

FINAL COPY
Torrance County Board of Commissioners
Regular Commission Meeting
March 27, 2024
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
MICHAEL GARCIA – COUNTY ATTORNEY
LINDA JARAMILLO – COUNTY CLERK
GENELL MORRIS – ADMINISTRATIVE ASSISTANT I
DONALD GOEN – COUNTY P & Z DIRECTOR

1. Call Meeting to order.

Ryan Schwebach – County Chairman: Calls the March 27, 2023, Regular Commission Meeting to order at 9:06 AM.

2. Pledge led by: Ryan Schwebach – County Chairman

Invocation lead by: Samuel Schropp– County Commissioner

Janice Barela-Madam County Manager: We would like to honor Officer Justin Christopher Hare. Heroic Law Enforcement officers throughout New Mexico put their lives on the line every single day to protect their fellow citizens and to maintain law and order in our state. They have come under increasing physical attack from criminals in recent years. New Mexicans know that our police are the

thin blue line that separates our safe communities from chaos and lawlessness and that police are and will always be critical to the safety of our state. Today the state of New Mexico, Torrance County Commission, and Torrance County residents are remembering New Mexico State Police Officer Justin Hare, who perished in the line of duty on March 15, 2024, while rendering assistance to his stranded motorists. His funeral service is today at 11:00 am, after which he will be laid to rest.

At the National Law Enforcement Memorial in Washington, D.C. there is a quote engraved on the wall that reads, "It is not how these officers died that made them heroes. It's how they lived."

Today, I would like to read Officer Hare's obituary into the record as well as comments made by Torrance County Deputy Fire Chief Hanna Sanchez at his candlelight vigil in Moriarty, which will give us a glimpse into the life of Officer Hare.

Justin Christopher Hare a beloved member of the Logan community passed away on March 15, 2024. Throughout his life, Justin contributed significantly to society through his dedication as a volunteer firefighter and his service with the New Mexico State Police for five years. Born on January 31, 1989, at UNM Hospital in Albuquerque. Justin excelled in his academic pursuits. He attended Moriarty High School, graduating with a GED in 2007, and furthered his education by attending Central New Mexico Community College and Embry-Riddle Aeronautical University. Justin's passion for helping others extended beyond his career. He found joy in coaching soccer and engaging in various outreach programs. His interests also included hunting, fishing, and flying aircraft. Justin was a pillar of strength within the community and was actively involved in various organizations such as the New Mexico State Police Association, where he held the position of Treasurer and the Fraternal Order of Police. Justin's commitment to his family was unwavering. He was known as the best family man and an exceptional daddy. Justin leaves behind a legacy of love and courage that will forever be cherished by those who knew him. He is survived by his father Jim Hare, and Mother Terry Hare, Daizzare Quintana (the love of his life), and daughters Juliann Hare and Caydence Hare, with another child on the way. He is survived by his brother Brandon Hare, Sister-in-law Amanda Hare, niece Austin Hare, nephews Brantley Hare, Colt Hare, Daylyn Hare, and niece Yoonhee Quintana. He was preceded in death by his older brother JC Hare, grandfather Charles Miller, and great-

grandparents. Justin Christopher Hare will be remembered as a hero in his community and a dedicated individual always willing to extend a helping hand to those in need. A funeral Service to honor and celebrate Justin's life will take place on March 27th at Legacy Church in Albuquerque. His memory will live on through the countless lives he touched with kindness and compassion.

The following was read by Deputy Fire Chief Sanchez, at the candlelight vigil.

Good evening, friends of Torrance County. My name is Hannah Sanchez, Deputy Fire Chief and EMS Director for Torrance County Fire and Rescue. I'm appreciative of this opportunity to speak about our fallen friend and brother Justin Hare and his time with the Torrance County Fire Department.

In 2007, shortly after graduating from high school, Justin, along with his brother Brandon, began his service in public safety by volunteering with the Torrance County Fire Department District Three (McIntosh). In 2008, Justin applied to become a volunteer with District Five (NE Torrance), man # 516, where he continued to dedicate himself to the constituents of Torrance County, as well as the visiting public for approximately four years in total between the two departments.

Justin proved his dedication and commitment by being an active member of his community. His perseverance was demonstrated by involving himself in training offered within the department. This allowed Justin to receive his Wildland Firefighting Certification and Basic Firefighter Emergency Medical Care certification.

Looking back on history, now, it is a clear indication that the many roles he has held in public safety show that his true passion was helping, guiding, and protecting individuals on a day-to-day basis.

Torrance County Fire Rescue would like to express our deepest heartfelt condolences to Justin's family, friends, and New Mexico State Police Department. Justin, our brother, friend, and colleague, may you rest in peace, know you will never be forgotten, and we will take it from here.

