

FINAL COPY
Torrance County Board of Commissioners
Regular Commission Meeting
December 13, 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
TRACY SEDILLO – DEPUTY COUNTY MANAGER
RANDELL VAN VLECK – 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 December 13, 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: Items 13A, 13B and 13C to be moved before 12 approvals. Item 12 E deferred and item 12F has a typo it reads \$15,000.00 It should be \$1500.00.

4. **PROCLAMATION: None**

5. **CERTIFICATES AND AWARDS:**

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

James Solomon – Facility Director: I would like to present Dominick with this two-year service award. He's done a really good job. We're not out changing lives, but we are improving people's lives.

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

7. **PUBLIC COMMENT and COMMUNICATIONS**

Linda Jaramillo-County Clerk: After an election, I am asked to get the cost for the election and submit it to the Secretary of State. The total cost for this election was \$49,420. I submitted all the supporting documents to the Secretary of State for all the money that was spent for the 2023 Local Election. They allotted \$40,000 and they will reimburse us for the \$9,420.24, after they review my documents. We had an automatic recount on December 4th, 2023, for the Regular Local Election at the direction of the Secretary of State and the State Canvassing Board due to there being a 1% margin between two candidates in the Vaughn School Board race. We share the school district with Guadalupe County, they also had to do a recount. This school district is in the Encino/Duran area. There was a lot of planning and synchronization of ballot movement to meet the requirements of the recount under the careful watch of Gordon Bennett, representing District Court, myself and coworkers who helped with the recount. We removed the ballots to be recounted from the locked ballot boxes. All ballots were found in all eight ballot boxes which had been opened and run through eight tabulators for the Local Election. The automatic recount required ballots to be hand tallied and then run through three voting machines. One for Absentee by Mail, Early In Person and Election Day. All ballots with votes for the Vaughn School Board were run through the tabulators

and matched the results of the hand tally ballots for the recount. Those also matched the results reported on Election Night for the 2023 Regular Local Election on November 7th, 2023, all ballots were returned to the proper ballot boxes and sealed. We also had a post-election voting system check for the 2023 Regular Local Election on the same day as the recount. This was initiated by the Secretary of State and the State Canvassing Board. Zlotnick & Sandoval, Certified Public Accountants were engaged to conduct this audit, as per election law. All precincts in the State of New Mexico are subject to selection for the voting system check, this checks the accuracy of precinct tabulators. The precinct chosen for this check was precinct seven. The races checked in precinct seven were the school board member at large at the Estancia Municipal School District and the Soil and Water Conservation District, East Torrance Soil and Water Conservation District. Precinct seven ballots were removed from all ballot boxes that were then hand tallied by the categories that they came from, Absentee By Mail, Early In Person and Election Day. These were not run through the tabulators, but the outcome of the hand tallies were compared to the results tapes done on election night and everything matched. I am confident the accuracy of our voting tabulators was proven in this recount and post-election voting system check. I hope that this will also help others to have confidence in our tabulators and the election process. I can only speak for Torrance County; I pledge to all voters that our elections are run with the utmost care to protect the integrity of your vote.

Tracey Master-County DWI Program Coordinator: This is my last public comment as an employee after 21.5 years. As employees we must always be cognizant of our actions and their impact. We often don't want to rock the boat. We just want to be able to do our jobs without fear of retribution or retaliation. Today though I come to you as an almost former employee free to say what needs to be said. Number one: although this administration has been very supportive, I believe my program has held little value to this Commission. A feeling solidified during the November 8th commission meeting when you approved an expenditure by the Fair Board that was made without prior approval from the county because it's only right to pay someone for work they have completed an absolutely correct decision. But a different decision from five months ago when you denied my request to pay for someone for what he did while I was unavailable due to medical issues. Of course, they could have brought a county laptop to me in the hospital like they did when I was recovering from a stroke a few years ago. So I could continue doing my job. There's one thing that you should know, Commissioners, about that June 28th meeting, as you'll recall, the former Finance Director sat in this chair here admonishing me for waiting until after the work was completed to request the amendment to Mr. Ortiz's contract. What you didn't know is that I didn't wait. The

request was submitted to Finance on May 10th long before the hours had been worked. Number two: as some know, I have used quite a bit of sick leave recently. Unfortunately, I had the opportunity to overhear a couple of employees discussing whether I should be using so much sick leave because I don't look sick. Please don't feel that you have to have these conversations behind my back. You can come up to me, you can ask me, and I will be happy to tell people that my personal health information is no one's damn business. Number three: in March, I learned that my annual leave had been miscalculated and there had been a glitch in my hours from August 22 to March 23. In April, I requested a complete audit and learned that my annual leave had been miscalculated for 18 years from December 2005 until July 2023 resulting in an under award of 214.45 hours. I asked if there would be any kind of resolution because I did not cause this problem. I was told no because the personnel policy clearly states we are only permitted to carry over a certain number of hours into each new calendar year. I didn't fail to use the hours I didn't know I had them to use. But due to malfeasance, negligence, incompetence, or whatever word you want to use Torrance County fails to award me annually which the personnel policy clearly states I earned, This is unacceptable, and it is nothing less than theft. I encourage every single Torrance County employee to demand an audit of their annual leave because if it can happen to me, it can happen to you. Finally, I want to give my sincerest thanks to Torrance County, staff, community members, colleagues, agency partners and business owners who supported this program as well as every person who has ever done anything to support our efforts. You are the reason this program has been successful. In closing, I would like to invite the entire community to my retirement party, Friday, January 5th, 2024, from 6 PM to 9 PM at the Moriarty Lions Club. Because if it wasn't for you, the community there wouldn't have been a program and I love you all.

Hanna Sanchez-Deputy Fire Chief: I come before you today to finally let you know that we have fully staffed the EMT Firefighter positions. Monday we hired two additional Lieutenants to our team. Carol Morgan comes to us as an intermediate with her fire two and her engineer's license, and Gerardo Reyes a paramedic also with this fire one, fire two instructor and both of them have more fire trainings that I'm not sure of at this point. I wanted to welcome them to our team.

Murray Hart – Resident: I live on Linda Vista Drive in Tajique. I want to make a brief report to the Commission this morning. We have looked at the county map

and have discovered that there are 15 parcels that are adjacent to Linda Vista Drive. We have two families that live on Little Spur roads that are off of Linda Vista Drive. I have sent a letter out to all of these parties letting them know that Commissioner Schropp brought the possibility that Linda Vista Drive might become a county road advising them that it was a discussion here at the County Commission.

8. APPROVAL OF MINUTES

A. COMMISSION: Request approval of minutes of the November 8, 2023, Regular Meeting of the Board of County Commissioners.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve minutes of the November 8, 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**

B. COMMISSION: Request approval of minutes of the November 15, 2023, Regular Meeting of the Board of County Commissioners.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve minutes of the November 15, 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: - Abstain: **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

B. PLANNING & ZONING: Tenorio Special Use for Family Retreat Center

Donald Goen-County P & Z Director: Prior to this application being submitted to Planning and Zoning, I had done an onsite visit. I was well acquainted with the operation that they had in place and what they intended to do. We discussed requirements, and future development with the site and what their intentions were. This whole enterprise is well thought out, very comprehensive planning. There were several letters of support from all the surrounding neighbors that were submitted with the application, there was no opposition to this from anybody in the general area. The board did approve this with a unanimous vote. Mr. Tenorio, the applicant is present if you have any additional questions for him.

Anthony Tenorio – Resident: Anthony Tenorio born in Willard, New Mexico, went to school in the College of Eastern and then got a job in Albuquerque. I lived there for three or four years and decided that I wanted to come back home. I didn't want to drive all the way from Willard to Albuquerque. McIntosh, to Albuquerque was palatable. I've done that for 50 years. We moved there in 1967, we had a single wide trailer, and we have over the years just continued to add to the property. After my kids all got out of college, one of them went and did some missionary work in Tijuana and then in New York City and came back with the idea that we should do a summer camp for kids. We started in 2006 and have been doing some for many, many years, we skipped the year that my wife passed away, but we have continued to do it. We build facilities for accommodating 40 kids and a staff of 30. We do that every year in the summer months, July, and August time frame. That has led to us, because we have the facilities, doing more functions for churches in the valley. I'm the youngest of 10 and my wife is in the middle of 11. Between the two of us, we have 50 uncles and my first cousins, there's like 200. We've had many, many family gatherings there and we plan to continue to do that. The issue that we had is

that it was really designed for smaller kids, you know, 7 to 13 years of age or so. We're finding out that as we move on to do other functions, there's many more adults. My siblings and myself, we all had motor homes, it's been pretty hard for us to drive those anymore. So we decided to add space to accommodate 40 adults. There's two cabins. A couple of years ago, we rented the Manzano Mountain Retreat, and we are imitating what they've done over there for the cabins. So we want to do two cabins and continue doing the things we've been doing.

Donald Goen-County P & Z Director: The P & Z Board has already heard it and approved it.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve Tenorio Special Use for Family Retreat Center.

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:

A. FINANCE/GRANTS: Resolution 2023-48, Transportation Project Funds for King Farm Road.

Amanda Lujan - Grants Administrator: This is a transportation project fund from the state to upgrade King Farm Road. It is 95% at \$358,219.61 and comes from DOT. We have a 5% Torrance County match at \$18,853.66 for a total of \$370,073.27. It will go from Highway 41 to Abraham road for two miles and proceed north to King Farm Road 1.5 miles up to Santa Fe County line.

Leonard Lujan-County Road Superintendent: The description of that is from Highway 41 all the way to Abraham, then start a project at the cattle guard proceeding north for 1.5 miles. With a three-inch overlay inch. The width will be at 21.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve Transportation Project Funds for King Farm Road.

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. FINANCE/GRANTS: Resolution 2023-49, Transportation Project Funds for Martin Road.

