but we're not able to use it. It's not utilized by us veterans and seniors. We don't understand why. I met with a lot of people in my neighborhood, we look out for each other. This creeping around in the middle of the night is going to get someone hurt. You can't be breaking into people's businesses. You can't be stealing their equipment. You can't be opening gates and walking through like, you know, the people that are there when you don't know. I have pitbulls, if somebody is in my yard, they're going to get bitten. If we had an officer just once in a while to pass through there to let them know that somebody is watching other than us locals. We veterans have

had all we're going to take, if we're not going to get any help, it's not a threat, we will stand for our country. I'm not going to back down. These people that are coming here, God bless them. If it was worse in their country or maybe they came to a country where people like myself fought for, for the freedom that we have. Yet we asked for a few things to be done that we don't get it in return, like police presence in the neighborhood where we have a lot of people that are undocumented. We don't know if they have COVID, AIDS, we don't know anything about them, we're unprotected. We're out there by ourselves and we're told not to do anything because they wouldn't have to come and do their job. If somebody is on my property, they're in trouble. I will do the job for them. They told us we were unincorporated. But now, with the influx of people that we have, we should be incorporated. If you're allowing all these people to stay here. We have over 1400 people living in McIntosh. Why are we not getting any outside assistance? Thank you.

## **8. APPROVAL OF MINUTES**

- A. COMMISSION:** Request approval of minutes of the October 25, 2023, Regular Meeting of the Board of County Commissioners.

### **Action Taken:**

**Ryan Schwebach – County Chairman:** Motion to approve minutes of the October 25, 2023, Regular Meeting of the Board of County Commissioners.

**Samuel Schropp-County Commissioner:** Seconds the motion.

**Roll Call Vote:** Samuel Schropp – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: - Yes: **MOTION CARRIED**

## **9. APPROVAL OF CONSENT AGENDA**

- A. FINANCE & PURCHASING:** Request approval of payables.

### **Action Taken:**

**Ryan Schwebach – County Chairman:** Motion to approve payables.

**Kevin McCall – County Vice Chairman:** Seconds the motion.

**Roll Call Vote:** Samuel Schropp – County Commissioner: - Yes: Ryan Schwebach  
– County Chairman: – Yes: Kevin McCall – County Vice Chairman: -Yes:

**MOTION CARRIED**

**10. ADOPTION OF ORDINANCE/AMENDMENT TO COUNTY CODE:**  
None

**11. ADOPTION OF RESOLUTION: None**

- 13A/heard here on audio.

**12. APPROVALS**

**A. COMMISSION:** Request approval of Consent and Crossing Agreement dated October 31, 2023 and Mutual Non-Disturbance and Cooperation Agreement dated October 31, 2023, between El Cabo Wind LLC, La Joya Wind LLC, Pacific Wind Development LLC, SunZia Wind North LLC, and Torrance County, New Mexico, in connection with the County's interest in the Indenture and related agreements dated as of December 17, 2015 by and among Torrance County, as Issuer, El Cabo Wind Holdings, LLC, as Purchaser, El Cabo Wind LLC, as Company, and BOKF, NA, as Depository, securing certain Taxable Industrial Revenue Bonds (El Cabo Wind Project), Series 2015 in the maximum principal amount of \$575,000,000.

**Jeremy Turner- Director of New Mexico Project Development Pattern**

**Energy:** Torrance County issued IRB's, the Industrial Revenue Bonds to finance the La Joya projects in 2015. Torrance County takes control of the real estate, the same thing that Torrance County does with Pattern's IRB and that we've been working on for over the last several years. This project is to reach the northern part of this project and the over 1200 megawatts in the north, that we just described on Sun Zia Wind North, we have to get our generation tie line to collect that power through Avangrid's real estate, through the El Cabo and La Joya projects. What is

in front of you today is a request. We've reached an agreement with Avangrid to allow us to locate that transmission line and route it through their wind farm. All that is in front of you today is a consent as Torrance County, as the IRB issuer and holder of that real estate and title actually has to provide consent to that agreement. This will not impact El Cabo or La Joya's turbines. We are not taking any of our Avangrid turbines out. We are routing around the project that we will be constructing the generation tie line through our Avangrid properties, which Torrance County holds titles through the IRBs.

**Action Taken:**

**Ryan Schwebach – County Chairman:** Motion to approve Consent and Crossing Agreement.

**Kevin McCall – County Vice Chairman:** Seconds the motion.

**Roll Call Vote:** Samuel Schropp – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: -Yes:

**MOTION CARRIED**

**B. PLANNING & ZONING:** Appeal of Planning & Zoning Board decision at the October 4, 2023, Meeting to deny (no action) Summary Review: Create Type 3 subdivision at Parcel C, Located within the NE4, Section 24, T.9N., R.8E., NMPM. (Public Hearing)

**Action Taken:**

**Ryan Schwebach – County Chairman:** Motion the move into public hearing.

**Kevin McCall – County Vice Chairman:** Seconds the motion.

**Roll Call Vote:** Samuel Schropp – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: -Yes:

**MOTION CARRIED**

**Michael I. Garcia-County Attorney:** This is one of those Quasi-judicial matters where you are the judges by law to facts. This has to do with a request for a summary review of a subdivision. Mr. Oden is here to explain and discuss his appeal. The reason for the appeal was that at the Planning and Zoning Board, there

was a tie vote, which basically means there was no action. Mr. Oden comes to the podium. Raise your right hand. Do you swear to tell the truth?

