



**T**ORRANCE **C**OUNTY  
**COMMISSION MEETING**  
**MARCH 13, 2019**  
**9:00 A.M.**

FOR PUBLIC VIEW, DO NOT REMOVE



## ***Torrance County***

BOARD OF COUNTY COMMISSIONERS (BCC)

**Ryan Schwebach**, Chair

**Kevin McCall**, District 1

**Javier Sanchez**, District 3

**Wayne Johnson**, County Manager

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### **ADMINISTRATIVE MEETING AGENDA**

**WEDNESDAY, March 13, 2019 @ 9:00 AM**

- 1. Call to Order**
- 2. Invocation and Pledge of Allegiance**
- 3. Changes to the Agenda**
- 4. PROCLAMATIONS**
- 5. CERTIFICATES AND AWARDS**
- 6. BOARD AND COMMITTEE APPOINTMENTS**
  - A. PLANNING & ZONING:** Commission Review & interview of applicants for position on the Estancia Basin Water Planning Committee
- 7. PUBLIC COMMENT and COMMUNICATIONS**
- 8. APPROVAL OF MINUTES**
  - A) Motion to Approve:** Minutes for the February 13, 2019 Workshop
  - B) Motion to Approve:** Minutes for the February 25, 2019 Special Meeting
  - C) Motion to Approve:** Minutes for the February 27, 2019 Administrative Meeting
- 9. APPROVAL OF CONSENT AGENDA**
  - A. FINANCE:** Resolution No. 2019-17 Line Item Transfers
- 10. PUBLIC HEARINGS**
  - A. PLANNING & ZONING:** Pacific Wind Development, LLC- Modification of special use permit- El Cabo project.
- 11. ADOPTION OF ORDINANCE/AMENDMENT TO COUNTY CODE**

**12. ADOPTION OF RESOLUTION**

**A. COMMISSION:** Resolution No. 2019-15 Motion to Approve the Torrance County Board of Commissioners Rules of Procedure.

**B. FINANCE:** Resolution No. 2019-16 Budget Increase

**C. FINANCE/TREASURER:** Resolution No. 2019-17 Budget Fund Balance Policy

**D. FINANCE:** Resolution No. 2019-18 Line Item Transfers

**E. COMMISSION:** Resolution No. 2019-07 Support the EMWT Regional Water Association's Request for Capital Outlay in the 2019 Legislative Session. (Commissioner Schwebach)

**13. APPROVALS**

**A. SHERIFF:** Approval of Law Enforcement Protection Fund (LEPF) Application for the Torrance County Sheriff's Office

**B. MANAGER/GRANT COORDINATOR:** Approval to submit application for 2018 staffing for adequate Fire & Emergency Response.

**C. MANAGER:** Motion to authorize the County Manager to enter into MOU with Torreon Acequia Association for repair and maintenance.

**D. COMMISSION:** Estancia FFA request for financial assistance. (Commissioner Sanchez)

**E. COMMISSION:** Approval of contract extension for County Attorney Dennis Wallin

**14. DISCUSSION**

**A. US CENSUS BUREAU/VERONICA ARZATE DE REYES:** Presentation of the 2020 Census complete count committee.

**B. GRANT COORDINATOR:** Discussion of NMFA CEDS - Update

**15. EXECUTIVE SESSION**

**A. FIRE:** Limited personnel matters regarding: the discussion of hiring, promotion, demotion, dismissal, assignment or resignation of or the investigation or consideration of complaints or charges against county employees.

(Closed pursuant to pursuant to NMSA 1978 Section 10-15-1(H)(2).)

**16. Announcement of the next Board of County Commissioners Meeting:****17. Signing of Official Documents**



*Agenda Item  
No. 1*





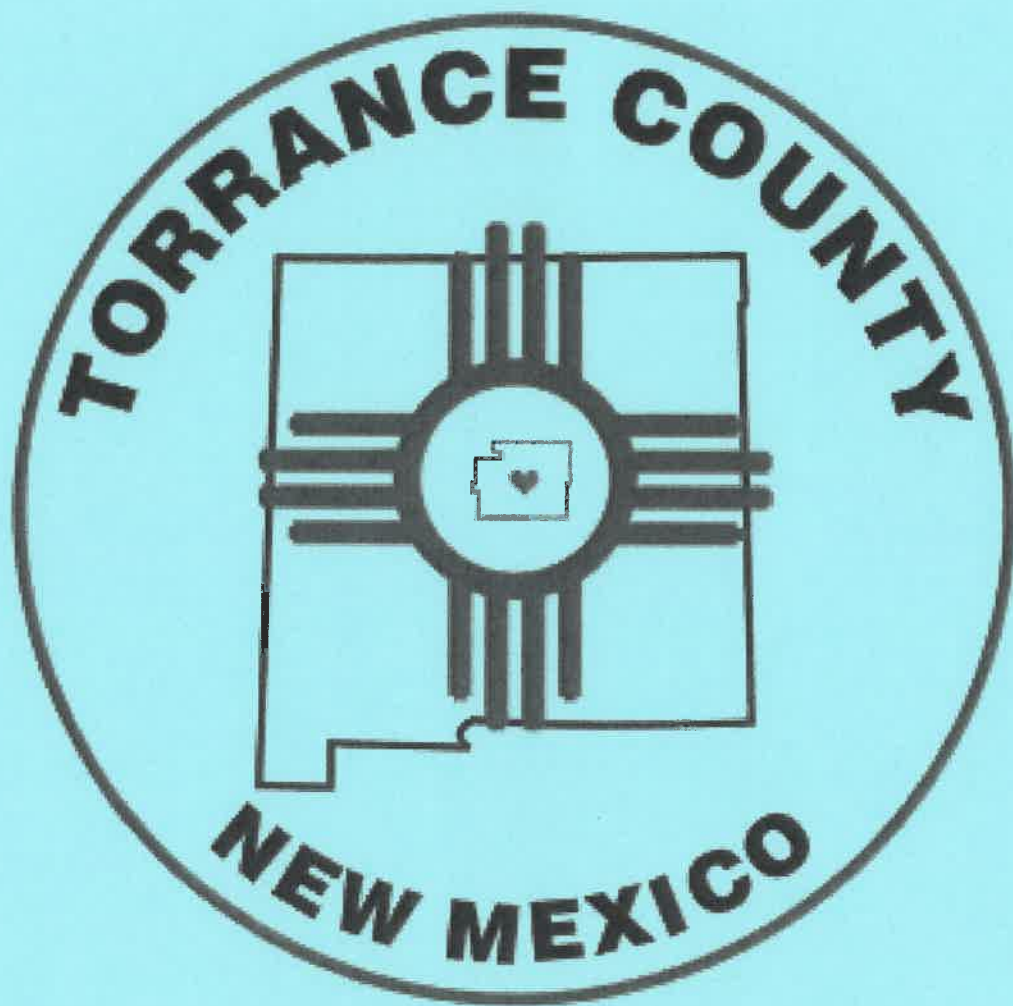
*Agenda Item  
No. 2*



*Agenda Item  
No. 3*



*Agenda Item  
No. 4*



*Agenda Item  
No. 5*



*Agenda Item  
No. 6-A*



March 4, 2019

To: County Commission

I am interested in becoming a member on the Estancia Basin Water Planning Committee. I've been a Torrance County resident for many years and over the years I've witnessed a decline in the availability of our ground water and other water sources. I've been concerned about the water situation and would like to participate in making sensible decisions for managing the water. I contribute and work well with others and will be an asset to the water committee.

Thank you for consideration

Pete Romero

<b>Torrance County</b> Planning & Zoning
MAR 5 2019
Received by: <u>JG</u> Time: <u>3:06PM</u>

## Steven Guetschow

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**From:** B I <billthepumpkinman@gmail.com>  
**Sent:** Tuesday, March 05, 2019 6:17 AM  
**To:** Steven Guetschow  
**Subject:** Letter of Interest

To : Estancia Basin Water Planning Committee

Steve Guetschow , CFM  
Torrance County Planning and Zoning Director

I am willing to serve on the Estancia Basin Water Planning Committee.

My brother and our wives I are owners of water rights associated with our property .

I have been involved with irrigated farming in the Estancia Basin for more than 35 years . .

I personally helped facilitate water rights applications for our own property and some other people .

My background includes a Bachelor of Science in agriculture from New Mexico State University , further studies at Kansas State University , Hardin Simmons University and Eastern New Mexico University .

Further , I served as Vocational Agriculture teacher and Future Farmers of American advisor for 14 plus years in New Mexico and Kansas .

My business as a Growers Agent  
for the past 35 years involves marketing Jack O Lantern and fall ornamental for myself and other farmers .

Currently this Marketing business involves growers in 6 different states and customers in 10 states from California to Florida .

I recently completed a 4 year term on the Torrance County Planning and Zoning Commission .

Thank you

William A ( Bill ) Larson



# *Torrance County*

*Planning & Zoning*

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*205 9<sup>th</sup> Street*

*Estancia, NM 87016*

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March 4, 2019

re: Gov't. Representative EBWPC

Dear Commissioners,

It has been my pleasure to serve as the Torrance County government representative on the Estancia Basin Water Planning Committee for last three plus years. I believe I've made a contribution to the Committee with my knowledge of the flood hazard areas and with records of flooding events I've tracked as Torrance County Floodplain Manager and insight to land use regulations as P&Z Director. If it is the will of the Board of County Commissioners that I continue to serve on the EBWPC I will be happy to do so.

Respectfully,

A handwritten signature in black ink, appearing to read "Steven Guetschow".

Steven Guetschow

Torrance County

Planning & Zoning Director

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





*Agenda Item*  
*No. 7*



*Agenda Item  
No. 8-A*

**DRAFT COPY  
TORRANCE COUNTY BOARD OF COMMISSIONERS  
EVSWA WORKSHOP  
FEBRUARY 13, 2019**

**COMMISSIONERS PRESENT:** RYAN SCHWEBACH -CHAIRMAN  
KEVIN MCCALL –DISTRICT 1  
JAVIER SANCHEZ –DISTRICT 3

**EVSWA BOARD MEMBERS  
PRESENT:** JOHNNY ROMERO- MEMBER  
FRED SANCHEZ-MEMBER

**OTHERS PRESENT:** WAYNE JOHNSON-COUNTY MANAGER  
YVONNE OTERO-ADMIN. ASST.

**This workshop is discussion only, no action can be taken.**

**Chairman Schwebach** Calls the meeting to order at 1:04 PM.

**Chairman Schwebach** states that the purpose of this workshop is to discuss issues with ESVWA and how the County ties into it.

**Commissioner Sanchez** states that we can begin with the county representatives giving us an overview of what has been going on as there have been a lot of changes that have gone on within the past year. They can give us their SWOT analysis or strengths, weaknesses, opportunities, and threats. Commissioner Sanchez states that he would like to know their outlook on these things.

**Johnny Romero** states that when they first got involved with solid waste, the main issue was the problem on carrying the county contract. They began to look into the numbers and why they were so far off. In the end they figured out that it was not as far off as originally thought. It wasn't an easy task but they got it done. Communications between EVSWA and Torrance County have opened up and that has helped each side to better understand things. There is more that will have to be done between now and when the county contract is up in 2021 when the county will have to go out for bid on a new contract.

**Chairman Schwebach** states that we are all familiar with the questions on the contract. The contract is \$800,000.00 but the real number is \$840,000.00. Things seem to be going smoothly and asks if Mr. Romero agrees with that.

**Johnny Romero** states that he agrees with that to a point. The board members represent not only Solid Waste, but Torrance County, and the Commissioners. They have to work both sides and it makes it tough. Mr. Romero feels that there are things the county needs to look at and then there are things that Solid Waste needs to look at to make their situation work. This is a very unique situation. Mr. Romero doesn't like the fact that Solid Waste keeps asking for more money, you

have a contract to follow, make it work, and stick to it. Mr. Romero has stated that if the county wants things to go a certain way then they need to take over Solid Waste themselves.

**Fred Sanchez** states that he would like to add that there is a lot of dis-trust between the two entities. It has gotten better, still lots of work, and with the new manager on board things will get better. In using actual numbers instead of percentages it's helped. Bottom line is there needs to be more trust and working together.

**Chairman Schwebach** states that the county is one of the biggest contractors with EVSWA. The main thing for Solid Waste is to make sure the landfill is operating correctly and other services. The county's job is to make sure the residents have options to dispose of their trash. If the county is not contracted with EVSWA how does the landfill financially function?

**Joseph Ellis** states that the landfill can operate on its own. To date they have a net revenue of \$100,000.00. It is projected a net revenue of about \$200,000.00 to \$250,000.00. This fiscal year EVSWA has paid the county an overage of about \$42,000.00 that came out of the revenue stream. They showed a net loss from the county contract of about \$42,000.00 that has be reduced to about \$27,000.00. There is a payment for a new roll off truck and that payment comes out of the \$800,000.00 and there was a roll off truck repair for an accident that took out about \$15,000.00 from that as well. The previous manager stated that the landfill was losing money because of the county contract.

Mr. Ellis states that if the county contract went away and all they did was run the core business (the landfill) we need to allocate the expenses to the core business. The allocations were reprogrammed to see the profit and loss for both operations.

**Chairman Schwebach** states that because the roll off truck was doing county business this is why the county was billed for the use of that truck because the county does not own it, correct?

**Joseph Ellis** states that the county does not own any of the equipment used by solid waste. Time money, mileage, payment, all of those expenses occurred to deliver the county contract are allocated to the county contract. One difference is the manager's salary, it used to be 50% paid from the county contract and 50% from the core business. It is now all paid out of the cored business. The office manager is paid the same, even though she does the billing and payroll, all of her salary come from the core business.

**Commissioner McCall** asks how many of the office admins go toward the county contract and where does billing come in.

**Joseph Ellis** states that the office manager and the 2 Solid Waste Managers go to the land fill. The county contract includes a supervisor for that department, the 2 roll off truck drivers, the station attendants, and maintenance fees.

**Chairman Schwebach** states, if the county were to go out for bid, the EVSWA has enough information to give a solid bid to keep it solvent for the county, is that correct?

**Joseph Ellis** replies, yes, absolutely. If that is how the county goes, then Solid Waste can provide the county with any information they need. If that was to happen Solid Waste can then focus on the landfill.

**Commissioner McCall** asks Mr. Ellis to speak about the accounts that are not in good standing.

**Danette Cabber**, Office Manager for EVSWA, states that it is about 1,000 accounts that are not in good standing, out of the 4,000 accounts they handle.

**Chairman Schwebach** states that the main question is, what is the county's main responsibility in providing service? What does the county own and what does solid waste own in terms of actual property.

**Joseph Ellis** states that the county owns 3 collection sites, solid waste owns 2, and 3 are under lease.

**Chairman Schwebach** states that with this information we go back to the question of, are the residents paying too much for the services they are getting, and if so, how do we rectify that.

**Commissioner Sanchez** goes back to giving information on costs and the county contract. In 2020-2021 what will be the expectation of the fees, at one point it was determined the fees were about \$1.2 million.

**Joseph Ellis** states that Commissioner Sanchez is referring to the tipping fees. In terms of what we see going forward, there will be equipment that will need to be replaced. They are looking at about \$35,000.00, each, to replace the portable compactors. As the roll off trucks get older, those will also need to be replaced. The \$800,000.00 limit is close to where solid waste can operate.

Mr. Ellis states that he spoke with the County Manger and sent out emails to the commissioners to possibly set up an escrow account for overages that are over \$200,000.00 per quarter and anything above the \$800,000.00 per year will be placed in the escrow account. The money that accumulates in that escrow account could essentially be used for equipment repair and replacement. In the past few months solid waste has paid the county \$42,000.00 for an undesignated purpose. The residents of the county are paying their fees, so essentially the money should be used for the repairs/upkeep of the facilities and the upkeep/repairs/replacement of the equipment used to service the county customers. Mr. Ellis has spoken with the manager and he may be coming to the Commission with a proposed amendment to the ordinance to specify where the overage goes that is paid to the county.

Mr. Ellis also states that no one has taken a step back to see what the responsibility of the county is in providing these services. It will be good to analyze and see what the county's responsibility is. We will take a look at that and see if it will be done by contract, or if services need to be changed, maybe some areas could get curbside service.

**Chairman Schwebach** states that his viewpoint is this, it is the county's responsibility to pick up trash and get it to the landfill. There are concentrated areas in the county and one thing he does

hear is that most people are saying they pay too much quarterly, and some people would be totally fine with curbside service, although this could not be a possibility throughout the county. One question that arises is can we charge different amounts in different areas depending on the type of service.

**Wayne Johnson** states that during this time period, and will also ask the opinion of legal on the matter, but different services would be at a different rate. If there was curbside service he doesn't think it would be inappropriate or illegal to charge a different rate. There will be areas in the county that are not are not cost effective to be able to provide curbside service.

**Chairman Schwebach** states that under the assumption that the contract the county has, all costs are part of this bid, and should not be the responsibility to the county for replacement costs down the road. This hasn't happened, but in other contracts it's either the county that provides the equipment and the county is responsible for it and you run it or vice versa. He has heard many times that there is never enough money for replacement costs, any contractor would work all this into the contract. Its little things like this that need to be worked out, he does see the county providing the funds for replacement costs, but it's still tricky, because we don't control the employees that would be handling the county owned equipment.

**Johnny Romero** states that when this board came on for solid waste, what triggered this issue, was when Mr. Miller (former solid waste manager) came to the county to ask for \$125,000.00 more per quarter to carry the contract. That is when Commissioner Sanchez and former Madam Chair DuCharme asked why? Mr. Miller was basically telling the county they may need to go out for RFP because if you can't give us the extra money solid waste isn't going to hold the contract. Communication was a problem with solid waste and the county. This has since been rectified. The county was getting billed for things that were not part of the contract, there was no clear answer as to when the equipment was doing solid waste work or county work, and they could never give a straight answer, now they can.

**Chairman Schwebach** asks if there is a clear definition as to when one hires a private contractor, they don't pay the county as much, what is that fee?

**Joseph Ellis** states, that person will pay \$20.17 per quarter instead of the \$20.00 per month. Private haulers are only limited to a 90 gallon can. If they need to haul larger items, like tires, yard waste, etc., they are allowed to come to the transfer station with a level truck and dump that waste for an extra \$6.50 per month.

**Chairman Schwebach** asks if a municipality that has curbside service, do they pay the same amount to use the service. Does the amount that is paid for curbside service go towards the landfill? Will the amount paid from private haulers to the landfill, be enough to keep the landfill running?

**Joseph Ellis** states that the residents pay for the use of the 90 gallon cart. That fee is used to pay the private hauler. The \$6.50 or \$20.00 per quarter to the authority goes to the revenue of the county contract. The fees from the private haulers are enough to sustain the landfill, minus the county contract, and make a net revenue of about a quarter million dollars a year.

**Michael Godey** states that he has an issue with solid waste asking for more money. Solid waste needs to honor the contract and make it work. Curbside service has problems as well, certain areas may want it but others that are in an incorporated area may not want it, Tajique being one of those areas. Figure out who pays, who doesn't, who was notified and fix the issue. Come up with some form of amnesty.

**Commissioner Sanchez** asks if the over performance from the county contract is attributable to what? Is it increased revenue from customers paying or from the reassignment of costs within the county contract? Or is it a combination of both? Are the customers overpaying?

**Joseph Ellis** states that the overage is not a function of the revenues and expenditures, it's a function of revenues over \$200,000.00 per quarter. It has nothing to do with the expenditures. The revenue that we receive from the customers is greater than the level of the contract. That is why the board has asked that we look at the overages.

**Commissioner McCall** asks if there has been an increase with customers remaining in good standing, or is it staying the same?

**Danette Cabber** states that for the past two quarters she has seen things get better and the amount received is higher than usual.

**Commissioner McCall** do the residents of the City of Moriarty pay the \$6.00 per month as well?

**Steve Guetschow** states that the charges to the city residents are included in the utility bill. If there are items that do not fit in the curbside can or that cannot be placed in the can due to environmental reasons, the residents must go and purchase a ticket at the town hall so that they can go dump at the transfer station.

**Danette Cabber** states that all municipalities must purchase a tip-ticket at \$10.50 to be able to dump and that goes towards the county contract.

**Charlene Guffey** states that a lot of people are upset about the liens. Look at those 1,000 people and see what their finances are and maybe put them on a monthly bill and make sure they are paying. The increase on the money coming in was due to the change on vacant properties from those that were saying the land was vacant when in fact it was not. The county shouldn't have taken a step back, it was forcing the people to pay up. People complained because they were paying too much and the county backed off. Everyone should pay the same amount no matter what. There was also a discussion of the amnesty program, the number seems to always be at 1,000. Why is there no change?

There is some discussion between Commissioner Sanchez, Chairman Schwebach, and Commissioner McCall having to do with costs. What should be done? The main issue seems to be with the rates and what people are paying. Increase costs, decrease costs? Utilize numbers and work from there. What are the costs of the hauling, the collections, and the billing? Research needs to be done on this and maybe go out for RFP. Conduct research and when the times comes to

renegotiate the contract the county is better prepared to handle what comes. Separation of responsibility may need to be clarified between the county and solid waste.

**Johnny Romero** states that he sees two things that need to happen. What the county says they can do the contract for and what the county can do and take over the contract themselves. Mr. Romero doesn't understand why the county has never owned every part of the transfer stations and then contract out the work. If the county decides to go out for RFP they may come to realize that solid waste is giving them a great deal.

There is discussion between Ms. Guffey and Chairman Schwebach concerning liability at the stations and the amount of fees being paid and the issue with the tipping fees. There is talk of doing a breakdown from all the stations to see how much business is done at each site. If private haulers are used another thing that needs to be looked at are roads, a lot of the county roads cannot handle these trucks that come out to pick up trash. County roads would need to be fixed so that they could handle the heavy trucks.

**Commissioner McCall** asks Mr. Johnson to talk about an amnesty program.

**Wayne Johnson** states that he is not big on amnesty programs, but the objective is to get people back on the rolls and paying. Create an amnesty program based on performance. Have the people pay a certain amount towards the debt for a period of 6 months to a year, then at the end of that period, for every month they are in good standing after that, and they are continuing to pay, take a month of their debt. You may get up to 40% of that 1,000 that will pay and that will help the numbers come up. This option may work for some, but you will still have those that won't pay no matter what.

**Fred Sanchez** states that the way he looks at it right now, the system is working at its best. It's a fair system and if we continue bettering things, everything will be fine the way it is. There is no need to touch anything.

**Martin Lucero** states that EVSWA is the best provider in the state. Mr. Ellis has done a great job sorting things out. EVSWA is a model for other authorities. We don't want to fall back to the times of burning trash in our back yards and dumping wherever. The authority has done a great job in minimizing those impacts. Also need to look at the socially economic impacts of the members of the county. EVSWA authority employ's local people if you consider other options it may cause these people to be without jobs and then have to move out.

**Commissioner McCall** states that he is happy with the direction they are going. There is room for change, and for the first time both entities know their roles and responsibilities.

**Chairman Schwebach** states that he agrees that we not cut services. The main issues are with those not paying and the fees and costs in all areas. Need to look at the contract and those numbers. The taxes for environmental, the JPA's with the municipalities, they pay these taxes and that money goes into the landfill. That is essentially needed for the landfill to remain financially viable. Chairman Schwebach asks Mr. Ellis to explain this. If there continues to be a growth in profit from the landfill, could the members of the JPA receive a discount?



**Joseph Ellis** states that was the basis two which EVSWA was formed. The JPA's were signed so that each of the member entities would have a continuing investment in the infrastructure development of the land field. They all pledged environmental GRT's. Yes the members of the JPA could receive a discount, as long as the infrastructure is being maintained.

**Wayne Johnson** states that the county will have to be careful when it comes to offering curbside service. You need compact areas for it to be economical. The community may not want to buy in, that area may be content with the service they have. In a city it works economically but not so much for county areas. There are many differences to look at.

**Fred Sanchez** states that he agrees with Mr. Johnson. The area where he lives would not be able to handle curbside service. Mr. Sanchez is a resident that would not want it.

More discussion ensues pertaining to the issue of people not paying and how to get them to pay. Pay as you throw, get an account card, or using a ticket system, or if you don't pay your bill then you can't use the system. Then you run into the problem of illegal dumping. Mr. Ellis states that even though a person may be delinquent they are still allowed to dump at the transfer station. More discussion on options and the possibility of going out for an RFP.

**Steve Guetschow** states that when a person dumps illegally P & Z will issue a notice of violation. If they fail to clean up they then will take them to court. It would be up to the judge to fine them or collect P & Z fees. The case would not be dismissed until they came into compliance. Mr. Guetschow states that in other areas, part of the 685 budget is for cleanup. This fund is supported by the court fees and part of the permit fees from P & Z. It is also supported by the Commission from the general fund. There usually is enough in this fund for one cleanup. P & Z comes before the Commission with a resolution, they go out and clean that property and then places a lien on that property, but this is still not an immediate turn around. There was a bill sent out to an owner in the amount of \$8,400,000. The owner has yet to pay that. We may not get any of that money until the property is sold.

**Wayne Johnson** would like to suggest going out for an RFI, and talk about transfer stations and delivery of waste to the landfill. We could get information from contractors and do some comparisons on if it would be viable for us to go out for an RFP. We could use this as a framework.

**Chairman Schwebach** states that the issue he has with an RFP or RFI is that the county is saying that they are ready at looking into hiring a 3<sup>rd</sup> party.

**Joseph Ellis** states that the county may have to bring in an independent contractor. The county will have to pay money to have this person come in and review all numbers and options that are provided by EVSWA.