Amanda Lujan - Grants Administrator: This is a similar transportation project funds for Martin Road. DOT gave 95%. \$189,636.80, Torrance County matches 5% right around \$10,000. The total cost being \$199,617.68. The directions are from Old 66 proceeding north 3/10 of a mile to start a project, proceed north to 0.8 miles to the end of project at the Santa Fe County Line.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve Transportation Project Funds for Martin Road.

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. MANAGER: Resolution 2023-50, Budget Adjustments.

Tracy Sedillo-Deputy County Manager: There's quite a few line items for budget increase on here. Most of these are our Trust and Agency Funds, which are the Tax Funds that were not in the original budget. Historically, we haven't reported these funds in LGBMS because of the way Triadic handled them, but Tyler handles these funds in a different manner, and it will be very difficult for us to reconcile quarterly and monthly without these being incorporated into the budget. DFA leaves it at our discretion. We are adding these funds in. The bulk of these are the property taxes with the exception of the last line for fund 561. This is the admin building loan that was not in the original budget. So we're trying to add it in because we have a payment that needs to be made before the close of the calendar year. We need to get this into our budget so we can make that payment to the financial advisor. The total increase to the budget is \$17,292,900,75. Most of this is the property tax collection that we hold for the other entities. It wasn't a part of the original FY204 budget. Tyler handles these accounts differently. We can't separate them on the reporting the way it was done in Triatic.

Ryan Schwebach – County Chairman: This process is not affecting the budgets we're looking at?

Tracy Sedillo-Deputy County Manager: No, it's increasing the budget by this amount. 9.5 million of it is the admin loan, it is increasing the budget by this amount so that we can show the past due of that money. We collect taxes for all the school districts and there's so many funds because each school district has capital improvements, they have operational, they have debt, they're three separate funds. They're not commingled in the same fund. We have all the school districts, all the municipalities, all the state livestock that we collect for the different levies and the Soil Water Conservation Districts. That's why it looks like a lot because there are a lot of funds associated with the tax collection and this is just past due money. They're considered Trusted Agency Accounts because they're not our money. We hold them for somebody else and then we disperse them monthly. This is our estimate of what we're going to collect in taxes and disperse out in 2023. We want to put it on the books, so we don't have to come back and do another budget increase over it because it's flow through money. It's reported in Tyler now. So it's on our master reporting that comes out of Tyler. It's just not in the budget with the state through LGBS.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve Budget Adjustments.

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

D. ROAD: Resolution 2023-51, Requesting six (6)-month extension of State LGRF SB Project D19668.

Leonard Lujan-County Road Superintendent: This is our project for our LGRF. This is a school bus project. It is two roads Pumpkin Patch and Ice Plant. I am asking for an extension on it. I had everything set up to get done then we got a storm and postponed some stuff. Then, my contractor that was going to come out to shoot the oil for us, his truck went down. So it's just kind of pushed everything further back and now the weather is just too cold. I don't want to waste the money putting it down and it won't hold the rock. Also soon as the springtime is here I can get these both taken care of.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve Requesting six (6)-month extension of State LGRF SB Project D19668.

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

E. ROAD: Resolution 2023-52, Requesting six (6)-month extension of State LGRF CAP Project D19669.

Leonard Lujan-County Road Superintendent: This is the same thing.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve Requesting six (6)-month extension of State LGRF CAP Project D19669.

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. FINANCE/GRANTS: Resolution 2023-53, Accepting Grant Agreement with the State of New Mexico Environment Department (Legislative Appropriation SAP 23-H2505- GF) in the amount of \$50,000 to plan, design, construct and equip water system improvements in the Duran area in Torrance County, and designating Janice Barela or successor and Tracy Sedillo or successor as authorized signatories.

Amanda Lujan - Grants Administrator: We received some more capital funding from the New Mexico Environment Department and the State of New Mexico to complete some of the project for the Duran Water System. This is from the last Bohannon Houston invoice. They have completed task order two and three and then they are about 80% finished on task order four. They submitted their plans to the Environment Department. We got our feedback from them and we're meeting with Bohannon Houston to review the plans next week. So that's this portion of the project. And then if you see below that, that's all the funding we've received for the Duran water project. The one crossed out in red is one we've just spent out and are about to close.

Janice Barela-Madam County Manager: This is a Legislative Appropriation. Environmental Department requires a resolution with it. They're the ones that have the oversight for this money as we're working with them.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve -53, Accepting Grant Agreement with the State of New Mexico Environment Department (Legislative Appropriation SAP 23-H2505- GF) in the amount of \$50,000 to plan, design, construct and equip water system improvements in the Duran area in Torrance County, and designating Janice Barela or successor and Tracy Sedillo or successor as authorized signatories.

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. COMMISSION: Resolution 2023-54, Adoption of PERA Fire Plan.
(Commissioner Schropp)

Samuel Schropp-County Commissioner: It's my belief that in order to grow the Fire Departments and attract qualified individuals. We have to change the retirement plan if that's what the career staff want. That sets us up to make good faith offers to anyone who may decide they want to come to work for us. I think this is better voted on now rather than later. We have applicants for the Fire Chief position. As Deputy Fire Chief, stated she is recruiting and hiring people. In order for our staff and cadre in the Fire Department, we have to have this settled and off the table.

Janice Barela-Madam County Manager: On your hand out is a draft resolution, the resolution title states a resolution authorizing an election for adoption of municipal fire member coverage plan two. However, I didn't know what the Commission would decide if you were to pass this resolution today. It can be changed to whatever Fire Plan you would decide to do. I can fill in information relevant to that as well. In previous discussions with the Commission, as we were going over pair plans and also in communication with staff along with the presentation, we talked about it previously and career staff came in to visit with the Commission on this item. The Commission also requested that I reach out individually and hear from the career staff, what their opinion is and which Fire Plan to move toward, given that Fire Plan Four and Five, Five in particular would have the largest impact on the employees for their portion and the contributions. All the staff that I spoke with, and I believe I talked to the majority of them, would like to move to the Fire Plan. All of them decided that they were ok with a lower plan, but with a goal of hopefully moving eventually to Fire Plan Five, two stated straight out, I cannot afford Fire Plan Five right now, please do not go to a Fire Plan Five on their current salaries. When we talked about this previously, the lowest impact and what would allow them to get into a Fire Plan, would be Fire Plan Two. Your additional documents have impacted one of the individuals, the increase that would occur for them and the increase that would occur with the county's contribution as well. Currently the Torrance County Fire Department is under the same municipal plan two that the rest of the Administrative staff would be under. The only individuals or only staff that we have on a different plan would be our Sheriff's Office, the Commission had previously taken it a step at a time up to Police Plan Five. Currently we're under Municipal Plan Two and the employee's contribution on that is 11.65% of their salary. Torrance County for each employee pays 10.8% of the salary. The pension factors in the percent that they have towards

their retirement of their salary when it comes to the end of the retirement for tier one. Everyone that's in tier one would be accumulating 2.5% every year of service, on tier two, it's 2% if we move to Fire Plan One. The contribution goes up to 12% for employees and for Torrance County goes up to 12.65%. The problem with this plan is that we do have some employees in the Fire Department that are tier one. Under the current Municipal Plan Two, they're at 2.5% for tier one. If we go to Fire Plan One, they drop down to only 2%. That's why this Commission talked about for sure, not doing Fire Plan One, but I wanted to remind you of that issue and also inform the public. On Fire Plan Two, it remains just a small increase to the employee at 12% and Torrance County would move from 10.8% up to 19.15% contribution and it would not change any of the pension factors. They would remain for tier one at 2.5% and tier two at 2% the increase overall to the employees, all the employees would be at \$2,569.70. That's not very much. The larger bulk would go with the county increased contribution, which is a total of \$61,305.56. Any increases that you give to salaries will increase their contributions for the employee as well as the county.

Samuel Schropp-County Commissioner: The percentage would stay the same because the number in the salary went up, the number will be higher at that 12%.

Janice Barela-Madam County Manager: Yes. When you move to Fire Plan Four, this is where it impacts the employees more. The contributions move from where they are currently 11.65% up to 16.8%. For tier one, there's two different contributions that they would have to give. So for tier one, we would pay 22.9%. For tier two, we would pay 21.9% and the pension factors, this is where it increases. If we approve Fire Plan Four, then the pension factor for tier one is 3% a year, for tier two, it's 2.5%. Fire Plan Five, which is what a lot of the Fire Departments around the state have moved to, is the largest hit on the employee. In comparison to Fire Plan Four, in particular, it changes where the Municipal Plan right now is at 11.65 up to 20.20% for the employee and Torrance County. This one doesn't matter if it's tier one or tier two it is at 22.9%, the pension factors go up. So it would change right now. Tier one is at 2.5%. Fire Plan Five would move them up to 3.5% and tier two is currently at 2%. Fire Plan Five would move them up to 3% a year. So I can also go over for each one of the plans what the amount would be in the additional funds that the county would have to put forward. I gave that for plan two for Fire Plan Three, it would be an additional \$88,838 a year. At the current salaries, Fire Plan Four would be an additional \$82,570.34 at current salaries. Since this one is contingent upon whether it's tier one or tier two employee, that's assuming that we keep the same employees that we currently have, and we don't have additional tier ones that come on staff. For Fire Plan Five, the total contribution to the county would increase to \$88,838.00. The increase to the employees overall for plan five is \$62,773.97. That's divided amongst 14

positions. That's where the largest impact would be on the employees. That's why two of them had expressed that they were not prepared to financially support Fire Plan Five.

Samuel Schropp-County Commissioner: If we look at Fire Plan Two, the Torrance County contribution will go from 10.80 under the Municipal plan two to 19.515 under Fire Plan Two. We can advertise that as part of the compensation package as we are making offers to people. While that's a hit for the county in the long run, it's going to make us more attractive in getting qualified candidates if you remember, as we look at Fire Plan Five, the candidate that we spoke with Fire Chief was the Sandoval County Battalion Chief, said Sandoval County pays half of that 20.20% employee match as well as the 22.90. We are never going to be able to compete with that, but we can start the process by moving to PERA and start bringing us up to more equitable footing with departments around surrounding us.