**Tim Oden - President and Manager Oden Associates:** Yes. Oden Associates is the registered agent for Mr. Tate. His application is to take a 40-acre piece of land off Martinez Road, just outside city limits in Moriarty. Take that and make a subdivision of four five-acre lots and the 20 acres left in back of the 40 acres. One of the adjoining landowners felt like more time is needed to consider how this might impact him. More than the 30 days that the application had been submitted. They were a little bit sympathetic to that and they felt like they should be given more time however the Planning and Zoning Ordinance does not allow that. They come here because of two-to-two split. I think you've alleviated that two to two split on the fifth member. He's doing his homework, he's reading the ordinance, and getting up to speed.

**Kevin McCall - County Vice Chairman:** Is there a zoning change?

**Tim Oden - President and Manager Oden Associates:** No zoning change request. It is RR rural residential.

**Ryan Schwebach - County Chairman:** What was the original request?

**Tim Oden - President and Manager Oden Associates:** Take 40 acres and divide four five-acre parcels off of Martinez Road and 20 acres behind it.

**Ryan Schwebach - County Chairman:** This is something that has to be done for any subdivisions of this nature to come before Planning and Zoning. There's no other reasons for them to deny it.

**Donald Goen-County P & Z Director:** As stated in the minutes the application was in compliance with the county ordinance and with the subdivision regulations. The application was in order.

**Michael I. Garcia-County Attorney:** Is there anyone that wants to speak for the application or if anybody wants to speak against it. Anybody online.

**Donald Goen-County P & Z Director:** No one is indicating a desire to comment.

**Ryan Schwebach - County Chairman:** There's nobody else who wishes to speak upon this matter.

#### **Action Taken:**

**Ryan Schwebach - County Chairman:** Make a motion come out of a public hearing to conclude this public hearing.

**Kevin McCall - County Vice Chairman:** Seconds the motion.

**Roll Call Vote:** Samuel Schropp - County Commissioner: - Yes: Ryan Schwebach - County Chairman: - Yes: Kevin McCall - County Vice Chairman: -Yes:

**MOTION CARRIED**

**Action Taken:**

**Ryan Schwebach – County Chairman:** Motion to grant the application.

**Kevin McCall – County Vice Chairman:** Seconds the motion.

**Roll Call Vote:** Samuel Schropp – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: -Yes:

**MOTION CARRIED**

**C. FAIR BOARD:** Request payment to Stacy Harral for Fair Board services beginning August 9, 2023, to include helping new Administrative Assistant (contract employee) during and after the Fair. A purchase order was not in place for this expenditure. (Deferred from 10/25/2023)

**Marcie Wallin – Fair Board:** I was asked to provide detailed information as to Ms. Harrel's duties, as well as meeting minutes, provided in your packet.

**Ryan Schwebach – County Chairman:** What did we approve on when we were doing this transaction? Didn't we put an amount for a secretary.

**Marcie Wallin – Fair Board:** There is an amount for Administrative Assistant \$550 a month.

**Ryan Schwebach – County Chairman:** What we're asking was for training of the Administrative Assistant. Is that correct?

**Marcie Wallin – Fair Board:** Not only training, but it's also compiling the auction results to be turned into the county for the Purchasing Department for processing and payment. She worked 55 hours \$13.63 an hour total \$750.00.

**Ryan Schwebach – County Chairman:** Did we talk about having a second assistant during fair time when we approved this money for these assistants?

**Marcie Wallin – Fair Board:** No. We have a list of Administrative Assistant duties that were provided to the county for employment purposes.

**Ryan Schwebach – County Chairman:** This is a one-time situation. I'll be honest, it's after the fact, it wasn't planned. \$750 for the course during the fair, when we've been paying \$550 for a monthly fee for this position. I feel it's after the fact. I'm not saying the work wasn't done. I don't understand why it wasn't brought up prior to committing to it.

**Marcie Wallin – Fair Board:** I'll take responsibility, but they are far enough ahead that the new Administrative Assistant would definitely need assistance, no one on the board has done that particular work of compiling all the information for

the Purchasing Department. It needs to be done for the county. The county has never done the receiving and the billing. They took over the monetary responsibility at the sale and we provided the other information. The resolution wasn't in place for an Administrative Assistant.

**Janice Barela-Madam County Manager:** The county had entered into a contract with her previously, and not only her, but her sister, Brady, have done this type of work under contract. It was not at the payment of \$550 at that time, It was \$500. She had previously done the work and had been paid for it.

**Kevin McCall – County Vice Chairman:** I asked in the previous meeting as to what did the \$550 administrator do to either assist or augment in that \$750. That question still stands.

**Marcie Wallin – Fair Board:** She helped the new administration with preparing white sheets for each species, and how to take the waste and enter it so that it was compiled in a timely manner. Preparing schedules for each show and prepare separation. She took over any fair board member having to give direction. To make sure that the Administrative Assistant knew, in a timely manner, what was expected of her.

**Samuel Schropp-County Commissioner:** A problem I'm having here is all of these questions that Commissioner McCall has brought up should have been taken care of before the fair and the proper paperwork turned in. There is no doubt that that work was done, and we owe her that money. The hang-up is how this has come to us after the fact.

**Marcie Wallin – Fair Board:** I admitted I failed to ask the Administrative Assistant to turn in the requisition. That's what I've done from the get-go, is either submit the requisition if we had no Administrative Assistant or ask that the Administrative Assistant/Secretary return a requisition and it was my failure to do that.

**Kevin McCall – County Vice Chairman:** As I read the minutes, it wasn't a unanimous vote. It was a three for, two against. There were two that didn't quite see eye to eye. That the amount should be more than the Executive Assistant.

**Marcie Wallin – Fair Board:** The sale information compiled by and working the sale. The Administrative Assistant did start the process of learning it. I don't think the taxpayers don't appreciate a mistake on my part. They really wouldn't like a mistake in the length of time and effort it takes to get that information out.

