

—FINAL COPY
Torrance County Board of Commissioners
Regular Commission Meeting
December 27, 2023
9:00 AM

Commissioners Present:

KEVIN MCCALL – ACTING COUNTY CHAIRMAN
SAMUEL SCHROPP – COUNTY COMMISSIONER

Others Present:

JANICE BARELA – MADAM COUNTY MANAGER
TRACY SEDILLO – DEPUTY COUNTY MANAGER
MICHAEL GARCIA – COUNTY ATTORNEY
LINDA JARAMILLO – COUNTY CLERK
DONALD GOEN – COUNTY P & Z DIRECTOR

1. Call Meeting to order.

Kevin McCall – Acting County Chairman: Announces that Chairman Schwebach will not be attending the meeting today and he will be Acting County Chairman. He calls the December 27, 2023, Regular Commission Meeting to order at 9:05AM.

2. Pledge lead by: Kevin McCall- Acting County Chairman

Invocation lead by: Michael Garcia-County Attorney

3. Changes to the Agenda:

Janice Barela-Madam County Manager: Commissioner Schropp has asked that 8A, approval of the minutes of December 13, 2023, be deferred to the first meeting in January due to a few corrections. I informed Madam Clerk of this before the meeting.

Linda Jaramillo-County Clerk: Commissioner Shropp, were these corrections to the letter you presented?

Samuel Schropp-County Commissioner: It was throughout the minutes. There were several mistakes and I feel some omissions.

Linda Jaramillo-County Clerk: I will go over this with Genell. She will contact you.

Kevin McCall-Acting County Chairman: Approves deferring the approval of the minutes until the first meeting in January.

4. PROCLAMATION: None

~~5. CERTIFICATES AND AWARDS:~~

A. MANAGER: Retirement recognition and plaque presentation (Tracey Master 21 years with Torrance County).

Janice Barela-Madam County Manager: We have the great opportunity to acknowledge the retirement of Tracey Master, our DWI Coordinator who has been with the county for 21 years. Tracey began her full-time career with the county on July 15th, 2002. After Tracey's last public comment at our Commission meeting, I did some investigating and found that back when she started as the DWI Coordinator, she was an appointed employee. As an appointed employee she has a different type of time accumulation. Back then the Commission chose, through the Personnel Ordinance, to have this as an appointed position because it was a grant funded position and they could at any time let her go. At some time, it was moved over to a full-time salaried position, but I found no documentation on that.

But regardless of that, Tracey has been amazing throughout the years of service to the county. She is a very dedicated employee. She has worked tirelessly and with her whole heart and passion for the job that she does whether it was in dispatching or prevention work. She also worked very closely with the courts and cared a lot about going to our schools and making a difference at the lower levels and upper levels. She managed the Smart Choice van operation which probably saved a lot of lives.

She was a one-man show all these years and I know she worked through her vacation time when she was called in. Often, she was sick but still working. We appreciate all that she has done for the county. She networked throughout the state and has traveled extensively to get training throughout the nation to bring the best to Torrance County. We wish you the best at whatever you decide to do next.

Tracey Master-Torrance County DWI Coordinator: This all began when Bob Ayer, my predecessor, and County Manager at the time, called me while I was in the middle of a 911 call one day. I said, dude, you really need to get yourself an assistant, he said, great idea, come see me tomorrow. And that's where it happened. I was asked this week by the Independent what I viewed as my greatest success in this role, and I have to say, it's going to the schools and having the children happy to see you. It is having the clerk at Walmart say, I remember when you came to my class. It's also at midnight when somebody calls after maybe their loved one had gotten home from riding the Smart Choice Van and saying thank you so much for providing this service.