Janice Barela-Madam County Manager: The Commission meeting where some of the staff addressed this issue, they did bring up the possibility of not contributing into Social Security. We're still checking into that. We are not prepared to answer that at this time, but I didn't want you or the public to think that we didn't take that into consideration or are not continuing to look into it.

Ryan Schwebach-County Chairman: Explain to me the pension factors.

Janice Barela-Madam County Manager: If you work 20 years at 2.5% then you would be getting 50% of your salary. So every year you would accumulate a certain percentage and that's the pension factor. At tier one on plan two, they would accumulate 2.5% and they could retire after 20 years. It would be 2.5% times 20. Their total amount that they would get, percentage wise, of their salary would be 50%. If you are looking at it from tier two, the pension factors would accumulate 2% a year and then they have to work 25 years in order to be eligible for retirement, it comes out to the same 50% of their salary. Now, when I'm talking about their salary, just for your information, it's their top consecutive 36 months of salary for tier one. I believe it is five years' worth for tier two. So it's taking their average high consecutive. It's not just one year I got paid a large amount and then I worked for a lower rate, came back to another high year. It's consecutive plus at their highest rates.

Kevin McCall-County Vice Chair: I need some help to break this down here a little bit. The Municipal Plan Two, which we're currently on, and the pension factor is the exact same as it is under fire plan two.

Janice Barela-Madam County Manager: That is correct. What makes this advantageous is that this career field in particular, has a lot of stresses on individuals, the legislature understood that and gave opportunity for people under this plan to retire earlier so that they are not exposed to this for a longer period of

time and their pension factor remains the same. It's their choice. They can choose to retire at 20 years, or they continue on up to 90% is what they can work towards. It's not that they have to retire at 20 years for tier one or at 25 for tier two. This gives them the opportunity. If they are at the place where I can't do this anymore, they can retire and start drawing their pension for 50% it may not seem like very much, but they have the opportunity to move on to another career as well.

Ryan Schwebach-County Chairman: How does this work? If we got an employee in the Fire Department? Is it because at tier two instead of 25 years to retire, they can do it at 20?

Janice Barela-Madam County Manager: That is not correct. So tier two, is it 25 years if they go into a fire plan. Currently there are 30 years, but I think it also includes something with their age.

Ryan Schwebach-County Chairman: Where I'm going with this is if all of a sudden they can retire at 25 years, we got somebody with 22 years, they can retire in three years.

Janice Barela-Madam County Manager: That is correct.

Kevin McCall-County Vice Chair: By going to plan two?

Janice Barela-Madam County Manager: That is correct.

Kevin McCall-County Vice Chair: We're not changing their pension amount; all we're doing is buying the ability for them to retire in Fire Plan Two versus Municipal Plan Two.

Janice Barela-Madam County Manager: We are changing their pension overall. We're not changing their pension factor so they could retire, they would be in less years, but their percentage of retirement at the time of retirement that they would receive from their salary would be less because they wouldn't have as many years with that pension factor to accumulate.

Ryan Schwebach-County Chairman: The paying is about the same, but on the fact of the way PERA is factoring us. We have an individual that PERA was planning on working 30 years before they draw their pension. We just took five years off of that. They had 22 years paid in. How is that 20 years at the lower rate paid in? How is that compensated as far as PERA is concerned?

Janice Barela-Madam County Manager: That's compensated by the pension factor. So whatever pension factor they've been accumulating for each year doesn't change. For example, if somebody worked in another, Fire Department and they had Fire Plan Five and they've got the pension factor for tier one at, 3.5% for every year that they were there, that percent remains with them for the service that they earned credits that year, and it would change moving forward whenever they come into Torrance County. For every year, whatever it is, whatever plan you're under. I'll give an example of what I will have when I retire. I worked at the Estancia

Municipal School District. There's a different pension factor that I have with them. I worked for a short time with the State. There's a different pension factor that I have had during the time that I worked with them, and then now with the County. They will take every one of those and they will have a calculation to put it together. But for us, we're looking specifically at the service years that they have with Torrance County. Which one of our plans the Commission want to do, that would determine their pension factor, what percent they would get of their ending salary or whatever is calculated as their top three years or top five years that would go towards that multiple multiplication and the percentage.

Ryan Schwebach-County Chairman: We need to make this move. It's clear we're having issues recruiting. I would like to get dispatch in there one way. Obviously, we can't do it like this, something we need to look down the road. I also think it's appropriate that we stair step it similar to what we did with the Sheriff's Office. Essentially this is a raise, no matter how you look at it. So we have to take it accordingly. If, the employees are good with Fire Plan Two, I'm ok with that. Then we can talk about moving on down the road.

Janice Barela-Madam County Manager: Two things to address also or one to make you aware of, is that if you pass this resolution and I know you know this from doing the Police Plans, it's irrevocable. So you can't ever choose to go down to a lower plan once you have this passed and it's passed by the board. It will require a vote by the career staff, those that are impacted will have opportunity to vote on this. I don't anticipate there being any issues they all have expressed an interest in this. On the resolution you'll find under the now, therefore, be it resolved that there is a blank there. It's because on the resolution, we're supposed to designate the date of that election to occur. I asked our HR Director Shelley Wallace to come and speak about the process of how that would work and what date we've selected commissioners.

Rochelle Wallace - HR Director: If you look in your additional documents, One gives you a timeline of what would occur and the timeline in which it would occur. If you had to approve this resolution, The next board meeting for the PERA Board of Trustees is January 25th. I've actually confirmed that as it's on the bottom of their agenda from their last meeting. We have to wait at least 30 days and the maximum of 60 days. So in between is when we would schedule our election, I am suggesting that we have a member notification on February 5th to let them know that we will be having an election, the absentee ballots go out on February 26th, which is one day after the 30 days required and the election date on March 4th because we have to have five days absentee at minimum. Then we would be able to tally that and report it to PERA for their decision on March 5th. That's kind of the structure that's outlined by this process.

Janice Barela-Madam County Manager: The resolutions before you was considered a draft because I knew that we would need to put in the date of the election and also in the event that you were to change your plans from a fire to pass a different plan and it could be changed. So I can fill in quickly at the end or during the break, the information and have it prepared and ready for whatever the Commission approves. So if you're good with that date, I can add that date to the resolution which will be March 4th, 2024.

Kevin McCall-County Vice Chair: I do not feel comfortable today voting on this as you stated. It can't be reversed after it's been passed. The fact is I need to see what \$61,305 is to the county, what that looks like and for the employees before I can feel comfortably voting. Yes. I don't understand it well enough today to vote.

Samuel Schropp-County Commissioner: This is well established. The numbers are there and the citations in the ordinance are there just take the time to take a look at it. This has to be done.

Ryan Schwebach-County Chairman: Couple things here. Firstly, this is brought by Commissioner Schropp which I respect, with that being said, Commissioner McCall, I have to respect his desire to understand the numbers and how they impact the budget. So I have to respect both Commissioners. What I am hearing is that this is something this Commission is looking at and we'll move forward with. I think we need to change this timeline to fit where we can get our information and at the next regular meeting, approve it. We've had these conversations before with Dispatch, with one-on-one understanding and what's possible there and the implications. When we did it with the Sheriff's Department, it was the Sheriff's Department and the Sheriff that brought it to our attention, and they had a very focused plan on how to do it within their budget. It made a lot of sense. I have to sit with Commissioner McCall on this that yes, we've talked about it, but we have not dove into the finances. I think it's important this entire Commission is behind and not just with a two to one vote or killing it. I think it's important that we all understand the implications and I think it's very clear that we're moving forward. So with that being said, I think we're going to defer because I will not vote on this today.

Action Taken: Deferred

12. APPROVAL

A. COMMISSION: Request concurrence of letter stating Commission's position on renewal of ICE's contract with Torrance County. (Commissioner Schropp)

Samuel Schropp-County Commissioner: In October this commission received an email from Ian Phillabaum of Innovative Law Labs and the Non-governmental Immigration Organizations representing detainees and immigrants urging us not to renew Torrance County's contract with Ice, Core Civic. The following is the reply to that request as we discussed, and I will now read it into the record as the commissioner's reply to Ian Phillis email. Dated December 13th, 2023, and it addresses all of the signatories to that email to whom it may concern. My name is Samuel Schropp. I am the County Commissioner representing Torrance County's third district. I'm writing on behalf of the Commission in response to your email dated October 24, 2023, in which you urge the commissioners not to renew the contract agreement between Ice, Core Civic Torrance and Torrance County for the operation of the Torrance County Detention Facility. For those who don't know me. I will start with a short biography. I grew up alongside the Mississippi River near Saint Louis, Missouri. I went to work in the inland maritime industry while attending the University of Missouri at Saint Louis in 1975. For the next 45 years, I worked in various roles in the maritime industry including the American waterways operators responsible carriers, program inspections of audit and audits of dressings, facilities, recordkeeping and training programs, policies, and procedures. The AWORCP program was eventually adopted into law as title 43. CFR. My role was to ensure that companies, vessels, and crew members were in compliance with the applicable CFRSI also worked for 24 years as a litigation consultant, expert witness in Admiralty law, property damage cases and Jones Act personal injury cases. My reports and opinions to the federal courts in those cases are subject to vigorous challenge and critique through deposition and cross examination at trial. I was appointed to the Torrance County Board of Commissioners, by Governor Michelle Lujan Grisham in March of 2023. And since that time, I have been given unfettered access to the TCDF. I have arrived unannounced each time on weekends, holidays, business hours and outside of business hours. I have walked every unit in the prison checking individual cells at random. I have worked with the Warden and his staff in addressing deficiencies as I found them, I am not a fluent Spanish speaker but with the help of the staff escorting me at the time, I have spoken with random detainees and quizzed staff on their knowledge of operating policies and procedures. Core Civic has provided me with copies of proprietary information in the form of policies, procedures, maintenance, records, and work order. As a Commission, we believe that strong