**Kevin McCall – County Vice Chairman:** Is there a commission off of that sale and were does it go, what is it used for?

**Marcie Wallin – Fair Board:** Yes, it is added to our line item, and used at the Fair Board's discretion.

**Kevin McCall – County Vice Chairman:** If the extra money was spent to conduct the sale. I think that's where it needs to come from.

**Action Taken:**

**Kevin McCall – County Vice Chairman:** Motion to approve payment to Stacy Herral for Fair Board services pay out of the 3% commission.

**Samuel Schropp-County Commissioner:** Seconds the motion.

**Roll Call Vote:** Samuel Schropp – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: -Yes:

**MOTION CARRIED**

**D. FIRE:** Request approval of Comprehensive Consultant Pharmacist Services Agreement between Torrance County and CPNMRX, Inc. dba Consultant Pharmacists of New Mexico, Inc. for providing consultant pharmacy services for Torrance County Fire Department to include Emergency Medical Services.

**Hanna Sanchez – Acting Fire Chief:** I'm requesting permission to enter into a services agreement with Consultant Pharmacists of New Mexico. I have hit a roadblock with the current pharmacist that we have on contract. I am unable to get a hold of her. Our quarterly inspections have not been completed per PRC regulations. I have a massive overflow of expired medications that I need to have discarded, that include narcotics. The current agreement that we have with Casey West of Mountainair Medicine & More are to pay her \$500 quarterly a year. She has not submitted an invoice since we came into that agreement in 2020. I contacted Consultant Pharmacist in New Mexico, they're asking for \$1,614.37 to be paid quarterly, which would be \$6,457.50 a year.

**Ryan Schwebach – County Chairman:** Why the big jump from \$500 to over \$1,600?

**Hanna Sanchez – Acting Fire Chief:** It depends on the services that we receive. Since we give medications to include narcotics, we have to have reviews done by our pharmacists that they have to document within our image trend. The last PRC inspection I went through, none of that documentation was inputted. I got negative marks based on our pharmacist in the way she was conducting business with Torrance County. It is my recommendation that we enter into an agreement with a pharmacist that we know conducts services for other places in New Mexico, and they come out quarterly, giving us all the services that we need at the standard of the PRC. Medications have to be checked by our pharmacist to include expiration



dates, amounts, to make sure our accounts are correct. I can't sit here and honestly tell you that that's been done when I do see our current pharmacist. I had her come in to sign my renewal for our EMS service license. I found out that day that she came on November 1st. She backdated my application to October 31st and her pharmacy license expired that day. So therefore, I can't submit my application for renewal for our EMS services. We are not in compliance. If I don't have a pharmacist, we cannot administer any medications. So this proposal was to take effect December 1st, 2023.

**Kevin McCall – County Vice Chairman:** Was there a breach of contract on her side of services rendered or provided?

**Janice Barela-Madam County Manager:** There is a scope of work in there that is expected, and certain things will be done at certain times. With her not completing those items, I would say she was in breach of the contract or agreement.

**Kevin McCall – County Vice Chairman:** They have an obligation, and their license is on the line. I want to make sure that we report that.

**Hanna Sanchez – Acting Fire Chief:** At this point the PRC is aware.

**Janice Barela-Madam County Manager:** We haven't paid for any services. She has not billed us. Oddly enough, it seems that we have not been billed for many services with emergency medical services. Our medical director previously had in there that he would bill regularly. We never received any.

**Samuel Schropp-County Commissioner:** It hasn't happened yet but is there going to be some problem going forward with our credentialing, because these folks are doing things slipshod.

**Hanna Sanchez – Acting Fire Chief:** It could hinder the services we provide. At that point, we cannot administer basic medications. It will be like a first aid unit.

**Ryan Schwebach – County Chairman:** This is not the first time we've had issues. We have an on-call Medical Doctor and pharmacist for our paramedics. Tell me about this company. What makes them different?

**Hanna Sanchez – Acting Fire Chief:** In research that they provided me, they provide services to Roswell, Santa Fe County, Taos, and a few others. In talking to these places, it sounds like they make schedules where they come out regularly. They have a red, white, and blue program, which is a software program, where if we get, say, 20 vials of fentanyl, I can put it into the section of that red, white, and blue system, and it helps them keep track. So that would keep everything for us on our side along with theirs. Rather than just me keeping the accounts. It's always better to have more people looking at what we're doing. One correction. I notice that, they have their math off, it states \$6,456.59 it should be \$6,457.50 with GRP.

**Action Taken:**

**Ryan Schwebach – County Chairman:** Motion to approve Comprehensive Consultant Pharmacist Services Agreement.

**Samuel Schropp-County Commissioner:** Seconds the motion.

**Roll Call Vote:** Samuel Schropp – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: -Yes:

**MOTION CARRIED**

**E. DWI/GRANTS:** Request approval of FY 2024 Community DWI (CDWI) Grant Agreement. (Approved by Grant Committee)

**Amanda Lujan - Grants Administrator:** I am presenting the community DWI Grant Agreement for a total of \$1,857 from the New Mexico Department of Transportation. We applied for it, and it comes from fees that are imposed on convicted drunk drivers. This is from the DWI funding we get every year. The whole budget is allocated for commodities which are used for outreach events, etc.