**Johnny Romero** states you can't just start doing things a couple of months before the contract is up there are many things that need to be looked at. How long before the contract ends does the county need to start looking into all this.

**Wayne Johnson** states that it varies from contract to contract. We can do research and do an RFI. There is some validity on bringing in an independent contractor to look at the numbers. There is nothing standard to this. There are things with other counties that things have not changed for decades. There are a log of moving parts to look at when it comes to the county trying to bring this on that we need to look at. JPA's aren't bad, there are many ways to proceed. If things are good you may not want to change but Mr. Johnson will proceed with however the county wants him to.

**Commissioner Sanchez** states that public buy is very low when it comes to this entity. Their view is that of coercion and corruption. We need to give people an incentive to want to pay and build a public buy in. When the contract is up things may change and process may go up. We really need to look at ways that will make the fees much better. We need to look in detail at every option so that we can get the public buy in. Make it more equitable and more viable.

**Chairman Schwebach** he can agree somewhat with Commissioner Sanchez. The question is do you get the public buy in by dropping cost or by showing them what they are paying and getting their value for?

**Commissioner Sanchez** states that we need numbers, you need the options, and these are things we don't have at the moment. He has been here 2 years and learned that you can't believe everything you hear. We need to see some data, there are no numbers in front of us. The commission has total control of the form they would like to see the contract take.

**Commissioner McCall** can agree with some of what Commissioner Sanchez states, but if things were as bad as they are, it seems like the room would be overflowing with citizens voicing their opinions. Is there a lot of discontentment? The big number that needs focus are those 1,000 that are not paying.

**Wayne Johnson** states that the Commission could include a survey with the billing to get the opinion of the bill payers. That would be a great place to begin with public perception. It's easy to lose and hard to regain.

**Geno Brito**, from Manzano, states that he agrees with Commissioner Sanchez. There is a lot of unhappiness. Mr. Brito doesn't think it is fair that a family of 1 should be paying the same as a family of 6, he doesn't produce that much trash. The room is empty because people don't want to walk into a wall again. The cities have better representation than those people in the county. This pits the county residents against the city residents.

**Fred Sanchez** states that he received some disrespect from the Chairman and is formally resigning from the board.

**Charlene Guffey** states that no one is here because it wasn't advertised and because they are happy with their system. She is present to state that the authority has been trying to work with the county. Lincoln County and Valencia County are having issues, they gave people options, and they now have way to much trash. Santa Fe County did a 5 year plan and a family of 4 on a pay as you throw plan now pays \$480.00 on tip tickets. The county needs to quit giving the discounts. If you get a private company to come in everything will change. They will underbid the contract but then when

they come in they will raise fees and they start coming to the county for money for repairs and upkeep. The EVSWA already handles all of this. The system is working. Rio Arriba decided to take over their authority and they are \$2.2 million in the hole. They had to hire an authority and they are now trying to figure out how to recover. Everyone has an option to use a private hauler, but they also have to pay to get the trash thrown. The county is making sure that the residents have options to use the stations. Private companies will not have the salary options that the EVSWA offers now, sometimes the private companies will bring in their own workers. This is a community that built this system up over the past 20 years. What is the cost on sending out a monthly bill? Maybe some people can afford paying \$20.00 per month and not the \$60.00 in one shot. The vacant lots in the county need to be looked at as well and no matter what everyone needs to pay.

It is stated again that the Commission needs to look at options. Look into every aspect from fees to employees. The delinquent accounts also need to be looked at so that they can see what direction they want to go in with them. Send out a survey to the people and get some opinions on what is good or what can be fixed.

**Commissioner Sanchez** states that we could look in to another workshop and have the public here. Also need to focus on the delinquent accounts, and curbside service. Again just look at all the options. In the second meeting in March we have another workshop that has us decide what step to take. Do we go out for an RFP or not.

**Chairman Schwebach** states that if we put it on the agenda then they will need to take action and he needs more information before they decide to spend money out of pocket for the RFP.

**Wayne Johnson** states that if they go out for RFP after hiring a consultant that is money out of pocket. Just going out to RFP we could end up with nothing so we need to be very careful in the design of the RFP. That is why he suggested the RFI that would help design the RFP better. If it's done wrong it could cost the county a lot of money and significant reduction in service. There are lots of options to look at. We need to be sure that we have a problem. If there isn't a problem then why fix it.

**Chairman Schwebach** states that we could get public buy in by stating we have a good service and it's very economical and the RFI would help us define the RFP.

**Commissioner McCall** ask if it would help to ask EVSWA to send out a survey to get public opinion.

**Wayne Johnson** states that it would be a great idea and add a comment section to see what needs to be improved or what needs to be changed.

**Johnny Romero** states that you need to not exclude the public, but there needs to be a line drawn so that you don't get out of control. Come up with an idea and then present that to the public.

**Commissioner Sanchez** states that the Commission should have another workshop at the second meeting in March, talk about the options that we are wanting to explore. Then ask if we want to go out to RFP or not. If it is no then it ends there, but if its yes we take it to the next meeting for

approval. The Commission needs to digest all this information, ask some questions, get the answers, and then come back and have another discussion.

**Chairman Schwebach** agrees with that decision.

**ACTION TAKEN:** **Commissioner McCall** makes a motion to adjourn the EVSWA/Torrance County workshop. **Chairman Schwebach** seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

**MEETING ADJOURNED AT 3:23 PM**

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

\_\_\_\_\_  
Yvonne Otero-Administrative Assistant

\_\_\_\_\_  
Date

***The video of this meeting can be viewed in its entirety on the Torrance County NM website. Audio discs of this meeting can be purchased in the Torrance County Clerk's office and the audio of this meeting will be aired on our local radio station KXNM.***



**Draft COPY**  
**Torrance County Board of Commissioners**  
**Special Commission Meeting**  
**February 25, 2019, 2019**  
**9:00 AM**

**Commissioners Present:** RYAN SCHWEBACH – CHAIR  
JAVIER SANCHEZ – MEMBER  
KEVIN MCCALL – MEMBER

**Others Present:** WAYNE JOHNSON – COUNTY MANAGER  
LINDA JARAMILLO – COUNTY CLERK  
GENELL MORRIS – ADMIN ASSISTANT

**1. Call Meeting to order**

**Chairman Schwebach:** Calls February 25, 2019 Special Commission Meeting to order at 09:03 AM

**2. Pledge lead by Sheriff Rivera**  
**Invocation lead by Rick Lopez**

**3. Changes to the Agenda - None**

**4. ADOPTION OF RESOLUTION**

**A. COMMISSION:** Resolution No. 2019-14 DECLARING TORRANCE COUNTY TO BE A SECOND AMENDMENT SANCTUARY COUNTY

**Chairman Schwebach:** County Manger Johnson will read Resolution 2019-14 in to record.

**Wayne Johnson – County Manager:** Resolution No. 2019-14 DECLARING TORRANCE COUNTY TO BE A SECOND AMENDMENT SANCTUARY COUNTY was read for the record: hereto attached

**Sheriff Rivera:** I have been a law enforcement officer for over 20 years. Over that time I have dealt with many issues involving firearms. I have legally seized firearms from felons that have committed crimes using firearms. There are currently laws that allow for that. I consider these laws reasonable, sound and necessary for the protection of the people I serve. I do not find the current laws being proposed in the state legislature to be sound or necessary. The laws that are already in the books address everything that is being proposed. The new laws being proposed are overreaching and will allow all law enforcement officers, from the local level to the federal level to enter your homes without a warrant and remove firearms with only statements. These laws represent a foot in the door to further regulate firearms until it is a criminal offence for anyone to own them. I am not looking to make criminals out of the hard working honest people of this County. House Bill 130 is a law to criminalize the storage of weapons in relation to the proximity of children. This is already covered under 30-6-1 in state law, abuse of a child consists of a person knowingly, intentionally or negligently and without justifiable cause, causing of

permitting a child to be placed in a situation that may endanger the child's life or health. House Bill 83 is the extreme risk protection order law, which allows law enforcement to seize weapons in protection orders deemed an extreme risk. We already have emergency protection orders that address this. Judges are already allowed to mandate that weapons be removed with cause from a person. This bill has language making it mandatory for a Judge to issue a search warrant to seize firearms. This decision should be made by a Judge after hearing evidence and should not be mandated by the government. Law enforcement already has the right to seize firearms when exigent circumstances are presented. We have a process to store firearms and provide receipts for the weapons confiscated until it is determined there is no longer a threat. House Bill 87 is specific to persons convicted of domestic violence crimes, not having the ability to own or possess guns. This law duplicates 40-13-5 which gives judges the discretion to mandate seizure or surrender of firearms. Federal law also prohibits a person convicted of domestic violence from owning or possessing firearms. House Bill 8 is a requirement of a background check for the sale or transfer of any firearm. The majority of sales of firearm already requires background checks. This Bill also makes criminals out of people wanting to sell their property. My experience in law enforcement has shown me these bills will not affect criminals in the way they obtain firearms if they are passed into law. Burglary's already illegal, that is how most criminals obtain the firearms. Homicide is illegal that doesn't stop people intent on killing. DWI is illegal but we continue to arrest people driving drunk. My point is: these bills passed into law are not intended to enhance the safety of the everyday man and woman. They are intended to restrict law abiding citizens from owning firearms and making them criminals if they do. Criminals by definition do not and will not follow laws. Chicago, Detroit and Washington D.C. have the strictest of gun control laws in the nation. These cities experience the highest incidences of violence crimes involving firearms. Further proving that criminals won't follow the laws, this in fact emboldens them knowing that the law abiding citizens cannot defend themselves. These Bills will start chipping away at the 2<sup>nd</sup> Amendment until it is completely gone. I took an oath to protect the Constitution and laws of the United States of America. By introducing this Resolution I am upholding my oath as the Sheriff of the people of Torrance County. Thank You!

**Chairman Schwebach:** Invites any elected official to speak for or against this Resolution.

**Nathan Dial – Mayor of Estancia:** Last Thursday the Town of Estancia declared itself a 2<sup>nd</sup> Amendment Sanctuary city. In our Resolution we specifically refer to the Sheriff as our guidance. As a sheriff is the highest elected law enforcement official in the state, higher than the State Police, he has the authority to have discretionary enforcement decision, which makes us a discretionary enforcement state. None of these Bills are enforceable with the National Registry. The problem with the National Registry is 1. Congress said this is unconstitutional and 2. National Registry has never not ended up in confiscation. I'm here to represent the Town of Estancia in support of the Sheriff to please pass this resolution. Bill 130 is tied to the Domestic and Child Abuse Act, it makes it a duty to report. Example: if my sister a teacher, comes to my house and sees my shot gun hanging above my fire place, she would have to report it and if she doesn't report it she could lose her credentials. I'm trying to protect my local police, nurses, teachers and everyone else. We are here to support the sheriff and the 2<sup>nd</sup> Amendment as it stands.

**Chairman Schwebach:** No other Elected Officials wish to speak, we now go to the sign in sheet of those who wish to speak.

**Rick Lopez:** Reside at 8643 Hwy 55 in Tajiue. Thank you Commissioners for holding this hearing. I speak as the 1<sup>st</sup> vice chair for the New Mexico State Republican Party. I am also a resident of Torrance County. We must stand united, we must not let them chip away at our rights. We are a responsible people, we are a responsible form of government. Michael Blumberg, I believe has not been to Torrance County, George Soros probably doesn't know where Torrance County is on the map, but he does know where New Mexico is. I am ashamed that the outside money that has come into this state to control the fine people of this state, the rural Americans. The people that fight hard for the glory and the honor of this state. We must remember the over reach that is being proposed by these legislators, we must stand firm and be united. The Estancia American Legion post 22 of which I am the Commander, stands 100% for this Sanctuary Bill and 100% for all veterans to maintain their 2<sup>nd</sup> Amendment rights. We do not want a neighbor overruling what a judge may have, as far as saying whether they can confiscate a veterans guns or not.

**Melvin McNeal:** I live at 62 Quail Trail, Moriarty. I am the Chairman of the Republican Party of Torrance County. We whole heartedly support and stand by the 2<sup>nd</sup> Amendment Sanctuary County passage. We don't stand behind you we stand beside you, supporting you and helping you, as well as our Sheriff. As a retired military person from the Air Force, I took an oath to uphold the Constitution of the United States, that oath was never taken away from me or any other veteran that has taken that oath. As a member of the US Postal service I also took an oath to uphold the Constitution of the United States. As a volunteer member of CASA I took an oath to uphold the Constitution of New Mexico as it relates to children. I believe in our Constitutional Rights. You have the Republican county support, and my individual support. We thank you and the Sheriff for bringing this forward.

**Maria Martinez:** I live at 57 Vassar St. in Moriarty. I'm here in support of the 2<sup>nd</sup> Amendment Sanctuary Resolution because I have been up to the Round House in Santa Fe, numerous times this legislative session. I have watched our Constitutional Rights quickly being taken away. When I spoke up once and quoted the Constitution of New Mexico which mirrors the US Constitution, I was told there would be no more threatening language like that used again in that hearing. We can laugh about it but it is not funny. They are serious and are taking our rights away. Santa Fe is not listening to us, I ask you to do what Santa Fe is not doing and that is to protect us from these bills being passed into laws. I support my Sheriff of Torrance County Marty Rivera, to uphold the Constitution.

**David Smythe:** Torreon, NM I'm in support of our Sheriff and the 2<sup>nd</sup> Amendment Sanctuary County. More guns are owned by US citizens than any other country. In 2015 the stats show us ranking 13 as far as gun deaths. If you take out the Cities of Detroit, Chicago, Washington D.C. and Miami with some of the most restrictive gun laws in the US, we become one of the safest countries in the world. The amount of guns owned by US citizens are huge per capita. If there was an issue with legal gun owners in this county people would know it. I'm in complete support of the Resolution and appreciate your vote.



**Joseph Rick Simpson:** I live at 93 Little Cloud Rd. Moriarty, NM. I appreciate every one being here, standing up for our rights. It doesn't matter what party you are, we are all one people. We have to stick together because if they see they can separate us and get us fighting against one another they will do it, please do everything peacefully. I'm going to read from the Constitution of the United States. We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

**Vicky Voyles:** I reside at 193 Indian Hills Rd. in Moriarty. I have been a citizen of Torrance County since 1985, I support my government and my sheriff. At 70 years old I have the right to bear arms and protect myself. My husband was in the Military, I'm proud to be an American citizen but I don't want my rights being taken away from me.

**Pattie Alexander:** I Live at 1710 4<sup>th</sup> St. in Moriarty. I'm in support of the 2<sup>nd</sup> amendment protections of this country. One of the most astounding things is how our elected officials seem to deem it appropriate for them to tell us how to live our lives or what we can and cannot own. Criminals are not going to listen to more laws. In 2016 a study shows less than 2% of people that purchase firearms legally use those firearms to commit crimes. Less than 7% of the people that have gotten those weapons as gifts have used those for a crime. The majority get them from crime scenes before the police arrive or buy them off the black market. It is time for us to take a stand we have that Constitutional Right to take a stand against a tyrannical government. That is what our government is turning into. I do not want some New Yorker or some Californian or George Soros telling me what we can or cannot have. I have the right to protect myself being that I live alone.

**Tom Luker:** I live at 11 Designer Ct. in Edgewood. I'm President of the New Mexico Big Horn Gun Club, located in Torrance County. We protect the 2<sup>nd</sup> Amendment and the Sheriff. We think Santa Fe is out of hand. We the people need to come together and vote the people in Santa Fe out of office and quit voting them in. It's going to be a hard thing to do but if we all stand together, we the people can do this.

**Tom Perkins:** I'm a business owner in Torrance County. I speak for several people that could not make this meeting. We support this resolution 100% and like to say thank you to the Commission and the Sheriff for considering this and letting us have the chance to put our opinion out there, I don't think they are listening in Santa Fe.

**Rufina Truscott:** I live at 1006 Joseph in Estancia. I am for the Sanctuary Bill. I'm a widow living alone and I need my protection.

**Greg Brazil:** I support this Resolution 100%, I'm a rancher in Torrance and Socorro Counties west of Mountainair. I think of the men I grew up with and the way I was raised and neighbors were raised, they would be turning over in their graves if they saw what was happening right now.

**Steve Garrot:** I live in Moriarty, NM. I've been to the state capital numerous times. I went there to ask one question, where in the New Mexico Statute is the code for the violation of oath of office? I have yet to receive an answer. State officials have violated their oath of office, to uphold and defend. I believe the word defend was taken out of certain oaths of office, but to uphold the Constitution of the United States. I'm a history major, if I could teach people the mistakes in history they wouldn't be repeated. This was written by Joseph Warren in 1772 – addressing Boston, it has to do with Rome. It was this noble attachment to a free constitution, which raised ancient Rome from the smallest beginnings, to that bright summit of happiness and glory to which she arrived; and it was the loss of this which plunged her from that summit, into the black gulf of infamy and slavery. It was this attachment which inspired her senators with wisdom; it was this which glowed in the breasts of her heroes; it was this which guarded her liberties, and extended her dominions, gave peace at home, and commanded, respect abroad; and when this degenerated into tyrants and oppressors; her senators forgetful of their dignity, and seduced by base corruption, betrayed their country; her soldiers, regardless of their relation to the community, and urged only by hopes of plunder and rapine, unfeelingly committed the most flagrant enormities; and hired to the trade of death, with relentless fury they perpetrated the most cruel murders, whereby the streets of imperial Rome were drenched with her noblest blood. Thus this empress of the world lost her dominions abroad, and her inhabitants, dissolute in their manners, at length became contented slaves; and she stands to this day, the scorn and derision of nations, and a monument of this eternal truth, that PUBLIC HAPPINESS DEPENDS ON A VIRTUOUS AND UNSHAKEN ATTACHMENT TO A FREE CONSTITUTION. History is a great teacher if you listen.

**Theresa Johnson:** I live on Spangler Rd. in Torrance County. I appreciate our Commissioners hearing our voice and appreciate you will uphold your oath to the Constitution. I've never had the opportunity in life, holding an office where I swear an oath to the Constitution. The Constitution is my life, it is who I am. Our Declaration is what I was raised by. We were given liberties and freedom and my family raised me that way. I never expected I would be standing in a public domain fighting for my inalienable right as an American citizen. Inalienable, you cannot give it away, you cannot take it away and it cannot be taken from me. This is what protected us from the time our county began. I'm sorry to say that the reason we are here today is because too many of us sat down during elections. We can't be that way anymore. This is our freedom, this is our Country. If we don't protect it our rights will be stolen away from us.

**Bruce Wildman:** Los Canyon Rd. Torrance County. I moved to New Mexico in 1983 - 36 years. When I first got here discussion was about New Mexico budget being the first time reaching a billion dollars. By the time Bill Richardson left office it was 6 billion dollars. For 8 years we had a governor who put the brakes on any growth and new taxes and restrained the state government from infringing on our rights and putting any more of a taxing burden on us. I identify more with a Constitutional Conservative. I vote republican because that party has not gained enough support and membership to be any kind of force. My life is lived by the Constitution, 2 of my children are in active duty defending that Constitution. This is what happens when we vote Democrats into office.

**Chairman Schwebach:** For the record, we need to be very clear to not turn this into a partisan issue, simply the amendment we have at hand.

**Kim Vroks:** I live in Manzano, I fully support this 2<sup>nd</sup> Amendment Resolution and I am so proud to live in a county that has the guts to stand up to the law makers in Santa Fe and just say No we are tired of having our freedom and our Constitution rights stomped on and we are not going to take it anymore.

**Carol Harmand:** 51 Twilight Ct. Edgewood, Torrance County. I was horrified to see the signs on the door at the Round House saying that police officers, sheriff's officers and deputies could not bring a gun in. They are there to protect us. They are trying to make our police into social workers, trying to take guns away from ICE. I am also a veteran. Democrat have showed us how to resist and obstruct, we need to take that to heart and learn how to resist and obstruct.

**Chairman Schwebach:** Let me remind you to keep this nonpartisan.

**Bertha Warner:** I live at 500 Fawn Rd. I live in Eastview, NM I've never thought I'd be here. I served in the military, my brothers lost their lives in the military. I feel we need to do something about this. If we don't stop it now they will continue on their way stepping over us as if we are not here. I do support the 2<sup>nd</sup> Amendment and the Sheriff taking care of us. We need to guard it, because if we don't know one else is going to do it for us.

**Craig Brown:** Paradise meadow Loop. In Edgewood. I would like to commend the council for the wording of the Sanctuary County Bill. They have pointed out in the wording, that is not rebellious or seditious that we stand up to the state in this way, we are following the laws of the state by doing this. I would like to commend the county for the very careful wording of this Sanctuary Bill and taking that issue out of that discussion.

**Michael Godev:** Tajique, I'm an old school progressive. I support the Sanctuary. The problem is there are people in both parties that are taking away Constitutional rights. I don't want to see eroding on any of the Constitutional Rights that includes all the amendments. As the Sheriff pointed out, going in to someone's house without a warrant is a violation. It's a violation of any ethical good country.

**Natasha Boland:** 193 Appaloosa Rd. Moriarty. If we choose to sell our guns to our neighbors or our friends, we are good people we are not going to sell our guns to criminals. We are law abiding people. That will make us criminals if they were to pass this legislation, it is unjust. I am for a Sanctuary County.

**Olivia Haven:** I live in Mountainair, NM. It is often said that gun owners are compensating for something. I carry a pistol because I am compensating for something. I'm 105 lbs. and physically helpless against criminals. New Mexico ranks #4 in enforceable rates per capita. My chance of being victimized is quite real. I, my mother and young siblings are in an isolated rural area. This is not paranoia, my family has been victimized. My 16 year old brother fought off and killed a violent home invader. Who kicked in the back door, chased him from one end of the house to the other in less than 10 seconds. There is no way he could unlock the case, found the ammunition, loaded the rifle and then engaged the criminal, who was armed with a shanked screwdriver. My brother Jordan would be dead today, if we were following laws like Santa Fe is

proposing. All rural Sheriffs objected to propose gun control legislation. 14 other counties have already declared themselves 2<sup>nd</sup> Amendment Sanctuary counties. Vote for protecting women from rape in a state with the 4<sup>th</sup> highest focusable rape. Vote for listening to knowledgeable experts and vote for declaring Torrance County a 2<sup>nd</sup> Amendment Sanctuary County.

**Bill Raupfer:** I live in unincorporated Edgewood, Torrance County. I'm the range Manager for the Big Horn Gun Club, the Big Horn Gun Club supports the use of firearms for protection and education. We teach Junior Deputy Programs for Torrance County, we teach the Boy and Girl Scouts, women with hand guns. All this is done through the club. This could not be possible without the support of the 2<sup>nd</sup> amendment. I believe the 2<sup>nd</sup> amendment should be upheld.

**Melvin McNeal:** I live in Moriarty, Chairman for the Republican Party. During this last election, out of the 10,000 + registered voters, 5,500 voted. We need to vote in the 2020 election. Get out and vote.

**Brett Travis:** I pastor Grace Baptist Church. 2359 Hwy 66 in unincorporated Edgewood, Torrance County. My family has experience a loved one that was murdered. We didn't blame the gun, we blamed the guy that did it, Wayne Robinson. Our church supports the 2<sup>nd</sup> Amendment. We have to train our people to carry weapons in the church, to protect us from those who want to do us harm. I'm all for people who are trained and know how to use the weapon. Anyone that wants to take our Constitutional Rights, which I swore to at a reserve deputy here in Torrance County, I took the oath to defend the Constitution of the United States and of New Mexico. We need to take a stand for the 2<sup>nd</sup> Amendment Sanctuary.

**Nancy Simpson:** 93 Little Cloud Rd. Moriarty, NM. A little perspective from an immigrant, I was not born in this country, I grew up in Mexico. I did not grow up with these rights and freedom. I came to this country and learned all these things, it's all real, it's not a fantasy, it's not some day we die and in heaven we will be happy. The Bill of Rights is not only to protect us from criminals, the Bill of Rights is to limit the government on what they can impose on us. I like to encourage you not to lose that, we have here in this country, we have a precious gem stone that the rest of the world does not have. The rest of the world looks up to the United States, sometimes with envy, sometimes with jealousy and resentment. They look up because we are the best country with the best rights. Let us abide by the Constitution.

**Justin Poff:** I reside in Moriarty, NM. I coach kids 4H shooting sports. Our job as coaches is to teach kids how to handle guns, be safe and how to be competitive with sports. Reading some of these laws now makes us liable for child abuse if we leave a gun unattended at a shooting sport competition. Kids are taught how to shoot, handle and store that firearm when it's not being used. How is this law helping? I think we need to put a stop to it.

**Joseph Rick Simpson:** Thank you to our Sheriff for standing behind the people. When I travel and get stopped in Los Alamos, I've had my weapon with me. I told the guards at the gate that I had a weapon in the vehicle, they appreciate it. None of us have to hide anything from our law enforcement. Let them know if you have a weapon. When the elected officials start infringing on our right, we need to speak up. There is no other country like this country.

**Tiffany Stevenson:** I live in Moriarty, NM, I grew up in the military and I married a veteran. Of all those that spoke to day, it was an immigrant that spoke and said what a wonderful country that we have and how much she wants to keep it that way. She has shown more love for this country. You have inspired me and thank you for speaking.