On behalf of the Torrance County Commission, Administration, Torrance County Fire Rescue, Sheriff's Office, Dispatch Center, staff, and residents of Torrance County, I want to thank Officer Hare for his exemplary public service as a Torrance County Fire volunteer firefighter and New Mexico State Police officer. His life truly was heroic and well lived, and for that, we are eternally grateful. Our

sincerest condolences go out to Officer Hare's family, friends, law enforcement, and dispatch brothers and sisters.

3. **Changes to the Agenda:** Defer item 5A. Our Sheriff is at a funeral.

4. **PROCLAMATION:** None

5. **CERTIFICATES AND AWARDS:** None

A. **MANAGER:** Employee of the 4th Quarter 2023 – Deputy Ronald Saavedra

Janice Barela-Madam County Manager: Deferred

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

A. **MANAGER:** Discussion and possible action regarding the creation of the Ad Hoc Internet Connectivity Advisory Committee.

Janice Barela-Madam County Manager: There was a discussion about an Ad Hoc Committee in a previous Commission meeting. I would like to receive direction from the Commission on how you would like to fill this committee through the bylaws or the rules and procedures that the Board of County Commissioners have adopted. The number of members that were requesting to be on this committee is a little different than appointing somebody to a board. Do you want letters of interest from those who would be interested in being a part of this or contact the Manager's Office? We can start a list and bring it before the Commission for final approval.

Ryan Schwebach – County Chairman: The purpose of this committee is to gather real information on internet availability within our community.

Samuel Schropp-County Commissioner: We have a couple of different phases in this. There was a grant period in which we had to have letters of support from the communities. According to Miss Rosenberg, as this moves forward, we will need more hands to make the work lighter. I think it would be appropriate to have those

people contact the Manager's Office. There will come a time in which we're looking for individual letters of support. We may want more people on the committee at that time.

Janice Barela-Madam County Manager: I envision getting them in the same room with Miss Rosenberg and finding out exactly what it is that she needs for her project. Setting out the scope of work and putting together a strategic plan on how to accomplish it with specific milestones. Putting a timeline on it and having a chairperson to oversee it.

Samuel Schropp-County Commissioner: I have contacted five people who are willing to work on this. Two of them have good expertise in computer databases. The others are people who have worked in public administration or retired now. What happened with us in Illinois was that once things were in place, different neighbors took a form letter of support around and talked to people about signing a letter of support. Now, that's not a letter of intent. That's no commitment, but it is of support, to put pressure on for the monies, and push forward to this project. We would need more people at that time to lighten your load. So that you talk to your neighbors, you talk to your family, you get these letters of support. That's what I mean by having a supervisory core for this committee. As the County Manager outlined, shifting duties and needs for people as we move on, and determined by Resound. We do need a formalized committee to be answerable to the Commission and the County Manager.

Ryan Schwebach – County Chairman: So the letters, is that something that has to be done or that's just either experience or what you think might happen?

Amanda Lujan - Grants Administrator: Resound received a letter of support for the recent grant proposal for the county and one from the Village of Willard. The land grants are hesitant at this time. There is another grant coming up that is a little bit more money. I think that letters of support would be important once we are going after the second grant.

Ryan Schwebach – County Chairman: I envision a little differently. I keep hearing, help Resound. Resound is a private company, there are more players at stake. We don't need to be married to Resound or anybody else. The information needs to be gathered on exactly what is the best concept within the communities. As for letters of support, I am very uncomfortable just going out to get letters for one company. At this time the committee does not need to be very big. The committee needs to be very knowledgeable, and willing to put in some effort to gather the information on what else is out there. Resound is the one entity that has approached us. I would like somebody out of both rural and municipalities, and I don't think it needs to be more than four people.

Samuel Schropp-County Commissioner: Yes, three or five, an odd number.

Amanda Lujan - Grants Administrator: We also recommended that we possibly have representation from the school districts, at least one of them.

Ryan Schwebach – County Chairman: I don't agree with that. The school districts can put their liaison on it, but I don't feel like we need to bring in more entities other than what we have here. We do need to talk to them, but I don't think they need to be on the committee. That can change later.

Kevin McCall – County Vice Chairman: I recall from the Resound presentation, inaccurate maps, I think this committee needs to focus on debunking them. In doing so, that not only helps Resound, but it also helps all ISPs, and internet service providers. I think that's their challenge as an Ad Hoc committee to get out and ask the citizens.

Samuel Schropp-County Commissioner: That would encourage competition between ISPs and benefit all of us. The one thing about rebutting the maps is we want to remember, a five-person committee could do that. These are citizens that are wanting to help out. We don't want to throw the kind of burden that the three of us wind up with trying to balance personal life and business life and Commission business. We may need to bring more people in under the core group at different times.

Ryan Schwebach – County Chairman: I would agree. Let's start with five people. I don't think it needs to be tied to any district. We do need qualified people; what do they know about the community? The purpose of these five is to communicate what they're tasked to do and how they're going to do it. The maps, what does that look like? What kind of information do they need that will challenge those maps. Please, advertise for letters of interest.