**Kevin McCall – County Vice Chairman:** Is this a set number every year or is it just broke out across 33 counties?

**Tracey Master-County DWI Program Coordinator:** The amount of \$1,857 is this year's allocation. It does vary every year. Everyone who's convicted of a DWI is assessed a prevention fee of \$75. However, they don't always pay the \$75 or they don't always pay the full amount of the assessment, which is why that number \$1,857, is not divisible by 75. We receive the money not based on the assessment but based on the collection. For example, if there were ten individuals who were assessed to the \$75, they would be assessed \$750. But if they only paid \$300, then that is what we would get. We only get it based on the collection, not the assessment. It is based on the collections of the individuals who were convicted of DWI and Magistrate and the Seventh J.D. in Estancia.

**Action Taken:**

**Ryan Schwebach – County Chairman:** Motion to approve FY 2024 Community DWI (CDWI) Grant Agreement.

**Kevin McCall – County Vice Chairman:** Seconds the motion.

**Roll Call Vote:** Samuel Schropp – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: -Yes:

**MOTION CARRIED**

**F. SHERIFF:** Request approval to pay prior fiscal year invoice from Eye Associates in the amount of \$192.00 for inmate appointment on 5/6/2022.

**Cheryl Allen-County Sheriff Executive Assistant:** I received this invoice from Eye Associates for an inmate. It was \$192 for an appointment on May 6th, 2022. This one is prior to my working at the Sheriff's Office, and there was no current record of this invoice when I started there. I don't know if it was an oversight from Eye Associates, but they did discover this. I looked into it, the inmate that had the services provided was in our care on that date and would therefore be entitled for the payment of the medical bill. I also checked with finance, and we confirmed that this payment had never been made. I request that your permission be given for us to pay Eye Associate this \$192. Eye Associates sent me an invoice at our office.

**Action Taken:**

**Ryan Schwebach – County Chairman:** Motion to approve payment for prior fiscal year invoice from Eye Associates in the amount of \$192.00 for inmate appointment on 5/6/2022.

**Kevin McCall – County Vice Chairman:** Seconds the motion.

**Roll Call Vote:** Samuel Schropp – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: -Yes:

**MOTION CARRIED**

**G. SHERRIFF:** Request approval to pay prior fiscal year invoice from Manzano Medical Group in the amount of \$803.68 for Deputy Alderete's pre-academy physical.

**Cheryl Allen-County Sheriff Executive Assistant:** On November 29<sup>th</sup>, 2021. The deputy was going through the hiring process with Torrance County and was sent for this pre-employment pre academy physical. At that point in time, he was not hired by the county. We do not know exactly the reasons. Again, this was with the prior administration, it had been brought to our attention by Manzano Medical

Group that this had never been paid. It was during our process of going through hiring this particular person. This is an expense we would be responsible for but had not been paid.

**Ryan Schwebach – County Chairman:** What kind of physical are we getting for \$803.00?

**Stephanie Reynolds-County Undersheriff:** The type of physical that is required by the state of New Mexico is invasive. They check your heart, sugars, and a full on invasive medical examination of the person's body to make sure that it can withstand the job of law enforcement.

**Ryan Schwebach – County Chairman:** Stress test was done. A four-hour physical, not a 30-minute visit. Does that happen frequently that we pay for a physical and then don't hire them?

**Stephanie Reynolds-County Undersheriff:** It shouldn't. I don't know if this individual pulled his application at that point. That's plausible as well. It should not be regular practice. It's not something that you would see often.

**Action Taken:**

**Kevin McCall – County Vice Chairman:** Motion to approve payment for prior fiscal year invoice from Manzano Medical Group in the amount of \$803.68 for Deputy Alderete's pre-academy physical.

**Ryan Schwebach – County Chairman::** Seconds the motion.

**Roll Call Vote:** Samuel Schropp – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: -Yes:

**MOTION CARRIED**

**H. FINANCE/PURCHASING:** Discussion and possible approval of reimbursing Tajique Mutual Domestic Water for their \$6,550.00 payment to A and S Enterprises Inc. for installation of new Isaacs Radios for Well Control via Tank Site. Commission approved ARPA funds for this project; however, purchase order was not in place prior to beginning the project, nor prior to payment being made.

**Toni Lowery-Chief Procurement Officer:** I am working with all four land grants to get those ARPA funds that were approved in May, dispensed appropriately. Tajique responded quickly and got the work out there before anything had been

discussed. I talked to them about the protocol going forward, they understand that they need to get a purchase order in place. They had already had the work done. They had already paid this vendor for this work. I've submitted the documents in the packet that show the check that they wrote and because it had paid out.

**Action Taken:**

**Ryan Schwebach – County Chairman:** Motion to approve reimbursing Tajique Mutual Domestic Water

**Samuel Schropp-County Commissioner:** Seconds the motion.

**Roll Call Vote:** Samuel Schropp – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: -Yes:

**MOTION CARRIED**

- I. **MANAGER:** Request approval to hire a DWI Coordinator early to replace current DWI Coordinator upon retirement at the end of 2023, allowing training opportunity for continuity of services.

**Deferred**

**13. DISCUSSION**

- Heard after 12A on audio.