But I have to say the thing that stands out the most about this job is not the successes but the sadness and what will stay with me forever, and I hope, will stay with everyone here so that the DWI Program will continue. On April 23rd of 2016 a wrong way driver drove down Lexco Road and killed three people. The reason I remember that so well is because we had an Alternative Prevention Event that night. We had law enforcement out doing DWI directed patrols and enforcement activities and the Smart Choice Van was being utilized. No matter what we do, sometimes other people are going to make really stupid and criminal decisions, but I just hope that you all will keep up this work because it's very important. Miss. Nadine Milford worked way too hard for this program for it to go away. Thank you.

B. MANAGER: Retirement recognition and plaque presentation (Kathy Ness-Reyes 24 years with Torrance County).

Janice Barela-Madam County Manager: Next retirement recognition and plaque presented to Kathy Ness Reyes for 24 years with Torrance County. Kathy Ness began work with Torrance County on April 26th, 1999. She started in the Domestic Violence Program. I think that's when I started working with her when she was helping us out with the Respect Program and did the very first class on Domestic Violence Prevention for our senior girls that year. She moved over to community monitoring, where she built the program from scratch. Back then many arrested for misdemeanors were held in prison, costing the county a lot of money. Judge Jones and Kathy worked together to create an avenue for Judge Jones to release the inmates from jail, with Kathy overseeing them as they were going through pretrial hearings. Many were placed on ankle monitors, and they had to regularly call or meet with Kathy. She also tracked to make sure they were in

compliance with other court ordered conditions, such as attending counseling or taking courses. She would also provide drug testing. Kathy is dedicated and has an amazing work ethic. She consistently displayed those characteristics year after year in the courts. Both District and Magistrate Courts trusted Kathy and her judgment and would always take that seriously into consideration as they would make their decisions regarding whether they kept somebody in custody or released them.

She has earned that trust through the years, no matter who you talk to in the court system. They all have a great deal of respect for Kathy, and rightfully so. She has been consistent through the years and how she has conducted herself both professionally and the care that she has for everybody that is under her charge and the workload that she carries on any given day can be up to 100 or more people that check in with her, whether it's through the time that they do the pretrial, getting ready to go through all that, or if it's probationers after they've been adjudicated.

She built her entire program from scratch, and we know that because looking at her file, there was no job description for what she does. We've been preparing for her retirement and found that this was not that easy a job description to come up with to describe exactly what she did. She did it so well that I never got any complaints about her. I've never heard anything but wonderful things about her through the years. We never had to have county oversight of her or the courts that I know of. But she's just a phenomenal individual in both her value system and how she held the standard for every single person that came through the door and talked with her over the phone. She's another one that, no matter if it was day or night, weekend, vacation, holiday, sick or healthy she took care of business. Everyone had access to her, and she always took her phone with her. She literally she put everything she had into her job.

It will be difficult to replace you and I don't know how we're going to do it, but we're going to try our best to continue on with what you've built, and I appreciate you, Kathy, for everything that you've done. Thank you for the standard that you've helped to create. You've kept Torrance County a safer place by the oversight that you've had for these individuals in your care and these caseloads, which you've carried all these years. Congratulations on your well-earned retirement. We wish you the very best and I know your track record has shown that you'll be successful at whatever you do. But I'm hoping you get to enjoy your grand babies.

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

11. **ADOPTION OF RESOLUTION:** None

12. **APPROVALS**

A. PLANNING & ZONING: Request approval of the 2024 Planning & Zoning Board Meeting Schedule.

~~**DONALD GOEN-COUNTY P & Z DIRECTOR:**~~ Commissioners, for your information and those listening to this meeting, the Planning and Zoning meetings are held on the first Wednesday of the month and deadline for submission for the following month is the close of business on the first Thursday of every month. This meeting schedule was reviewed by the Planning and Zoning Board and approved.

Action Taken:

Kevin McCall – Acting County Chairman: Motion to approve.

Samuel Schropp-County Commissioner: Seconds the motion.

Roll Call Vote: County Commissioners: Yes: Kevin McCall – Acting County Chairman: -Yes: Samuel Schropp-County Commissioner: **MOTION CARRIED**

B. SHERIFF: Request approval of grant agreement between New Mexico Department of Transportation Traffic Safety Division and Torrance County for ENDWI (\$6,028), BKLUP (\$2,816), and STEP (\$4,400), for a total of \$13,244 (Approved by Grant Committee).