7. PUBLIC COMMENT and COMMUNICATIONS

Linda Jaramillo-County Clerk: I want to encourage everyone to request their absentee by mail ballot now because we have a very short span where we can accept the requests and mail them out. Call my office at 505-544-4350 or go to sos.nm.gov and request your absentee by mail ballot. Ballots requested will be mailed out no sooner than May 7th, 2024 when absentee by mail begins.

Early voting in person begins Tuesday, May 7th, here in the Administrative building, and the Early Alternate Site in Moriarty opens on May 18th. I encourage

everyone to vote and to request their absentee by mail ballot to ensure we can get those out promptly and everyone's vote counts.

Albert Beckwith–McIntosh Resident: I would like to thank our County Manager for accepting my phone call recently and responding to it and thank Mr. Leonard Lujan for the great work he's done on Salt Mission Trail. That's a historic route, and it's been a dumping ground for these people who have blighted themselves to our neighborhood. Sunday morning, I picked up nine bags of trash in that house next to your little shed. I pick it up all the time. Even in front of our Sheriff's house on 41, there's the big white bag, nobody picked it up or stopped. We picked it up. We let people come here showing no respect to America. This is a country that men died for, our officers are dying. There are people out there with guns that shouldn't have guns, and they're killing people. They are getting away with it because they have no track record here in the United States. They're claiming they can kill whoever they want and get away with it. It's time for it to stop.

I was promised by a Sheriff, at the time, that we would have close surveillance of the area, but that never happened. Why do we have a police department if they're not going to respond? We're told we're not incorporated, because we're a small community. If you were to take a headcount or take a census out there, you'd find out how many people live there. I called and asked the Manager's Office about what was being sprayed in the air. I was told Mrs. Barela was at a conference and she was busy. She would call me back. She didn't call me back one of her associates called me back and said it was confidential information. It's not confidential. I have a right to know what's been sprayed in the air. I'd like to know today what chemical is used in the prevention of these insects on the crops. What's the name of the chemicals being used?

Ryan Schwebach – County Chairman: I can't tell you because I don't know, it's on private property. I would be happy to visit with you later.

Albert Beckwith–McIntosh Resident: I appreciate that. I've got to get to the VA, I was run off the road on my motorcycle. My 1946 Indian was destroyed. I have a broken arm and fractured ribs caused by someone who doesn't even live here. So that's been supposedly addressed with the man who is now no longer in this country. He's mysteriously disappeared. Thank you.

Marcie Wallin - Torrance County Fair Board: I would especially like to thank Manager Barela and Tracy Sedillo for your continued help with Fair Board questions. Kassandra, Deborah, and Misty have also been very helpful and always willing to help.

I would like to share with you a few heartfelt quotes.

Fair Publishing House

#1 County Fairs unite cities, towns, and villages, for one common purpose celebrating the people who live within the county.

Farm Fit Living

#1 People come together to learn and socialize.

#2 Competition - Without it, there would be no reason to showcase the best and learn from the best.

#3 Exhibits and entertainment provide life lessons to all who attend.

Michigan State University

#1 It's not all about money, it's about lessons learned.

#2 County Fair - The icing on the life skill cake.

Tracey Master – Resident: I did initially request to be on the agenda because this is going to take more than a couple of minutes, but it was my understanding that Commissioner Schwebach requested that I do this now.

On December 29, 2023, I retired after 21 1/2 years of service to the county. On January 1, 2024, I began part-time employment with Waves Behavioral Health LLC. On February 1, 2024, I was here in the building doing personal business when Mrs. Barela asked if she could speak with me for a few moments. She said she wanted to talk to me about my employment with Waves and indicated that it was potentially a violation of the Governmental Conduct Act because I had been involved in the creation of the contract between Torrance County and Waves. Waves would provide mental health support services for local youth. She provided me with a copy of the Act. Which states, that former officers and employees contracting with this agency may not contract with or take any favorable action toward a person or business that is represented by a person who was an officer or employee of the agency within two years of the date of the user, or employee's separation from the agency, or assisted by a former officer or employee of the agency, whose official act while in state employment directly resulted in the contract or action. A sub-paragraph applies regardless of the length of time since the officer or employee left the agency.

It took a moment to process as I didn't think about any of this before accepting employment. I publicly announced that I was going to be working with Waves. I then told Mrs. Barela that I probably should publicly announce what had happened.

I was sad and disappointed because our community is sorely lacking in mental health services. I wanted to do what I could to help fill the gap. I left Mrs. Rose's office prepared to leave Waves as an employee and return to intern as I didn't want to do anything that would jeopardize the services provided to the youth in our community.