- A. **COMMISSION:** Update on SunZia Wind and Transmission Project.  
(Jeremy Turner)

**Jeremy Turner- Director of New Mexico Project Development Pattern**

**Energy:** We have been in front of the commission for the last several years, not only the Western Spirit Wind Projects, but also Sun Zia, which is the next development that we've been working on. We are in full construction. A quick update on where we are at, status of the project, when we will be done with construction and some of the key statistics. Sun Zia Wind is broken up into two portions. Sun Zia North and Sun Zia South and amongst those are ten different

zones, there's three in the north, seven in the south. The reason for that is the Department of Defense has a number of military flight paths in the area we are working on, protecting those military missions, the economic impact, and the defense that they bring for our country. We want to make sure that we are not impacting that. There are 916 turbines, split up between the north and the south. About a third of that is up in the north with the remaining two thirds in the southern part of the county. What you are looking at is about 662 miles of access roads that will be built throughout this project, those are access roads that go through each of the individual properties as well as to the specific turbines. On the underground cabling, there's over 2000 miles of underground cabling that will be shared throughout that project. Most of this is up in the southern part of Tarrant County as well as this northern portion. We are well underway right now across those zones, clearing and dropping activities in zone one and two in the south. We will not be up here in the northern portion of the project until 2024, but at that point we will start development and full construction work. It is about 90 miles long stretches from north of Clines Corners, almost all the way to Carrizozo. There's over 100 miles of 345 KV transmission line spread out across that 530,000 acres. Tarrant County is most interested in is the 317 new turbines that will be placed here for a total megawatts of over 1300. We will not really be underway in this northern part of the project area until next year, until about April 2024. What will happen at that time will be heavy civil work, all of your access roads, all of your clearing and grubbing activities, then we will start on foundations. We will not be done with this until Q1 of 2026, and that will be for this northern portion. Right now we have around 500 workers in the area. We will ramp up to over 1000 and that will be split out across the entire project area. On Sun Zia transmission, this is how everything is interconnected. You've been working and hearing about it for the last 20 years, and that's almost what it will take. The project was originally conceived in 2006. We've been going through federal permitting since 2008. That has all now wrapped up. What it does is it allows for the injection of over 3000 megawatts, 3500 megawatts into the system to be transported from New Mexico into Arizona. It's 553 miles long. This will have almost 2000 lattice structures. That's predominantly what it will be because it is 500 kvdc line. It is heavy line. DC is better from a long-haul standpoint, but you are limited to the number of points of interconnect. On an AC system there are substations that can be developed throughout that AC system. That's what everything is run off of here. You can build one on a 500 KV for probably \$18 to \$20 million or \$22 million. The converter stations are significantly more. They are anywhere from \$350 to \$400 million. That's why you have one on ramp, one off ramp on a DC line. There is almost virtually no line lost on the DC line. You're around 3% to 5% at most. On an AC system, you're closer to a 7%-to-8%-line loss, plus you have half the

carrying capacity. For an equivalent 500 KB AC line, only 1500 megawatts would be able to flow on that system as opposed to the 3000 that's being developed here. We will finish the transmission system ahead of the wind. The main reason for that is because it is high voltage DC line. It takes longer to fully commission and have it up and running. We will finish in late 2025, remember the wind farms will not be done until early 2026. This allows for testing and fully commissioning another line. This is integrating 3000 megawatts of power into the AC system in the Western U.S. Interconnecting in Arizona and sending that power to the Western markets. After working on this for over six years on the transmission side and on the wind since 2016 when we started work in the area, we are fully underway. We are fully mobilized on the HVDC station. There's one on each and there's one here in Torrance County and one in Pinal County out in Arizona. We have 274 workers on site right now. There will be two ballot halls. Foundation work appears complete. We are laying rebar this week to pour the slabs for all of those buildings. At the same time, this is just on the HVDC station, on the switchyard side that brings in power from the wind farms before it jumps the fence and makes the conversion to DC. We've already started all of the prep work on that as well. On the west converter station, it is just slightly behind. That's the one out in Pinal. We are starting on Belle Hall one. Those actually are being poured this week. Belle Hall two will be over in the next couple of weeks. We are probably about a month behind on the West Station. That's not behind in the project schedule. This is fully what we were anticipating. It's just how it's lining up. On the transmission line, we have almost 300 workers spread out across nine crews in between New Mexico and Arizona. We started work in October primarily on plants salvage and civil work. We have already dug the first foundations for the transmission line in Arizona, and that work is under way. The plant salvage is really focused in Arizona, where we have a requirement to collect plants and native species in the area and relocate those that are feasible to outside the perimeter. We don't have an endangered biological species here in New Mexico. That same requirement is not translating, as I said, first foundation port in Arizona, and we are heavily underway in New Mexico on the south winds farms, this is where we are starting over 143 workers on site. This is clearing and grubbing activities on zone one. We are almost done with that. We have done the first foundations already and we will start pouring foundations in December and will start receiving turbine deliveries in April of 2024. Most of those are shipped in parallel at the Pinal station and then from there they are transported by truck down to the project site. When you get a chance to look at the map, it will go in that area in the south from zones one through seven and then up in the north zones one through three, it will follow the path on the north we have not started. On the next slide is really a picture of what it looks like just off of Torrance County Road right now. This is the HVDC converter

station. Off to the left is what the station will look like. The two buildings are the two DC Val Hall buildings. Those will be seven story buildings. At the far end of that is the AC Switchyard where all that power is coming in before it jumps the fence to the DC side. One of the laydown yards is an operations site for right now where we are starting to get material and people in place for the construction. These roads are roads that will remain in place not only for operation, but also the landowners, so that they are fully able to be utilized. We will maintain those throughout the life of the project. I wanted to give a couple of statistics, and really thank the commission and Torrance County, the administration, all of the staff for all of the work over the years. This is a historic project and Torrance County should be proud of that. We appreciate the efforts. The Hoover Dam is about 2080 megawatts. We are over 3500. This is over a third larger than that, if you put Hoover Dam in today's dollars, it would be about a \$2 billion construction. This is a \$10 billion, between the wind and transmission, this is significant. What is overlaid? We are headquartered out of San Francisco. The project is overlaid over the San Francisco Bay area, and it is substantially larger and where we are headquartered at. This is a historic project. It will be the largest wind farm in the Western Hemisphere. It is by far the largest investment that's ever been made in clean energy infrastructure. We are grateful for the work with Torrance County because without your support and help, we certainly would not have gotten to this stage. I'm happy to answer any questions but appreciate the opportunity to give you just a few minutes of an update.