Cheryl Allen-Executive Assistant to County Sheriff: We are here to ask your approval of this grant agreement between New Mexico Department of Transportation and Torrance County. This is a recurring grant. We are being awarded more money than last year. With each of these programs EDWI, BKLUP and STEP we have different goals that we are tasked to meet. This provides funding for overtime for our deputies to get them out on the street to help us reduce crashes and DWI within New Mexico.

Action Taken:

Kevin McCall – Acting County Chairman: Motion to approve.

Samuel Schropp-County Commissioner: Seconds the motion.

Roll Call Vote: County Commissioners: Yes: Kevin McCall – Acting County Chairman: -Yes: Samuel Schropp-County Commissioner: **MOTION CARRIED**

C. EMERGENCY MANAGEMENT: Request ratification of Sub-Recipient Grant Agreement, Hazard Mitigation Assistance Grant from the New Mexico Department of Homeland Security & Emergency Management in the amount of \$84,975 to update the County's Hazard Mitigation Plan; requires a county match of \$8,995 (Approved by Grant Committee)

Samantha O'dell-County Emergency Manager: I am here to request approval of a of Sub-Recipient Grant Agreement, Hazard Mitigation Assistance Grant from the New Mexico Department of Homeland Security & Emergency Management in the amount \$84,975. This grant was approved by the grant committee. This is a grant we've been talking about during several past meetings. It was originally applied for on October 22nd. We finally did receive the grant to update our mitigation plan which unfortunately expired due to the delays. Our in-kind match is \$8,995.

Kevin McCall – Acting County Chairman: In-kind will be office space and so on.

Samantha O'dell-County Emergency Manager: Correct, as well as the procurement officer's time for the RFP process, as well as others in my office working on the mitigation plan. We will have no problem meeting the in-kind match.

Action Taken:

Kevin McCall – Acting County Chairman: Motion to approve.

Samuel Schropp-County Commissioner: Seconds the motion.

Roll Call Vote: County Commissioners: Yes; Kevin McCall – Acting County Chairman: -Yes; Samuel Schropp-County Commissioner: **MOTION CARRIED**

13. DISCUSSION

A. MANAGERS REPORT

Janice Barela-Madam County Manager: I only have one update and that is on my walk through of the Road Department workshop. Everything looks amazing. It was a pleasure to walk through and see how beautiful it turned out. There was nothing there but a small building but now we have an amazing building for our road crew to move into. ~~We did get the Temporary Notice of Occupancy Certificate~~ because they did have two final inspections. There is still sealant to be put on the concrete and a required plaque that needs to be put on the building. I'm hoping that the Commission will agree to do a ribbon cutting ceremony for it and inviting our State Legislatures who appropriated the money for this project. I told Leonard, what we will have to do is get the road built up before the ribbon cutting ceremony because it got really muddy on the existing road with the recent storm.

Kevin McCall –Acting County Chairman: I too was very excited about the new building. This was a project I was involved with from the start of my position as Commissioner. I envisioned it exactly the way it turned out. I hope the Road Department uses it wisely and takes care of it. I know they will.

B. COMMISSIONERS' REPORTS

Kevin McCall –Acting County Chairman, District 1:

Many of you have probably been traveling on Old 66 in front of the Pilot. It is a mess. I am going to put the DOT on blast about this. That is all I have for my update.

Samuel Schropp – County Commissioner, District 3:

Seek the job, get the job, do the job. On Christmas morning I visited the prison at 9:15AM because it is my obligation to the county and the people in the prison. It was warm, it was clean, and I visited with the detainees, and everything was good. I met with the Deer Canyon Preserve residents and listened to their concerns about road B-016. Leonard Lujan and his road crew were out there as well. On Monday

as I was going through my files looking for my NM EDGE (Education Designed to Generate Excellence in government) certificates so that I could schedule this year's training for County Commissioners, along with my County required FEMA certifications and, on a side note, there are only two people in the county payroll who have not completed this training and they are Commissioner McCall and Commissioner Schwebach.