and objective oversight is necessary to ensure that all applicable regulations, policies, procedures, and standards of human rights are adhered to. I read the email authored by Ian Phillabaum, including the report cited in the email. To me, they read like the fundraising letters I get from the ACLU, SPLC and various other groups seeking funding. I have attached a copy of one of my reports and a link to an article written by Todd Rogowski after he accompanied me on one of my visits to the TCDF as examples of objective factual reports with the proper citations as an example on how a report should be written. The article in the Mountainair dispatch is walking the Torrance County Detention Facility. As I have discussed with Ariel Prado and Mr. Phillabaum. Your over-the-top emotional writing style is better suited to raising money and inflaming passions than informing people. The disconnect between what you are writing and what I am seeing in the facility is disconcerting and damages your credibility and your mission. Objective and factual reports are essential in influencing and forming policy. Contrary to your assertions the TCDF is fully staffed in speaking with the warden's executive assistant, I learned that the reason most often given for leaving the Core Civic TCDF is the lack of affordable housing in Torrance County. Core Civic brings in people from other facilities to keep the facility staffed as required by law. The temporary duty staff at the facility are held to the same standards as permanent staff and operate under the same policies and procedures. The implication in your report is that the facility doesn't have enough people to staff each shift. That is patently untrue and that is the kind of writing that is misleading and damages the credibility of your reports. At the time of this writing TCDF is staffed in 15% TDY staff and 85% local staff. Every two weeks a new hire training orientation class begins. TCDF is close to fully staffing the facility with local people. TCDF. Core Civic is required by ICE regulations, Core Civic policy, and industry standards to staff the prison with a mandated number of staff members per shift. TCDF submits a staffing report to DHS/ICE every day and those records are available by FOIA or IPRA request. Let's not fool ourselves with euphemisms. The TCDF is a prison with concrete benches, tables, and concrete bunks with thin vinyl pads for mattresses. The food which I have eaten is nutritious and palatable but it's prison food. I arrived on a 100-degree day to ensure that all of the facility was air conditioned and talked with the detainees about the comfort level in the facility. The facility is reasonably in good condition with ongoing maintenance and upgrades being performed. I have not found any of the over-the-top exaggerations in your reports to be true at the TCDF. On my last visit as Mr. Brewski documented in his Mountainair Dispatch article, an inmate on the US Marshals side of facility pointed out a constantly leaking faucet at a janitor station that was causing black mold or mildew to grow on mops and on the tiles in that location. I pointed that condition out to the Lieutenant escorting us and when I returned four

days later, as a follow up with the Warden, the condition had been corrected. I have also discussed allegations of assault, by the staff on detainees and was given complete access to the reports and videos. The alleged assaults were not assaults as evidenced by the reports, videos, and ICE's review of the incidents. My visits to the facility over the last eight months have been quite a learning experience. During a conversation at my home with Mr. Prado and Mr. Phillabaum, we discussed the fact that ICE/CBP released some asylum seekers and sent others to facilities like the TCDF seemingly arbitrarily. I have learned that that is not the case at a New Mexico Association of Counties - Board of Directors meeting which I attended. Two CBP Regional Supervisors gave a very objective presentation on the El Paso CBP sector CBP/ICE estimates that 90% of the people crossing the southern border are fleeing failed states, criminal gangs and the effects of drought and crop failures. The CBP El Paso sector supervisor said, "they are just people looking for a better life". The El Paso superintendent also estimates that 10% of those crossing are criminals or part of a criminal organization (CDP enforcement statistics, U.S. Customs and Border Protection). Some of those organizations are transnational criminal organizations which are smuggling people. (TCO) find smuggling people more lucrative than smuggling drugs, because if a load of drugs is seized, it's a total loss and by smuggling people, they are paid up front. So there is no loss when a shipment is seized, DHS/ICE and CBP work with security services around the world to track people who may be a danger to public safety. Some of the people being smuggled into the US are a danger to all of us. El Paso is an initial intake facility where the determination is made as to who needs further vetting to decide if they should be released into the US. The TCDF is one of those facilities in which people are held pending further vetting and adjudication by the immigration courts. This is a very important point to keep in mind going forward. On my last visit to the facility we identified two Wahhabi Muslims, a number of MS13, Los Eme and other cartel gang members by their mannerism, flashing signs as we walk past and gang related tattoos. I've spoken with plenty of men in the facility who have been swept up in the net at El Paso because they happen to meet the criteria for further vetting but mixed in with them are men who are dangerous. There is a system in place to determine who is a criminal, a terrorist, or a human being in need of asylum. The terrorist screening data set is the federal database that contains sensitive information on terrorist identities and is one of the partners that DHS/CBP and ICE use to determine who should be held for further investigation. (Terrorist Screening Center -FBI). We believe that vigorous oversight and objective reporting is essential in ensuring that the rights of detainees are respected and honored. However, I find the exaggerations and misinformation contained in your reports is a disservice to the men being held at the TCDF. Your efforts at this time are aimed in the wrong direction. The policy statement outlined by DHS

Secretary Mayoraks in a Washington Post Op-Ed piece are a pragmatic and practical way forward and should be supported. (Opinion Alejandro Mayorkas: Congress must provide resources to secure border – The Washington Post). The Torrance County Board of Commissioners will make the decision on whether or not to renew the contract with ICE based on credible personal accounts and objective reports. We hope that you will be a credible voice in assisting us with that decision. Respectfully, and then in concurrence Commissioner Schwebach and Commissioner McCall.

Ryan Schwebach – County Chairman: Commissioner Schropp said he wanted to write a letter and the Commission to approve my answer to him was he has every right to write a letter as a Commissioner and I suggest that he brings it up and the other two Commissioners can choose to sign it or not. I'll sit here and tell you; I'll gladly sign this. I think it was a well written, it was spot on and addressing a lot of the, you know, it's not even misinformation anymore, it's lies what's happening over there and, and enough' s enough. I will gladly sign it.

Kevin McCall – County Vice Chairman: I too will.

Action Taken:

Kevin McCall – County Vice Chairman: Motion to approve letter stating Commission's position on renewal of ICE's contract with Torrance County.

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

B. MANAGER: Request approval of Professional Services Agreement for Economic Development Services between Torrance County and Estancia Valley Economic Development Association "EVEDA" in the amount of \$25,000 for one year.

Janice Barela-Madam County Manager: The County's contract with EVEDA has expired. Normally we do two-year agreements at a time, this year it is for one year. The reason for that is there's a possible restructure coming. We want to make sure that we give this one-year opportunity to continue the services that are being

provided for Torrance County, but also to assist in whatever way that we can with any upcoming possible restructuring. This contract is the same as previous ones, other than I visited with the Executive Director, Myra Pancrazio, about making some changes that are not substantive changes. For example, one place that had the County of Estancia. I had her change that to the County of Torrance. So in previous contracts, if you compare it, you'll see that's different. Also on the signature page, previous contracts had an attesting the County Manager, I made sure that she changed that to the County Clerk attesting instead. Especially since the document shows that they're preferring to have a seal there. Obviously, the county clerk is the one that needs to sign in regard to that. Everything else is pretty much the same. It's from November 1st, 2023, all the way through to October 31st, 2024.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve Professional Services Agreement for Economic Development Services between Torrance County and Estancia Valley Economic Development Association “EVEDA” in the amount of \$25,000 for one year.

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

C. MANAGER: Request approval of 2024 Holiday Schedule.

Janice Barela-Madam County Manager: Before you in the packet is the list of the holiday schedule that we are proposing going off of what the Commission approved last year. Last year, there were two different schedules that were presented to you, one for the Administrative staff and one for the First Responders. We have found that this list of holidays would be inclusive of both and would be sufficient. We have it presented to you for approval today.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve 2024 Holiday Schedule

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

D. MANAGER: Request approval of AT&T Second Addendum to Tower Use License.

Tracy Sedillo-Deputy County Manager: This agreement is to amend the tower usage that we have currently with AT&T, they are looking to put in a backup generator to run their equipment that's on our Dispatch tower. They rent space on our tower for their cell equipment. They are looking for additional space to install a backup generator for that equipment. We have to amend the lease. We did not feel that an increase in the rent was justified at this time just for the space for their generator because the cell equipment is running better, when there's a power outage, it benefits all the residents in that area that are on AT&T service, and it definitely benefits our First Responders who are on AT&T's First Net service. We are looking to find a company that can come in and evaluate all of our sites that we rent to get fair market value so that this will be included in that study going forward. So there may be an increase in the future but not this time,

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve of AT&T Second Addendum to Tower Use License.

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

E. MANAGER: Discussion and possible action regarding court compliance upcoming vacancy.

Deferred

F. CLERK: Request approval to pay Automated Election Services (AES) in the amount of \$1,500 for Mifi in six (6) polling locations with inadequate internet service. Purchase order was not in place prior to Election Day.

Linda Jaramillo-County Clerk: During elections, I'm really bombarded with all kinds of emails and most of the time, some of these invoices and quotes come to both Sylvia Chavez, Chief Deputy, and myself, this particular one came just to me and, Sylvia reminded me of it. I send her the invoice instead of the quote and this all happened within 30 minutes. I think we could have taken care of it that day, but I respect Finance and their rules. I'm asking that you approve this \$1,500.00 to Automated Election Services. It's for precincts that don't have internet connection. These days we need internet connection to run our ballot on demands for the elections.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve pay Automated Election Services (AES) in the amount of \$15,000 for Mifi in six (6) polling locations with inadequate internet service. Purchase order was not in place prior to Election Day.

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. FIRE: Request approval to submit payment in the amount of \$1,330.06 to Overhead Door DBA DH Pace Company Inc. for emergency bay door repair at District 2 Main Station. Repairs were made prior to issuance of a purchase order or an emergency purchase order.