**Samuel Schropp-County Commissioner:** Of interest to people here in the county. You mentioned numbers of people coming in to work on these projects. Are they able to find housing or RV park, a place to stay?

**Jeremy Turner- Director of New Mexico Project Development Pattern**

**Energy:** Yes, it's a little bit of both. Most of those will travel in for the construction period and live in some RV parks. There will also be a lot of folks that stay in hotels because we don't have the infrastructure here. We know through Western Spirit we had about 1500 workers on site, and they stayed all the way from Santa Rosa, all the way down into Lincoln County, down to Carrizozo, Capitan, Ruidoso and drove out to the site every day. Some of our long-term operators, we wanted about 100 full time jobs on this project, about 70 in the south, about 30 up in the north will be looking for full-time housing. We have talked a lot with some of the builders in the area, as well as with Myra from Estancia Valley Economic Development Association about housing for workers.

**Samuel Schropp-County Commissioner:** So there are economic opportunities for anybody that can pull it off. There is guaranteed money here. I've been out to Torrance Road extensively and found the road crews to be very cooperative, very



good people. I've had a chance to stand and talk with them alongside the road and find out that they're bringing their families with them here. The one blade supervisor that I was talking to his family, they move around the country and live in places like Torrance County and spend their money here. So this is a good project. Lot of opportunity for the county. There are good people coming here to do this work. Thank you.

**B. SHERIFF:** Discuss options to improve public access to Sheriff's Office.

**Stephanie Reynolds-County Undersheriff:** I requested this discussion to be had with you for your assistance in resolution for a complaint that I received. Cheryl and the Sheriff also have information that might be helpful to this discussion. I want to give you a lay out of all of the information that we have, including the complaint, and let you know that there are plenty of rabbit holes to jump down. I want to point them out. If there's anything, any hole that you want to jump into, just let me know. Otherwise, it would be a very lengthy conversation. The complaint that I got was from a few individuals who are questioning access to the Sheriff's Office. Our office, as you know, is located in the District Court building. We share the building with District Court and our District Attorney's Office. When you first walk into the building, you have your District Attorney's Office directly in front and there is a metal detector set up, depending on the court hearings of the day, it may or may not be manned. On the day that this complaint was brought to my attention, it was being manned. The individuals are not allowed to walk through without a search and seizure of their person. I think that it has also been brought before the commission before. I have a question as to what our legal liability may be. I know that our attorney and our Sheriff have had conversations about it. I don't believe we should have a search and seizure of somebody's person as they're entering our office. However, because of our location, it's almost necessary, unless there's an access point to the Sheriff's Office that goes directly into the Sheriff's Office. There are concerns by our office staff, how safe is that for them when officers are not there? I don't necessarily think that this is a weapons conversation. More so a conversation about the accessibility of the Sheriff's Office by our community. Are we legally infringing on any type of right by having them go through this scan to go in for a police report or to file paperwork etc. Because of our location being a District Court it does not only see felonies, high court misdemeanors, domestic violence, or custody hearings from Torrance County. We

also have court available to our sister jurisdictions and could be coming to this courthouse for a very high level, high emotion type of hearings. That is the reason behind the court's requesting this metal detector as you walk in.

**Janice Barela-Madam County Manager:** The Sheriff's Office is housed there because Magistrate Court used to be located in that area where the Sheriff currently is. They had Estancia Magistrate Court, and then they had one in Moriarty. At one point, whoever the Magistrate Judge was at that time decided that they were going to vacate here and have all of their hearings held in Moriarty. They used to have certain days that they would come to Estancia. Once that happened, at that point, the request came from the then Sheriff and was approved by the Commission to improve that area, to house the Sheriff's Office. They previously were housed out of where the early voting is now located. That was very small in comparison to the amount of space that they needed. This would better suit what they had need for to operate.

**Ryan Schwebach-County Chairman:** The main issue is that this is hampering how you want the Sheriff's Office to be presented to the citizens of this county? You want more of the ability for citizens to come in, meet with you on non-court type of issues.

**Stephanie Reynolds-County Undersheriff:** Yes, sir.

**Samuel Schropp-County Commissioner:** Where part of the conflict is coming up is the court entrance. Attorney General Balderas offered an opinion in Bernalillo County versus the Probate Court, the county admin building there has the Probate Courts on the second floor and the Probate Court prohibited the carrying of firearms throughout the admin building. Balderas said that they could control that second floor but not the rest of the admin building. In that case, the Probate Court and the bailiff had control of the second floor. In this case, because it's a common entrance, the District Court does not have control.

**Ryan Schwebach-County Chairman:** Is the space adequate?

**Stephanie Reynolds-County Undersheriff:** Yes.

**Ryan Schwebach-County Chairman:** It would be better suited if the Sheriff is not housed in the same building as District Court. It is two separate things and there needs to be such. I've never liked that location.

**Michael I. Garcia-County Attorney:** One thing to factor in is that the court probably can make its own rule regulating firearms if they're so inclined. They do in other courts around the state. We can't argue with the courts.

**Ryan Schwebach-County Chairman:** The problem we have is how to facilitate what we have for a Sheriff's Office. That is how we need to approach it. It's a non-issue with the courts. It's unfortunate that we're paying for one of the most inefficient buildings to heat.

**Janice Barela-Madam County Manager:** I have visited with the AOC, Administrative Offices of the Courts, their concern that was expressed to me was that this lobby area you have to go down to get to the Sheriff's Office leads directly into District courtrooms. Their view is very much part of what they are trying to have, which is security in that area, as people come in.