**Chairman Schwebach:** we are closing public comment, Commissioners Do we have a motion?

**Commissioner McCall:** Makes motion to approve Resolution 2019-14

**Commissioner Sanchez:** Seconds the motion

**Roll Call Vote:** District 1: Yes, District 2: Yes, District 3: Yes

## 5. APPROVALS

**A. COMMISSION:** Letter of Support Public Service Company of New Mexico's BB2 Transmission Line Project

**Wayne Johnson – County Manager:** This is a letter of support of the BB2 Transmission Line, Torrance Country has a number of renewable energy projects throughout the county. It's been a great benefit to the county and its citizens. This transmission line support is based on the concept of the BB2, it's really necessary for the county to continue to have some of these wind projects come through the county.

\*Letter was read for the record: hereto attached

**Commissioner McCall:** Makes motion to approve Letter of Support Public Service Company of New Mexico's BB2 Transmission Line Project

**Commissioner Sanchez:** Seconds the motion

**All in favor: MOTION CARRIED**

**Chairman Schwebach:** Mr. Godey yes, in the future we are going to want to keep questions and comments of the entire agenda at the question and comment time. Since this is a special case, go ahead.

**Michael Godey:** For the record, I assume this transmission line is going up to Clines Corners?

**Chairman Schwebach:** The BB2 line id coming for the Clines Corners area and proposed to go along an existing transmission line in southern Santa Fe County.

**Wayne Johnson – County Manager:** This letter doesn't talk about the pathway or any of the techniques used to install this line. This letter of support is conceptual. Our current line is at capacity or near to capacity and if we are going to support any new projects with in the county we are going to need additional transmission capacity. Which is what this line is supposed to provide. How they go about tracking that line, what rights of way, eminent domain is not part of this letter and shouldn't be construed to be supporting any particular techniques.

6. DISCUSSION - None

7. EXECUTIVE SESSION – None

**8. Announcement of the next Board of County Commissioners Meeting:**  
Wednesday February 27, 2019 9:00 AM

**9. Signing of Official Documents**

*\*Adjourn*

**Commissioner Sanchez:** Motions to adjourn Commission Meeting.

**Chairman Schwebach:** Seconds the motion.

**All in favor: MOTION CARRIED**

**Meeting adjourned at 10:24 AM**

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Ryan Schwebach – Chairman

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Genell Morris – Administrative Assistant

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Date

**The Video of this meeting can be viewed in its entirety on the Torrance County NM website. Audio discs of this meeting can be purchased in the Torrance County Clerk's Office and the audio of this meeting will be aired on our local radio station KXNM.**

**DRAFT COPY  
TORRANCE COUNTY BOARD OF COMMISSIONERS  
COMMISSION MEETING  
FEBRUARY 27, 2019**

**COMMISSIONERS PRESENT:** RYAN SCHWEBACH -CHAIRMAN  
JAVIER SANCHEZ –DISTRICT 3

**OTHERS PRESENT:** WAYNE JOHNSON-COUNTY MANAGER  
LINDA JARAMILLO- COUNTY CLERK  
BELINDA GARLAND-FORMER CO. MANAGER  
SYLVIA CHAVEZ-ADMIN. ASST.

**1.) CALL MEETING TO ORDER**

Chairman Schwebach calls the February 27<sup>th</sup>, 2019 Commission Meeting to order at 9:02 A.M.

**2.) PLEDGE AND INVOCATION**

**Pledge lead by Mayor Ted Hart**

**Invocation lead by Sylvia Chavez (myself)**

**3.) CHANGES TO THE AGENDA**

Wayne Johnson states that there are a couple of items that need to be deferred. Item 11 B, which is an application for a grant to the NM Finance Authority. The process has been changed therefore the application needs to be adjusted. The next item that needs to be deferred are the minutes from the workshop held on February 13, those minutes were just handed in. Mr. Johnson would like to give the Commission time to look over them and have them approved at the next meeting which is March 13.

**4.) PROCLAMATIONS**

There were no items presented

**5.) CERTIFICATES AND AWARDS**

There were no items presented

**6.) BOARD AND COMMITTEE APPOINTMENTS**

There were no items presented

**8.) APPROVAL OF MINUTES**

A.) **Commission:** Minutes of the February 6, 2019 Board of Canvas Meeting. Motion to approve the February 6, 2019 Special Meeting Minutes.

**ACTION TAKEN:** Commissioner Sanchez makes a motion to approve the February 6, 2019 Special Commission Meeting minutes. Chairman Schwebach seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

B.) **Commission:** Minutes of the February 13, 2019 Administrative Meeting. Motion to approve the February 13, 2019 Meeting Minutes. **ACTION TAKEN:** Chairman Schwebach makes a motion to approve the February 13, 2019 Commission Meeting minutes. Commissioner Sanchez seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED.**

**9.) APPROVAL OF THE CONSENT AGENDA**

**ACTION TAKEN:** Chairman Schwebach makes a motion to approve the whole consent agenda. Commissioner Sanchez seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

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

There were no items presented

**11.) ADOPTION OF RESOLUTION**

A.) **Commission:** Resolution No. 2019-11 IRB High Lonesome Mesa

**ACTION TAKEN:** Commissioner Sanchez makes a motion to approve Resolution 2019-11 Declaring the Intent of Torrance County to issue \$75,000,000.00 in Industrial Revenue Bonds for High Lonesome Mesa. Chairman Schwebach seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED.**

C.) **Commission:** Resolution No. 2019-13 NM DOT 2019 Annual Hardship Sale

**ACTION TAKEN:** Commissioner Sanchez makes a motion to approve Resolution 2019-13 NM DOT Annual Hardship Sale. Chairman Schwebach seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED.**

**12.) APPROVALS**

A.) **DWI:** DWI Grant Amendment 19-D-J-G-31

Tracey Master states that the funding for this grant was awarded last year but the funding is being reallocated to the specific line items. The amount of the grant is \$50,000.00 **ACTION TAKEN:** Commissioner Sanchez makes a motion to approve the DWI Grant Amendment 19-D-J-G-31 Amendment 1. Chairman Schwebach seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**



### 13.) DISCUSSION

#### A.) **Treasurer:** Board of Directors Meeting Update

Tracy Sedillo gives the Commission an update from the NM Counties Board of Directors meeting. Ms. Sedillo explains that at the 2 meetings that were held the main focus was on Legislation updates. The following bills are what the Board of Directors discussed:

**HB 2** State Budget and Appropriations, NM Counties was hoping to get more money to help cover the cost of housing and transporting state inmates that are arrested by State Police.

**HB 6** Tax Reform, this bill has been revised 7 different times but is still moving forward.

**HB 479** Consolidating Certain Local Option Taxes, De-Earmarking Revenues, this bill will de-earmark most County GRT increments. This will allow the Commission on how the money will be spent.

**HB 269 & SB 565** Government Reorganization-Creates State Fire Marshal's Office, this bill proposes the removal of the State Fire Marshal's office from PRC.

**HB 312** Forfeiture Act Amendments, the bill helps clarify some of the language and procedures relating to current forfeiture laws.

Ms. Sedillo states that Wayne Propst from PERA gave an update on several bills in the legislature regarding the solvency issues of PERA. Mr. Propst is optimistic that the bills will not gain momentum. Also Emily Kaltenbach gave a lengthy presentation on the Cannabis Regulation Act. HB 356 has been revised and is moving through legislation and is predicted to pass both the House and Senate. Ms. Sedillo also presents the Commission with a Proclamation for "County Day" at the Legislation. *(February 15, 2019)*

### 14.) EXECUTIVE SESSION

There was no executive session

### 15.) Announcement of next Board of County Commissioners Meeting

Next meeting to be held on March 13, 2019 in the Torrance County Administrative Chambers

### 7.) PUBLIC COMMENT and COMMUNICATIONS

Albert Beckwith states that he is from the McIntosh area and asks who the Commissioner for his district is.

Chairman Schwebach states that he is.

Albert Beckwith states that he came before the Commission about 2 months ago and expressed his concerns about the speeders in his area. He is a veteran with PTSD and also has Agent Orange, he moved to this area to have peace. Mr. Beckwith states that the speeders are not making living out here very peaceful for him and wants to know what needs to be done to stop the speeding.

Chairman Schwebach mentions that he will speak with the road department about getting speed limits signs put up on the road and refers Mr. Beckwith to talk with the Sheriff's department about the speeders.

**\*ADJOURN**

**Chairman Schwebach** asks for a motion to adjourn the February 27<sup>th</sup>, 2019 Commission Meeting. **ACTION TAKEN:** **Commissioner Sanchez** makes a motion to adjourn the February 27<sup>th</sup>, 2019 Commission Meeting **Chairman Schwebach** seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

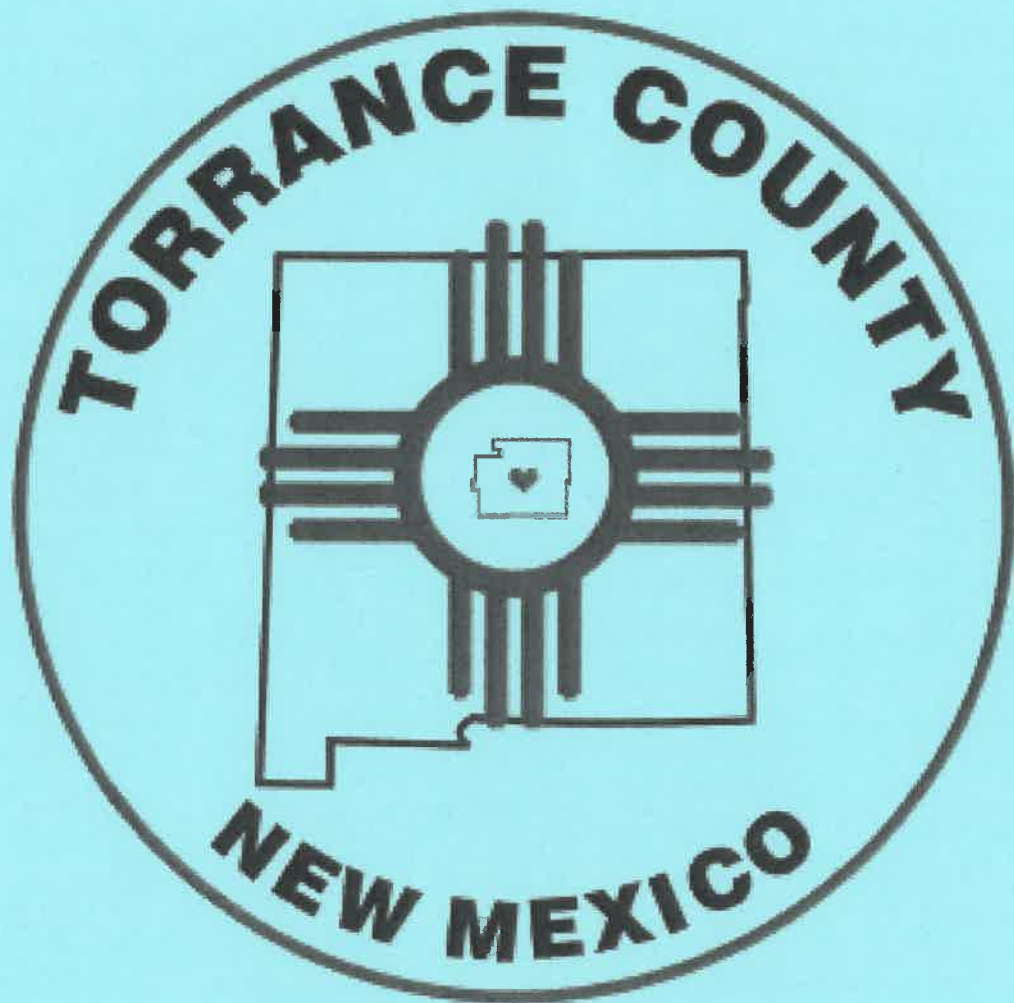
**MEETING ADJOURNED AT 9:15 AM**

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

\_\_\_\_\_  
Sylvia Chavez-Administrative Assistant

\_\_\_\_\_  
Date

***The video of this meeting can be viewed in its entirety on the Torrance County NM website, Audio discs of this meeting can be purchased in the Torrance County Clerk's office and the audio of this meeting will be aired on our local radio station KXNM.***



*Agenda Item  
No. 8-B*



*Agenda Item  
No. 8-C*



*Agenda Item  
No. 9-A*

C E R T I F I C A T I O N

TOTAL CHECKS PRINTED 107

THE UNDERSIGNED MEMBERS OF THE TORRANCE COUNTY BOARD OF COMMISSIONERS DO CERTIFY THAT THE CLAIMS ENUMERATED ABOVE WERE APPROVED & DO AUTHORIZE THE WARRANTS AGAINST THE FUNDS OF TORRANCE COUNTY FOR THE SUM OF 532,672.53 ON ACCOUNT OF OBLIGATIONS INCURRED FOR THE SERVICES AS SHOWN ABOVE FOR THE PERIOD ENDING 03/07/2019 . WE CERTIFY THAT THE WITHIN NAMED PERSONS ARE LEGALLY ENTITLED UNDER THE CONSTITUTION OF THE STATUTES OF NEW MEXICO TO RECEIVE THE COMPENSATION STATED HEREIN. THAT THE SERVICES HAVE BEEN PERFORMED AS STATED IN THE ACCOUNTS HEREIN, THAT THEY ARE NECESSARY AND PROPER, THAT THIS VOUCHER HAS BEEN EXAMINED, THAT THE AMOUNTS CLAIMED ARE JUST, REASONABLE, AND AS AGREED AND THAT NO PART HAS BEEN PAID BY TORRANCE COUNTY.

SIGNED

ATTEST BY

-----  
Kevin McCall

-----  
Javier Sanchez

-----  
Ryan Schwebach

-----  
Linda Jaramillo

THE UNDERSIGNED COUNTY TREASURER DOES HEREBY CERTIFY THAT SUFFICIENT FUNDS EXIST FOR THESE ACCOUNTS PAYABLE CHECKS TO BE ISSUED ON THIS DATE AND DOES HEREBY AUTHORIZE THE FINANCE DEPARTMENT TO PROCESS THESE CHECKS.

-----  
Tracy L. Sedillo

CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
01 R	106785	CATERPILLAR FINANCIAL SVCS CORP/DEC	-2018 LOADER PAYMENT	621-96-2613	4522819	02/27/2019		1782.94
	2700.29		REMAINING BALANCE ON LOADER	621-96-2613		/		734.59
	02/27/2019		OWED FROM JAN-19			/		
			ACCT #7488-000	621-96-2613		/		182.76

CAPITAL OUTLAY GROSS R 2700.29

01 O	106786	ALBUQUERQUE OFFICE SYSTEMS	FURNITURE FOR FIRE CHIEF ADMIN	411-92-2219	5622819	02/28/2019		33390
	2355.53		ASSISTANT AND INSTALLATION IN					33390
	02/28/2019		NEW BUILDING			/		33390
			NMGR	411-92-2219		/		33390
			INVOICE #7381					30.24

1/48 FIRE EXCISE TAX	2355.53							
01 R	106787	ALBEN, CHERYL	TRAVEL TO ALBUQUERQUE NM	401-10-2205	1722819	02/26/2019		52.76
	52.76		BERNCO BOC,6840 2ND ST NW					
	02/28/2019		REQUIRED FOR CRT GRANT					
			DELIVERABLE					

COUNTY MANAGER	52.76							
01 R	106788	ALBEN, CHERYL	TRAVEL TO ALBUQUERQUE NM	401-10-2205	1822819	02/26/2019		43.78
	43.78		2019 CDBG APPLICATION WORKSHOP					
	02/28/2019		MANDATORY FOR ALL ENTITIES WHO					
			ARE APPLYING FOR 2019 CDBG					
			APPLICATION					

COUNTY MANAGER	43.78							
01 O	106789	AMBITIONS TECHNOLOGY GROUP LLC	NEW SERVER FOR ASSESSOR'S OFFICE	610-40-2218	4122819	02/27/2019		10537.59
	10537.59		INTEL XEON E-3 1225 QUAD CORE TO					32600
	02/28/2019		INCLUDE: SERVER, 5 YR WARRANTY,					32600
			PLAT RATE SET UP & LABOR					32600
			QUOTE NO. 720 BY JONATHAN RAEL					32600
			INVOICE# 732167513					

COUNTY ASSESSOR	10537.59							
01 O	106790	CATALLO, HAYLEE GRACE	MILEAGE FOR BOARD OF	401-21-2205	2722819	02/27/2019		18.00
	18.00		REGISTRATION CLERK'S OFFICE					
	02/28/2019							

ELECTIONS	18.00							
01 O	106791	CENTRAL NM ELECTRIC COOP.	VOTING MACHINE WAREHOUSE	401-21-2308	922819	02/25/2019		49.87
	2229.51		ELECTRIC BILL POWER POLE/WELL	911-80-2208	1322819	02/26/2019		257.00
	02/28/2019		INVOICE #METER 24594					
			ACCT #19705500	911-80-2208	1422819	02/26/2019		178.47
			ELECTRIC BILL CAPITLA PEAK					
			TOWER INVOICE #METER 44481					
			ACCT #8880281300	412-53-2208	3422819	02/27/2019		152.90
			ACCT #404536900,404571500,					
			404572200,404572300,8880064700	405-91-2208	5022819	02/27/2019		381.77
			MONTHLY ELECTRIC CHARGES					
			01/01/2019 TO 02/02/2019					
			ACCT #8880411701/CARL CANNON RD					









CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
COUNTY ROAD DEPARTMENT 360.49								
01 V	106797	GARLAND, BELINDA	PAYOFF OF CONTRACT 1/12/2019-	401-10-2102	3722819	02/27/2019		17667.72
	17667.72		4/7/2019					
COUNTY MANAGER 17667.72								
01 O	106798	HONSTEIN OIL CO.	FUEL CHARGES THROUGH 2/15/19	610-40-2202	1022819	02/25/2019		132.70
	11155.27		FOR ASSESSOR FLEET A01,A04,A06					
	02/28/2019		INVOICE #ZZ249 ACCT #TCASS					
			FUEL ROAD	402-60-2202	2522819	02/27/2019		10965.94
			ACCT #TCROAD					
			2/05/19 FUEL	401-08-2202	3622819	02/27/2019		56.63
			1/29/19 FUEL INVOICE #ZZ249					
			ACCT #3873					
COUNTY ASSESSOR 132.70 COUNTY ROAD DEPARTMENT 10965.94 PLANNING & ZONING 56.63								
01 O	106799	LANGBELL, GAIL	02/06/2019 PLANNING AND	401-08-2205	2122819	02/26/2019		61.00
	61.00		ZONING BOARD MEETING					
	02/28/2019							
PLANNING & ZONING 61.00								
01 O	106800	MARKETING STRATEGIES INC	BUSINESS CARDS FOR IUCERO,	610-40-2219	3922819	02/27/2019		252.00
	252.00		HUMPHREY, SEDILLO, SANDY, SASNOW,					
	02/28/2019		SALAS					
			ESTIMATED TAX ON CARDS					
			INVOICE #3586					
			ACCT #TORRANCE					
COUNTY ASSESSOR 252.00								
01 O	106801	MCNEILL, CAROLANN T	MILEAGE BOARD OF	401-21-2205	2822819	02/27/2019		18.00
	18.00		REGISTRATION CLERK'S OFFICE					
	02/28/2019							
ELECTIONS 18.00								
01 O	106802	MORIARTY, CITY OF	2/22/19 &2/23/2019	605-13-2272	4222819	02/27/2019		271.08
	271.08		SAT PAYS JOHNATHAN CARTER					
	02/28/2019		SAMIR SHAH					
DWT DISTRIBUTION GRANT 271.08								
01 O	106803	NAT'L FIRE PROTECTION ASSOCIATION	ANNUAL SUBSCRIPTION	600-06-2269	3822819	02/27/2019		175.00
	175.00		ACCT #3240632					
	02/28/2019							
RISK MANAGEMENT 175.00								
01 O	106804	NAT'L SAFETY COUNCIL	NATIONAL SAFETY COUNCIL	600-06-2269	3522819	02/27/2019		495.00
	495.00		ANNUAL MEMBERSHIP MEMBER					
	02/28/2019		ID#479020					
			ACCT #497020					

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CR#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
01 O	106805	NM HUMAN SERVICES DEPARTMENT	3RD QUARTER PAYMENT FY 2018	414-19-2291	6222819	02/28/2019		43408.94
	02/28/2019		SAFETY NET CARE POOL (SNCP)					

2ND 1/8 GROSS RECEIPTS 43408.94

01 O	106806	NM WASTE SERVICE INC	RESIDENTIAL CONTAINER BILLED	408-91-2215	5922819	02/28/2019	33185	45.65
	02/28/2019		DIST 3 VPD DISTRICT 3 NORTH					
			STATION 95 GALLON CART-					
			RESIDENTIAL SERVICE INVOICE					
			#64023 ACCT #2997300					

STATE FIRE ALLOTMENT		45.65
01 R	106807	ORTIZ, JENEA R
	2750.00	
02/28/2019		
		CONTINUUM COORDINATOR GRT
		FEBRUARY 2019 INVOICE #08-
		FY2019 ACCT #19-690-15201
		635-67-2272
		6122819 02/28/2019
		2750.00

CYRD JUVENILE JUSTICE		2750.00
01 O	106808	PACIFIC OFFICE AUTOMATION, INC COMMISSION
	717.28	
02/28/2019		ROAD
		INVOICE #33132811
		ACCT #1821290
		401-05-2203
		402-60-2203
		1622819 02/26/2019
		625.10
		92.18

COUNTY COMMISSION		625.10
01 R	106809	PADILLA, CHARLEN
	68.98	
02/28/2019		TRAVEL TO SANTA FE NM
		NM LEGISLATIVE CONFERENCE
		402-60-2205
		6622819 02/28/2019
		68.98

COUNTY ROAD DEPARTMENT		68.98
01 O	106810	PLATEAU WIRELESS
	150.88	
02/28/2019		BUSINESS BLAZE 100-01/22 TO
		2/14 GRT 53.67-3.62
		BUSINESS BLAZE 100-2/15 TO
		3/14 GRT 70.00-4.73
		INTERNET SERVICES -02/15 TO 3/14
		STATIC IP-
		STATIC IP-01/22 TO 2/14 TAX
		413-91-2272
		4722819 02/27/2019
		150.88

STATE FIRE ALLOTMENT		150.88
01 O	106811	RICOH USA, INC
	329.53	
02/28/2019		RICOH SERVICE CONTRACT COPIER
		TAXES, RENT, ADDITIONAL IMAGES
		BILLING PERIOD 02/01/2019-
		02/28/2019 MONTHLY BILLING
		INVOICE #101737446
		ACCT #80569-102726 5USR
		610-40-2203
		6422819 02/28/2019
		329.53

COUNTY ASSESSOR		329.53
01 O	106812	RICOH USA, INC
	57.58	
02/28/2019		BLACK AND WHITE AND COLOR
		COPIES 1/1/19-1/31/19
		INVOICE DATE FEBRUARY 1, 2019
		INVOICE #5055805668 ACCT
		#3940880
		690-09-2218
		6522819 02/28/2019
		57.58

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CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
01 0	106813	RICOH USA, INC	PERIODIC PAYMENT 3/1/19-3/31/19 FEBRUARY 8, 2019	690-09-2284	6722819	02/28/2019		197.80
	197.80		INVOICE#31441556					
	02/28/2019		ACCT #3940880					

CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
01 0	106814	RYDESKI & COMPANY	PROFESSIONAL SERVICES FOR FEBRUARY 2019 NM GROSS RECEIPTS TAX	401-05-2272	2022819	02/26/2019		2704.69
	2704.69							
	02/28/2019							

CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
01 0	106815	SAMBA HOLDINGS, INC.	DRIVERS LICENSE MONITORING FY19	401-05-2272	1922819	02/26/2019		467.86
	467.86		01/01/19-01/31/19 DRIVER MONITOR					
	02/28/2019		FEE, 01/01/19-01/31/19 MVR SERVICE					
			FEE TAXES/FEES INVOICE #136915					
			ACCT #3632					

CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
01 0	106816	SPECIALTY COMMUNICATIONS	NK-5200K2 W/BELT CLIP	407-91-2248	3022819	02/27/2019		33496
	3117.87		KRA-26M VHF HELICAL ANTENNA	406-91-2248				33496
	02/28/2019		KNB-12M LI-ION 2600MAH (STANDARD	408-91-2248				33496
			KSC-32 RAPID RATE SINGLE UNIT	409-91-2248				33496
			CHARGER					33496
			KMG-42WDM MIL-SPEC, IP67 NOISE	405-91-2248				33496
			CANCELING SPEAKER MIC					33496
			EMIM-KW4 VEHICLE CHARGER	418-91-2248				33496
			STATE OF NM PRICE AGREEMENT 60-					33496
			000-15-00019AH NASPO #06913					33496
			INVOICE #132443					

CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
01 0	106817	STAPLES BUSINESS ADVANTAGE	NK-5800K2 UHF RADIO	411-92-2248	3122819	02/27/2019		33446
	1065.74		KRA-400M GPS ANTENNA	411-92-2248				33446
	02/28/2019		COAX CONNECTORS	411-92-2248				33446
			COAX PER FOOT	411-92-2248				33446
			DUAL BAND DUPLXER	411-92-2248				33446
			INSTALLATION FEE	411-92-2248				33446
			TAX ON LABOR - FD11	411-92-2248				33446
			INVOICE #132442					

CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
01 0	106817	STAPLES BUSINESS ADVANTAGE	LEGAL PADS, GLUE STICKS, CHAIR	401-55-2219	1522819	02/26/2019		33475
	1065.74		BINDERS, AIR DUSTERS					33475
	02/28/2019		INVOICE #3404969017					
			ACCT #70109685DAL					

CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
01 0	106817	STAPLES BUSINESS ADVANTAGE	HP BLK INK CART 2 PK	401-90-2219	2922819	02/27/2019		33460
	1065.74		POST IT 3 PK 6X4 STICKY PADS	401-90-2219				33460
	02/28/2019		POST IT 3PK 4X4 STICKY PADS	401-90-2219				33460
			G-2 EXTRA FINE GEL PEN-PILOT	401-90-2219				33460
			PAPERMATE INKMAATE GEL PEN	401-90-2219				33460
			EMPIRE STACK LETTER TRAY	401-90-2219				33460
			ACCT #394849					
			MR. COFFEE 12 CUP COFFEE MAKER	408-91-2219	3222819	02/27/2019		33437
			BOXES 13 GALLON TRASH BAGS	408-91-2220				33437





CHK#      DATE      Name      Description      Line Item      Invoice #      DATE      PO #      Amount

FINANCE DEPARTMENT      116.43      PROBATE JUDGE      158.76      STATE FIRE ALLOTMENT      790.55

01 O 106818      SUPPLY CACHE INC      FIRE SHELTERS, SIZE:REGULAR      408-91-2248      408-91-2248      4022819      02/27/2019      33483      1839.75

2586.05      ESTIMATED SHIPPING      413-91-2248      413-91-2248      /      /      33484      44.95

02/28/2019      INVOICE #S#32001 ACCT#162983      HELMET-FULL BRIM W/RATCHET      405-91-2248      4922819      02/27/2019      33483      353.70

SUSPENSION, BULLARD, RED      405-91-2248      /      /      33483      173.70

SHROUD-EAR & NECK 9" UNLINED,      405-91-2248      /      /      33483      36.00

TECASAFEPPLUS, CREW      405-91-2248      /      /      33483      36.00

DRIVER GLOVE LEATHER & PULL      405-91-2248      /      /      33483      36.00

STRAP, PIP, LARGE      405-91-2248      /      /      33483      18.00

DRIVER GLOVE LEATHER & PULL      405-91-2248      /      /      33483      18.00

STRAP, PIP, MEDIUM      405-91-2248      /      /      33483      25.95

DRIVER GLOVE LEATHER & PULL      405-91-2248      /      /      33483      40.00

STRAP, PIP, X-LARGE      405-91-2248      /      /      33483      40.00

REDUCER 1.5 NHX3/4 GHT, KOCHER      405-91-2248      /      /      33483      40.00

INVOICE#S#31999 ACCT#162983

STATE FIRE ALLOTMENT      2586.05

01 R 106819      T.A. TIRES & SERVICE      NEW TIRES MOUNTED AND BALANCED      610-40-2201      610-40-2201      4022819      02/27/2019      33515      660.00

660.00      ASSESSOR UNIT 2013 FOR EXPLORER      33515      33515      /      /      33515      33515

02/28/2019      HERCULES TERRA TRAC AT II      33515      33515      /      /      33515      33515

INVOICE #385665 UNIT #AO4

COUNTY ASSESSOR      660.00

01 O 106820      TAJIQUE LAND GRANT      LEASE TAJIQUE TRAN. STATION      401-05-2204      401-05-2204      1122819      02/25/2019      200.00      200.00

200.00      FEBRUARY INVOICE #2019-2

02/28/2019

COUNTY COMMISSION      200.00

01 O 106821      TOROK, SHANON MARIE      MILEAGE FOR BOARD OF      401-21-2205      401-21-2205      2622819      02/27/2019      18.00      18.00

18.00      REGISTRATION CLERK'S OFFICE

02/28/2019

ELECTIONS      18.00

01 O 106822      TRULY NOLEN OF AMERICA, INC.      MONTHLY PEST CONTROL SERVICES      401-82-2272      401-82-2272      4622819      02/27/2019      32902      79.83



CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
<b>ANIMAL SHELTER</b>								
01 O	106823	TWO GUNZ CUSTOMZ & HYDROGRAPHICRUSH	2-2 WIRING AND WINCH	406-91-2248	6022819	02/28/2019	33479	250.00
	250.00		INSTALL					
	02/28/2019		INVOICE #1481					33479
<b>STATE FIRE ALLOTMENT</b>								
								250.00
<b>COUNTY COMMISSION</b>								
01 O	106824	WAGWORKS	ADMINISTRATION FEE MONTHLY	401-05-2272	2222819	02/27/2019		149.00
	149.00		COMPLIANCE FEE INVOICE#297890					
	02/28/2019		ACCT #2048013					
<b>COUNTY COMMISSION</b>								
01 O	106825	WASTE MANAGEMENT OF NW INC.	MONTHLY TRASH PICK UP FOR	401-82-2210	6322819	02/28/2019		123.69
	123.69		THE MONTH OF MARCH					
	02/28/2019		INVOICE #8655583-0573-2					
			ACCT #650-0101387 7-0573-5					
<b>ANIMAL SHELTER</b>								
								123.69
<b>COUNTY ROAD DEPARTMENT</b>								
01 O	106826	4 RIVERS EQUIPMENT, LLC	WARE PLATES FOR 770CH	402-60-2244	2322819	02/27/2019	33517	503.84
	503.84		INVOICE #621349					
	02/28/2019		ACCT #37497					
<b>COUNTY ROAD DEPARTMENT</b>								
01 O	106827	A RIFKIN CO	ZIPPER SIGN BAG REFERENCE	401-21-2219	122819	02/25/2019		36.40
	36.40		PO#33065 WHICH HAS BEEN CLOSED					
	03/04/2019		INVOICE #4187991					
<b>ELECTIONS</b>								
								36.40
<b>COUNTY COMMISSION</b>								
01 O	106828	CENTRAL NW ELECTRIC COOP.	MONTHLY ELECTRIC BILLING	401-05-2208	322819	02/25/2019		1818.19
	7691.52		ACCT #205707901/MOUNTAINAIR					
	03/04/2019		SENIOR CENTER					
			ACCT #401421201/MORIARTY SENIOR					
			CENTER					
			ACCT #8880109702/ESTANCIA SENIOR					
			CENTER					
			MONTHLY ELECTRIC BILLING	401-16-2208	422819	02/25/2019		2878.16
			JUDICIAL COMPLEX					
			ACCT #8880179001					
			MONTHLY ELECTRIC BILLING	401-15-2208	522819	02/25/2019		2688.99
			404273000/COURTHOUSE	401-15-2208				6.22
			404273700/COURTHOUSE	401-24-2208				299.96
			404492801/HEALTH DEPT					
<b>COUNTY COMMISSION</b>								
HEALTH DEPT BLDG MAINT	1818.19	JUDICIAL COMPLEX MAINT	2878.16	ADMINISTRATIVE OFFICES	2695.21			
01 O	106829	NEXTIVA INC	ASSESSOR PHONE	610-40-2207	622819	02/25/2019		330.72
	1956.63		CLERK PHONE	401-20-2207				192.92
	03/04/2019		MANAGER PHONE	401-10-2207				192.92
			FINANCE PHONE	401-55-2207				110.24
			MAINTENANCE PHONE	401-15-2207				55.12
			COMMISSION PHONE	401-05-2207				82.68













CR#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
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DWI DISTRIBUTION GRANT 310.00

01 O	106888	DOUBLE H AUTO	BRUSH 5-2 BATTERIES	405-91-2201	3330719	03/05/2019	33478	267.38
	358.35		CORE DEPOSIT	405-91-2201	/	/	33478	36.00
			BATTERY CABLE TERMINAL	405-91-2201	/	/	33478	6.98
			SERPENTINE BELT	405-91-2201	/	/	33478	47.99
			INVOICE #463955 ACCT #2927					

STATE FIRE ALLOTMENT 358.35

01 O	106889	DT AUTOMOTIVE	TCSO VEHICLE MAINTENANCE	401-50-2201	3730719	03/07/2019	33310	1052.50
	3777.50		TIRE FIXES, TIRE MOUNTS, OIL				33310	
			CHANGES, WIPERS, FLUIDS, AND				33310	
			MAINTENANCE WORK.				33310	
			JANUARY 2019.				33310	
			OIL CHANGES, AIR FILTERS, TIRE					
			REPAIRS, MOUNT & BALANCE, DOOR					
			HINGE REPAIR, HEADLIGHT REPAIRS					
			BRAKES, ROTORS-SOURILE, COLLIER,					
			ARREOLA, HOOPER, WATTS, RIVERA,					
			YOUNG, WOODARD, CHARGER INVOICE#					
			TCSO 33310					
			BODY SOLENOID PACK	401-50-2201	5530719	03/07/2019	33506	650.00
			LABOR	401-50-2201	/	/	33506	175.00
			OIL/FILTER/FLUIDS	401-50-2201	/	/	33506	100.00
			TAHOE REPAIR					
			INVOICE #TCSO 33506					
			WINDSHIELD (COLLIER & BALLARD)	401-50-2201	5630719	03/07/2019	33509	380.00
			PTT REPAIR (SOURILE)	401-50-2201	/	/	33509	20.00
			INVOICE #TCSO 33509					
			BEARING	401-50-2201	5730719	03/07/2019	33508	400.00
			WOODARD DODGE					
			TMP# 021119 APPROVED BY					
			NOAH SEDITLO					
			INVOICE #TCSO 33508					
			SOLENOID, TRANSMISSION FLUID, &	401-50-2201	7730719	03/07/2019	33389	1000.00
			TRANSMISSION FILTERS.				33389	
			GARCIA DODGE					
			INVOICE #TCSO 33389					

COUNTY SHERIFF 3777.50

01 O	106890	EAST MOUNTAIN ROOFING LLC	REPAIR ROOF AT JUDICIAL	401-16-2215	4530719	03/07/2019	33236	320.25
	320.25		INVOICE #1680					

JUDICIAL COMPLEX MAINT 320.25

01 O	106891	EMW GAS ASSOCIATION	DIST 2 VFD MONTHLY CHARGES	406-91-2209	1830719	03/05/2019		336.12
	336.12		FEBRUARY 2019 ACCT #70-3680-000					

STATE FIRE ALLOTMENT 336.12

01 O	106892	EMW GAS ASSOCIATION	MONTHLY CHARGES DIST 5VFD	405-91-2209	1930719	03/05/2019		280.98
	616.77		FEBRUARY 2019 ACCT #71-4510-000					
			44 CARL CANYON RANCH RD					



CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
STATE FIRE ALLOTMENT 616.77								
01 O	106893	EMW GAS ASSOCIATION	MONTHLY CHARGES FEBRUARY 2019	413-91-2209	2030719	03/05/2019		246.32
	246.32		ACCT #10-6140-001 FIRE ADMIN					
STATE FIRE ALLOTMENT 246.32								
01 O	106894	EMW GAS ASSOCIATION	DIST 3 VFD MONTHLY CHARGES	408-91-2209	2130719	03/05/2019		387.52
	589.32		FEBRUARY 219 ACCT #60-5390-000					
	03/07/2019		757 SALT MISSION TRAIL					
			ACCT #60-9250-000 69 MADRID AVE	408-91-2209		/ /		201.80
STATE FIRE ALLOTMENT 589.32								
01 O	106895	EMW GAS ASSOCIATION	DIST 6 VFD MONTHLY CHARGES	418-91-2209	2230719	03/05/2019		226.93
	226.93		FEBRUARY 2019 ACCT #30-0500-000					
	03/07/2019							
STATE FIRE ALLOTMENT 226.93								
01 O	106896	EMW GAS ASSOCIATION	ROAD DEPT OFFICE SHOP	402-61-2209	6230719	03/07/2019		548.03
	548.03		INVOICE #READ DATE 2/21/19					
	03/07/2019		ACCT #10-5690-000					
COUNTRY ROAD SHOP 548.03								
01 O	106897	EMW GAS ASSOCIATION	GAS BILL TRGE TEME	412-53-2209	6430719	03/07/2019		33.04
	33.04		ACCT #10-4090-000					
	03/07/2019							
COUNTRY FAIR 33.04								
01 O	106898	EMW GAS ASSOCIATION	GAS BILL FEBRUARY 2019	911-80-2209	6630719	03/07/2019		162.06
	162.06		ACCT #60-9530-000 DISPATCH					
	03/07/2019							
911-DISPATCH CENTER 162.06								
01 O	106899	EMW GAS ASSOCIATION	GAS BILLINGS COURTHOUSE/	401-15-2209	6930719	03/07/2019		1014.06
	2162.61		101850000					
	03/07/2019		JUDICIAL/106000000	401-16-2209		/ /		984.62
			MEDICAL CENTER/101990010	401-24-2209		/ /		163.93
ADMINISTRATIVE OFFICES 1014.06 JUDICIAL COMPLEX MAINT 984.62 HEALTH DEPT BLDG MAINT 163.93								
01 O	106900	EMW GAS ASSOCIATION	20-2330-010/MORLARTY SENIOR	401-05-2209	7030719	03/07/2019		282.39
	517.16		CENTER					
	03/07/2019		10-5870-010/ESTANCIA SENIOR	401-05-2209		/ /		234.77
			CENTER					
COUNTY COMMISSION 517.16								
01 O	106901	EMW GAS ASSOCIATION	VOTING MACHINE STORAGE UTILITY	612-20-2308	7130719	03/07/2019		40.66
	40.66		BILL ACCT #10-6380-000					
	03/07/2019							

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K#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	AMOUNT
O 106902	45.52	EMV GAS ASSOCIATION	FEBRUARY GAS BILL TC DISPATCH	911-80-2209	7430719	03/07/2019		45.52
			ACCT #60-9530-000					

1-DISPATCH CENTER	45.52							
O 106903	738.85	ESTANCIJA, TOWN OF	WATER, SEWER, GARBAGE TAX	413-91-2210	1730719	03/05/2019		115.79
			1/15/2019 TO 2/21/2019					
			FIRE ADMIN					
			WATER BILLINGS COURTHOUSE/	401-15-2210	6130719	03/07/2019		188.50
			1112					
			JUDICIAL COMPLEX/40	401-16-2210				248.65
			MEDICAL CENTER/373	401-24-2210				70.12
			SENIOR CENTER/249	401-05-2210				115.79

ATE FIRE ALLOTMENT	115.79	ADMINISTRATIVE OFFICES		188.50				248.65
ALTH DEPT BLDG MAINT	70.12	COUNTY COMMISSION		115.79				

O 106904	322.70	FORTE PAYMENT SYSTEMS, INC.	CREDIT CARD MACHINE	401-50-2219	5430719	03/07/2019		33489
			FED EX TRACKING INVOICE #34232					322.70
			ACCT #1872					

UNTY SHERIFF	322.70							
O 106905	1600.00	GUSTIN ELECTRIC	REPLACE LIGHT FIXTURES ON	401-15-2215	3830719	03/07/2019		33274
			SOUTH SIDE OF ADMIN BUILDING					33274
			INVOICE #4602					
			REPLACE LIGHT FIXTURES ON NORTH	401-15-2215	3930719	03/07/2019		33308
			SIDE OF ADMIN BUILDING					33308
			INVOICE #4602					
			ELECTRICAL REPAIR IN PROJECT	620-94-2215	4130719	03/07/2019		33445
			OFFICE TO MOVE DOH COUNTY NURSE					33445
			BACK INTO ESTANCIJA					33445
			INVOICE #4613					

MINISTRATIVE OFFICES	700.00	INFRASTRUCTURE GROSS R		900.00				
O 106906	154.38	GUSTIN HARDWARE INC.	DICKIES INSULATED JACKETS	401-15-2248	130719	03/05/2019		33472
			CARL LANGE, ARELY CUEVAS					33472
			FLEX DUCK JACKET 2XL					
			FLEX DUCK JACKET MEDIUM					

MINISTRATIVE OFFICES	154.38							
O 106907	292.84	GUSTIN HARDWARE INC.	ELECTRICAL, PLUMBING, ROOFING,	401-15-2215	4030719	03/07/2019		33376
			AND HARDWARE SUPPLIES FOR ADMIN					33376
			BUILDING.					33376
			FEBRUARY 2019.					33376
			ACCT #125					

MINISTRATIVE OFFICES	292.84							
O 106908	29.80	HOMESTEAD WATER CO.	DIST 5 VPD WATER BILL	405-91-2210	2330719	03/05/2019		29.80
			FEBRUARY 2019					

VTE FIRE ALLOTMENT	29.80							
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K#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
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03/07/2019			APPROVED BY NOAH SEDILO TIRE REPAIR PZ-3 #2 TMP 030419 INVOICE #176793/176791					33568
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ANNING & ZONING 27.00

O 106910		KAUFMANS WEST LLC	PANTS, SHIRTS, DUTY EQUIPMENT, AND UNIFORM NEEDS. DECEMBER 2018.	40150-2236	730719	03/05/2019		33224	384.19
854.48			OD JACKET VELCRO SEW INVOICE #2327S					33224	
03/07/2019								33224	

UNTY SHERIFF		854.48	ACADEMY UNIFORM NEEDS PATCH SEW, NAME TAPES, TACTICAL SHIRTS, BDU PANTS, GLOVES, HATS, BDU HATS, SWEATPANTS, SHORT, T-SHIRTS, SWEAT SHIRTS, BELT SCHMERDEL & ARREOLA ACADEMY INVOICE #2351S	40150-2222	5930719	03/07/2019		33162	470.29
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O 106911		KKNM-FM 88.7	MARCH 2019 BROADCAST FOR COMMISSION MEETINGS AND PSA'S INVOICE #1917	40105-2243	830719	03/05/2019			1250.00
1250.00									
03/07/2019									

UNTY COMMISSION		1250.00	REPLACEMENT LINER FOR GXTREME 3.0 STRUCTURE COAT INVOICE #INV257860 ACCT #C35108	40691-2248	1530719	03/05/2019		33395	575.00
O 106912		L.N. CURTIS & SONS						33395	
575.00									
03/07/2019									

ATE FIRE ALLOTMENT		575.00	MONTHLY INTERNET BILL, TCFD 2, 3,4,5 & FIRE ADMIN 2019-03-01 TO 2019-04-01	40891-2272	2730719	03/05/2019			156.15
O 106913		LOBO INTERNET SERVICES LTD							
597.67									
03/07/2019									

INVOICE #111473 ACCT #10926	40991-2272	/	81.15
MONTH (S) - DOMAIN HOSTING-	40591-2272	/	81.15
TORANCECOUNTYNM.ORG, PLUS TCNM.	40691-2272	/	76.15
NET PRONTONET WIRELESS 10 MEG	41391-2272	/	36.15
CONNECTION WITH 20 MEG BURST AT			
ADMIN OFFICE BACKUP CONNECTION			
SALES TAX INVOICE #111459 ACCT#			
TORCOU			
	40165-2203		166.92

ATE FIRE ALLOTMENT	430.75	INFORMATION TECHNOLOGY	166.92
O 106914		MARLIN BUSINESS BANK	
256.51		CONTRACT ON BIZHUB COPIER	
13/07/2019		SALES/USE TAX ACCT #1441060	

L-DISPATCH CENTER	256.51		
O 106915		NM EDGE	
2850.00		NM EDGE CLASS COUPONS	
		TREASURER	

4430719	/	33541	450.00
7230719	03/07/2019		256.51
60930-2266			





AK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
			ASSESSOR	610-40-2266	/	/	33541	800.00
			STUDENT FEES MANAGER	401-10-2266	/	/	33541	50.00
			STUDENT FEES FIRE ADMIN	413-91-2266	/	/	33541	50.00
			INVOICE #6441 & 6442					
UNTY TREASURER	450.00	FINANCE DEPARTMENT	1050.00	COUNTY CLERK	450.00			
UNTY ASSESSOR	800.00	COUNTY MANAGER	50.00	STATE FIRE ALLOTMENT	50.00			
1 0 106916	68.00	NTS COMMUNICATIONS						
03/07/2019			USAGE CHARGES TAXES AND	911-80-2207	6730719	03/07/2019		58.96
			SURCHARGES ACCT #85841014481	612-20-2207				2.26
			LONG DISTANT FAXES	401-30-2207				2.26
			ACCT #5053842418	401-40-2207				2.26
				401-50-2207				2.26
1-DISPATCH CENTER	58.96	COUNTY CLERK	2.26	COUNTY TREASURER	2.26			
UNTY ASSESSOR	2.26	COUNTY SHERIFF	2.26					
0 106917	85.25	ORKIN INC.						
03/07/2019			STANDARD MONTHLY PC SERVICE	401-05-2272	7530719	03/07/2019		85.25
			02/26/19 TAX INVOICE #					
			180385061 ACCT #31462749					
UNTY COMMISSION	85.25							
0 106918	3123.50	ORTIZ, ADRIAN						
03/07/2019			TREN COURT SERVICES FEBRUARY	605-13-2272	6530719	03/07/2019		3123.50
			2019 6.75% GRT INVOICE #2282019					
I DISTRIBUTION GRANT	3123.50							
0 106919	168.00	P & M SIGNS INC						
03/07/2019			24X24 NO TURN AROUND	402-60-2242	4330719	03/07/2019	33464	168.00
			SIGNS				33464	
			INVOICE #8083 ACCT #TCROAD					
UNTY ROAD DEPARTMENT	168.00							
0 106920	606.60	PITNEY BOWES INC.						
03/07/2019			LEASING CHARGES INVOICE #	401-05-2203	2930719	03/05/2019		606.60
			3308247436 ACCT #15859284					
UNTY COMMISSION	606.60							
0 106921	176.93	PLATEAU WIRELESS						
03/07/2019			02/22/19 TO 03/21/19	407-91-2207	3130719	03/05/2019		176.93
			575-584-2244 LANDLINE CHARGES					
			DIST 1 VPD ACCT #2211365					
NTE FIRE ALLOTMENT	176.93							
0 106922	833.33	PRSBYTERIAN MEDICAL SERVICES						
03/07/2019			CLEANING EXPENSES FOR COUNTY	631-57-2272	1630719	03/05/2019		833.33
			SENIOR CITIZEN CENTER-SERVICES					
			FOR FEBRUARY 2019 INVOICE #43515					
NIOR CITIZEN'S PROGR	833.33							
0 106923	59.60	QWEST CORPORATION						
03/07/2019			MONTHLY CHARGES DIST 2 VPD	406-91-2207	2830719	03/05/2019		59.60
			FEBRUARY 22, 2019 TO MARCH 21,					
			2019 ACCT#505-281-9213 783B					

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CK# DATE Name Description Line Item Invoice # DATE PO # Amount

COUNTY SHERIFF 1500.00

1 0 106931 TJ ENTERPRISES AUTO SUPPLY AUTO PARTS, HARDWARE FOR 401-15-2215 4230719 03/07/2019 33375 32.11  
32.11 ADMIN BUILDING MAINTENANCE.  
03/07/2019 VEHICLE MAINTENANCE.  
FEBRUARY 2019  
ACCT #32156 33375

ADMINISTRATIVE OFFICES 32.11

1 0 106932 TOBY'S DOORS INC. DISTRICT 5 MAIN STATION 405-91-2215 1430719 33286 2100.00  
2300.00 14X12 COMMERCIAL INSULATED  
03/07/2019 GARAGE AND INSTALLATION  
REMOVAL OF EXISTING DOOR AND 405-91-2215  
HAUL AWAY  
INVOICE #2989 33286 200.00

DATE FIRE ALLOTMENT 2300.00

1 0 106933 TRIADIC INC. MAINTENANCE CONTRACTS TAX 401-65-2203 3530719 03/05/2019 4269.95  
4269.95 INVOICE #28:04.2 ACCT #1425

INFORMATION TECHNOLOGY 4269.95

1 0 106934 VIGIL CONTRACTING SERVICES INC. PROGRESS PAYMENT FOR TORRANCE 621-96-2611 3630719 03/07/2019 7899.50  
7899.50 COUNTY ANIMAL SHELTER ADDITION  
03/07/2019 EARTHWORK/DEMO CONCRETE/FORMWORK  
ELECTRICAL TESTING/MISC MGMT  
@ 6.75% INVOICE # 3/1/19

WPTAL OUTLAY GROSS R 7899.50

1 0 106935 WASTE MANAGEMENT OF NM INC. FIRE ADMIN MONTHLY CHARGES 1-8 413-91-2210 2430719 03/05/2019 404.51  
742.56 YARD DUMPSTER 03/01/2019 TO  
03/31/2019 INVOICE  
#8655404-0573-1 ACCT #2-08123-  
14009

DIST 5 VFD MONTHLY CHARGES 405-91-2210 2530719 03/05/2019 338.05  
8 YARD DUMPSTER 03/01/2019 TO  
03/31/2019 INVOICE#8655761-  
0573-4 ACCT #18-98130-33003

DATE FIRE ALLOTMENT 742.56

1 0 106936 WILARD, VILLAGE OF MONTHLY CHARGES WATER \$30.34 418-91-2210 2630719 03/05/2019 55.26  
55.26 SEWER \$24.92 DIST 6 VFD  
1/29/19 TO 2/25/19 ACCT #310.01

DATE FIRE ALLOTMENT 55.26

1 0 106937 ZIA GRAPHICS INC. GILDAN ULTRA COTTON NAVY 100% 413-91-2236 1130719 03/05/2019 1162.50  
1642.75 PRESHRUNK COTTON LONG SLEEVE  
03/07/2019 SHIRTS LEFT CHEST/ONE COLOR  
WHITE FULL BACK/2 COLORS RED &  
WHITE S-5, M-10, L-25, XL-25  
2XL-8, 2XL-\$2.00 MORE/4XL- 413-91-2236 24.00



LINE#      DATE      Name      Description      Line Item      Invoice #      DATE      PO #      Amount