Among my OSHA 10 Hour, and Road Ready certificates, I found the packet prepared by Madam County Manager for our interview with one of our candidates for Fire Chief from September 27, 2023. Lo and behold, there are all the PERA retirement materials, along with contemporaneous notes in the margins where I was doing the math on how much a Firefighter PERA would cost while we were interviewing the candidate.

We lost a very well-qualified candidate to lead our Fire and EMS because we weren't able to offer a Firefighter retirement. Two months later, at the last Commission meeting, I brought up the Firefighter retirement issue thinking that a resolution giving our career firefighting staff an opportunity to vote as required by law would be a no brainer slam dunk. Here is the packet provided by Madam County Manager for that agenda item. This information was available to us for 2 months, yet Commissioner McCall put the brakes on the process, saying he needed more time to consider the issue.

The information was available for over 2 months, the PERA discussion was on the agenda and known to this Commission, yet Chairman Schwebach conceded to Commissioner McCall's insistence that he need more time to see what the \$62,000.00 increase in the county's match would look like. That information has been available to the Commission for months and as Chairman Schwebach said at the last meeting, quote, "We know we have to do this." Yet, Chairman Schwebach conceded to Commissioner McCall's threat of a no vote and tabled the matter until the next meeting. We are here at the next meeting, and we are not going to vote on this. This is on a timeline. If we do not pass a resolution allowing the fire fighters to start this process before the PERA Board meets the next time it will get kicked down the road until their next meeting. Gentlemen, seek the job, get the job, do the job. Thank you.

14. EXECUTIVE SESSION:

A. COMMISSION: Interviews and discussion regarding the appointment of Fire Chief, closed pursuant to NMSA 1978 Section 10-15-14 (H)(2)

Kevin McCall – Acting County Chairman: Makes a motion to go into Executive Session.

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

Commission entered Executive Session at 9:28AM

Regular Session resumed at 11:30 AM

Kevin McCall – Acting County Chairman: Motion to move into Regular Session

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

15. ACTION ON EXECUTIVE SESSION ITEM A. COMMISSION:
Discussion and possible action regarding the appointment of Fire Chief.

Kevin McCall – Acting County Chairman: Item discussed in Executive session was interviews and discussion regarding the appointment of Fire Chief, closed pursuant to NMSA 1978 Section 10-15-14 (H)(2). Mr. James Winham was appointed to the position of Torrance County Fire Chief at the salary of \$90,000.00 with a three-year contract.

Announcement of the next Board of County Commissioners Meeting:

A. Regular Commission Meeting – January 10, 2024, at 9:00 AM

16. Signing of Official Documents

17. Adjourn.

Action Taken:

Motion to adjourn.

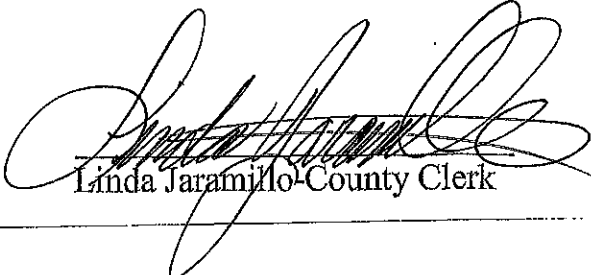
Kevin McCall – Acting County Chairman: Motion to adjourn.

Samuel Schropp – County Commissioner: Seconds the motion.

Roll Call Vote: Samuel Schropp – County Commissioner: - Yes; Kevin McCall – Acting County Chairman: -Yes: **MOTION CARRIED**

Meeting adjourned at 11:40AM


Kevin McCall-Acting Chairman


Linda Jaramillo-County Clerk

1-10-2024
Date

The Video of this meeting can be viewed in its entirety on the Torrance County Website.