**Ryan Schwebach-County Chairman:** I think it's a non-issue. What we have before us is, one, the current structure, if we put a totally different entrance. Is it a good location? You know, just on the same lot as a court. Is that good or bad for the Sheriff's Office? Well, if we don't have the money for this then let's think it through. Your proximity to the Sheriff's Office to the courthouse to admin offices. How relevant is that because this county is a lot bigger than just Estancia.

**Kevin McCall-County Vice Chair:** Let me preface this comment with I'm pro-Second Amendment. I'm worried that you used the word earlier, high emotions, I think, in the Sheriff's Department you have high emotions. I worry about the safety of your secretarial staff. I don't see the problem in leaving your guns in the vehicle, even if you're going in and get a police report.

**Stephanie Reynolds-County Undersheriff:** That's the portion that I am not sure if we ask that of the community, are we infringing on any type of their constitutional right?

**Kevin McCall-County Vice Chair:** I don't know. I know in the Sheriff's Department there can be high emotion. I worry about you not having a Deputy in the office and the security of your staff. What do they feel? The last thing I want is there be a shooting in there, the safety of our staff is first and foremost.

**Samuel Schropp-County Commissioner:** In listening to the videos from the last three events at the Sheriff's Office, there has to be a clear delineation and a clear message set. What is being argued are esoteric points of law by people who do not have law degrees but are gumming up the works. So if we create a separate entrance for the Sheriff's Department where people can be buzzed in, it will address some of what you're concerned over, and it would put to rest these esoteric, sketchy legal arguments about where you can carry a gun and where you can't carry a gun. The Sheriff can then set his own policy as to whether firearms will be allowed in there. Then District Court will be consistent across the state with their policy that there will be no firearms in their portion. The first step, as I see it, is to provide the access to the Sheriff's Department and then enforce those rules where everyone that comes into the building. That's the end of that. It's not Second Amendment. It's not pro-gun anti-gun. It is the rule of law and how things should be done.

**David Frazee-County Sheriff:** I have some very serious concerns for the safety of the staff. We've come before you asking for bullet proof glass in the front. We weren't successful, but the staff is concerned, and they have reason to be

concerned. We have had death threats coming in on our telephones and threats of raping the girls in the offices, etc. We have a real concern with that. Personally, I don't have any problem with keeping the door that is closest to the Sheriff's Office locked and having everyone come in through the main door. I think its probably the most prudent thing to do, at least for a temporary fix, until we can find another building. I don't want to put ourselves in a situation where, as the complainant has indicated, it is a violation of their rights. If they come in the door, bypass security and they enter the courtroom, I have told my deputies, don't allow them. They're not allowed in the courtroom, but I don't have any teeth to sink into it. There is no law that tells me we can arrest them. That would be then dependent upon the court to come up with contempt of court judgment and then we will take them out based on that. I have been in contact with our lawyer, it's not going to be a simple solution. Coming to you for advice and guidance.

**Stephanie Reynolds-County Undersheriff:** This may be a costly resolution, that's why we wanted it to be a discussion. If we find that there is no issue, and we just need to make a decision and make that across the board and that is the final decision and that is also something that we will do. I don't want to put us as the Sheriff's Department or us as the county in any type of predicament to where we're opening ourselves up for a lawsuit. It was brought up by the Sheriff to renaming the building, not who it was dedicated to, but toward a courthouse, because then it's not a judicial complex anymore. It is now a courthouse where the court can make rulings as to how they want it run, and the Sheriff as well, for his portion of the building. We can easily put stickers on the doors. The door that he is talking about is directly in front of the Sheriff's Office. If you walk in through that door, you just have to make a little turn and you can walk directly into our office. However you turn the other way, and you have complete access to all of the courtrooms. On that door is a Sheriff's Department sticker, if we change that to emergency exit only or something like that, that may be feasible as well.

**Samuel Schropp-County Commissioner:** As law enforcement professionals, what is your preference? Then we will have to go to the County Attorney and get an interpretation or get a confirmation of what Balderas had said in Bernalillo County versus Probate Court.

**Michael I. Garcia-County Attorney:** It might be best to have a little discussion just offline, because there are different legal principles that are going to come into play and some of which are going to be hypothetical and maybe a little esoteric, maybe see what the plan is for the doors that the Sheriff's Office is thinking about changing. The New Mexico Bill of Rights and its protection about bearing arms, that's another factor that's different from how the Second Amendment works. So I'd be happy to do it. It's kind of interesting.

**Stephanie Reynolds-County Undersheriff:** Thank you for listening to what we have to lay out today. I think we have a direction to move, we will meet with our attorney and bring forward our findings to you again with maybe a little bit more information, thank you.

### C. MANAGER'S REPORT

**Janice Barela-Madam County Manager:** We have some job openings. As you heard earlier, we are still looking for Dispatchers for a 911 Operator Communication Specialist. We have our County Fire Chief positions still open, as well as a Sheriff's Deputy, two positions, a Custodian, Janitor, Tax Specialist three in the Treasurer's Office, Code Enforcement Officer, Equipment Operator, EMS Lieutenant, and a Clerical Float position. To apply for those positions or to get more information on them. Please go to our web site, [www.torrancecountynm.org](http://www.torrancecountynm.org). On the home page you'll see an icon there to click on this job opportunities. Torrance County Sheriff's Office has their open house Saturday, December 9th, from 5 to 8 p.m. The office will be open for a meet and greet with the sheriff, undersheriff, and deputies. Law enforcement partners will participate. These partners include representatives from local and state programs, courts, and the Torrance County Detention Facility. This will be a family friendly event where information about youth programs and drug and alcohol abuse prevention will be shared. Activities for children will also be provided.