I sent a letter to the state Ethics Commission asking me if they would review the situation and provide an opinion. The email reads as follows: My name is Tracey Master and I'm asking that you investigate something that involves me directly. As a former employee of Torrance County. I was hired as a 911 Dispatcher by Torrance County and July 2000 and later moved into the role of DWI Prevention Program Coordinator in May 2004. My total service time for Torrance County was 21.5 years, during which time my responsibilities and duties included scheduling law enforcement overtime, conducting drug and alcohol screening for convicted DWI offenders, and preparing contracts for treatment providers and evaluator screeners. I was also Teen Court Coordinator, participating as a panel member for the Torrance County Magistrate DWI Court program, scheduling, hosted, and funding prevention activities throughout the community, conducting alcohol drug underage drinking, and suicide prevention education in schools and county, conducting additional classes such as parenting anger management and character development, and many other duties as assigned.

Sometime in the early part of 2021, a friend who was a mental health professional and I were talking about my role as DWI Coordinator. We are in a community with few resources of any kind, but she suggested I conduct some research and determine what it would take to become a Certified Peer Support Worker. I conducted the research and decided that having my CPSW credential would enable me to better serve my community. In November 2021, I contacted the New Mexico Office of Peer Recovery Engagement (OPRE) to see if I was qualified to take the CPSW class, I was.

In August 2022, I attended the class. The last week of November, 1st week of December of that year, I did 40 hours of exposure work. In March 2023, the Teen Court Coordinator spoke with me about using Waves Behavioral Health to provide mental health support services for some of our local teams. I then spoke with the CEO from Waves and discussed the services they will provide. Following the discussion, I wrote the contract using a frequently used county contract template. On April 6, I passed the CPSW exam and received my credentials. On April 23, 2023, this board approved the contract with Waves for the remainder of 2023. In April 2023, I talked with my friend about getting on board and having her as a

supervisor. She said she just couldn't take on responsibility and suggested I talk to Rebecca Sonnenberg from Waves. In June, I met with Miss Sonnenberg and Miss Vanessa Gramm, the CFO. During the meeting, Miss Sandberg offered me a position to work for Waves.

I'd done a little research online regarding county employees having supplemental employment and thought that was not a good idea as it didn't seem appropriate. I did offer to work for Waves as an unpaid intern through December 2023, after which time we could reevaluate the situation. In June, the board approved the FY 24 contract with Waves. In September 2023, I began an unpaid internship with Waves. On October 31, I verbally notified Mrs. Barela of my intention to retire. On November 1, I memorialize that in writing. On December 7, I received an offer letter from Waves. The contract for the commitment would be a maximum of two days per week at \$22 per hour. I told them about my conversation with Mrs. Barela.

I made sure that I let them know that I only saw two clients in January and February, As of today, March 27, I still have received no payment. I was unsure of the best way to proceed. Mrs. Barela implied that if I stayed, the county could cancel a contract with Waves. I requested that the State Ethics Commission look at this. Since that time, Rebecca Branch the Deputy General Counsel with the State Ethics Commission, asked some clarifying questions for which I provided answers.

I also provided a copy of a contract between Torrance County and Waves, as well as the minutes from the April 23, 2023, and June 28, 2023 Commission meetings. On March 8, 2024, I received a letter from Ms. Branch. In the informal advisory letter, Ms. Branch states, you ask, 1. Are you in violation of the Governmental Conduct Act because of your part-time employment with Waves? 2. Is Torrance County in violation of the Governmental Conduct Act by continuing the contract waves? The short answer is no to both questions. In the conclusion, it states you are not in violation of subsections 10-16 -8(B) or D of the Governmental Conduct Act by working at Waves as you have not worked on a matter on which you participated personally and substantially while an employee of Torrance County and you have not represented any client including Waves in any capacity before Torrance County. Furthermore, you have not seen any clients through Waves that were referred under the Torrance County contract. Thus you have not benefited from the contract in which you were involved.

Finally, Torrance County is not in violation of subsection 10-16-8(C) by continuing its contract with Waves as your involvement with a contract was strictly

in your capacity as an employee of Torrance County, and you did not represent or assist Waves in the negotiation process. This is an informal advisory opinion and is not binding on this condition.

At this point, I want to make sure you, the board, understand that if you ask permission at a future meeting and move to cancel the contract with Waves because of my association with the company, I will immediately resign as an employee and return to unpaid status.

As an intern, this is not about the money, it's about providing needed services in our community, and it needs to be made very clear that the reason I accepted employment with Waves is that I have had the opportunity over the past 21 1/2 half years to see that there are not sufficient mental health resources. Mental health services are often found outside of the county. My concern is for the young people who do not have insurance and who without the contract of weights will be unable to access mental health care. They and only they should be the focus.

Ryan Schwebach – County Chairman: I appreciate you bringing it to our attention in case something does come up in the future.