Hanna Sanchez-Acting Fire Chief: I want to apologize that this is coming before you. We had two doors at two separate stations that were in need of emergency repair. One was at District Three. That one got stuck halfway open and we could not close it. Therefore, it blocked our ambulances inside and then this one came across. I believe the rollers were bent at District Two, so we couldn't open or close

the door, causing our apparatus to be stuck inside. I will say that it was probably a failure on my part. We did obtain approval for District Three, but I think the confusion came that two and three at the same time, we kind of thought it might have been the same door, but it wasn't. So I'm requesting that we can pay this. It is within our funding in District two.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve payment in the amount of \$1,330.06 to Overhead Door DBA DH Pace Company Inc. for emergency bay door repair at District 2 Main Station. Repairs were made prior to issuance of a purchase order or an emergency purchase order.

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

H. EMERGENCY MANAGEMENT: Request approval of Agreement between Torrance County Emergency Management and Moriarty Edgewood School District as a secondary shelter site at Moriarty High School and/or Moriarty Middle School for winter 2023-2024.

Samantha O’Dell-County Emergency Manager: This is very similar to the agreement that you signed with the City of Moriarty. The changes in this are to allow us to have a secondary shelter in the event that we need additional space or there's some reason that not everybody can be housed in the same area. We've been working with Moriarty School District, and they are allowing us to use the Moriarty Middle School and or High School if needed in this event. This is primarily in the event that I-40 is closed and there's, motorists that are traveling and stranded due to a snowstorm. Our primary site will be the Moriarty Civic Center. This is just a secondary in the event that we need the space.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve Agreement between Torrance County Emergency Management and Moriarty Edgewood School District

as a secondary shelter site at Moriarty High School and/or Moriarty Middle School for winter 2023-2024.

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. FINANCE/PURCHASING:** Review and request for approval of resulting contract from RFP TC-FY24-05 Juvenile Justice Continuum Coordinator; award to Rebecca Armstrong, DBA Via Homes & Development LLC.

Toni Lowery-Chief Procurement Officer: The current contract that we have open for a Juvenile Justice Continuum Coordinator expires this month. We entered the RFP process in October to get something in place so we wouldn't have a lapse. Rebecca Armstrong did respond to that proposal and went through the evaluation committee, and they are offering a contract to her to continue these services. It's an additional documents for you to review. She gave a wonderful presentation earlier about what she does and why we're lucky to continue to use her. The only changes are the slight increase in the flow through money that she receives. We did it for one year with the option to renew for three years.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve resulting contract from RFP TC-FY24-05 Juvenile Justice Continuum Coordinator; award to Rebecca Armstrong, DBA Via Homes & Development LLC.

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

- J. FINANCE/PURCHASING:** Request approval to pay three (3) invoices, Lobo Sprinkler Repair & Plumbing (\$2,618.30) and Baker Utility Supply (\$338.34, \$641.11) that were obtained prior to a purchase order being issued

for Torreon Mutual Domestic Water Association for the work on well meters; ARPA funding was appropriated by Resolution 2023-11.

Toni Lowery-Chief Procurement Officer: We passed the resolution granting these Mutual Domestic Water Associations with our land grants funding to flow through us. There was some communication issues at that time, their understanding was that people go procure these items and get reimbursed for it. We've passed on our finance and purchasing policy as well as the New Mexico State Procurement code. They are aware that that is not how it works and they're working with the Finance Department to get these resolved in the appropriate manner. However, these funds were already spent for them, and we would like to return that money and pay for it.

Samuel Schropp-County Commissioner: As with Tajique's request last month, the former Finance Director ran a little bit more of a loose operation. That's the miscommunications.

Toni Lowery-Chief Procurement Officer: We do still have products that some of these land grants water associations are utilizing, and they are going through the appropriate channels and working with our department to procure appropriately.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve payment of three (3) invoices, Lobo Sprinkler Repair & Plumbing (\$2,618.30) and Baker Utility Supply (\$338.34, \$641.11) that were obtained prior to a purchase order being issued for Torreon Mutual Domestic Water Association for the work on well meters; ARPA funding was appropriated by Resolution 2023-11.

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

K. FINANCE/GRANTS: Request approval to submit grant application to CYFD for funding of the Juvenile Justice Continuum that provides youth programming and intervention for the youth of Torrance County. (Approved by Grant Committee)

Amanda Lujan - Grants Administrator: Rebecca and I are getting ready to submit the application for the next round of funding for Juvenile Justice Continuum, It's for FY25 FY26 and FY27. In Rebecca's presentation, there is some increase in the number of programs we're doing and the number of these that we're serving. The total grant requested is \$261,602.00, with the 40% match of \$104,640.80, as our match. As we mentioned before, our match is pretty easily met using staff time from the support given to her as well as the use of facilities and other things. The total for the budget would be \$366,240,042.80.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve to submit grant application to CYFD for funding of the Juvenile Justice Continuum that provides youth programming and intervention for the youth of Torrance County.

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

L. FINANCE/GRANTS: Request approval of Memorandum of Understanding with Estancia Valley Youth and Family Council.

Amanda Lujan - Grants Administrator: This is approving the Memorandum of Understanding tying all of those community partners and collaborators into this agreement. Committing us to these services as well as sitting on the committee and being voting members and supervising Rebecca. Our County Attorney did review it and he did add a few things which are in your final version about making sure we addressed terminating the contract at any time as we're only tied to the contract as long as there is nothing from CYFD.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve Memorandum of Understanding with Estancia Valley Youth and Family Council.

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

M. FINANCE/GRANTS: Request approval of Capital Appropriation Project
23-H3238 in the amount of \$1,050,000 to plan, design, construct, furnish,
and equip improvements to the Fairgrounds in Estancia in Torrance County.

Amanda Lujan - Grants Administrator: Our next round of Capital
Appropriation Agreements came in. We're here trying to get them approved so that
we can start work on them. There's a small table showing you the amount of
funding we have for the fairgrounds as well as underneath the status of that project.
The proposal was submitted by Bohannon Houston and the Capital Outlay
Committee will meet Tuesday. We are discussing what the next steps will be.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve Capital Appropriation
Project 23-H3238 in the amount of \$1,050,000 to plan, design, construct, furnish,
and equip improvements to the Fairgrounds in Estancia in Torrance County.

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

N. FINANCE/GRANTS: Request approval of Capital Appropriation Project
23-H3237 in the amount of \$100,000 to plan, design, construct, equip and
furnish an administration building in Estancia in Torrance County.

Amanda Lujan - Grants Administrator: The same except for the admin
building, \$100,000. We have received a proposal from NCA Architects. Once
again, the staff is reviewing that proposal because we have some feedback for them
to make revisions and then that will come back.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve Capital Appropriation Project 23-H3237 in the amount of \$100,000 to plan, design, construct, equip and furnish an administration building in Estancia in Torrance County.

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

O. FINANCE/GRANTS: Request approval of Capital Appropriation Project 23-H3233 in the amount of \$250,000 to plan, design, and construct a shop and fenced yard for the Road Department in Estancia in Torrance County.

Amanda Lujan - Grants Administrator: Same Capital Appropriation, H3233 for \$250,000. Leonard is going to schedule a walkthrough for us. The building is almost complete. We're obtaining quotes for and doing notice of obligation for the security, the furnishings, the internet, those types of things.

Kevin McCall-County Vice Chair: Is this the final appropriations for the, the completion of the building or is this for fencing?

Janice Barela-Madam County Manager: It's the final one. It'll be inclusive of whatever is left over that's outstanding. We have part of the fencing that still needs to be completed. So whatever was planned initially with the fencing once the project is done would still need to be done.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve Capital Appropriation Project 23-H3233 in the amount of \$250,000 to plan, design, and construct a shop and fenced yard for the Road Department in Estancia in Torrance County.

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

P. FINANCE/GRANTS: Request approval of Capital Appropriation Project A22G-5358 in the amount of \$169,621 for renovations, including the

purchase and installation of equipment, to Estancia Senior Center in Torrance County.

Amanda Lujan - Grants Administrator: Estancia Senior Center is the only Senior Center that haven't received renovation funding for the past two years. This one's fairly new, this is for stucco, some of the exterior stuff, some sidewalks, etc. When, Aging and Long-Term Services executes the agreements, we'll start obtaining quotes and moving forward.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve Capital Appropriation Project A22G-5358 in the amount of \$169,621 for renovations, including the purchase and installation of equipment, to Estancia Senior Center in Torrance County.

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

Q. FINANCE/GRANTS: Request approval of Capital Appropriation Project A22G-5359 in the amount of \$53,599 to plan and design the Moriarty Senior Center in Torrance County.

Amanda Lujan - Grants Administrator: This is our second appropriation. Some quotes and contracts have already been obtained for this project when we get the new funding will go forward and just to clarify, this is actually for the planning of the new Senior Center and written in the scope of work. We had talked about a multi-generational center. The way the scope of work is written, the study can be done to find a location that would serve that purpose as well.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve Capital Appropriation Project A22G-5359 in the amount of \$53,599 to plan and design the Moriarty Senior Center in Torrance County.

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

R. FINANCE/GRANTS: Request approval of Capital Appropriation Project A22G-5360 in the amount of \$158,861 for renovations, including the purchase and installation of equipment, to Mountainair Senior Center in Torrance County.

Amanda Lujan - Grants Administrator: This is our third pot of money; a substantial work has been completed. In speaking with James, the next big task is redoing the subfloor. They are assessing what the best way to redo the subfloor and put in the new electrical etc.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve Capital Appropriation Project A22G-5360 in the amount of \$158,861 for renovations, including the purchase and installation of equipment, to Mountainair Senior Center in Torrance County.

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

S. SHERIFF: Request approval of Agreement 22-ZG1016-65-2 between Torrance County and the New Mexico Department of Finance & Administration for the second-year payment up to \$37,500 for the Law Enforcement Recruitment and Retention (LE-Retention & Recruitment) Fund.