SWAPACK CAPS  
INVOICE #53940/54012

33482

DATE FIRE ALLOTMENT      1642.75

107      532672.53      /      /      TOTAL      17667.72      VOIDS

** GRAND TOTAL **		532,672.53	.00
**TOTAL		388,874.72	.00
GENERAL FUND			
**DEPT	401-05-2203	208,797.56	.00
	401-05-2204	1,231.70	.00
	401-05-2207	200.00	.00
	401-05-2208	192.92	.00
	401-05-2209	1,818.19	.00
	401-05-2210	517.16	.00
	401-05-2212	115.79	.00
	401-05-2243	200,065.00	.00
	401-05-2272	1,250.00	.00
		3,406.80	.00
=====			
**DEPT	401-08-2202	172.75	.00
	401-08-2205	56.63	.00
	401-08-2207	61.00	.00
		55.12	.00
=====			
**DEPT	401-10-2201	709.48	.00
	401-10-2205	155.07	.00
	401-10-2207	96.54	.00
	401-10-2219	267.49	.00
	401-10-2266	140.38	.00
		50.00	.00
=====			
**DEPT	401-15-2207	5,466.82	.00
	401-15-2208	55.12	.00
	401-15-2209	2,695.21	.00
	401-15-2210	1,014.06	.00
	401-15-2215	188.50	.00
	401-15-2248	1,359.55	.00
		154.38	.00
=====			
**DEPT	401-16-2208	4,431.68	.00
	401-16-2209	2,878.16	.00
	401-16-2210	984.62	.00
	401-16-2215	248.65	.00
		320.25	.00
=====			
**DEPT	401-20-2207	642.92	.00
	401-20-2266	192.92	.00
		450.00	.00
=====			
**DEPT	401-21-2205	160.27	.00
	401-21-2219	54.00	.00
	401-21-2272	36.40	.00
	401-21-2308	20.00	.00
		49.87	.00
=====			
**DEPT	401-24-2208	534.01	.00
	401-24-2209	299.96	.00
	401-24-2210	163.93	.00
		70.12	.00
=====			
**DEPT	401-30-2207	222.74	.00
		222.74	.00





	DEBITS	CREDITS
401-40-2207	2.26	.00
TELECOMMUNICATIONS		
**DEPT		
401-50-2201	161,603.29	.00
401-50-2205	4,221.91	.00
401-50-2207	110.00	.00
401-50-2212	305.42	.00
401-50-2219	154,521.00	.00
401-50-2222	1,485.48	.00
401-50-2236	470.29	.00
UNITIFORMS		
**DEPT	489.19	.00
401-55-2207	1,276.67	.00
401-55-2219	110.24	.00
401-55-2266	116.43	.00
TRAINING		
**DEPT	1,050.00	.00
401-65-2203	4,464.43	.00
401-65-2207	4,436.87	.00
TELECOMMUNICATIONS		
**DEPT	27.56	.00
401-82-2210	203.52	.00
401-82-2272	123.69	.00
PROFESSIONAL SERVICES		
**DEPT	79.83	.00
401-90-2207	186.32	.00
401-90-2219	27.56	.00
OFFICE SUPPLIES		
**TOTAL	158.76	.00
**DEPT		
402-60-2202	13,309.58	.00
402-60-2203		
402-60-2205		
402-60-2207		
402-60-2242		
402-60-2244		
ROAD FUND		
**DEPT		
402-61-2209	548.03	.00
COUNTY ROAD SHOP		
**TOTAL	548.03	.00
**DEPT		
405-91-2201	12,695.08	.00
405-91-2208		
405-91-2209		
405-91-2210		
405-91-2215		
405-91-2219		
405-91-2220		
405-91-2248		
405-91-2272		
DISTRICT 5 VPD		
**DEPT	12,695.08	.00
405-91-2201	12,695.08	.00
405-91-2208	358.35	.00
405-91-2209	381.77	.00
405-91-2210	616.77	.00
405-91-2215	367.85	.00
405-91-2219	2,840.00	.00
405-91-2220	14.86	.00
405-91-2248	80.40	.00
405-91-2272	7,953.93	.00
SAFETY EQUIPMENT		
**TOTAL	81.15	.00
**DEPT		
406-91-2207	8,565.37	.00
406-91-2208	59.60	.00
406-91-2209	311.10	.00
DISTRICT 2 VPD		
**TOTAL	8,565.37	.00
**DEPT		
406-91-2207	8,565.37	.00
406-91-2208	59.60	.00
406-91-2209	311.10	.00
STATE FIRE ALLOTMENT		
**TOTAL	8,565.37	.00
**DEPT		
406-91-2207	8,565.37	.00
406-91-2208	59.60	.00
406-91-2209	311.10	.00
TELECOMMUNICATIONS		
**TOTAL	8,565.37	.00
**DEPT		
406-91-2207	8,565.37	.00
406-91-2208	59.60	.00
406-91-2209	311.10	.00
ELECTRICITY		
**TOTAL	8,565.37	.00
**DEPT		
406-91-2207	8,565.37	.00
406-91-2208	59.60	.00
406-91-2209	311.10	.00
ELECTRICITY		
**TOTAL	8,565.37	.00



	DEBITS	CREDITS
406-91-2272	PROFESSIONAL SERVICES	76.15
**TOTAL	DISTRICT 1 VPD	3,575.11
**DEPT	STATE FIRE ALLOTMENT	3,575.11
407-91-2207	TELECOMMUNICATIONS	242.51
407-91-2208	ELECTRICITY	171.40
407-91-2248	SAFETY EQUIPMENT	3,161.20
**TOTAL	DISTRICT 3 VPD	8,698.39
**DEPT	STATE FIRE ALLOTMENT	8,698.39
408-91-2208	ELECTRICITY	443.41
408-91-2209	HEATING/GAS/PROPANE	589.32
408-91-2215	BUILDING MAINTENANCE/REPAIR	45.65
408-91-2219	OFFICE SUPPLIES	30.85
408-91-2220	CLEANING SUPPLIES	151.58
408-91-2248	SAFETY EQUIPMENT	7,281.43
408-91-2272	PROFESSIONAL SERVICES	156.15
**TOTAL	DISTRICT 4 VPD	3,548.97
**DEPT	STATE FIRE ALLOTMENT	3,548.97
409-91-2208	ELECTRICITY	106.62
409-91-2218	EQUIPMENT MAINTENANCE/REPAIR	200.00
409-91-2248	SAFETY EQUIPMENT	3,161.20
409-91-2272	PROFESSIONAL SERVICES	81.15
**TOTAL	L. E. PROTECTION FUND	1,901.25
**DEPT	COUNTY SHERIFF	1,901.25
410-50-2222	FIELD SUPPLIES	1,901.25
**TOTAL	COUNTY FIRE PROTECTION FUND	3,431.72
**DEPT	1/4% FIRE EXCISE TAX	3,431.72
411-92-2208	ELECTRICITY	96.12
411-92-2219	OFFICE SUPPLIES	2,355.53
411-92-2248	SAFETY EQUIPMENT	980.07
**TOTAL	COUNTY PAIR	185.94
**DEPT	COUNTY PAIR	185.94
412-53-2208	ELECTRICITY	152.90
412-53-2209	HEATING/GAS/PROPANE	33.04
**TOTAL	FIRE DEPARTMENT ADMIN	4,619.30
**DEPT	STATE FIRE ALLOTMENT	4,619.30
413-91-2209	HEATING/GAS/PROPANE	246.32
413-91-2210	WATER/SEWER/TRASH	520.30
413-91-2236	UNIFORMS	1,642.75
413-91-2248	SAFETY EQUIPMENT	1,972.90
413-91-2266	TRAINING	50.00
413-91-2272	PROFESSIONAL SERVICES	187.03
**TOTAL	INDIGENT FUND	43,408.94
**DEPT	ZND 1/8 GROSS RECEIPTS TAX	43,408.94

\*\*TOTAL

-----  
DISTRICT 6 VFD

3,524.24

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.00

\*\*DEPT 418-91-2208 STATE FIRE ALLOTMENT 3,524.24 .00  
 418-91-2209 ELECTRICITY 80.85 .00  
 418-91-2210 HEATING/GAS/PROPANE 226.93 .00  
 418-91-2248 WATER/SEWER/TRASH 55.26 .00  
 SAFETY EQUIPMENT 3,161.20 .00  
 \*\*TOTAL JAIL FUND 27.56 .00

\*\*DEPT 420-73-2207 COMMUNITY MONITORING 27.56 .00  
 TELECOMMUNICATIONS 27.56 .00  
 \*\*TOTAL SAFETY PROGRAM 954.37 .00

\*\*DEPT 600-06-2248 RISK MANAGEMENT 954.37 .00  
 600-06-2269 SAFETY EQUIPMENT 284.37 .00  
 MEMBERSHIP DUES/SUBSCRIPTIONS 670.00 .00  
 \*\*TOTAL CIVIL DEFENSE FUND 27.56 .00

\*\*DEPT 604-83-2207 COMMUNICATIONS/EMS TAX 27.56 .00  
 TELECOMMUNICATIONS 27.56 .00  
 \*\*TOTAL DWI PROGRAM FUND 3,732.13 .00

\*\*DEPT 605-13-2207 DWI DISTRIBUTION GRANT FY19 3,732.13 .00  
 605-13-2266 TELECOMMUNICATIONS 27.55 .00  
 605-13-2272 TRAINING 310.00 .00  
 PROFESSIONAL SERVICES 3,394.58 .00  
 \*\*TOTAL TREASURER'S FEE 1,276.32 .00

\*\*DEPT 609-30-2218 COUNTY TREASURER 1,276.32 .00  
 609-30-2266 EQUIPMENT MAINTENANCE/REPAIR 826.32 .00  
 TRAINING 450.00 .00  
 \*\*TOTAL PROPERTY VALUATION FUND 13,042.54 .00

\*\*DEPT 610-40-2201 COUNTY ASSESSOR 13,042.54 .00  
 610-40-2202 VEHICLE MAINTENANCE/REPAIR 660.00 .00  
 610-40-2203 VEHICLE FUEL 132.70 .00  
 610-40-2207 MAINTENANCE CONTRACTS 329.53 .00  
 610-40-2218 TELECOMMUNICATIONS 330.72 .00  
 610-40-2219 EQUIPMENT MAINTENANCE/REPAIR 10,537.59 .00  
 610-40-2266 OFFICE SUPPLIES 252.00 .00  
 TRAINING 800.00 .00  
 \*\*TOTAL CLERK'S EQUIPMENT FUND 346.72 .00

\*\*DEPT 612-20-2203 COUNTY CLERK 346.72 .00  
 612-20-2207 MAINTENANCE CONTRACTS 303.80 .00  
 612-20-2308 TELECOMMUNICATIONS 2.26 .00  
 VOTING MACHINE STORAGE 40.66 .00  
 \*\*TOTAL COUNTY INFRASTRUCTURE GRT 900.00 .00

\*\*DEPT 620-94-2215 INFRASTRUCTURE GROSS RECEIPTS TX 900.00 .00  
 BUILDING MAINTENANCE/REPAIR 900.00 .00

\*\*DEPT

CAPITAL OUTLAY GROSS RECEIPTS TX

10,599.79

.00

CO/BUILDINGS & IMPROVEMENTS 7,899.50  
 CO/ROAD CONSTRUCTION/RECONSTRUCT 2,700.29

\*\*TOTAL 10,599.79  
 SENIOR CITIZEN'S FUND 833.33  
 SENIOR CITIZEN'S PROGRAM 833.33  
 PROFESSIONAL SERVICES 833.33

\*\*DEPT 631-57-2272 2,750.00  
 JUVENILE JUSTICE GRANT .00

\*\*DEPT 635-67-2272 2,750.00  
 CYFD JUVENILE JUSTICE GRANT FY19 2,750.00  
 PROFESSIONAL SERVICES 2,750.00

\*\*TOTAL 27.56  
 RURAL ADDRESSING 27.56

\*\*DEPT 675-07-2207 27.56  
 RURAL ADDRESSING 27.56  
 TELECOMMUNICATIONS 27.56

\*\*TOTAL 54.56  
 P&Z COURT FEES 54.56

\*\*DEPT 685-08-2201 54.56  
 PLANNING & ZONING 54.56  
 VEHICLE MAINTENANCE/REPAIR 27.00  
 TELECOMMUNICATIONS 27.56

\*\*TOTAL 310.38  
 DOMESTIC VIOLENCE GRANT 310.38

\*\*DEPT 690-09-2207 310.38  
 WIND FILT 310.38  
 TELECOMMUNICATIONS 55.00  
 EQUIPMENT MAINTENANCE/REPAIR 57.58  
 EQUIPMENT LEASES 197.80

\*\*TOTAL 1,451.10  
 EMERGENCY-911 FUND 1,451.10

\*\*DEPT 911-80-2203 1,451.10  
 911-DISPATCH CENTER 1,451.10  
 MAINTENANCE CONTRACTS 616.51  
 TELECOMMUNICATIONS 58.96  
 ELECTRICITY 435.47  
 HEATING/GAS/PROPANE 207.58  
 SAFETY EQUIPMENT 132.58

BANK01 532,672.53  
 WELLS FARGO 532,672.53

\*\* BANK TOTALS \*\* .00  
 532,672.53

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*Agenda Item  
No. 10-A*

Parcel ID# \_\_\_\_\_  
Torrance County Planning & Zoning

**Application for Special Review and Approval**

- Check One:  Establishment or Renewal of a Solid Waste District  
Establishment of a Special Use (\$1,500.00 filing fee)
- Modification of Land Use within a Special Use Zone District  
\$200.00 filing fee
- Renewable Conditional Use Permit \$200.00 filing fee
- Variance for the Following Reason(s): \$200.00 filing fee
- |  |   |
|--|---|
| <input type="checkbox"/> Area              | <input type="checkbox"/> Setback                    |
| <input type="checkbox"/> Distance          | <input type="checkbox"/> Off-Street Parking/Loading |
| <input type="checkbox"/> Use               | <input type="checkbox"/> Dwellings per Lot          |
| <input type="checkbox"/> Livestock Numbers | <input type="checkbox"/> Home Based Business        |

Applicant: Pacific Wind Development, LLC Telephone: 307-638-6091

Mailing Address: 229 Stetson Dr. Cheyenne, WY 82009

Agent (if any): Mark Stacy Telephone: 307-638-6091

Mailing Address: 229 Stetson Dr. Cheyenne, WY 82009

Reason for requested Special Review and Approval (For Variances, include the exceptional conditions you believe justify the request):

SEE ATTACHMENT 1

Location of Property (Street Address and Legal Description of Property):

SEE ATTACHMENT 2

Zoning of Property: \_\_\_\_\_ Present Use: GRAZING

Instructions: In accordance with Section 26B and Resolution 2014-50, this application must be accompanied by the filing fee of \$200.00 (unless applying for a Special Use District). Also include 10 copies of an accurate sketch plan showing the location of the property in question; locations of structures on the property and adjoining properties; all abutting streets and alleys; proposed special exceptions; and north arrow. Please attach a copy of the Deed and Recorded Survey.

Applicant's Signature: 

**FOR OFFICE USE ONLY:**

Application Received by: \_\_\_\_\_ Date: \_\_\_\_\_

Hearing Date: \_\_\_\_\_

Action Taken: \_\_\_\_\_

Date: \_\_\_\_\_

Expiration Date of Renewable Conditional Use Permit: \_\_\_\_\_

NOTE: Any special conditions or agreements should be in writing and attached to this application.

## ATTACHMENT 1

***Reason for requested Special Review and Approval (For Variances, include the exceptional conditions you believe justify this request):***

This request for Special Review is to modify the number and height of turbines included in the initial application for the El Cabo Project submitted by Pacific Wind Development, LLC (PWD) to the Torrance County Planning and Zoning Department dated November, 2010. PWD stated in our El Cabo application that the Project would include 149 wind turbines. The Torrance County Board of Commissioners approved the application for Special Use on the 23<sup>rd</sup> of February, 2011. Since receiving that approval, the El Cabo Wind project has been completed and is currently commercially operational. The El Cabo project includes 142 wind turbine generators within a portion of the El Cabo Renewable Energy Special Use District (SUD). Of the approximately 87,000 acres approved for the SUD, the operational El Cabo project encompasses about 58,000 acres. PWD now wishes to construct additional wind turbine generators, using some of the remaining land, which will result in the initial estimate of 149 turbines being exceeded.

Therefore, Pacific Wind LLC requests approval to increase the number of wind turbine generators within the prior approved El Cabo SUD from 149 to 300. Additional infrastructure including a new project substation, switching station, overhead collector system, generation-tie line, operations and maintenance building, and other appurtenant facilities will also be required. This will allow Pacific Wind to pursue opportunities that will result in additional projects being built in Torrance County. The area for which this Special Review is requested is illustrated and described by maps and legal descriptions contained in Attachment 2.

Turbine locations and heights have been negotiated with the U.S. Department of Defense. These turbines may be as tall as 599 feet. Filings have been made with the FAA for Determinations of No Hazard for these locations. We anticipate receiving these determinations in the near future, although they have been delayed by the recent Government Shutdown. This project will not proceed without receiving these determinations.

Typical turbine specifications are included at Attachment 3.

# ATTACHMENT 2

**El Cabo SUD  
Additional  
Proposed Infrastructure**  
Santa Fe & Torrance County,  
New Mexico



- Legend**
- Preliminary Turbine Location
  - Preliminary Overhead Collector Line
  - Preliminary Underground Collector Line
  - Preliminary Alternate Access Road
  - Preliminary Access Road
  - Preliminary Gen-Tie Line
  - Preliminary Substation
  - Preliminary Switching Station
  - Preliminary O&M Facility
  - El Cabo Special Use District
  - Future Development
  - Previously Developed
  - State Land

8N 12E

285

Preliminary  
Switching  
Station

11.5E

7N.12E

Preliminary  
O&M Facility

4N 14E

4N 11E

4N 12E

4N 13E

## **ATTACHMENT 2**

### **LEGAL DESCRIPTION**

#### **T5N R12E:**

All of sections 25, 34, 35, and 36.

That portion of section 24 lying south of the Atchison Topeka and Santa Fe Railway.

All of section 27 EXCEPT for the following: starting at the northeast corner of section 27, then west 825 feet, then south 2095 feet, then northeast parallel to the Atchison Topeka and Santa Fe Railway 1045 feet, then north 1440 feet to the place of beginning.

#### **T5N R13E:**

All of sections 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, 34

All of section 19 except that portion north and west of the Atchison Topeka and Santa Fe Railway

#### **T4N R12E:**

All of section 24

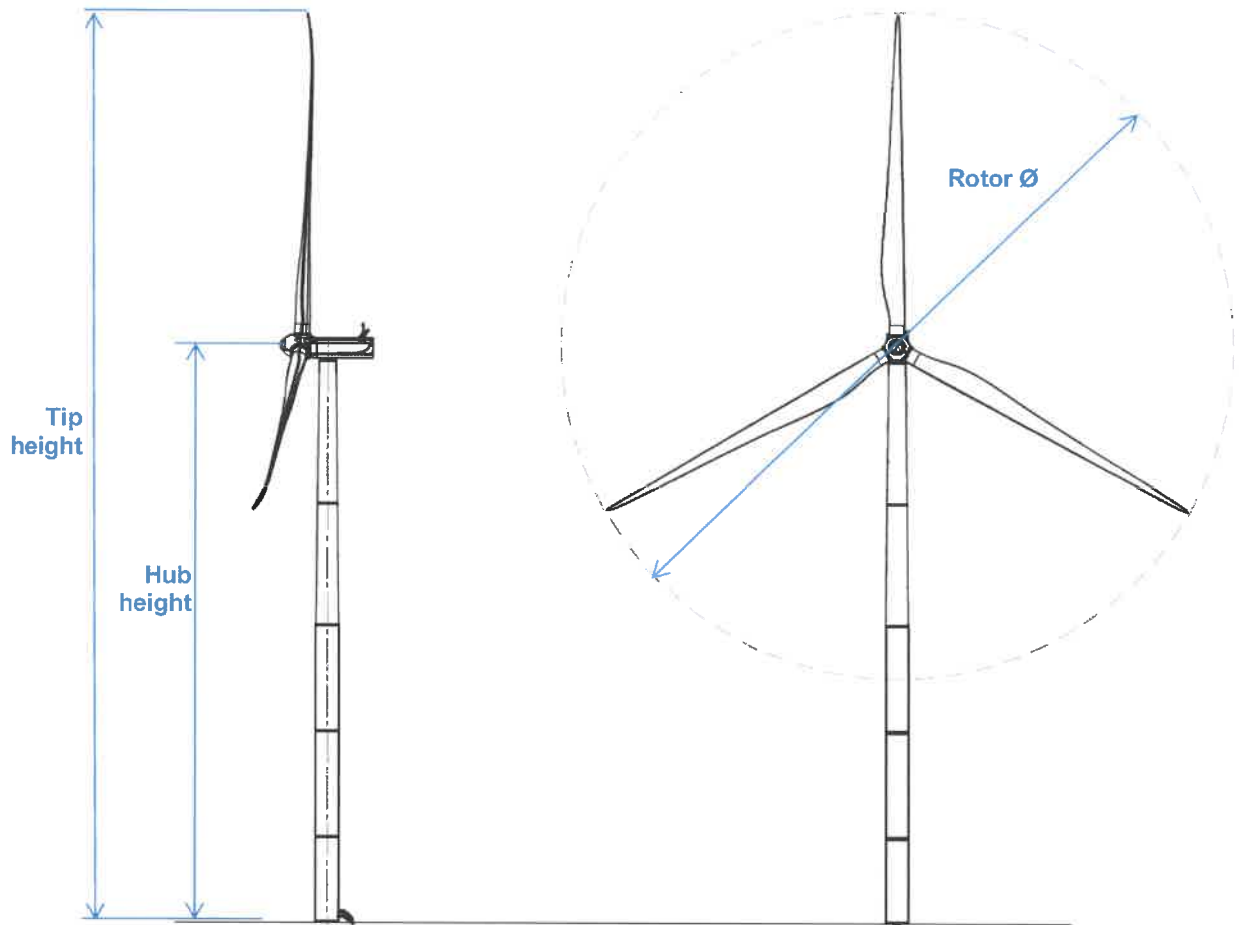
#### **T4N R13E:**

All of sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, and 30

The following areas in section 23: The NW 4, the W2 of the NE4, the N2 of the SW4, and the NW4 of the SE4

# ATTACHMENT 3

## Elevation Drawing



Tip height	180m
Hub height	107.5m
Rotor diameter	145m

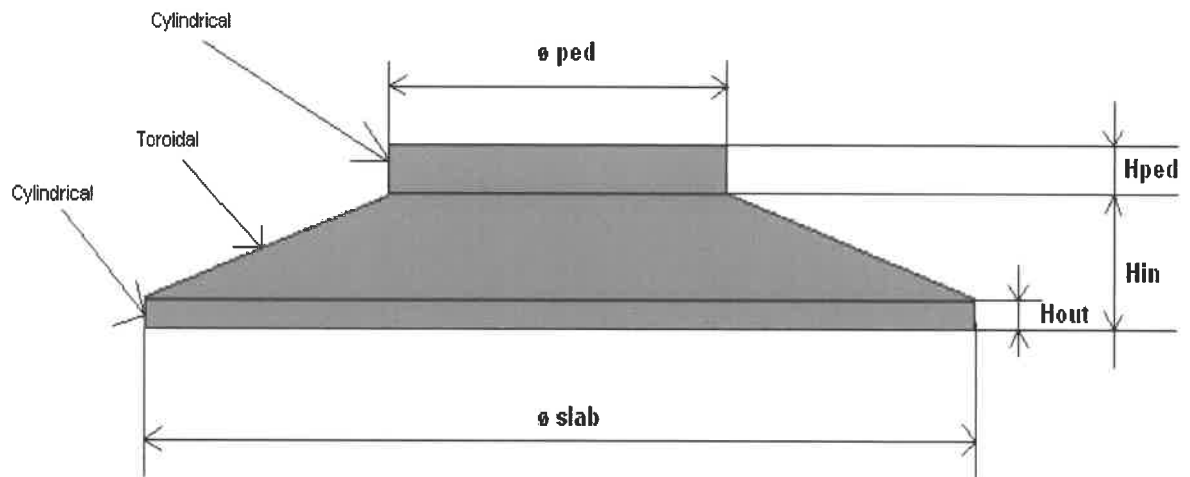
## ATTACHMENT 3

### Estimated Foundation Design

Hub height: 107.5 m

#### Volumes

Concrete volume ~529.18 m<sup>3</sup>, C35/45 – C40/50 MPa  
Reinforcement steel ~55410 kg, B 500 S



FOUNDATION GEOMETRY	
$\varnothing_{slab}$ = Slab diameter [m]	21.50
Hout= Outer edge height [m]	0.50
Hin= Inner edge height [m]	2.60
$\varnothing_{ped}$ = Pedestal diameter [m]	5.50
Hped= Pedestal height [m]	0.50

The estimated foundation design is based on the following assumptions:

- Gravity based flat foundation without buoyancy
- Specific weight of backfill 18.0 kN/m<sup>3</sup>
- Friction angle 30.0°

Additional factors that may impact the foundation design:

Soil conditions, country, designer practice, national codes and standards.