8. APPROVAL OF MINUTES

A. COMMISSION: Request approval of minutes for the March 13, 2024, Regular Meeting of the Board of County Commissioners.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve the minutes for the March 13, 2024, regular meeting of the Board of County Commissioners.

Samuel Schropp-County Commissioner:

Seconds the motion.

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

9. APPROVAL OF CONSENT AGENDA

A. FINANCE & PURCHASING: Request approval of payables.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve payables.

Kevin McCall – County Vice Chairman: Seconds the motion.

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

MOTION CARRIED

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

11. ADOPTION OF RESOLUTION:

A. ROAD: Request approval of Resolution 2024-10, 2024 Annual Certified County Maintained Mileage.

Leonard Lujan-County Road Superintendent: This is the public road miles-maintained. We do this every year. The only difference this year is our miles did change by a little bit. Last year we were on gravel 834.18 miles. This year we're at 834.05 miles with 9 blades.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve Resolution 2024-10, 2024 Annual Certified County Maintained Mileage.

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. GRANT/ROAD DEPARTMENT: Request approval of Resolution 2024-11, A Resolution Authorizing the County to submit an application to the Department of Finance and Administration, Local Government Division for the FY2025 NMDOT Transportation Project Fund Program for Charlie Breckenridge Road, Torrance County, New Mexico, and authorizing County Manager Janice Y. Barela to sign letters to the New Mexico Department of Transportation summarizing the Commission's approval.

Amanda Lujan - Grants Administrator: We are here to ask for approval of this annual grant that we apply for transportation project funds. This year we have four roads that we're submitting for application. The first road is Charlie Breckinridge Road. The total project cost is \$361,553.12. NMDOT match of 95% of \$343,475.46. Torrance County has a match of 5%, \$18,077.66.

Leonard Lujan-County Road Superintendent: This is a TPF fund we have applied for the last couple of years. We did Riley Road, Martinez, Ewing Road, and King Farm Ranch with it in the past. This is a new application for this year. Charlie Breckinridge Road, Highway 41 proceeds east for 1.5 miles to Appaloosa Road.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve Resolution 2024-11.

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

C. GRANTS/ROAD DEPARTMENT: Request approval of Resolution 2024-12, A Resolution Authorizing the County to submit an application to the Department of Finance and Administration, Local Government Division for the FY2025 NMDOT Transportation Project Fund Program for Alan Ayers Road, Torrance County, New Mexico, and authorizing County Manager Janice Y. Barela to sign letters to the New Mexico Department of Transportation summarizing the Commission's approval.

Amanda Lujan - Grants Administrator: This is the same fund but for Alan Ayers West. Total cost \$1,007,777.00, NMDOT match of 95% of \$957,388.15 with a Torrance County match of 5% 50,388. 85.

Leonard Lujan-County Road Superintendent: We get a lot of calls concerning this road. This project will go from Walker Road west down Allen Ayers to Peacock Road. Approximately 4.5 miles.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve Resolution 2024-12.

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. GRANTS/ROAD DEPARTMENT: Request approval of Resolution 2024-13, A Resolution Authorizing the County to submit an application to the Department of Finance and Administration, Local Government Division for the FY2025 NMDOT Transportation Project Fund Program for Spangler Road, Torrance County, New Mexico, and authorizing County Manager Janice Y. Barela to sign letters to the New Mexico Department of Transportation summarizing the Commission’s approval.

Amanda Lujan - Grants Administrator: This is for Spangler Road, with a total cost of \$1,131,494. 93. NMDOT will match \$1,074,920.18 and Torrance county 5% match of \$56,574.75.

Leonard Lujan-County Road Superintendent: This will be a chip seal from Highway 55 and proceed south for 6 miles to Highway 542.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve Resolution 2024-13.

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. GRANTS/ROAD DEPARTMENT: Request approval of Resolution 2024-14, A Resolution Authorizing the County to submit an application to the Department of Finance and Administration, Local Government Division for the FY2025 NMDOT Transportation Project Fund Program for Appaloosa Road, Torrance County, New Mexico, and authorizing County Manager Janice Y. Barela to sign a letter to the New Mexico Department of Transportation Cabinet Secretary summarizing the Commission's approval.

Amanda Lujan - Grants Administrator: This is for Appaloosa Road total project cost of \$604,897.74. NMDOT 95% match of \$574,652.85. Torrance County 5% match of \$30,244.89.

Leonard Lujan-County Road Superintendent: We will put a three-inch overlay over the top of it and connect that whole area back to Highway 41.

Ryan Schwebach – County Chairman: This Resolution states a letter to the New Mexico Department of Transportation Cabinet Secretary, the other Resolutions state letters to the New Mexico Department of Transportation, what is correct?

Janice Barela-Madam County Manager: That was my error. It's not a big deal.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve Resolution 2024-14.