Cheryl Allen-County Sheriff Executive Assistant: This grant is the LE Retention and Recruitment Fund. This is for second year payment for the House bill. This is for recruitment and retention of Law Enforcement Officers. The Sheriff's Office, per the House Bill, is obligated to prepare a plan of how to disperse the funds. We will use the same system that we used last year. Any new recruits have to be there a minimum of three months prior to payment or to be eligible for any of the payment of funds. We'll be coming to the Commission about three months prior to the end of the fiscal year, showing you how the plan will be paid out to the different Deputies that we have at that point in time based on the plan that we have already developed with the last fiscal year.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve Agreement 22-ZG1016-65-2 between Torrance County and the New Mexico Department of Finance & Administration for the second-year payment up to \$37,500 for the Law Enforcement Recruitment and Retention (LE-Retention & Recruitment) Fund.

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

T. SHERIFF: Request approval to pay DT Automotive up to \$850.00 for repair of driver's side mirror to include purchase of mirror, paint, and labor. Mirror was damaged in a crash. Repairs were completed prior to issuance of a purchase order.

Cheryl Allen-County Sheriff Executive Assistant: On the day that the crash had happened or the day following, our fleet management had spoken with DT Automotive to get the quote. I had received the quote and submitted a purchase order. However, there was a miscommunication in which DT Automotive thought that our fleet management told him to go ahead with the repairs. They went ahead and did the repairs before we actually went and received the purchase order.

Janice Barela-Madam County Manager: To provide some additional information on this. There is a purchase order completed monthly or requisition for purchase to DT Automotive to cover any routine maintenance. There could have

also been a miscommunication thinking that this work would go underneath that purchase order.

Ryan Schwebach-County Chairman: So it was a mishap. Here's my issue. We see these mess ups a lot and this Commission has said one of these days we're not going to pay him the DT Automotive do the work. Yes, was it a mishap or more like it was a misunderstanding because they had a contract more like that. What I would like to do is make it very clear that it will not be paid in any future mishaps to this individual or any other individual that comes in on these mishaps. It's too easy to get into a bad situation because they already did the work. What are we not supposed to pay them? They don't do workforce anymore. You know we've got to get the procurement down. So I will approve this or vote to approve it on the conditions that we send that kind of letter out to all of our vendors because we do have mechanisms for an emergency deal. If we don't have time for procurement, we have the proper procedures and I think it's crucial that we set the precedent that this is how business is going to be done.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve pay DT Automotive up to \$850.00 for repair of driver's side mirror to include purchase of mirror, paint, and labor. Mirror was damaged in a crash. Repairs were completed prior to issuance of a purchase order.

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

U. **SHERIFF:** Request approval of Memorandum of Understanding between the Torrance County Sheriff's Office and CoreCivic of Tennessee, LLC for provision of services at the Torrance County Detention Facility with authorization for Sheriff David E. Frazee to act as signatory.

Cheryl Allen-County Sheriff Executive Assistant: This is a Memorandum of Understanding that we complete each year with the facility. It's to provide our agreement, our instructions and policy on how we will address when there is an incident within the prison. For example, if there was a stabbing or if there, let's say someone was accused of rape, then there is procedures of who is going to be

granted the investigative access. So the the Torrance County Detention Center as well as the Sheriff's Office knows how to act with when those, when those situations should happen. County Attorney reviewed this one.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve Memorandum of Understanding between the Torrance County Sheriff's Office and CoreCivic of Tennessee, LLC for provision of services at the Torrance County Detention Facility with authorization for Sheriff David E. Frazee to act as signatory.

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

13. DISCUSSION

- A. MANAGER:** Presentation on history of adobe wall around Fairground Rodeo Arena, as well as rock wall that was mentioned to Commissioners at Fairgrounds during prior Commission Meeting. (Estancia Trustee Morrow Hall)

Morrow Hall – Estancia Trustee: A historic purchase was made, and it took us four years. The Town of Estancia sold the Fairgrounds to the County. The question is, what do we have there, and do we have historical impediments? The New Mexico Central Railway company and its development company brought the railroad through here in 1902. They chose Estancia, the springs and pond, that have been here, as the place to build their watering facilities for the train and roundhouse was built here by the affiliate or subsidiary, laid out the property for the original town stuff. Eventually the lake area was deeded by the company to the town. I'm not sure how the town got a hold of the rest of the land, the bull pen, and the adobe wall. I would imagine that the town bought it up for taxes because it was in an unpopulated part of the town. The railroad also owns small holding pens across Highway 55. In the twenties, there was a cattle retreat here. This is from the Torrance County history in about 1979. The 111th Cavalry Troop with The New

National Guard was activated in Estancia in 1921. Guy Hamilton was Commanding Officer with CM Milburn and Raymond Curry as First Lieutenants. WA Thomas was First Sergeant and caretaker for the horses and equipment. The headquarters, armory, horse stables and a 20 x 40 ft swimming pool were located South of the Estancia Springs. The Torrance County Fair building now occupies part of that space. The headquarters and Armory were new to the Equity Building, which later became the Torrance County co-operative and then the old Co Op Saloon which burned down, in 1927 and in 1928 the troop was disbanded and moved to Albuquerque. The wall around the swimming pool is still there. Butch McGee who is WA Thomas' grandson and my age pointed out to me, we were both involved in a chili cook up on top of this old, swimming pool that when we were kids it was open. And I said, I don't remember a swimming pool. I said, yeah, I remember it was full of tumbleweeds and that's what was there. It was 20 x 40, pretty deep. And as I understand it, it was used to teach Guardsmen how to get their horses in the water and forward streams and climb in and out of water. Its historical significance is questionable. I think everyone knows where it is, it's essentially southeast of the, of the south entrance to the Fair Building. The bullpen, which was one of several works administration projects that were done in Estancia, including the community building and sidewalks all over the Original Townsite. The sidewalks were made of flagstone and sideways and a trench and filled with gravel and of course, they filled with blue sand within a few years, but they're still there. The historical remnants that you might have to deal with are minimal. The question came up because the county is considering building a building there, which would also house the extension service. The Town of Estancia and the County I think are in support of that idea. During working hours, we have security. The programs would have access to it. I'm glad the town did it. We sold all of what we sold for \$50,000 and we're going to use that money to renovate, and we have other money coming to fix up our baseball field. I don't think you're going to have any historical problems. I appreciate the way the County Commission and the town have been able to, to do this for the benefit of the public.

B. COMMISSION: Annual Juvenile Justice Grant Report. (Rebecca Armstrong, Juvenile Justice Continuum Coordinator)

Amanda Lujan - Grants Administrator: I would just like to introduce Rebecca Armstrong. She's our Juvenile Justice Continuum Coordinator. She manages a

large grant we get from the Children, Youth, and Families Department to offer various youth programs throughout Torrance County.

Rebecca Armstrong -Juvenile Justice Continuum Coordinator: I prepared a presentation for you today. It's a PowerPoint and I would like to dedicate it to Leroy Candelaria. The last time I came to present to you guys, I did not have a PowerPoint. Torrance County has a Juvenile Justice Board. The Juvenile Justice Board is state mandated of all the counties in New Mexico to have these boards. There are about 20 active boards across the state of New Mexico that have an active Juvenile Justice board. Our board is called the Estancia Valley Youth and Family Council. We want to help youth and families be productive and lead productive lives. The way the Juvenile Justice Board works is, we have grant funds that come from the State, CIP manages them. Torrance County is the fiscal agent for these funds. Our board works on applying for these funds, managing the programs, and the youth that we serve here in our community. I work directly with the Grants Department. As well as Finance and Purchasing and some of the other departments here at Torrance County to give the supplies and the snacks and the things that we need for our program. I communicate directly with our program facilitators. We currently have two contractors that are doing services in the schools, and we hired three more they're already on board with Torrance County. We are waiting for CYFD to sign off. The members of our Juvenile Justice Board are required by state law. Those members are from the Judicial Court, Public schools, Torrance County local Law Enforcement, Public Defenders and District Attorney. Additional voting members are from Juvenile Probation and CYFD Protective Services, youth members and representatives from the Memorial Perpetual Tears Out in Moriarty and also the partnership for healthy Torrance County and various non-voting members. The programs that our Juvenile Justice Board runs currently is Teen Court, Girls Circle, Boys Council and Restorative Justice. All the program supplies, snacks and everything is paid for by the grant. So the grant, when I said that category about continue on board, they give us program support, how that works is they kick us back 15% on all of our programming that we bill for and it goes in a program support fund and that's just for snacks, program supplies, trainings, whatever we need for the juvenile justice board. That account last time I looked has about \$12,000. We have plenty of money. I just want you guys to know that money doesn't come out of Torrance County's pocket.

C. COMMISSION: Discussion regarding inclement weather affecting school bus routes and remedies for keeping school buses safe and running.
(Commissioner Schropp & Estancia Superintendent Dr. Cindy Sims)

Samuel Schropp-County Commissioner: A little over a year ago, I stood on the other side of his desk and took this commission and our road department to task for the conditions of the road. I've learned a lot since that time because people had great progress in staffing the department. A lot of that progress has been made in improving road conditions in the county. However, Friday before last I saw a post on the Torrance County Emergency Management Facebook page which announced the closing of the Estancia Public Schools due to poor road conditions in the southwest portion of the county. Now, I'm the guy in front of the room and those roads are in my district. Over that weekend, I drove some of the roads in the mountain communities in four-wheel drive and had to back up and take a run in a couple of other places. We have to remember that the mountain communities are a higher elevation. I came out of my house on pretty good dry roads and now I'm running around in snow and ice. I reached out to Doctor Sims, Estancia School Superintendent to find out what was going on with the school closure and what we can do to help.