**EXCERPT  
OF  
ORIGINAL SPECIAL USE  
REGARDING GENERATOR  
TOWER NUMBERS**



**EL CABO WIND PROJECT  
ZONING ORDINANCE AMENDMENT/SPECIAL USE DISTRICT AND HEIGHT VARIANCE**

**6.5 WIND ENERGY**

**6.5.1 Electricity Generation**

As planned, the Project would consist of 149 Gamesa 2.0 MW G90 wind turbines, to generate 298 MW of clean, renewable energy. A total of 298 MW of wind generation capacity is equivalent to the energy usage of approximately 69,000 homes in the southwest region of the U.S. However, as discussed previously, the turbine vendor, size, number, and actual generating capacity have not yet been determined. This application describes impacts for the most likely turbine size that represents typical scale and impacts of turbines that could potentially be used by the Project. The minimum turbine layout would be 99 3.0-MW turbines. The maximum turbine layout would be 199 1.5-MW turbines. The final layout would have 99 to 199 turbines, with any combination of 1.5-MW turbines to 3.0-MW turbines. The total number of turbines would not exceed 199 and the total MW would not exceed 298.

**6.5.2 Interconnection and Transmission**

IBR filed an interconnection request with PNM for the Project effective on May 30, 2007. PNM subsequently completed Feasibility, System Impact, and Facilities Studies for the interconnection of the Project to the PNM 345 kV system. Negotiation of the Project Large Generator Interconnection Agreement (LGIA) is currently underway between PNM and IBR, and an executed LGIA is anticipated by November 2010. The LGIA would allow the Project to interconnect and deliver its full energy output to the Point of Interconnection, where IBR may use currently available transmission capacity to transmit the power to points on the PNM grid.

Energy from the Project would be delivered to the PNM interconnected grid via a new 345-kilovolt (kV) transmission line to be constructed by the Applicant from the Project substation to a new 345-kV interconnection switch station, located in San Miguel County.

The new 345-kV transmission line would be an overhead transmission line, constructed on wood "H" frame structures running north approximately 27.74 miles from the Project substation (approximately 11.27 miles within the Project Area, 24.22 miles within Torrance County, and 3.52 miles on New Mexico State Land within San Miguel County). The transmission line would interconnect with the existing PNM BA-Blackwater 345-kV line at a point approximately 5 miles northwest of Clines Corners, San Miguel County, New Mexico. The new PNM interconnection switch station would be a 345-kV ring bus configuration constructed adjacent to the existing PNM right-of-way, and would become the Point of Interconnection where the Project can deliver energy to the PNM grid. PNM will engineer and design the new interconnection switch station per the terms of the LGIA. See **Exhibit A**, Project Overview for location of proposed interconnection and **Exhibit K**, Transmission Line Tower Detail Drawing for an example of typical support structures.

**6.5.3 Power Market**

IBR carries out power supply transactions with over 50 companies nationwide on a regular basis, including public utility districts, investor owned utilities, electric cooperatives, and federal power marketing administrations. The Applicant is currently pursuing power purchase options.

# TORRANCE COUNTY

NOTICE OF ACTION ON THE PORTION OF THE  
EL CABO WIND PROJECT LYING SOUTH OF HWY 60  
FOR W/T. 5N R12413E & T. 4N R. 12413E FOR  
MODIFICATION OF SPECIAL USE TO INCREASE &  
GENERATOR NUMBER & ENERGY OUTPUT  
THE COUNTY ZONING BOARD HAS SCHEDULED A PUBLIC MEETING ON (DATE/TIME)

\_\_\_\_\_  
THE COUNTY HAS SCHEDULED A PUBLIC MEETING ON (DATE/TIME)

\_\_\_\_\_  
THE COUNTY HAS SCHEDULED A PUBLIC HEARING ON (DATE/TIME)

MARCH 13, 2019 9:00AM

AT THE COUNTY ADMINISTRATIVE BUILDING  
FOR INFORMATION CALL (505) 544-4391 OR FAX (505) 384-5294

THIS SIGN SHALL BE POSTED

FROM 2/26 TO 3/14

IT IS ILLEGAL FOR AN UNAUTHORIZED PERSON TO REMOVE OR TAMPER WITH THIS SIGN

02/26/2019 07:54

# TORRANCE COUNTY

NOTICE OF ACTION ON THE PORTION OF THE  
EL CERRILLO WIND PROJECT LYING SOUTH OF HWY 60 W/IN T. 5N,  
FOR R. 12 & 13E & T. 4N, R. 12 & 13E FOR MODIFICATION  
OF SPECIAL USE TO INCREASE NUMBERS OF GENERATORS &  
ENERGY OUTPUT.

THE COUNTY ZONING BOARD HAS SCHEDULED A PUBLIC MEETING ON (DATE/TIME)

\_\_\_\_\_ THE COUNTY HAS SCHEDULED A PUBLIC MEETING ON (DATE/TIME)

\_\_\_\_\_ THE COUNTY HAS SCHEDULED A PUBLIC HEARING ON (DATE/TIME)

MARCH 13, 2019 9:00AM

AT THE COUNTY ADMINISTRATIVE BUILDING  
FOR INFORMATION CALL (505) 544-4391 OR FAX (505) 384-5294

THIS SIGN SHALL BE POSTED

FROM 2/26 TO 3/14

IT IS ILLEGAL FOR AN UNAUTHORIZED PERSON TO REMOVE OR TAMPER WITH THIS SIGN. W0212612019 08:09



# TORRANCE COUNTY

NOTICE OF ACTION ON THE PORTION OF THE  
ELCABO WIND PROJECT LYING SOUTH OF HWY 60 WITH  
FORTS NR R12413E & T.4N.R12413E FOR MODIFICATION  
OF SPECIAL USE TO INCREASE NUMBER OF GENERATORS  
THE COUNTY ENERGY OUTPUT

THE COUNTY ZONING BOARD HAS SCHEDULED A PUBLIC MEETING ON (DATE/TIME)

THE COUNTY HAS SCHEDULED A PUBLIC MEETING ON (DATE/TIME)

THE COUNTY HAS SCHEDULED A PUBLIC HEARING ON (DATE/TIME)  
MARCH 13, 2019 9:00 AM

AT THE COUNTY ADMINISTRATIVE BUILDING  
FOR INFORMATION CALL (505) 544-4391 OR FAX (505) 384-5294  
THIS SIGN SHALL BE POSTED

FROM 2/26

TO 3/14

IT IS ILLEGAL FOR AN UNAUTHORIZED PERSON TO REMOVE OR TAMPER WITH THIS SIGN

02/26/2019

08:27

# TORRANCE COUNTY

NOTICE OF ACTION ON THE PORTION OF THE  
EL CABO WIND PROJECT LYING SOUTH OF HWY 60  
FOR WINTAN, RIZE & R. 13E & T. 5N, RIZE & R. 13E.  
FOR MODIFICATION OF SPECIAL USE TO INCREASE  
GENERATOR NUMBERS & ENERGY OUTPUT.  
THE COUNTY ZONING BOARD HAS SCHEDULED A PUBLIC MEETING ON (DATE/TIME)

\_\_\_\_\_  
THE COUNTY HAS SCHEDULED A PUBLIC MEETING ON (DATE/TIME)

\_\_\_\_\_  
THE COUNTY HAS SCHEDULED A PUBLIC HEARING ON (DATE/TIME)

MARCH 13, 9:00 AM

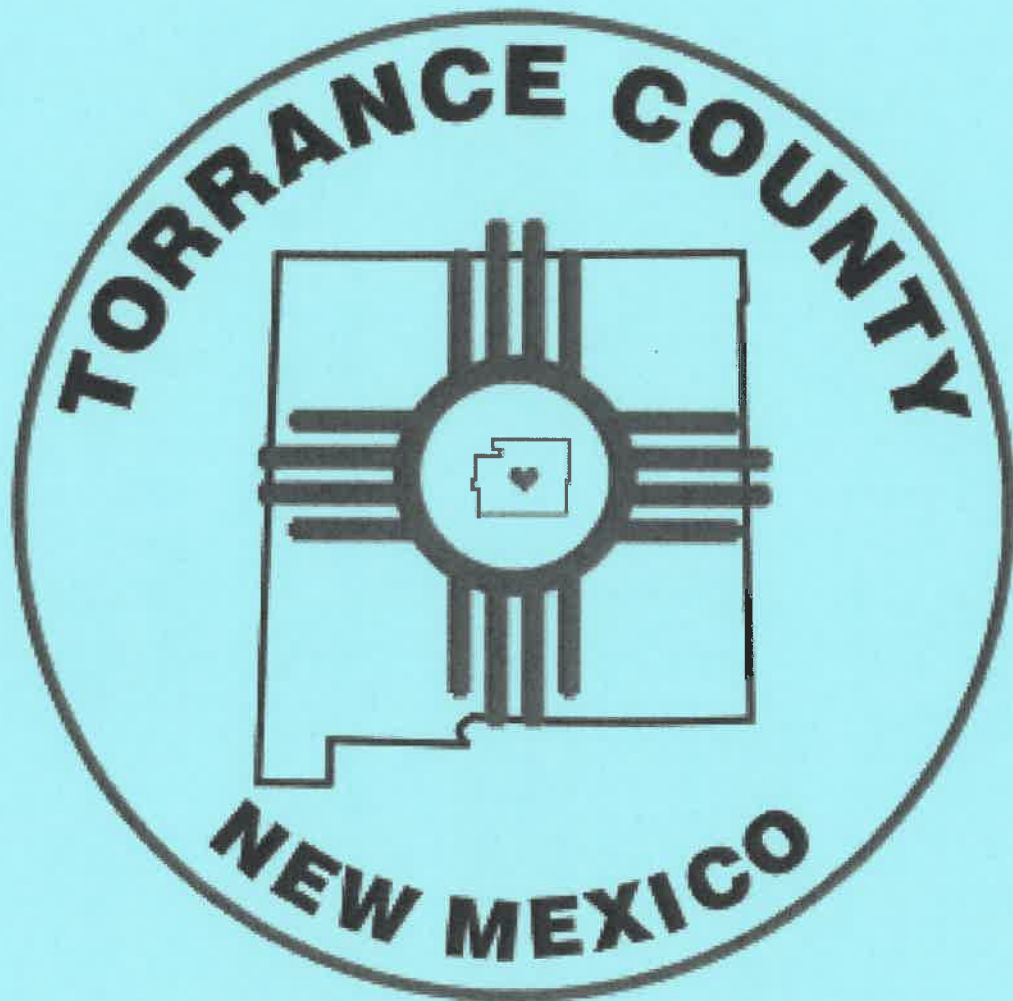
AT THE COUNTY ADMINISTRATIVE BUILDING  
FOR INFORMATION CALL (505) 544-4391 OR FAX (505) 384-5294

THIS SIGN SHALL BE POSTED

FROM 2/26 TO 3/14

IT IS ILLEGAL FOR AN UNAUTHORIZED PERSON TO REMOVE OR TAMPER WITH THIS SIGN

02/26/2019 08:46



*Agenda Item  
No. 11*





*Agenda Item  
No. 12-A*

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**TORRANCE COUNTY  
BOARD OF COUNTY COMMISSONERS  
RESOLUTION NO. 2019- 15**

**A RESOLUTION ADOPTING RULES OF PROCEDURES**

**WHEREAS**, The Board of County Commissioners is charged with protecting the health, safety and welfare of the citizens of Torrance County; and

**WHEREAS**, it is the responsibility of the Board to create through legislation the policies and procedures the goal of which is to provide the infrastructure and services necessary to support that charge; and

**WHEREAS**, the Board is responsible for the collection and expenditure of substantial public monies; and

**WHEREAS**, in order to effectively and consistently create budgets, operational policies, and ordinances to promote the common welfare of the citizens of Torrance County it is desirous and necessary for a legislative body to implement a set of policies and procedures; and

**NOW, THEREFORE BE IT RESOLVED** that the Torrance County Commission does hereby adopt the attached document entitled “Torrance County Board of County Commissioners Rules of Procedure” repealing and replacing any previous rules or policies governing the operation of the Board of County Commissioners.

**BE IT FURTHER RESOLVED** that the Torrance County Board of County Commissioners Rules of Procedure apply to all boards and commissions created by or under the jurisdiction of Torrance County.

**DONE THIS 25<sup>th</sup> DAY OF FEBRUARY, 2019.**



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**APPROVED AS TO FORM ONLY:**

**BOARD OF COUNTY COMMISSIONERS**

\_\_\_\_\_  
County Attorney                      Date

\_\_\_\_\_  
Ryan Schwebach, Chair

\_\_\_\_\_  
Kevin McCall, Member

\_\_\_\_\_  
Javier Sanchez, Member

**ATTEST:**

\_\_\_\_\_  
Linda Jaramillo, County Clerk

Date: \_\_\_\_\_

**Torrance County Board of County Commissioners  
Rules of Procedure**



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2. Commission Meetings – Regular Administrative ..... 3

3. Commission Meetings – Special ..... 3

4. Commission Meetings – Emergency ..... 4

5. Informal Commission Meetings – Inspection Trips, Retreats ..... 4

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11. Agenda Material ..... 6

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### 1. Commission Meetings Open to the Public.

All meetings of a quorum of the Torrance County Board of County Commissioners ("Commission") shall be open to the public except where specifically provided for in the State of New Mexico's Open Meetings Act, NMSA (1978), §10-5-2. Meetings of the Commission shall be subject to all of the following:

The Commission shall follow all statutory requirements in conducting meetings exempt from the requirements of the New Mexico Open Meetings Act, NMSA (1978) § 10-15-1, including but not limited to meetings pertaining to personnel matters, collective bargaining, licensing, business regulation, litigation or as otherwise allowed by law when held in compliance with required notification procedures.

- A. Public admittance into the Commission chambers or other meeting rooms shall be limited when necessary to comply with fire code capacity requirements. In such instances, the Commission may make other rooms available to those desiring to participate in the meetings.
- B. Regular, Special and Emergency meetings of the Commission will be conducted in a publicly owned or controlled building in the county, in compliance with governing law.
- C. For public safety purposes, no signs or placards mounted on sticks, posts, poles or similar structures will be allowed in County Commission meeting rooms. Other signs, placards, or banners shall be permitted provided they do not disrupt meetings or otherwise interfere with any person's ability to observe the meeting, as determined by the Commission. The Commission retains the right to remove disruptive attendees from Commission meetings.
- D. All persons with disabilities shall be provided assistance necessary to enable them to effectively participate in Commission meetings.

### 2. Commission Meetings – Regular Administrative.

Regular Administrative meetings of the Commission shall begin at 9:00 A.M. on the second and fourth Wednesdays of each month at the Torrance County Administrative Building 205 South 9<sup>th</sup> Street, Estancia, NM, unless advance notice of a change in this schedule is provided to the public. Prior notice of such change shall be provided to the public and the media in accordance with the current Open Meetings Resolution. This meeting schedule may be adjusted by the Commission to accommodate holidays, County closures, and other special circumstances as determined by the Commission.

### 3. Commission Meetings – Special

Special meetings shall be held as required by law or upon the request in writing by the Chair of the Commission to the County Manager. Special Meetings may also be called by ~~an~~ two Commissioners but only where if the Board of County Commissioners consists of more than three members.

- A. The public notice for a special meeting shall contain the time and location of the meeting, as well as the business to be conducted.
- B. Special meetings may be scheduled on any day and at any reasonable time, and are not limited to the meeting schedules set forth herein.
- C. An agenda outlining the business to be conducted will be available from the County Manager's office and on the County's official Website prior to the meeting. No business other than items listed on the agenda shall be conducted. During special meetings, public comment shall only be permitted on the items listed on the agenda if applicable, and no separate public comment period shall be included on the agenda.



#### **4. Commission Meetings – Emergency**

Any Commissioner or the County manager may call, orally or in writing, an emergency meeting to address any unforeseen circumstances that, if not addressed immediately by the Commission, will likely result in injury or damage to persons or property or substantial financial loss to the County.

- A. The public notice for an emergency meeting shall contain the time and location of the meeting, as well as the business to be conducted.
- B. Emergency meetings may be scheduled on any day and at any reasonable time, and are not limited to the meeting schedules set forth herein.
- C. An agenda outlining the business to be conducted will be available from the county Manager's office and on the County's official Website prior to the meeting. No business other than items listed on the agenda shall be conducted.

#### **5. Informal Commission Meetings – Inspection Trips, Retreats.**

The Chair, Commissioner, or County manager may schedule informal meetings, inspections, trips, or retreats. When a quorum of the Commission will be present, notice of these meetings shall be given in the same manner as special meetings. Minutes of these meetings shall be made by an individual designated by the Chair.

#### **6. Public Comments.**

At Regular Administrative meetings individuals may address the Commission on items not on the agenda during the Public Comment period. All persons providing public comment shall adhere to the requirements set forth in Section 7, Addressing the Commission. Individuals who wish to submit written public comment may do so by providing such comments to the person designated by the County Manager at the beginning of the meeting. The Commission shall not take formal action on public comment. When inquiries and comments are brought before the Commission, other than for items already on an agenda, the Chair may first determine whether the issue is legislative or administrative in nature and then:

- A. If legislative, and the comment or inquiry is about the letter or intent of legislative acts or suggestion for changes to acts the Commission may refer the matter to the County Manager and/or the County Attorney for review and recommendation.
- B. If administrative, and the comment or inquiry is regarding the performance of administrative staff, administrative interpretation of legislative policy, or administrative policy within the authority of the County manager, the Commission may then refer the complaint directly to the County Manager for review.
- C. Employees of the County may address the Commission on matters of public concern. Employee comments that address an active grievance/arbitration, active litigation, active negotiation, or a personnel dispute will not be entertained as a part of Public Comment. Employees will be advised of the appropriate forum and process for presenting or discussing such matters.

#### **7. Addressing the Commission.**

Individuals desiring to address the Commission on a matter pending before it, or with respect to a matter that requires the attention of the Commission, may do so upon recognition and introduction by the Chair. To ensure that everyone has a fair opportunity to participate, these procedures will be followed:

- A. Prior to the beginning of a meeting or public hearing, all persons who wish to be heard shall sign in with county staff using a form provided for that purpose and provide all requested information including but not limited to their name and district. If a sign-in sheet is required, any person who does not sign in may be permitted to speak only with the permission of the Chair or at the request of a Commissioner.
- B. All persons addressing the Commission shall comply with the following:



- a. After being recognized, the person should step up to the podium and give their name and address (unless it is a County employee in which case the employee shall identify their department and job title);
  - b. Unless additional time is granted by the Chair, comments must be limited to two (2) minutes;
  - c. No person may speak more than once on the same agenda item unless granted permission by the Chair.
  - d. A speaker may not cede time to another speaker except with the approval of the Chair.
  - e. No speakers will be accommodated after the Public Comment Session is closed. This provision does not include items that require a public hearing.
  - f. The chair retains the right to stop any speaker who does not comply with these rules, uses profane or offensive language, and/or makes inappropriate comments.
  - g. Written comments of individuals who cannot be physically present will not be read aloud at the meeting, but may be distributed to the Commissioners for their consideration.
- C. No person other than a member of the Commission, and the person having the floor, may be permitted to enter into any discussion, either directly or through a member of the Commission, without permission of the Chair.
  - D. A person may not interfere with, or interrupt, the orderly procedure of the Commission, any Commissioner, or the person speaking who has been properly recognized by the Chair.
  - E. If the Chair or the Commission declares an individual out-of-order, they will be requested to relinquish the speaker's rostrum. If the person does not do so, they are subject to removal.

#### **8. Disturbing Meetings.**

No person shall disturb or behave in a disorderly manner at any meeting of the Commission. All individuals attending the meetings shall be seated so as not to block the view of other attendees. Individuals may be allowed to stand at the back of the chambers unless they are disruptive or prohibited by law. Cell phones shall be turned off or silenced during the meetings. Any person in violation of these Rules will be asked to leave or will be escorted out of the chambers by a lawful custodian of the building.

#### **9. Public Records**

Pursuant to the New Mexico Inspection of Public Records Act, all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, email messages, or other material, regardless of physical form or characteristics, made or received pursuant to law or in connection with the transaction of official business by the County, its elected officials and employees are public records. A public record (including information stored in computers) is open to the public inspection and duplication, unless exempted by law.

- A. If the purpose of a document prepared in connection with the official business of the County is to perpetuate, communicate or formalize knowledge, then it is a public record regardless of whether it is in final form, or the ultimate product of an agency.
- B. Request for copies of public information should be made through the County Clerk's office. The cost of replication shall be set in accordance with New Mexico State Statute and the County's Administrative Instructions.
- C. All electronic communication between Commissioners, or between Commissioners and staff, which pertain to County business should be completed using County devices and/or email addresses issued by the County for such individuals. Communications not related to County business should be completed using personal devices and/or non-County email addresses.



#### 10. Preparation of Agenda – Regular Administrative Meetings.

- A. The County Manager or designee shall prepare the agenda. Any Commissioner, Elected Official, the County Manager, or the County Attorney may place an item on the agenda provided that a complete agenda item and all necessary documents are submitted to the County Manager prior to 4:30 PM seven (7) business days prior to a Regular Administrative Meeting.
- B. No item shall be added to the agenda for a Regular Administrative Meeting after the deadline except upon the approval of a majority of the Commissioners and in accordance with the requirements set forth in Section 12A(3). Permission shall not be granted in cases where the notice requirements of the County's Open Meetings Resolution and the State of New Mexico Open Meetings Act will not be met.
- C. The Chair and County Manager shall meet to discuss the agenda before each meeting. Items set for final action on a Regular Administrative Meeting agenda may be placed on the Consent Agenda by the County Manager after consultation with the Chair if the County manager and the Chair determine that no discussion or amendment is necessary to take final action on the item. Any item placed on the Consent Agenda shall be removed from the Consent Agenda and placed in the appropriate section of the Agenda at the request of any Commissioner.

#### 11. Agenda Material.

A copy of the agenda and supporting materials shall be prepared for each Commissioner and made available to them no later than the close of business six (6) days prior to the Regular Administrative meeting. The agenda and supporting materials shall also be made available to the public and the media in accordance with the Commission's Open Meetings Resolution and shall be available for review in the County Manager's Office and on the County's official website.

#### 12. Meeting: Order of Business.

- A. For Regular Administrative meetings, the Commission may consider business in the following order, provided that the Chair has authority to change the order of items on the agenda to more expeditiously conduct the business before the Commission:
  1. Call to Order
  2. Invocation and Pledge of Allegiance
  3. Changes to the Agenda (Action Item)
  4. Proclamations
  5. Certificates and Awards
  6. Board and Committee Appointments (Action Item)
  7. Public Comment and Communications
  8. Approval of Minutes (Action Item)
  9. Approval of Consent Agenda (Action Item)  
Prior to a vote on the motion to adopt the Consent Agenda, the Chair shall inquire whether any Commissioner desires to have any items withdrawn from the Consent Agenda. If any matter is withdrawn by a member of the Commission, the Chair shall place the item at an appropriate place on the agenda. The Consent Agenda shall be affirmatively acted upon by one non-debatable motion and items on the Consent Agenda may not be amended or substituted.
  10. Adoption of Ordinance / Amendment to the County Code (Action Item)  
Section 10 includes first readings, motions to authorize publication of ordinances, and any agenda item that requires a public hearing.
  11. Adoption of Resolution (Action Item)
  12. Approvals (Action Item)
  13. Discussion
  14. Executive Session (Action Item)



15. Announcement of the next Board of County Commissioners meeting

16. Signing of Official Documents

17. Adjournment

B. The Chair, subject to a Commissioner's right to appeal, may defer items 4, 5, 12, and 13 by postponing them to a date certain at the Chair's discretion if the Chair ~~determines~~ determines such a deferral is necessary in the interest of time and order.

B.C. The Commission shall only take action while considering items in sections 3, 6, 8, 9, 10, 11, 12, 14.

### **13. Quorum.**

A quorum for the transaction of business by the Commission consists of a majority of all Commissioners. Once a quorum has been established, a majority of Commissioners present at the meeting shall be required to carry a motion, unless by statute, ordinance or other regulation, an extraordinary majority of the Commission is required. A quorum must be maintained at all times during Commission meetings.

### **14. Required Attendance of Officials and Staff.**

In addition to Commissioners, County officials whose regular attendance shall be required at meetings of the Commission are the County Clerk, County Manager, County Attorney, or their designees. Any Commissioner leaving a Commission meeting early, except in the event of an unexpected illness or emergency shall make the Chair aware of such departure as early as possible. No Commissioner or County official whose attendance is required shall be permitted to appear or participate by telephone or other electronic media at any Regular Administrative Meetings without prior written approval of the Chair and notification of the County Manager. A Quorum for Regular Administrative Meetings shall require the physical presence of at least a majority of duly elected members of the Board. All members of the public individuals who wish to participate in Regular Administrative Meetings must be personally present. Commissioners may participate in Special and Emergency meetings by means of a conference telephone or similar communications equipment when it is otherwise difficult or impossible for the Commissioner to attend the meeting in person, provided that the requirements of the Open Meetings Act, NMSA (1978) §10-15-1, *et seq.* are met. A Quorum for Special and Emergency Meetings may be established electronically or telephonically.

### **15. Clerk of the Commission.**

The County Clerk serves as the official Clerk for the Commission in accordance with NMSA (1078 §§ 4-40-3 and 4-40-4, as amended. The County Clerk shall keep the minutes of every Commission meeting and the minutes shall be maintained by the County Clerk and shall be available for inspection during regular County business hours.