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. APPROVAL

A. MANAGER: Request approval for day and overnight use of the Torrance County Park on July 27, 2024, through August 5, 2024, to host The 47th Annual Cache Le Plew Mountain Man Rendezvous, sponsored by NM Bighorn Gun Club. (Presented by Cassandra Carnes).

Cassandra Carnes: Thank you very much for having me today. I'm here once again to ask for permission to camp in Torrance County Park from July 27th through August 4th. My husband and I set up that Friday and everyone is gone by August 4th. We had about nine or ten camps in the past. We're hoping to keep getting more people as time goes on. We need to get the young people interested again.

Ryan Schwebach – County Chairman: My suggestion would be to speak with our Extension office, she may be able to point you in the right direction.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve for day and overnight use of the Torrance County Park on July 27, 2024, through August 5, 2024, to host The 47th Annual Cache Le Plew Mountain Man Rendezvous, sponsored by NM Bighorn Gun Club.

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. GRANT/DWI: Request approval of final FY25 Local DWI Program Distribution and Grant Funding Budget. Corrections are for Distribution from \$105,473.00 to \$105,485.00 for a total increase of \$12.00. Correction for grant total from \$198,300.00 to \$186,200.00 for a total decrease of \$12,100.00. The funding amount changed due to the removal of funds for deputies to be paid overtime when attending court.

Amanda Lujan - Grants Administrator: I asked you for approval on the corrected grant. It was my mistake. It had incorrect amounts from \$105,473.00 to \$105,485.00 for distribution.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve final FY25 Local DWI Program Distribution and Grant Funding Budget. Corrections are for Distribution from \$105,473.00 to \$105,485.00 for a total increase of \$12.00. Correction for grant total from \$198,300.00 to \$186,200.00 for a total decrease of \$12,100.00. The funding amount changed due to the removal of funds for deputies to be paid overtime when attending court.

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. ANIMAL SERVICES: Department update regarding a new employee, increase in calls for service/animal intakes, SNIPIT, and REACH numbers. (Animal Services Director Danette Langdon)

Danette Langdon-Animal Shelter Director: We filled our third animal control position, with Richard Samuels, he is doing well and a great addition to the team.

We have seen a huge increase in Animal Control calls and animal impounds. As of March 14, we had received 153 calls for service and then 172 animals that's probably closer to 200 for each of those now. We are receiving calls and animals like never before. With our SNIPIT program, we microchipped vaccinated, and sterilized approximately 75 animals since July. These are publicly owned animals. We have four more clinics set up with 32 spots.

Our Referred Emergency Animal Care and Help program (REACH), is a medical program that we have going for owned pets in Torrance County. We went through those funds very quickly. We helped 37 applicants and paid for various medical treatments including broken legs, jaws, Parvo, and dental, anything you can imagine.

We submitted our application for the third year for the Carroll Petrie Foundation. We hope to be able to keep providing these two programs to the community because it is needed.

Our animal food pantry is stocked, but we're always in need of donations. We are gearing up for the "puppy/kitten season", we've not had a break from puppies and kittens all year. That's why we're hoping to be able to continue the program. We have a lot of great puppies and dogs available for adoption.

Ryan Schwebach – County Chairman: Is there any indication that people are dumping animals in Torrance County?

Danette Langdon-Animal Shelter Director: I can't say definitively, but I believe that there is. We do see animals in areas where nobody seems to know where they come from. They're dumped in groups, maybe two or three animals. I think people are dumping them. Yes. The majority of those animals either get returned home or find new homes. Our euthanasia rates have gone through the roof these past couple of years.

Ryan Schwebach – County Chairman: Are there penalties for stray animals?

Danette Langdon-Animal Shelter Director: They are letting their dogs run free and breeding indiscriminately. We have been citing people more for animals running at large, not having rabies, etc. We want people to be responsible. We have problem areas where people seem to let their animals run around all the time. There are fees, and we take people to court. Our programs help with a lot of animals being reclaimed because the sterilization is free, they just have to pay for the membership, vaccinations, and then an impound fee.

Ryan Schwebach – County Chairman: Is this exclusive to Torrance County residents?

Danette Langdon-Animal Shelter Director: We have opened it up for the East Mountain communities because our veterinarian is in Edgewood. Most of our applicants are from Torrance County.

Ryan Schwebach – County Chairman: How can we be proactive concerning this problem?

Danette Langdon-Animal Shelter Director: Getting their animals fixed. We couldn't get them fixed during COVID. The majority of the animals we see coming in now are dogs about two to three years old. It was hard to get them fixed because the veterinarians weren't sterilizing, we had to wait months to get animals fixed. With the SNIPIT program, we can get them fixed within a week. People went back to work, and do not pay attention to their animals, They are running at large, getting pregnant, and having puppies. The cycle continues and it's getting worse.

Ryan Schwebach – County Chairman: Are we doing a SNIPIT sterilize outreach here in the county?