Doctor Sims - Estancia School Superintendent: I want to apologize; I wasn't trying to call out a community. The mountain communities are a lot different than the valley communities. On Friday, before last, I sent my drivers out to check on the roads. We run abbreviated routes frequently. Running an abbreviated route is not unusual if the roads are impassable. Along that route, we have congregate pickups with 5,10,15 kids get on at a time. 30% of our kids live up there, when we have inclement weather that precludes their ability to get out, we're missing a third of our kids and so we can teach, but we're going to be reteaching a third of our students. Instructionally, that's our number one problem. The second problem is that particular Friday was a state count day. Our district gets funded for mileage and for ridership. When four of my six routes are going to complete less than 50% of their route and that mileage is cut in half, my account got cut in half. Of the 50% that we were able to drive the complete route for those families. Many of the families will bring those kids out because some of those families will not be able to, for fear of getting stuck. Not only do we go down on mileage, but we go down on ridership and we're funded by ridership and mileage, and we would lose up to \$100,000 in our funding for transportation. Having a third of our students out creates an equity issue where we're having school without a third of our students and then it led to a funding issue. We were able to bump the count data Monday according to this state rights. By Monday, the roads were dry enough that we could run the complete routes. I appreciate the fact that Mr. Schropp is looking for solutions.

Samuel Schropp-County Commissioner: I believe you told me, on abbreviated routes due to bad weather and road conditions that a lot of the parents aren't able to bring their children down to the aggregate.

Doctor Sims - Estancia School Superintendent: No, sir. When we run an abbreviated route, we're running the pavement and so the parents had to come down those unimproved roads providing their own transportation to the pavement.

Samuel Schropp-County Commissioner: Doctor Sims and her transportation coordinator have identified muddy spots and as I was urging a year ago, the County Road Department needs to dump some gravel in appropriate size of appropriate size in the ruts, mud, and hog wallows on those roads, not the entire road, just those trouble spots. Caliche topping can wait for better weather. My constituents told me all through the dry season, how bad the roads and the land grants are, and I couldn't see it at that time. In fact, I told one of them, I'm a Commissioner and your road is better than mine. Now we're in the dry in the wet season and I understand what they're talking about and it's, it's time to start improving conditions. I was taught in a leadership course that the people at the top have to show full commitment to a program in order to get people to buy in. As Doctor Sims said, when the buses are running on restricted routes, people don't bring their kids from those snow in and muddy roads to the bus. I believe this Commission should show by deeds a commitment to getting our children to school safely.

Leonard Lujan-County Road Superintendent: I would like a copy of the bus route. I would be willing to drive around and check the roads. I agree with Commissioner Schropp, if we have to just work on certain spots on certain roads we can do that. That's the reason we have material stockpiled and ready to go. This last storm we went through, it was kind of a freak storm. We cleared all the mountain roads and down from Manzano where there was no snow down on the bottom, but way up on top of about 3.5 miles up, there was snow up there. Our policy says if there's not six inches, we don't remove snow, we leave it on the road so it will help the road compaction. If the school is having difficulties getting through, we might need to change that.

D. DWI: DWI Prevention Program Update/Presentation. (Tracey Master)

Tracey Master-County DWI Program Coordinator: Normally when I give updates, it's a lot of statistics, a lot of verbiage. I wanted to show you how the program has grown. I first became involved in the Torrance County DWI

Prevention Program in the fall of 1998. I was the media representative to the DWI Planning Council as a staff writer for the East Mountain Telegraph newspaper, I later was a Representative for Torrence County Dispatch when I was a 911 Dispatcher and have been in this role since May of 2004. This is a little bit of update as to what has been going on through the years. In May 2004, the program funded all of the allowable components authorized by the Department of Finance and Administration, Local Government Division, Special Programs Bureau LDW, including prevention enforcement, coordination, planning and evaluation, screening, compliance, monitoring, alternative sentencing, you know, domestic violence. As of 2023 we fund all of the components again, with the exception of domestic violence that was removed but in May 2004 prevention for the Torrence County DWI Prevention Program consisted of funding alternative activities in the Moriarty Municipal School District through the Drug Free Trust program and the Estancia Municipal School District through the TNT program. Those activities included such things as the monthly movies and other events at the Old Moriarty Community Center. Teens needing teens or the Estancia TNT program have provided services throughout the years as well. School based education was limited and provided to the Estancia Elementary School utilizing, protecting you, protecting me evidence-based curriculum. A billboard was also posted on the north side of eastbound I 40. That's what prevention looked like at the time, As of today, we fund prevention, enforcement, compliance, monitoring, and tracking, screening, alternative sentencing treatment and co-ordination, planning, and evaluation. We have a contract evaluator to ensure that we meet all of the requirements as set forth by the Department of Finance and Administration. Since 2004, the Smart Choice Ride designated driving program has been in place. I should say that's been in place since 2008. These are the changes since 2004. We've certified approximately 250 people in the Youth and Mental Health First Aid curriculum, participation in the Torrence County Community Health Fair and other outreach opportunities. We participate in the Torrence County Junior Deputy program, the Edgewood Junior Police Academy, and Estancia Teens need teens. We have hosted the annual Torrence County Suicide Prevention and Awareness Embrace Life celebration since 2018. We've done that with our community partners which include The Estancia Valley Youth and Family Council, County employees have participated in this event as well. Our partners through the partnership for a healthy Torrence community have participated. Additionally, we have worked with the Torrence County Office of Emergency Management on Service Appreciation Day to honor our emergency responders. We continue protecting you, protecting me and evidence-based curriculum. We provided, Keep A Clear Mind another evidence-based curriculum. We participate with school policy at Mountainair Middle/High School and conduct random drug screenings as requested by a school

administration. Mountainair High also asks that we provide breathalyzers for prom and graduation as part of their school policy, working with our partners, the Estancia Valley Youth and Family Council, the Partnership for Healthy Torrance Community, and Perpetual Tear Memorial. We also participate in after prom parties for all three of our high schools in Estancia, Moriarty, and Mountainair. These are evidence-based programs provided by CCIMRT Moral Reconnect Therapy. It's basically different types of curricula that help people to retrain their brain and look at their thought processes before they make decisions. Some of those classes include Character Development, Job Readiness, Family and Parenting Values, Coping With Anger, Dealing With Trauma, and Dealing with the Potential for Opioid Relapse for people who are in recovery. We've also conducted several bingo events at the Doctor Saul Building in Mountainair, the Fair Building here in Estancia and the Moriarty Lions Club. We partner with the Town of Mountainair to host movies. Initially, the movies were held at the town's drive in. Now they take community members to an event. They will go to a theater in Los Lunas. That is another prevention activity. We've also provided education for Central New Mexico Electric co-operative utilizing the BWI goggles, helping people understand how the goggles impair the vision and how they simulate the impairment of alcohol. We've also provided QPR suicide prevent to nearly 1500 people in our community, including the entire student body of Moriarty High School, the Moriarty Mental Health Team, the Estancia Mental Health Team, participants of the Mountainair Youth Conservation Corps, Edgewood Junior Police Academy and the entire staffs of both Mountainair public schools and the Estancia Valley Classical Academy. Other alternative events include utilizing the Estancia Aquatic Center. We had family night, middle school, high school night and then usually the last Sunday when the pool is open, we host an end of summer splash. In 2022, we collected and distributed diapers to families in need. There were a lot of people who have asked, "what did diapers have to do with DWI"? Prevention is prevention, is prevention. If you are helping families to meet their basic needs, that's suicide prevention. If you're helping people meet their basic needs, that's substance abuse prevention. If you're helping people meet their basic needs, that's DWI prevention. It all ties in together. We've had thousands of social media posts providing underage, drinking, substance abuse and DWI prevention information. We have oversight of our program by a Senior Certified Prevention Specialist. We've held numerous community dances in Moriarty and Estancia. This is just an example of somebody utilizing the fatal vision goggles. We have an oversized Jenga game, and we have the young people put on the goggles just to get an idea of what it's like to try to do something impaired. A lot of times people will tell us, "that's not what it's like when I'm drunk". The reason they say that is because when you're utilizing the goggles, your vision is impaired, but your brain

is still sober when you are actually impaired. It's everything. It's your judgment it's your vision. It's everything that is going on with your body. In the fall of 2022, we established a clothing distribution site, we call it Malia's closet, it is located at the Torrance County Team Court building. Again, if we're helping people meet their basic needs, if our young people have socks, underwear, shoes, just the things that they need to exist, we are reducing the chances that they're going to engage in risky behaviors. We promoted safe holiday behaviors. Saint Patrick's Day, Valentine's Day, New Year's Day. In this week's paper, we'll have a letter to the editor reminding people to please not drink and drive during the holiday season. We've had the Arrive Alive tour, come to Torrance County three different times. They go to each of the high schools. This is a DWI simulator. The young people get into the vehicles, put a virtual reality headset on and they attempted to drive a vehicle. They experience bad weather, maybe people trying to cross the road, other drivers on the road, et cetera and it helps them to see what can happen again if they're impaired. We've participated in Red Ribbon Week in our elementary schools, Red Ribbon Week, is designed to promote drug use prevention. Red Ribbon Week is not evidence based by itself. However, in conjunction with the other programs that we offer, it becomes evidence based and falls within the Center for Substance Abuse Prevention Strategies or the C SAP six. This is something I'm particularly proud of. When COVID began in March of 2020 the entire world shut down. Many of the prevention programs across the state just said, "sorry, we can't do anything". We didn't take that approach. We found ways to reach people. We recorded YouTube and Zoom videos to provide prevention education that people could access. We did alternate prevention activities including zoom bingo and zoom craft classes. We partnered with the Towns of Mountainair and Estancia to provide Santa around the town parades. We have built a strong partnerships with the Torrance County Sheriff's Office and Fire Department. Torrance County Magistrate DWI court program, Mountainair Public Schools, the Estancia Municipal Schools, Moriarty/Edgewood School District, Estancia Valley Classical Academy, New Mexico State Police, Moriarty Fire, Moriarty Police, Town of Mountainair, Mountainair Police, Edgewood Police, Estancia Police, Estancia Fire, Perpetual Tears Memorial Inc, Edgewood Municipal Court, Moriarty Municipal Court, Estancia Valley Youth and Family Council, the Respect Program, Estancia Teens Need Teens, New Mexico Teen Court Association, New Mexico DWI Coordinators Affiliate, New Mexico Association of Drug Court Professionals, National Association of Drug Court Professionals, New Mexico Workforce Solutions and Santa Fe County DWI program. These relationships have been built and cultivated over the past 18 years. In closing, this is an extra special thank you to my fellow employees and in some cases their families, whether it was driving a smart choice van, painting rocks at events, organizing car shows or distributing

event flyers. They always came through. Even when we didn't ask for anything, they were there. You are all valued, cherished and appreciated. Thank you so much to this community for supporting our efforts over the past 18 years. It means the world to me.