### **16. Sergeant-at-Arms.**

The County Manager or their designee, shall be Sergeant-at-Arms of the Commission meetings. The Torrance County Sheriff's Office or designated Security Staff is authorized to assist the County Manager in performing this duty. The County Manager shall carry out all orders and instructions given by the County Commission for the purpose of maintaining order and decorum at the Commission meeting. The following policy will provide guidance in handling disruptions:

- A. If an individual refuses to relinquish the podium after being allowed to address the Commission, the Chair will inform the individual that their time to address the Commission has expired and the Chair will direct the individual to leave the podium.
- B. If an individual causes disruption in the Commission meeting site, the Chair will inform the individual causing the disruption to cease the disruptive activity.
- C. If the individual fails to leave the podium or the disruption continues:





1. The Chair may inform the individual causing the disruption that their actions are contrary to the orderly function of the meeting and that the individual is to cease such action or the SeargeantSergeant-at-Arms will be instructed to remove the individual from the meeting site; and/or direct the individual to leave the meeting site. The Chair will inform the individual that if they are directed to leave and fail to do so, the individual will be subject to arrest for trespass.
2. If the disruption fails to cease, the Chair shall be authorized to take final action including having the individual removed from the meeting site. In taking final action, the Chair shall inform the individual causing the disruption that their actions are inconsistent with the orderly function of the meeting and that the Seargeant-at-Arms is instructed to remove them from the building. The Chair may do so by reading the following aloud to the individual: "As the Commission Chair, I inform you that your actions are inconsistent with the orderly function of this meeting and you have failed to comply with atthe lawful order of the Chair. I am instructing the Sergeant-at-Arms, to remove you from this building."

#### 17. Rules of Order and Debate.

- A. The Commissioner making the motion shall be entitled to the floor first for debate. After the maker of the motion has had the opportunity to speak first if they so wish, the Chair shall recognize any other commissioner wishing to speak on the matter for the purpose of debate.
- B. Once recognized, a Commissioner should not be interrupted when speaking except by the Chair to call said Commissioner to order or by another Commissioner calling for a point of order. If a call to order is made, the Commissioner must cease speaking until the question of order is determined, without debate, by the Chair. If it is determined by the Chair that the Commissioner is in order, the Commissioner shall be at liberty to continue speaking as first recognized.
- C. Commissioners shall confine their remarks to the question under discussion or debate, avoiding discussions pertaining to personal matters or conflicts in personalities. No Commissioner shall engage in private discourse or commit any other act tending to distract the attention of the Commission from the business before it.

#### 18. Motions.

- A. No motion shall be entertained or debated until announced by the Chair, and every motion must be seconded in order to be considered for action. If a motion is not seconded, the motion dies. When a question is before the Commission, only the following additional motions shall be entertained and such motions shall have precedence in the following order:
  1. To adjourn
  2. To recess
  3. To reconsider
  4. To table
  5. To move the previous question
  6. To postpone to a time certain (to defer)
  7. To amend or substitute
  8. To postpone indefinitely (defer indefinitely)
  9. All other motions
- B. A motion to adjourn, to recess, to table, or to move the previous question shall be decided without debate and cannot be amended. All other motions are debatable.
- C. A motion to move the previous question must be approved by a majority of those present and voting, and may apply to only the immediate pending question.
- D. A motion to amend or substitute shall be clearly stated.



- E. A motion to adjourn when no fixed time is set shall mean an adjournment to the next Regular Administrative Meeting of the Commission.
- F. Tabled items shall be considered prior to the adjournment of the meeting in which it was tabled. If a tabled item is not considered prior to adjournment, it will be added to the agenda of the next Regular Commission meeting.

**19. Voting**

The votes during all Commission meetings should be transacted as follows:

- A. Every member present and eligible to vote must give their vote, unless the member has publicly stated that they are abstaining from voting due to a conflict of interest. If any Commissioner declines to vote in the affirmative or negative by voice, his or her vote shall be counted as an affirmative vote.
- B. The passage of any motion shall require the affirmative vote of at least a majority of the membership of the Commissioners who are present and eligible to vote. If a motion is not carried by at least a majority, the proposal shall be considered lost. In case of a tie in votes on any proposal, the proposal shall be considered lost.
- C. Any matter requiring a super-majority or unanimous vote of the Commission’s quorum must specifically state the requirement in the written rules governing the matter, or a simple majority shall be presumed.
- D. A Commissioner shall be allowed to change their vote, but only before the result of the Commission’s vote has been announced.
- E. A record of each Commissioner’s vote on all items acted on during the meeting shall be entered in the minutes of each meeting.

**20. Code of Conduct**

In addition to any requirements set forth in the County’s Code of Conduct, any Commissioner who has a direct financial interest or whose spouse or any dependent has a direct financial interest in any matter pending before the Commission shall disclose such interest and shall disqualify themselves from participating in any debate, decision or vote relating thereto. In the event other facts are known to the Commissioner which may create a conflict of interest or otherwise require disqualification of said Commissioner from participating in any action on the matter, the Commissioner shall disclose such potential conflict of interest and shall determine whether disqualification is necessary. Alternatively, the Commissioner may submit the issue to the Commission for its determination of whether disqualification is necessary under the circumstances. The decision of the commission shall be final.

**21. Personal Privilege and Parliamentary Inquiry.**

Any Commissioner may, as a matter of personal privilege, speak for not more than five (5) minutes upon matters which may affect the commission, its rights, its dignity and the integrity of the proceedings. The Chair shall recognize any Commissioner making a parliamentary inquiry.

**22. Ordinances.**

An ordinance is a legislative act which prescribes general, uniform, and permanent rules of conduct relating to the affairs of the county. Action may be taken by ordinance when permitted by law and/or to prescribe permanent rules of conduct, where such conduct may be enforced by penalty. Ordinances continue in force and effect until repealed. All ordinances shall be introduced in writing, and scheduled for public hearing after advertisement.

**A. Introduction, Publication, Adoption and Required Text.**

At a first meeting where an ordinance is to be considered, the proposed ordinance and any amendments thereto shall be introduced on the agenda and the Commission will consider the



ordinance for publication. After publication a minimum of fourteen (14) days prior to enactment, "Final Action" may be taken on the ordinance. The County Clerk shall assign each ordinance a number. The enacting or ordaining clause of any proposed ordinance shall be: "BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF TORRANCE COUNTY, NEW MEXICO this \_\_\_ day of \_\_\_ (month), \_\_\_\_ (year)."

**B. Comment During Public Hearings.**

Prior to the beginning of any public hearing with respect to the proposed adoption of an ordinance or amendment thereto, all persons who wish to be heard sign in with county staff and give their name, and the agenda item. The speaker is required to limit their comments to the particular agenda item and the comments must be germane to the particular agenda item. If a sign-in sheet is required, any person who does not sign in may only be permitted to speak with the permission of the Chair and only after all those who signed in have done so. The Chair is authorized to establish speaker time limits and otherwise control presentation to avoid repetition or comment that is not germane to the item before the Commission. Unless otherwise determined by the Chair, speakers shall be restricted to two (2) minutes.

**23. Public Hearings – Procedures.**

The procedures to be followed for public hearings are generally as follows:

- A. The County Manager or designee should describe the agenda item to be considered, and state the staff recommendation for the item. The Chair should then inquire as to whether any Commissioners have questions for County staff.
- B. Following presentation by County staff, the Chair shall accept public comment on the agenda item.
- C. Following public comment (if any), the Chair shall close the public hearing and inquire as to whether any Commissioner wishes to make a motion on the item. If a motion is made, which is seconded, discussion on the item occurs among the Commissioners.
- D. Before closing discussion on the item, the Chair inquires as to whether there is any further discussion by the Commissioners and/or any final comments or recommendations from County staff.
- E. Once each Commissioner has had no less than one opportunity to speak on a question, the Chair may end discussion on the item and call for a vote.

**24. Resolutions.**

Generally, a resolution is an internal legislative act which is a formal statement of county policy. Commission action shall be taken by resolution when required by law and in those instances where an expression of policy more formal than a motion is desired. All resolutions shall be reduced to writing. Final action may be taken on a resolution on the same day on which it was introduced.

**A. Assignment of Number and Required Text.**

The County Clerk shall assign each resolution a number. The ~~enacting~~ citation clause at the end of the text shall include: "NOW THEREFORE, be it resolved by the Board of County Commissioners, the governing body of the County of Torrance, that \_\_\_\_\_ adopted this \_\_\_ day of \_\_\_ (month), \_\_\_\_ (year)."

**25. Enacted Motions.**

An enacted motion is a form of action taken by the Commission to direct that a specific action be taken on behalf of the County. A motion, once approved and entered into the record, is the equivalent of a resolution in those instances where a resolution is not required by law. All motions shall be made and seconded before debate. Muti-part complex motions shall be required to be submitted as Resolutions as defined by Section 24.



## **26. Reconsideration of Action Previously Taken.**

A motion to reconsider enables the Commission to set aside a vote taken at the same meeting, and to consider that motion again as though no vote has been taken on it.

- A. A motion to reconsider shall be allowed at any time by a Commissioner who is recorded as having voted with the prevailing side, except when a motion on some other subject is pending.
- B. A motion to reconsider shall require the affirmative vote of the Commission's quorum, or the motion shall fail and the vote may not be set aside.

## **27. Corrected Actions**

Any official action taken by the Board while in session that is later found to be in error, either substantive or clerical in nature, shall be corrected at the earliest possible time and returned to the Commission for official action.

## **28. Appeal.**

During a convened meeting of the Commission, an appeal to the Board may be made from any decision of the Chair. In making an appeal to the Board, the Commissioner appealing shall state their reasons thereof, to which the Chair may respond. Such appeals shall be immediately acted upon by the Board and no motion, other than a motion to adjourn, shall be entertained until the question has been decided. A vote of the majority of the Commission's quorum shall be required to sustain an appeal.

## **29. Election of Chair and Vice-Chair**

The procedures for electing officers are as follows:

- A. At the first meeting of the commission in the month of January of each year, the Commission shall elect one of its members to act as Chair of the commission (NMSA 1978 § 4-38-10). The Chair shall serve until the next election of the Chair at the first meeting of the Commission in January of each year.
- B. The Chair from the previous year shall continue as Chair until a new Chair is elected by majority vote. In cases where the Chair from the previous year is no longer a member of the Board of County Commissioners, the Vice Chair shall become the presiding Chair until a new Chair is elected. If both the Chair and Vice Chair are no longer members of the Board, the senior member of the current Board of County Commissioners shall serve as presiding Chair. If both Commissioners have equal seniority, the presiding Chair shall be selected by a flip of a coin.
- C. The presiding Chair calls for nominations for Chair. Nominations do not require a second. Nominations shall not be closed until each Commissioner has had an opportunity to make a nomination. The Chair shall call for a vote on each nomination in the order they were received. The first nominee to receive a majority vote shall become Chair of the Commission immediately and shall serve until January of the following year. If no nominee receives a majority vote, the Chair shall call for a second round of nominations and subsequent vote following the procedure above. If after two votes, the Commission fails to select a Commission Chair by majority vote, the presiding Chair shall continue as Chair of the Commission until January of following year. If a vacancy occurs in the office of the Chair, the Commission shall, at its next meeting, select a Chair for the remainder of the term following the procedure above.
- D. In conjunction with the above election of Chair, a Vice Chair shall be elected in like manner. The Vice Chair continues to have all the rights, privileges and immunities of a member of the Commission. A vacancy in the position of Vice Chair shall be filled at the next Commission meeting.
- E. In case of the absence or temporary disability of the Chair, the Vice Chair serves as Chair during the absence.



### 30. Commission Chair

The Chair presides at all meetings of the Commission. In addition to the powers conferred upon them as Chair, they continue to have all the rights, privileges and immunities of a member of the Commission. The Chair's authority is established by state statutes and these rules. The Chair shall have no authority to act on behalf of the Commission or the County or to set policy or operational practices or procedures unless specifically provided by these rules or state statute. With respect to meetings of the Commission the Chair's responsibilities are as follows:

- A. Call the meeting to order, having ascertained that a quorum is present;
- B. Preserve order and call to order any member of the commission who violates any of these procedures; and when presiding, decide questions of order, subject to a majority vote on a motion to appeal;
- C. Speak to points of order in preference to other Commissioners;
- D. Speak, as may other Commissioners, on general questions from the chair;
- E. Vote upon all questions in the same manner as other Commissioners;
- F. Announce the result promptly upon ~~completion~~ completion of every vote;
- G. Appoint all members of committees that must be filled by a member of the Board whether standing, joint or special. Special committees shall be committees-of-the-whole and limited in time and purpose. They shall designate the chair of each committee.
- H. Designate a Chair for the committee-of-the-whole each time the Board convenes a committee-of-the-whole.
- I. Sign, along with all members of the Board, official actions passed by the Commission, as required.
- J. Sign decision letters arising from decisions made by the Commission regarding land use matters, during zoning meetings, or during other properly noticed meetings of the Commission.
- K. Declare the meeting adjourned when the Commission so votes, or at any time in the event of an emergency affecting the safety of those present;
- L. Assign each Commissioner's seat in the commission chambers;
- M. For time sensitive matters only, send letters to the State and Federal Legislative Delegations representing Torrance County and other government officials in support of local government or community-based organization initiatives within Torrance County, such as legislative changes and grant requests. This authority shall be limited exclusively to those instances where the Board of County Commissioners has taken a position in support of the initiative in its legislative agenda or by some other action, expressed its position on the issue presented.

### 31. Commission Appointments to Boards and Committees.

- A. Members of the County Commission serve on various public bodies created by statute or through agreements with other governmental entities. The Chair shall appoint Commissioners to serve on all such public bodies annually and no later than the third Monday in January of each year.
- B. Whenever the Commission is required to appoint members of the public to serve on public bodies, such appointment shall be done in accordance with these rules or any other rules or procedures which may be established for such public body. Whenever the Commission, or an individual Commissioner is required to appoint members to a public body, the matter shall be considered under the order of business "Board and Committee Appointments" at any Commission meeting.
- C. Unless otherwise specified by resolution, rule, ordinance, or statute, the following process for selecting members of the public to serve on boards and commissions shall be followed:
  - 1. In cases where the number of appointees is equal to the number of Board of County Commissioners, each Commissioner shall have a minimum of one appointee that shall



reside in within their commission district. These appointments shall be considered "District Appointments".

2. In cases where there are more appointments than the number of Commission members, each Commissioner shall have one "District Appointment". The balance of the appointments shall be made through nomination process at a public meeting referred to in Roberts Rules of Order as "Filling the Blank". These positions shall be referred to as "At-Large" appointments. "At-Large" appointments may reside anywhere in Torrance County.

- B.3. If the board or commission has fewer seats than the number of members of the Board of County Commissioners, appointees shall be "At-Large" appointments and shall be selected as described in Section 31C(2) above.

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### **32. Other Matters Not Covered by These Rules.**

Any matter not covered by these rules shall be governed by Robert's Rules of Order (latest edition), or, if not covered by Roberts Rules of Order, by a decision of the Chair, subject to the Right of Appeal set forth in Section 29 herein.

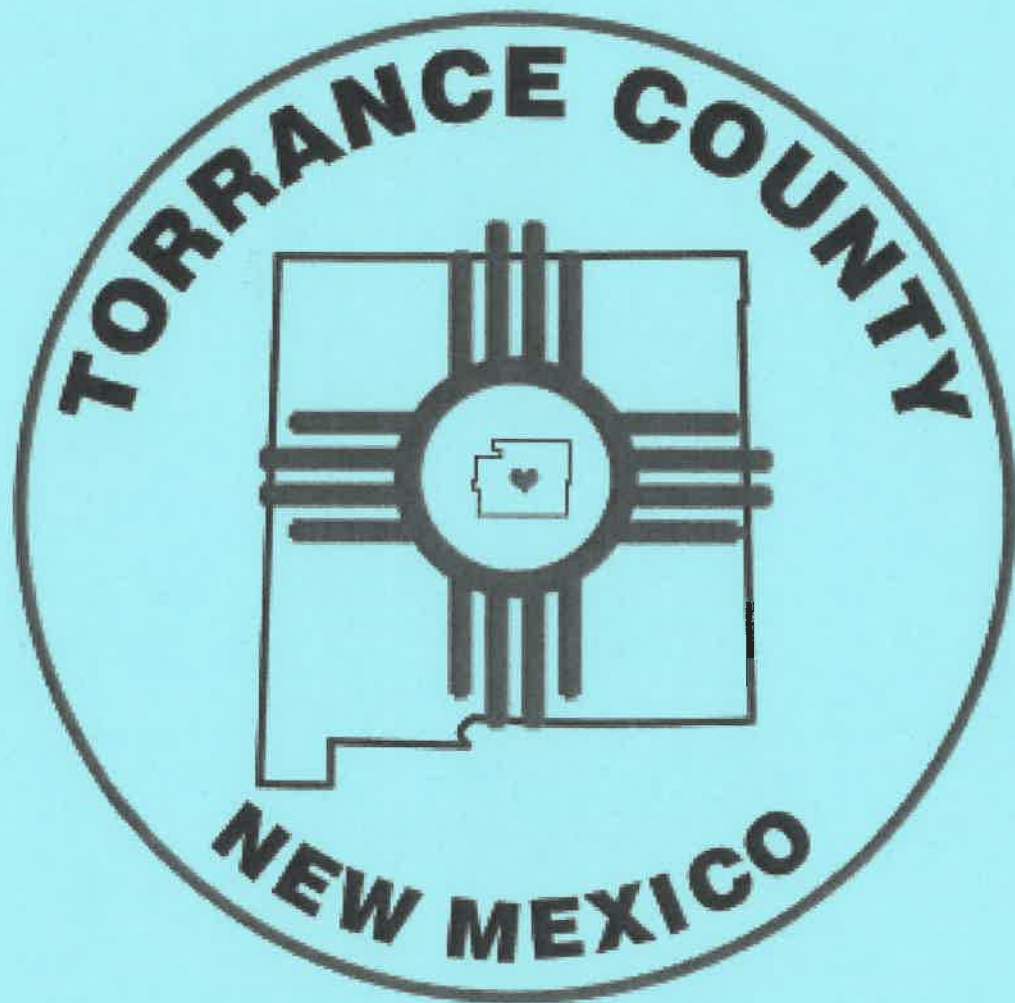
### **33. Suspension of Rules.**

Except for rules related to introduction and adoption of Ordinances, or any rule required under state law, these rules, or any part thereof, may be temporarily suspended by an extraordinary majority vote of the Commission's quorum.

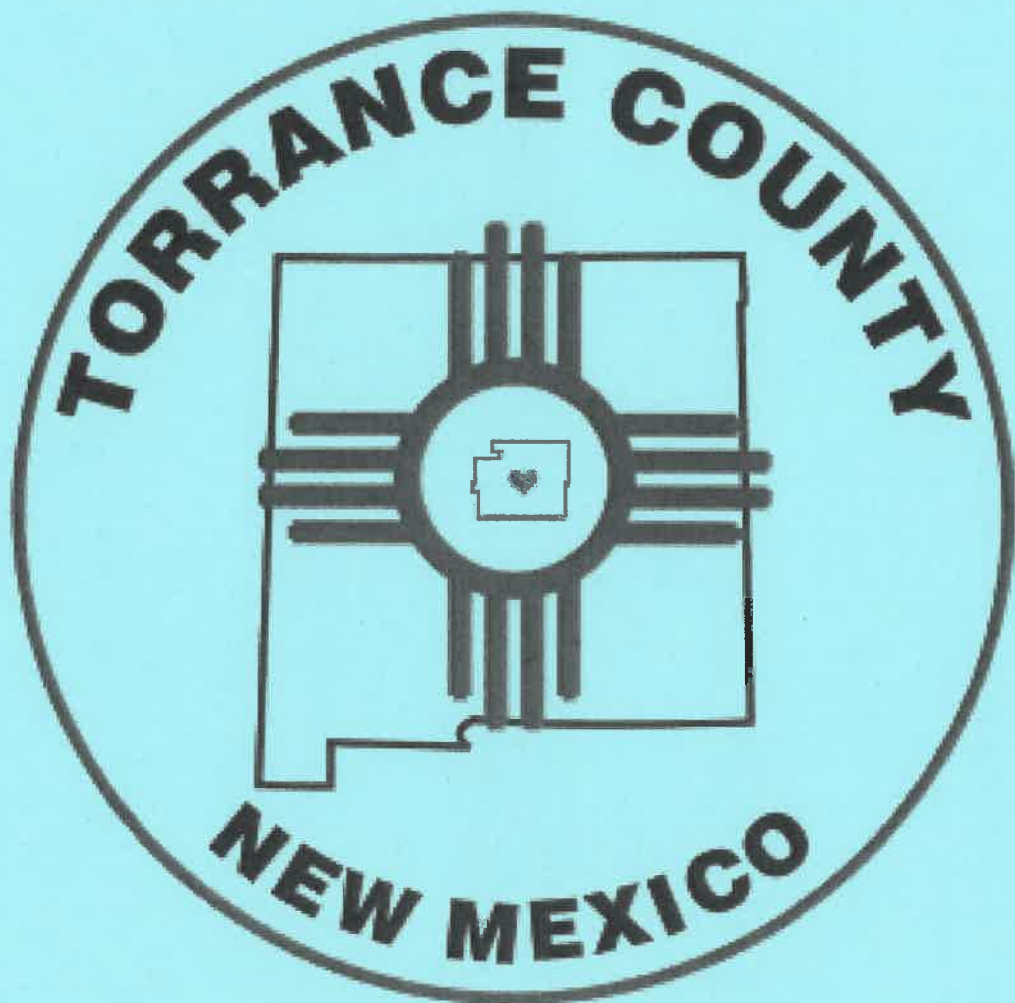
### **34. Amendment of Rules.**

These rules, or any part thereof, may be amended, repealed, altered or rescinded by a majority vote of all Commissioners after two weeks' notice of the intent to amend. Such notice shall be presented in writing at a Regular Administrative meeting.





*Agenda Item  
No. 12-B*



*Agenda Item  
No. 12-C*



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**TORRANCE COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
**RESOLUTION NO. 2019-17**

**BUDGET FUND BALANCE POLICY**

**WHEREAS**, the annual budget of Torrance County is adopted by the Board of County Commissioners each fiscal year; and,

**WHEREAS**, the operating budget consists of multiple funds as a part of the approved budget; and,

**WHEREAS**, general fund fiscal support, debt service, and grant matching of budgeted items is required; and

**WHEREAS**, the timing of expenditures sometimes precedes accrued revenue for specific funds; and,

**WHEREAS**, the Department of Finance Administration requires that all fund balances maintain a positive balance; and,

**WHEREAS**, it is practical to create a budget procedure that allows the County Manager to approve small periodic cash transfers to funds where budgeted and approved expenditures precede accrued revenue.

**NOW, THEREFORE BE IT RESOLVED**, the Board of County Commissioners hereby grants authority to the County Manager to approve periodic cash transfers on an as needed basis for the purpose of maintaining positive fund balance. Transfers in a fund shall not exceed the fund's Commission approved budget. All transfers shall require the written concurrence of the County Treasurer.