Danette Langdon-Animal Shelter Director: The more we promote it, the more people we have, we get overwhelmed. When we first posted it for the first year, we were overwhelmed with calls, and we simply didn't have enough money for sterilizations. We do post it on Facebook and have it at the veterinarian's office for our REACH program. They tell people who can't afford the veterinary bills to contact us, and we will pay for it.

Ryan Schwebach – County Chairman: Thank you for that update. It makes a big difference.

Danette Langdon-Animal Shelter Director: The state is opening up grants for the new fiscal year in the New Mexico Board of Veterinary Medicine. We will apply for a grant to bring a mobile clinic out to the county. We would like to bring it out four times a year in addition to that because we could sterilize up to 100 animals per clinic. Thank you.

B. MANAGER'S REPORT:

Janice Barela-Madam County Manager: I normally don't read an email that I received during the Commission meeting, but I'd like to read this one for the Commission and the public to know about a situation that the county is experiencing. I'm glad to see that Todd Brogowski has been able to join again by Zoom. Chairman Schwebach commented on possibly shutting down the Zoom link and the problems the county has been experiencing with Zoom. Mr. Brogowski's, email is appropriate. I want to address, read it into the record, and then make any responses on record.

“Access to the County Commission meeting denied.” County Manager Barela, I just wanted to confirm whether the County Commissioner meeting scheduled for today occurred. Although I had not engaged in disruptive behavior, I was kicked out of the Zoom call prior to the start time of the meeting and was not allowed back in. At the last meeting of the County Commissioners on March 13, 2024, County Commissioner Schwebach threatened to terminate public access to the County Commission meetings via Zoom because he was upset at the comments regarding the Torrance County Detention Facility of two Zoom-based participants in the meeting. Has Commissioner Schwebach followed through with this threat and terminated public access to the County Commission meetings via Zoom? I

went to the county's old meeting recordings page on the website and saw that videos for meetings after August 2023 were no longer posted. Is this related to Commissioner Schwebach's statement that he would terminate video access to meetings? Is there another reason why the videos are no longer available? The minutes of the last meeting are also not available online. Has the County Commission suspended recording minutes for its regular meetings? Has it suspended public access to its minutes? Very respectfully, Todd Brogowski.

I'd like to address a couple of these questions. With the context of what happened with the inquiries about Zoom meetings, I think I'd like to explain what's going on in the county regarding Zoom. We are experiencing difficulties with our Zoom links. We have had different people in the position of Executive Assistant to the County Manager, and their responsibility included uploading the Zoom link, for some reason, we get it uploaded, and then all of a sudden that link is not working. We are finding out the morning of the meeting. As soon as we find out from the public that there's an issue with it, we're creating a new link, and placing it on the calendar.

Regarding the meeting minutes. They are not posted online until after they are approved by the Commission. The minutes from the last meeting dated March 13, 2024, are in today's packet ready for approval. They won't be posted officially until after the Commission approves it. They should be on the website to review in advance regarding the meetings. We started experiencing problems with the upload. I didn't realize that that was no longer working. My understanding of what I learned recently is that Zoom is what is being used to record our meetings. I don't know why those have not been uploaded. We will work towards uploading those and becoming current. We also reached out to our vendor who takes care of our system and go back to the way we had done it previously. We care about transparency. Chairman Schwebach has not tried to influence in any way shape, or form, the amount of transparency that we have here. We fully intend to have Zoom operational. We are working to remedy any problems we have with putting the recordings online. Meeting minutes will always be available at any given time, you as a member of the press are welcome to contact me. I'm the PIO for Torrance County. I will be happy to assist you in any way possible. Thank you for your email today.

I welcome a conversation afterward to give a little bit more detail as far as what specifically went wrong internally with our staff. I wanted to make sure that we let the public know that none of this Zoom is intentional with the errors we're having.

Ryan Schwebach – County Chairman: I have no intentions of changing our Zoom program, public speaking, or public access. So thank you for bringing this to our attention.

Janice Barela-Madam County Manager: We have an opening for a Chief Procurement Officer. Our current Chief Procurement Officer did take a position with the state. We will advertise this position. If anyone is interested in that position, please go online. You can see the job description, what it entails, and the salary. We are hoping that we will get some people from within our community who will be interested in this position.

At the last Commission meeting, Commissioner McCall asked whether or not the Governor had a line-item veto to any of our appropriations from the legislators. The answer to that is no. We have all the appropriations that we talked about. The junior appropriation is currently unknown.

C. COMMISSIONERS' REPORTS

1) Kevin McCall – County Vice Chairman, District 1

Kevin McCall-County Vice Chair: Thanks Marcie, for getting up and speaking about the fair. We are not raising animals; these animals are raising our children. That is why my wife and I have been a part of 4H and FFA. Thank you.

County Manager Barela was able to secure a ride along with the Cabinet Secretary of DOT on April 16. She and I will be traveling the roads of Torrance County with the DOT Cabinet Secretary.