### D. COMMISSIONERS' REPORTS

- 1) Kevin McCall – County Vice Chairman, District 1

**Kevin McCall-County Vice Chair:** As we were going through today's meeting, and this is more of an administrative question. What is going on with our Finance Department? i.e., putting in POs, why are we seeing so many more services rendered prior to requisition? This is just for discussion, as we saw three or four today there is something we need to change for security policy that would rectify this.

**Janice Barela-Madam County Manager:** I believe the Finance Department and the approval levels have really cracked down. If you're trying to submit an invoice we find out that the service has already been completed and they're trying to use

their document of an invoice instead of a quote. Then we are all over that and making them go through the process. What I need to do as the County Manager is start cracking down on Department Heads that they need to start following this process and making sure that their departments are following it, that no services are provided, nothing is purchased outside of this. The Commission does have the authority to not approve something, and then it would be incumbent upon the individual who has done this that they would be responsible for possibly paying this. Initially, some of the things that were coming before you were brought to you in error. The reason I state that is because if we had a contract in place and it crosses over a fiscal year and services were provided in the month of June, but they weren't invoiced until July. Under the previous Finance Director, he was stating this needs to go before the Commission because it's now being paid in a different fiscal year. It wasn't that it was improperly procured. It was just shoring things up for the fiscal year. Now, with Tracey Sedillo as the Deputy County Manager and overseeing the Finance Department, she's telling me that's not necessary because we have done the proper procurement. It's expected that some things would be carried over to the next fiscal year and it would not require Commission approval to get that paid. That's why you saw a lot of those that were coming initially, they were not required, but we're getting things in order. To let the public know, we do have a Finance Director which will begin tomorrow. Misty Witt is coming back to us. Initially, she was hired and then ended up changing her mind and pulled out. Things worked out for her to be hired after all. So she's excited to start here. She will come on board tomorrow and then on Monday she will be part of the budget conference and get thrown into the finance deep end. We are hoping to remedy this. I can tell you, from going through the approval level of the requisitions, you do have a few that are still coming before you. We are mindful of this, and we are trying to remedy this problem. I will do an evaluation per department as well and get with the department heads. If we need to start any type of disciplinary corrective action, we can, we'll definitely visit that too and hopefully remedy this.

## 2) Ryan Schwebach - County Chairman, District 2

**Ryan Schwebach-County Chairman:** Last week I was in Indianapolis for the FFA National Convention. I want to put a little shout out to FFA convention as a whole, but also to our advisors here, getting kids in there. Go online and look at the pictures. Imagine walking into Lucas Oil Stadium, 65,000 blue jackets sitting

there. Put yourself in an inner city with 65,000 kids. It's not really inviting. Overall, these kids are polite and respectful. For lots of these kids it's the first time they have been to a big city and on an airplane. In this valley we have alumni and have a lot of financial support for these kids to go and witness something like that. There were over 60 AG schools with scholarship opportunities and investments all over this country. You think John Deere tractor and CAT, no, it is far beyond that. It is seed companies, research companies, a whole gamut that is looking for doctorate degrees and looking for kids right out of school. You can go out of there and land a \$50, \$60, \$70,000 job. If you simply apply yourself. That's the most dramatic thing I've seen from that convention, it opens the eyes to individuals on what is out there. If you get the opportunity to support your local FFA chapter; your advisors and your parents look into it. If your kids are in agriculture. The first part of that is there is a vast ignorance of what agriculture in this country is all about. In agriculture, as a producer, we have to be reminded that every one of us, everybody out there, is our customer in one way or another in everything you do. Unfortunately, kids and parents these days are not exposed to that, they don't understand it, but they don't get to vote on the policies or get a vote on many things that affect us, yet they do not see the whole picture.

3) Samuel Schropp – County Commissioner, District 3

**Samuel Schropp-County Commissioner:** At our next meeting, I'll have the Linda Vista landowners here. We continue to work on finding ways to find affordable ways for the landowners to donate their road to the county. I continue to work with the NGOs, the prison. I am meeting with the ACLU of New Mexico next week, bring a couple of people with me about the prison and issues at the prison, things that we're facing. I'm just enjoying getting out, meeting people. I've got a good excuse to ride a motorcycle around and see some pretty country. For those of you that haven't had a chance, go down and look at these wind projects. It's a heartbreaker for the people who grew up there. It's changing the horizon, changing the skyline. I understand that there's a grieving there, but this is an impressive technological project going on down there. For no other reason, just to see the scale and how it's being put together is worth seeing. Thank you.

**14. EXECUTIVE SESSION:**

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

A. **Special Commission Meeting (Canvass November 7, 2023, Election) – November 15, 2023, at 9:00 AM**

B. **Regular Commission Meeting – December 13, 2023, at 9:00 AM**

16. **Signing of Official Documents**

17. **Adjourn.**

**Action Taken:**


**Ryan Schwebach – County Chairman:** Motion to adjourn.


**Kevin McCall – County Vice Chairman:** Seconds the motion.

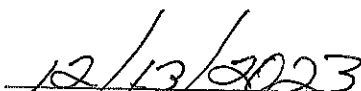
**Roll Call Vote:** Samuel Schropp – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: -Yes:


**MOTION CARRIED**

**Meeting adjourned at 11:30 AM**

  
Ryan Schwebach - Chairman

  
Genell Morris – Admin Assistant

  
Date

  
Landa Jaramillo – County Clerk

The Video of this meeting can be viewed in its entirety on the  
Torrance County NM website. ([torrancecountynm.org](http://torrancecountynm.org))