E. MANAGER'S REPORT

Janice Barela-Madam County Manager: I'd like to take this opportunity if you don't mind just to kind of get a consensus on what the Commission would like me to present to Congresswoman Melanie Stansbury in regard to projects to submit for funding. We will be given a short window in which to apply, and I spoke with each one of you individually on this, but I would like the Commission also to discuss it. If you have anything in particular that you would like to bring forward at this time, or if it's at the discretion of the commission, I can visit some of your projects aligned with each other. I haven't shared that with each of you because that would be a rolling quorum. I thought this would be a good opportunity for the three of you to also discuss it. They're requesting a shovel-ready project that can be completed within one year.

Samuel Schropp-County Commissioner: The first thought would be the fence, on landfill. It's a mess and is affecting our constituents.

Ryan Schwebach-County Chairman: That was one of my thoughts too. Our admin offices are part of it. That's something we need to get done but won't be ready in a year. I think it's worth mentioning.

Samuel Schropp-County Commissioner: In my conversation with the County Manager, we have plans, the architect drawing in place for a new firehouse in Moriarty.

Janice Barela-Madam County Manager: You were correct as far as our conversation that we had about a firehouse. What I had mentioned at that time is that the City of Moriarty has their plans that they used for a new fire station. It was through funding with Congresswoman Melanie Stansbury's Office. That would be something that we could possibly get and then move forward with the same building plans, architectural design and that would be quicker and could get a turnaround within one year.

Samuel Schropp-County Commissioner: It would also take care of the problems we're having in McIntosh with fire suppression systems and retrofitting, housing, the whole thing. I ran past the Road Department's property; it would be a place that would be shovel ready to go. The Road department would have to move some road materials around. We have the property available, and we have plans that we can

get for Moriarty which would shortcut the process and as well as taking care of a bunch of logistical things we're facing with our present fire facilities.

Kevin McCall-County Vice Chair: That leads me into a phone call I had this week from the operators of Clines Corners. They are willing to donate property for a fire station on the 285 corridor which has been on our list for many years and/or build the building. They are very concerned about it as they grow their business. They had a truck that caught on fire very close to their facility. It took our First Responders some time to get there and it's just due to the sheer fact of where it's at. I think that could be more of a federal deal, the 285 corridor, since that is the official WHIP route transporting waste down that highway. That is an option, at least ground would be paid for or donated.

Samuel Schropp-County Commissioner: It would fill a real need because that's a long ways out.

Kevin McCall-County Vice Chair: If you look at the I 40 Corridor, it's a long way through Torrance County, going east and into Guadalupe County. There's many miles. That's a long ways for First Responders to respond. The fact that it's very busy, if not the busiest federal highway probably in this nation.

Ryan Schwebach-County Chairman: First, I can't argue with the fire building over there, but I don't recollect looking at our budgets on how we're going to manage that, because you look at our constituents, it's not heavy out there. Secondly, the reason we're having so many problems on that highway is because it's too fast and there's no police presence. State Police is responsible for that highway, and we're being tasked in the outcome of it. It doesn't matter if you lower the speed limit or not, if you don't have a presence there, this is going to continue to happen on top of a road that's falling apart. So that's why you have a problem.

Samuel Schropp-County Commissioner: The other thing I would bring up is that we need to speak with that Deputy Chief Sanchez about the practicality of staffing that place way out there.

Ryan Schwebach-County Chairman: We're talking about capital improvements here. I think it's worth mentioning, but before we do it, we need to think about the operating costs. A new facility here in McIntosh to replace one. I'm more in tune to that because our operating costs are going to be similar. Just because money is available, we don't need to be putting something up and they can't afford to operate it. If we can ramrod the flood diversion here in Estancia, if that can be accomplished, that's a long-term net game changer because of insurance. EMWT is always an economic benefit. If you provide economic opportunity for the individuals here, it's prevention. That is where my focus really lies because the last thing I want to do is put up a \$5 million, or whatever the number is, fire house and nobody living here to use it.

Samuel Schropp-County Commissioner: I hadn't thought of using that kind of funding to build a diversion. I know that Mayor Dial has asked for that and has a certain amount of money, not enough to complete the project.

Janice Barela-Madam County Manager: Based on the conversation that I had with Trustee Morrow Hall; it was in the stage where it's before the Army Corps of Engineer. In order to get their flood diversion planned, the Town of Estancia does not have that back yet. When you're talking shovel ready, I don't know when they'll receive that and if it will be something that we can complete in one year. I'm not saying that it's not worth a discussion with Congresswoman Stansbury's office, I'm just trying to be realistic in our discussion.

Kevin McCall-County Vice Chair: We need to think outside of the box and go to our Legislators. The fact that there isn't many cities between Moriarty and Santa Rosa, that there's not some state funding that is given to that corridor for staffing. There is a need right through there. I see your concern about staffing and not many of our constituents live there, but yet it's our obligation.

Ryan Schwebach-County Chairman: On the fire station. The reason that was pulled up shovel ready, we got plans that we already had that we could piggyback off those plans. Does anybody know the dollar figure for that?

Janice Barela-Madam County Manager: I don't have that figure. That's something if the Commission was interested in that I would investigate. I know that in talking with an architect who is pricing out the possibility of the fairgrounds multi-purpose building, she gave me a square footage cost and so we may be looking at something similar to that and I would be able to try to price that out. Currently, I don't have that cost in front of me. In talking with a representative from Melanie Stansbury's office, they're talking up to possibly \$22 million. I'm not sure if he meant per project or overall funding that she would have. I do know that each Representative or Congress person is granted the opportunity to submit 15 projects, any projects above that, that they would like to submit for funding. They work with our Senators. Senators do not have a limit on how many projects they can put forward to request funding.

Samuel Schropp-County Commissioner: When we talked about the retainer fence. Was that a \$1.7 million figure?

Ryan Schwebach-County Chairman: \$700,000 would cover it. Realistically after we're getting some wind studies, that's more in the \$500,000 range.

Samuel Schropp-County Commissioner: Would you want to go to the Legislature or other ways to try and find that funding?

Ryan Schwebach-County Chairman: When we talked to our Legislature, or Senator, she advised us to go to the Feds with everything possible because there is a ton of money that is out there. There's not a ton of money available to our Representatives.

Janice Barela-Madam County Manager: We can't ask for anything that's not on our ICIP list. I don't know if that's placed on the list.

Ryan Schwebach-County Chairman: I'm sure it's on the, the Solid Waste ICIP list. Being that we are a JPA member.

Janice Barela-Madam County Manager: We can lobby for that. Torrance County wouldn't receive it.

Samuel Schropp-County Commissioner: Torrance County would receive the benefits.

Ryan Schwebach-County Chairman: When is the meeting?

Janice Barela-Madam County Manager: They haven't set the meeting yet. It was supposed to be sometime last week, but there was a staffer from DC that was in town. They didn't follow up with a date and time. I will follow up with Jacob Trujillo from her office to have a further discussion. I was advised that Congresswoman Stansbury is interested in funding a project for Torrance County. The recommendation was to put at least a couple in at different funding levels to see what we can get funded. I was also informed that we should be prepared to submit that application quickly. There may be a window of two weeks to get that accomplished.

F. COMMISSIONERS' REPORTS

1) Kevin McCall – County Vice Chairman, District 1

Kevin McCall-County Vice Chair: It's apparent that we've got many construction projects coming up. We need to be thinking about possibly a Project Manager, consultant to help us carry through some of these projects that we approved today, our Admin it is already overwhelmed. We need to be thinking about that and adding it into the construction cost of different projects.

2) Ryan Schwebach - County Chairman, District 2

Ryan Schwebach-County Chairman: I also encourage you to send a letter to our Governor for more to follow through on her promise with funding State Police and the extra Police Officers to patrol I40.

3) Samuel Schropp – County Commissioner, District 3

Samuel Schropp-County Commissioner: I covered everything that I had my projects going. One thing I do want to say is that this has been a heck of a year and I have learned a whole lot. I've gained a tremendous amount of respect for the process and for my fellow commissioners.

14. EXECUTIVE SESSION:

- A. Threatened and pending litigation, Valerie Smith v. Yvonne Otero and Torrance County (authority to negotiate settlement), closed pursuant to NMSA 1978 Section 10-15- 1(H)(3)

Action Taken:

Ryan Schwebach – County Chairman: Motion to go into Executive Session.

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

12:41 PM

Action Taken:

Ryan Schwebach – County Chairman: Motion to move into Regular Session

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

1:30 PM

Ryan Schwebach – County Chairman: During Executive Session this Commission Discussed Threatened and pending litigation, Valerie Smith v. Yvonne Otero and Torrance County, closed pursuant to NMSA 1978 Section 10-15- 1(H)(3) and nothing else. The Manager will move forward as directed.

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

A. Regular Commission Meeting – December 27, 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

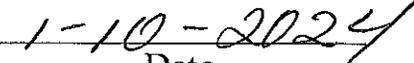
Meeting adjourned at 1:32 PM



Ryan Schwebach - Chairman



Genell Morris – Admin Assistant



Date



Linda Jaramillo – County Clerk

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