Many of you may have noticed the trash, it's getting out of control again, in my district around the Pilot truck stop and along I-40. I had some friends come in from Colorado yesterday and they made that comment. "This is a trashy place". That's not what we want for our community. We will be addressing that. I know during COVID, the inmate pickup program was suspended. I'm hoping we can get some answers from the Cabinet Secretary.

2) Ryan Schwebach - County Chairman, District 2

Ryan Schwebach-County Chairman: You brought up trash, I've been contacted by someone offering services to try to curb illegal dumping. I haven't looked into much, but my question is how much illegal dumping is going on? There's a difference between throwing a bag of trash out on the side of the road versus illegally dumping large volumes. I would like to pursue a little bit of what the parties have been to try to see what we can do as a county to curb this. Commissioner McCall is right, when people come here and say, "It's a trashy place", that's the message you send about our community. This time of year with the winds, it gets a lot worse. I would like to identify some of those areas and see what we can do about it.

Next week is state judging for Moriarty, Mountainair, and Estancia. Hopefully, they do well and come back with a bunch of trophies, banners, and just bragging rights, I wish them well.

3) Samuel Schropp – County Commissioner, District 3

Samuel Schropp-County Commissioner: I texted Lieutenant Ballard concerning dumping, there were personal records in there. I would urge people to go to the Sheriff's Department. That's a good way to get this stopped and bring charges.

I have been making a big deal of checking roads on my motorcycle to the point that a friend of mine asked me if I was ashamed to get paid for the job. We said maybe I should ask for mileage.

Seriously, I wouldn't be putting this kind of mileage on my truck, and I wouldn't have the time to see all these roads if I wasn't on a motorcycle. There are 934 miles of roads in the county, we depend on the people here to help us find trouble spots and places that need improvements. I want to thank the people who take the time to call text or email me with their concerns.

Concerning Eshleman Road, After speaking with Leonard Lujan about the base, the conditions, and the way the road was built, I spoke with Don Goen P & Z about the railroad drop yard, the railroad is going to be making improvements to the road

between the highway and the railroad tracks. I looked at the patterns on the road and it was obvious that they were ridden too hard. They are accelerating hard at the cattle guards and breaking hard at the cattle guards. I told him, my priorities are the school bus route, and the mail route. Leonard sent someone out there for me so that I would know there were 42 vehicles in and out of that place. They didn't like my answer. That is a good road. If you get out there with that kind of high-frequency corduroy you get from cars, that is on them, not on the county.

It's election season and people seem to be getting wound up again, I've been speaking with constituents who are relying on rumor, disinformation, and misinformation about some important issues from Torrance County. They're very passionate and are being misled by others for any number of reasons.

This Commission is not an autonomous body. We operate under the oversight of the Governor's Office of the Board of County Commissioners. That means that we have powers and responsibilities which are defined by state statutes and county ordinances. I've been told that I should be doing any number of things to protect the citizens of Torrance County and our water. Anyone can look up the responsibilities and duties of a New Mexico County Commissioner for themselves, as we have been urging you all to do. Anyone telling you that they can do things that are not defined in state statutes and county ordinances either doesn't know the law or is being less than truthful. The operation of pot farms, wind farms, and water use are under the oversight of state agencies. We have authority that is basically limited to Planning and Zoning, and law enforcement. I am happy to help people find the proper state agent to address their concerns. However, we do not have the authority or the expertise to address wind and solar farms' environmental concerns, water use by pot farms, or construction projects in the County. County ordinances are very clear as to our oversight and authority.

In this election cycle, there are people pushing conspiracy theories and disinformation for personal and political gain. Chairman Schwebach has been urging all of us to do our own research and use credible sources. Look for peer-reviewed studies that are available online that address wildlife and wind farms. On water use, start by reading the EMWT master plan. Don't blindly take the word of someone with a Facebook account. Thanks

14. EXECUTIVE SESSION: None

15. **Announcement of the next Board of County Commissioners Meeting:**
April 10, 2024, at 9:00 AM

16. **Signing of Official Documents**

17. **Adjourn.**

Action Taken:

Ryan Schwebach – County Chairman: Motion to adjourn.

Samuel Schropp-County Commissioner: Seconds the motion.

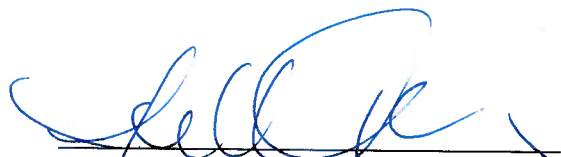
Roll Call Vote: Samuel Schropp – County Commissioner: - Yes: Ryan Schwebach
– County Chairman: – Yes: Kevin McCall – County Vice Chairman: -Yes:

MOTION CARRIED

Meeting adjourned at 10:35 AM



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)