**BE IT FURTHER RESOLVED**, Resolution 2018-51 is hereby repealed.

**DONE THIS 13<sup>th</sup> DAY OF March, 2019.**

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**APPROVED AS TO FORM ONLY:**

**BOARD OF COUNTY COMMISSIONERS**

\_\_\_\_\_  
County Attorney                      Date

\_\_\_\_\_  
Ryan Schwebach, Chair

\_\_\_\_\_  
Kevin McCall, Member

\_\_\_\_\_  
Javier Sanchez, Member

**ATTEST:**

\_\_\_\_\_  
Linda Jaramillo, County Clerk

Date: \_\_\_\_\_



*Agenda Item  
No. 12-D*

**TORRANCE COUNTY RESOLUTION# 2019- 1 &**

*Line Item Transfers*

**WHEREAS**, line item transfers within the same fund require authorization from the Torrance County Commission, and

**WHEREAS**, the attached line item transfers within the same fund are hereby authorized:

(See Schedule A)

**NOW THEREFORE BE IT RESOLVED** by the Torrance County Commission

**DONE** at Estancia, New Mexico, Torrance County this 13th day of March 2019.

Torrance County Board of Commissioners

Attest:

\_\_\_\_\_  
Kevin McCall, District 1

\_\_\_\_\_  
Linda Jaramillo  
Torrance County Clerk

\_\_\_\_\_  
Ryan Schwebach, District 2

\_\_\_\_\_  
Javier E. Sanchez District 3

Vote Record

Kevin McCall	yes	no	abstain	absent
Ryan Schwebach	yes	no	abstain	absent
Javier E. Sanchez	yes	no	abstain	absent





**Torrance County**  
**Resolution 2019-\_\_\_\_\_**  
**Line Item Transfer**  
**Schedule A**

Funding Source:		Transfer From:		Transfer To:		Total Amount
Department	Source	Line Item	Description	Line Item	Description	
Animal Service	General	401 82 2 205	Mileage and Per Diem	401 82 2 223	Kennel Supplies	\$ 561.00
Building Maint	Infrastructure GRT	620 94 2 215	Infrastructure GRT	401 15 2 215	Admin Bldg Maint & Repair	\$ 2,500.00
Clerk	General	401 21 2 226	Election Boards	401 21 2 219	Office Supplies	\$ 900.00
Clerk	General	401 21 2 226	Election Boards	401 21 2 218	Equipment Maint & Repair	\$ 1,000.00
Prisoner Trnsprt	Jail Fund	420 74 2 248	Safety Equipment	420 74 2 236	Uniforms	\$ 583.85
Prisoner Trnsprt	Jail Fund	420 74 2 272	Safety Equipment	420 74 2 236	Uniforms	\$ 850.50
P & Z	General	401 80 2 218	Equipment Maint & Repair	401 8 2 266	Training	\$ 400.00
911 Fund	E911	911 85 2 205	Mileage and Per Diem	911 85 2 266	Training	\$ 5,000.00
DWI	DWI Grant Program	605 22 2 282	Treatment Contracts	605 22 2 063	PERA Matching	\$ 2,428.90
DWI	DWI Grant Program	605 22 2 282	Treatment Contracts	605 22 2 064	FICA Matching	\$ 1,850.25
DWI	DWI Grant Program	605 22 2 282	Treatment Contracts	605 22 2 065	Health Insurance Matching	\$ 527.86
DWI	DWI Grant Program	605 22 2 282	Treatment Contracts	605 22 2 067	Retiree Health Matching	\$ 508.66
DWI	DWI Grant Program	605 22 2 282	Treatment Contracts	605 22 2 102	Full Time Salaries	\$ 25,434.16
DWI	DWI Grant Program	605 22 2 282	Treatment Contracts	605 22 2 104	Overtime Salaries	\$ 536.17
DWI	DWI Grant Program	605 22 2 201	Vehicle Maintenance	605 22 2 104	Overtime Salaries	\$ 500.00
DWI	DWI Grant Program	605 22 2 202	Vehicle Fuel	605 22 2 104	Overtime Salaries	\$ 529.22
DWI	DWI Grant Program	605 22 2 271	Non-Professional Services	605 22 2 104	Overtime Salaries	\$ 9,577.26
DWI	DWI Grant Program	605 22 2 271	Non-Professional Services	605 22 2 219	Office Supplies	\$ 13.09
DWI	DWI Grant Program	605 22 2 272	Professional Services	605 22 2 219	Office Supplies	\$ 131.59
DWI	DWI Grant Program	605 22 2 272	Professional Services	605 22 2 221	Printing / Publications	\$ 761.21
DWI	DWI Grant Program	605 22 2 272	Professional Services	605 22 2 257	Outreach Materials	\$ 148.00
DWI	DWI Grant Program	605 12 2 102	Full Time Salaries	605 13 2 258	Storage Rental	\$ 2,135.00
DWI	DWI Grant Program	605 12 2 102	Full Time Salaries	605 13 2 248	Safety Equipment	\$ 2,400.00
DWI	DWI Grant Program	605 12 2 102	Full Time Salaries	605 13 2 272	Professional Services	\$ 18,268.00
DWI	DWI Grant Program	605 12 2 102	Full Time Salaries	605 13 2 219	Office Supplies	\$ 2,000.00
DWI	DWI Grant Program	605 13 2 063	PERA Matching	605 13 2 271	Non-Professional Services	\$ 2,180.00
DWI	DWI Grant Program	605 13 2 064	FICA Matching	605 13 2 271	Non-Professional Services	\$ 1,745.00
DWI	DWI Grant Program	605 13 2 065	Health Insurance Matching	605 13 2 266	Training	\$ 500.00
DWI	DWI Grant Program	605 13 2 065	Health Insurance Matching	605 13 2 269	Membership Dues	\$ 50.00
DWI	DWI Grant Program	605 13 2 057	Retiree Health Matching	605 13 2 219	Office Supplies	\$ 400.00
Road Depart	Road	402 60 2 254	Miscellaneous Projects	402 60 2 256	Road Materials	\$ 1,500.00
Road Depart	Road	402 60 2 254	Miscellaneous Projects	402 60 2 207	Telecommunications	\$ 4,500.00
Road Depart	Road	402 60 2 254	Miscellaneous Projects	402 60 2 202	Fuel	\$ 65,000.00
Admin Cleaning	General	401 15 2 237	Admin Offices Cleaning	401 16 2 203	Judicial Bldg Maint Contracts	\$ 1,496.58
<b>TOTAL</b>						<b>\$ 156,916.30</b>



# TORRANCE COUNTY

## Line Item Transfer Form

Requesting Department: \_\_\_\_\_

Animal Services

My department hereby requests that the following line item transfer(s) be made to the budget:

Transfer From:		Transfer To:		\$
Line Item Number	Line Item Description	Line Item Number	Line Item Description	Amount of Transfer
401-82-2205	Mileage and Per Diem	401-82-2223	Kennel Supplies	\$561.00

**Reason for Transfer:**  
 Our expenditures have increased due to more animal intakes.

Signature: *[Handwritten Signature]* Date: *1/15/19*



# TORRANCE COUNTY

## Line Item Transfer Form

Requesting Department: \_\_\_\_\_

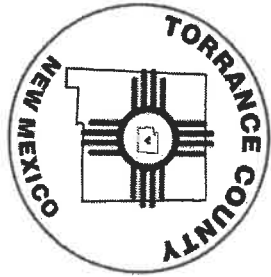
BUILDING MAINTENANCE

My department hereby requests that the following line item transfer(s) be made to the budget:

Transfer From:		Transfer To:		\$
Line Item Number	Line Item Description	Line Item Number	Line Item Description	Amount of Transfer
620-94-2215	COUNTY INFRASTRUCTURE BUILDING MAINT. & REPAIR	401-15-2215	ADMIN OFFICES BUILDING MAINT. & REPAIR	\$ 2,500.00
				-

**Reason for Transfer:**  
 ADDITIONAL FUNDS NEEDED FOR UNEXPECTED REPAIRS TO INCLUDE WATER HEATERS, SINKS, TOILETS AND OTHER MECHANICAL ISSUES WITH COUNTY ADMIN.

Signature *[Handwritten Signature]* Date 2-14-2019



# TORRANCE COUNTY

## Line Item Transfer Form

Requesting Department: \_\_\_\_\_

Clerk \_\_\_\_\_

My department hereby requests that the following line item transfer(s) be made to the budget:

Transfer From:		Transfer To:		Amount of Transfer
Line Item Number	Line Item Description	Line Item Number	Line Item Description	
401-21-2226	Election Boards	401-21-2219	Office Supplies	\$900.00

Need more scanners for each person entering and scanning voter registrations.

Handwritten signature in black ink.

1-22-19





# TORRANCE COUNTY

## Line Item Transfer Form

Requesting Department: \_\_\_\_\_

Clerk \_\_\_\_\_

My department hereby requests that the following line item transfer(s) be made to the budget:

Transfer From:		Transfer To:		\$
Line Item Number	Line Item Description	Line Item Number	Line Item Description	Amount of Transfer
401-21-2226	Election Boards	401-21-2218	Equipment Maintenance and Repair	\$ 1,000.00
<b>Maintenance and Repair of new early voting offices.</b>				

  
 Signature



# TORRANCE COUNTY

## Line Item Transfer Form

2019  
 JUN 19  
 11:05 AM

Requesting Department:

 Prisoner Transport

My department hereby requests that the following line item transfer(s) be made to the budget:

Transfer From:		Transfer To:		Amount of Transfer
Line Item Number	Line Item Description	Line Item Number	Line Item Description	
420-74-224	Safety Equipment	420-74-2236	Uniforms	\$ 583.85
420-74-2272	Professional Services	420-74-2236	Uniforms	\$ 850.50
				\$ -
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**Reason for Transfer:**  
 Transfer to cover purchases until the end of the fiscal year and negative line item balances.

Signature *Shelene VP* Date *8/4/19*



# TORRANCE COUNTY

## Line Item Transfer Form

Requesting Department: \_\_\_\_\_

Planning & Zoning \_\_\_\_\_

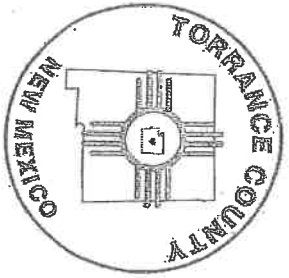
My department hereby requests that the following line item transfer(s) be made to the budget:

Transfer From:		Transfer To:		\$ Amount of Transfer
Line Item Number	Line Item Description	Line Item Number	Line Item Description	
401-08-2218	Equipment Maintenance & repair	401-08-2266	Training	\$400.00
<b>Reason for Transfer:</b>				
Correct deficit in training line item to attend Arid Regions Conference- Federal host Conf replacing NMFMA spring conf.				

Signature *Steve Swisher*

*2/10/2019*

Date



# TORRANCE COUNTY

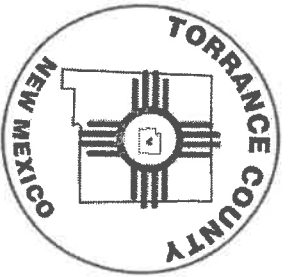
## Line Item Transfer Form

Requesting Department: 911 Fund

My department hereby requests that the following line item transfer(s) be made to the budget:

Transfer From:		Transfer To:		Amount of Transfer
Line Item Number	Line Item Description	Line Item Number	Line Item Description	
911-85-2205	Mileage/per diem	911-85-2206	Training	\$ 5,000
Reason for Transfer: <i>To cover negative balance</i>				

Signature *[Handwritten Signature]* Date *2/26/19*



# TORRANCE COUNTY

## Line Item Transfer Form

Requesting Department: \_\_\_\_\_

DWI

My department hereby requests that the following line item transfer(s) be made to the budget:

Transfer From:		Transfer To:		Amount of Transfer
Line Item Number	Line Item Description	Line Item Number	Line Item Description	
605-22-2282	Treatment contracts	605-22-2063	PERA Matching	\$ 2,428.90
605-22-2282	Treatment contracts	605-22-2064	FICA Matching	\$ 1,850.25
605-22-2282	Treatment contracts	605-22-2065	Health Ins Matching	\$ 527.86
605-22-2282	Treatment contracts	605-22-2067	Retiree Health Matchin	\$ 508.66
605-22-2282	Treatment contracts	605-22-2102	Full Time Salaries	\$ 25,434.16
605-22-2282	Treatment contracts	605-22-2104	Over-time Salaries	\$ 536.17
605-22-2201	Vehicle maintenance	605-22-2104	Over-time Salaries	\$ 500.00
605-22-2202	Vehicle fuel	605-22-2104	Over-time Salaries	\$ 529.22
605-22-2271	Non-professional services	605-22-2104	Over-time Salaries	\$ 9,577.26
<b>Reason for Transfer:</b>				
The submitted budget for FY2019 allocated \$3,600 for treatment contracts (605-22-2282) and \$2,215 allocated for non-professional services (605-22-2271), although the approved budget allocated \$31,286 in the 605-22-2282 and \$11,114 in th 605-2271. These transfers will amend the budget to more closely align with the originally submitted budget, as well as permit Torrance County to close out and receive reimbursement sooner for the Local DWI Grant (19-D-J-G-31) for FY2019.				

Signature \_\_\_\_\_

2/15/19  
Date



# TORRANCE COUNTY

## Line Item Transfer Form

Requesting Department: \_\_\_\_\_

DWI

My department hereby requests that the following line item transfer(s) be made to the budget:

Transfer From:		Transfer To:		\$
Line Item Number	Line Item Description	Line Item Number	Line Item Description	Amount of Transfer
605-22-2271	Non-professional services	605-22-2219	Office supplies	\$ 13.09
605-22-2272	Professional services	605-22-2219	Office supplies	\$ 131.59
605-22-2272	Professional services	605-22-2221	Printing/publication	\$ 761.21
605-22-2272	Professional services	605-22-2257	Outreach materials	\$ 148.00

**Reason for Transfer:**

There was more money than necessary in line item 605-22-2272, as many of the contractual expenses were billed to the distribution (605-13) account. These additional transfers will permit Torrance County to close out Local DWI Grant agreement (19-D-J-G-31) for FY2019 in order to receive the final reimbursement before the end of the fiscal year.

\_\_\_\_\_  
Signature

2/15/19  
Date



# TORRANCE COUNTY

## Line Item Transfer Form

Requesting Department: \_\_\_\_\_

DWI

My department hereby requests that the following line item transfer(s) be made to the budget:

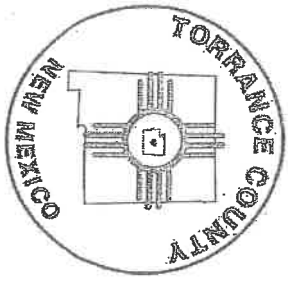
Transfer From:		Transfer To:		Amount of Transfer
Line Item Number	Line Item Description	Line Item Number	Line Item Description	
605-13-2102	Full-Time Salaries	605-13-2258	Storage rental	\$ 2,135.00
605-13-2102	Full-Time Salaries	605-13-2248	Safety equipment	\$2,400.00
605-13-2102	Full-Time Salaries	605-13-2272	Professional services	\$ 18,268.00
605-13-2102	Full-Time Salaries	605-13-2219	Office supplies	\$ 2,000.00
605-13-2063	PERA Matching	605-13-2271	Non-professional service	\$ 2,180.00
605-13-2064	FICA Matching	605-13-2271	Non-professional service	\$ 1,745.00
605-13-2065	Health Insurance Matching	605-13-2266	Training	\$ 500.00
605-13-2065	Health Insurance Matching	605-13-2269	Membership dues	\$ 50.00
605-13-2057	Retiree Health Matching	605-13-2219	Office supplies	\$400

**Reason for Transfer:**

The originally submitted LDWI Distribution budget only had \$22,803 in the full-time salaries line item (605-13-2102) as half of the DWI Coordinator's salary and benefits were budgeted to the LDWI Grant budget. These line item transfers reallocate the overage in the salaries line items, as well as the associated benefits.

Signature \_\_\_\_\_

Date 2/15/19



# TORRANCE COUNTY

## Line Item Transfer Form

Requesting Department:

Road Dept

My department hereby requests that the following line item transfer(s) be made to the budget:

Transfer From:		Transfer To:		Amount of Transfer
Line Item Number	Line Item Description	Line Item Number	Line Item Description	
40260-2254	Other Road Projects	402-60-2256	Road Materials	1500.00
Reason for Transfer: Needed for Road Patch				

Sharon Red-Dee

Signature

2-27-18

Date











*Agenda Item  
No. 12-E*

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**TORRANCE COUNTY  
BOARD OF COUNTY COMMISSIONERS  
RESOLUTION NO. R 2019-07**

**A RESOLUTION TO SUPPORT THE EMWT REGIONAL WATER ASSOCIATION'S  
REQUEST FOR CAPITAL OUTLAY**

**WHEREAS**, the Torrance County Board of County Commissions supports efforts to regionalize and link community water supplies; and

**WHEREAS**, the Commission appreciates the EMWT Board's strong commitment to keep Estancia Basin water in the Valley and its dedication to protect and conserve our limited groundwater resources; and

**WHEREAS**, the Commission shares the EMWT's goal to link municipal supplies and to provide safe drinking water throughout the Estancia Valley; and

**WHEREAS**, EMWT's regional efforts demonstrate money well-spent for New Mexico; and

**WHEREAS**, The United States Department of Agriculture (USDA) has obligated \$3,994,500 of federal dollars to expire in February, 2020 which must be supplemented with State funds;

**NOW, THEREFORE BE IT RESOLVED:**

The Torrance County Board of County Commissioners is in full support of the EMWT Regional Water Association's request for Capital Outlay funds during the 2019 Legislative Cycle to leverage funding previously obligated by the USDA which require supplemental State funding.

**DONE THIS 13<sup>TH</sup> DAY OF FEBRUARY 2019.**

**CONTINUATION PAGE 2, RESOLUTION NO. 2019-07  
A RESOLUTION TO SUPPORT THE EMWT REGIONAL WATER ASSOCIATION'S  
REQUEST FOR CAPITAL OUTLAY**

1 **APPROVED AS TO FORM ONLY:**

**BOARD OF COUNTY COMMISSIONERS**

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County Attorney                      Date

\_\_\_\_\_  
Ryan Schwebach, Chair

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Kevin McCall, Member

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9 **ATTEST:**

  
Javier Sanchez, Member

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11 \_\_\_\_\_  
Linda Jaramillo, County Clerk

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13 Date: \_\_\_\_\_



STATE OF NEW MEXICO  
**DIANNA J. DURAN**

SECRETARY OF STATE

**November 3, 2014**

LAW & RESOURCE PLANNING ASSOCIATES  
POST OFFICE BOX 27209  
ALBUQUERQUE NM 87125

**RE: EMWT REGIONAL WATER ASSOCIATION**

Entity # 4988302

The Office of the Secretary of State has approved and filed the Articles of Incorporation for the above referenced corporation, effective November 3, 2014. The enclosed Certificate of Incorporation is evidence of filing, and should become a permanent document of the corporation's corporate records.

The attached certificate does not constitute authorization for the above referenced corporation to transact any business which requires compliance with other applicable federal or state laws, including but not limited to, state licensing requirements. It is the corporation's sole responsibility to obtain such compliance with all legal requirements prior to engaging in the business for which it has obtained the attached Certificate of Incorporation.

The Association is required to file an initial corporate report with a filing fee of \$10 by January 2, 2015. Thereafter, a corporate report must be filed annually on or before the fifteenth day of the fifth month following the end of its taxable year. A late filing penalty of \$10 will be added for untimely filing of any report. The report is required to be filed whether a corporation is active or inactive or until such time that the corporation is relieved from filing the report as required by law. A supplemental report shall be filed within thirty days if, after filing of the corporation report, a change is made affecting the report. All of the above reports can be filed by using the e-Filing web portal: <https://portal.sos.state.nm.us/Corps>

If you have any questions please contact the Corporations Bureau at (505) 827-3600 or toll free at 1-800-477-3632 for assistance.

Corporations Bureau

**OFFICE OF THE SECRETARY OF STATE  
NEW MEXICO**

***Certificate Of Incorporation***

OF

**EMWT REGIONAL WATER ASSOCIATION**

**4988302**

The Office of the Secretary of State certifies that the Articles Of Incorporation, duly signed and verified pursuant to the provisions of the

**Water or Natural Gas Associations Act (3-28-1 To 3-28-22 NMSA 1978)**

have been received and are found to conform to law. Accordingly, by virtue of the authority vested in it by law, the Office of the Secretary of State issues this Certificate Of Incorporation and attaches hereto a duplicate of the Articles Of Incorporation.

Dated : **October 31, 2014**

**In testimony whereof, the Office of the Secretary of State has caused this certificate to be signed on this day in the city of Santa Fe, and the seal of said office to be affixed hereto.**



A handwritten signature in cursive script, reading "Dianna J. Duran".

---

**Dianna J. Duran  
Secretary of State**



**CERTIFICATE OF ASSOCIATION**  
**of**  
**EMWT REGIONAL WATER ASSOCIATION**

Preamble

We, the duly elected Mayor and governing bodies of the Town of Estancia, City of Moriarty, and Village of Willard, and the Board of County Commissioners of Torrance County, New Mexico, acting pursuant to a joint and concurring resolution from our respective Boards authorizing the within action, do hereby associate ourselves together for the purpose of organizing an inter-community water supply association in accordance with NMSA (1978) §§ 3-28-1 to 3-28-22 and the Joint Powers Agreements Act, NMSA 1978, §§ 11-1-1 to 11-1-7.

I.

The name of the Association shall be the EMWT REGIONAL WATER ASSOCIATION.

II.

The period of duration is perpetual.

III.

The location of the principal office of the Association is Estancia, New Mexico.

IV.

The location and the registered office of the Association in the State of New Mexico shall be at 416 5<sup>th</sup> Street, Estancia, New Mexico 87106. The initial registered agent for the Association at the registered office is Ronnie Reynolds.

V.

That the names of the Incorporators, acting as duly appointed Commissioners pursuant to NMSA 1978, § 3-28-1, are:

1. Ted Hart, Mayor of the City of Moriarty;  
201 Broadway Street South, P.O. Box 130, Moriarty, NM 87035.
2. Theodore Barela, Town of Estancia;  
513 Williams Avenue, P.O. Box 166, Estancia, NM 87016.
3. Robert Chavez, Mayor of the Village of Willard;  
720 N. Dunlavy, P.O. Box 204, Willard, NM 87063.
4. LeRoy M. Candelaria, Torrance County Commissioner.  
205 9th Street, P.O. Box 48, Estancia, New Mexico 87016.

VI.

The objects and purposes for which the Association is formed and the powers of the Association are as follows:

Section 1. To acquire, construct, install, maintain and operate a water system for the supplying and distribution of water for domestic, municipal, agricultural, commercial and industrial uses and other purposes to its customers and the lands of its customers at rates approved by the Board of Directors and to engage in any activity related thereto, including, but not limited to, the acquisition of water and water rights by purchase, appropriation, lease, or otherwise, and the diversion and storage thereof, the drilling, pumping and purchase, laying, installation, operations, maintenance or repair of wells, pumping equipment, structures, pipelines, valves, storage tanks and all other material and equipment necessary to the construction, repair, maintenance, and operation of a complete water supply and distribution

system, including all functions and services necessary and incidental to accomplishing any of the foregoing purposes, throughout the County of Torrance and that portion of Santa Fe County within the Estancia Underground Water Basin, State of New Mexico, and encompassing all of the Estancia Underground Water Basin, and specifically within the municipalities of Moriarty, Estancia, and Willard.

Section 2. To levy assessments, collect charges and create and enforce liens upon the lands of customers for water service including the costs of acquisition, construction, repair, improvement and maintenance of wells, reservoirs, canals, ditches and water systems and other works and for such other purposes as may be necessary for the effective operation of the Association.

Section 3. To make and enter into contracts.

Section 4. To borrow from any source money, goods, or services and to pledge or mortgage any of the Association's property as security therefore in any manner permitted by law.

Section 5. To apply for and accept grants and contributions.

Section 6. To issue revenue bonds and to pledge the net revenues from the operation of the Association's water system to the payment of the revenue bonds.

Section 7. To buy, lease, hold and exercise all privileges of ownership in and to real or personal property as may be necessary or convenient for the conduct and operation of the Association.

Section 8. To employ or contract for the services of employees, consultants, professionals and such other persons or entities as it deems necessary, including but not necessarily limited to contract operators for all or any portion of Association's water system.

Section 9. To make plans and conduct studies.

Section 10. To adopt, implement and enforce all policy and procedure necessary for the accomplishment of its purposes herein.

Section 11. To condemn property for the purpose of accomplishing the purposes set out herein with respect to water operations; however, property owned by either Moriarty, Estancia, Willard or the County cannot be condemned without their respective consent, nor shall the power of eminent domain be used to acquire any plant or system or extension thereof described in a certificate of public convenience and necessity, or any interest therein, owned or operated by an entity that is regulated by the New Mexico public utility commission or the federal energy regulatory commission or their successors.

Section 12. To sue and be sued in its own name.

Section 13. To adopt a budget annually.

Section 14. To obtain necessary public liability and property insurance coverage. Consistent with the New Mexico Tort Claims Act, to indemnify, hold harmless, and defend Moriarty, Estancia, Willard and the County from any claim for personal injury or property damage resulting from the willful acts or negligence of the Association, or any of its agents, employees, servants, representatives, officers and directors. However, such indemnification shall be paid solely from a special fund created from the water revenues generated by the Association's utility operations with no indemnification to be sought from or paid from the Association's general treasury.

Section 15. To have and to exercise all power, privileges, and rights provided by Chapter 309, New Mexico Session Laws of 1963, and supplements thereto, and conferred on non-profit corporations by the laws of the State of New Mexico, all of which are hereby expressly claimed, including all powers which may be necessary, convenient or expedient for the

accomplishment of the purposes of the Association, except such powers as are inconsistent with the provision of the Act under which the Association is incorporated.

Section 16. To conduct all other activities permitted by law.

VII.

The Association shall be a non-profit, municipally owned corporation operated at all times for the sole benefit of Torrance County, the Town of Estancia, the City of Moriarty and the Village of Willard, and as such it shall not issue any capital stock, or pay a dividend to any of its members. The members of the Association shall be the duly elected and sitting Board of County Commissioners of Torrance County, New Mexico, the Mayor and Trustees of the Town of Estancia, the Mayor and City Council of the City of Moriarty and the Mayor and Trustees of Village of Willard, and their successors in office.

The Association shall be entitled to receive from each of the above-named county and municipalities allotments and grants as such county and municipalities shall be entitled to receive from any state or federal agency in connection with the acquisition and operation of a municipal or inter-community water supply utility, or projects of similar nature, and such direct financial assistance from each of said county and municipalities as may be provided from time to time.

Any member of the Association may withdraw at any time by delivering written notification to the Board of Directors of the Association. All rights and obligations of the withdrawing member shall terminate upon delivery of such notice.

VIII.

The Board of Directors of the Association shall be composed of two (2) representatives appointed by Torrance County, two (2) representatives appointed by the Town of Estancia, two (2) representative appointed by the City of Moriarty, two (2) representatives appointed by the

Village of Willard, and one (1) representative appointed by EMW Gas Association. The Board of Directors shall consist of not less than five nor more than nine directors at any time, and the By-Laws shall provide for a staggered term for the first directors elected, whereby no more than five of the directors elected shall have their term expire in any one year.

IX.

The Board of Directors shall have the power to make and alter By-Laws or rules and regulations for the management and operation of the work of the Association, and the control and conduct of its business and affairs. Any vacancy on the Board of Directors shall be filled by the governing body of the municipality or county from which said director was originally appointed.

X.

Upon the dissolution of the Association for any reason, its properties and assets shall belong in fee simple title equally to Torrance County, the Town of Estancia, the City of Moriarty and the Village of Willard. The Board of Directors shall, after paying or making provision for the payment of all of the liabilities of the Association, distribute such assets and properties as follows:

- a. The distribution system shall be distributed equally in kind among Torrance County, the Town of Estancia, the City of Moriarty and the Village of Willard, according to the fair market value of the distribution system on the date of the proposed distribution, in such manner as the County and the municipalities agree.
- b. All other assets and properties owned by the Association shall be distributed equally among Torrance County, the Town of Estancia, the City of Moriarty and the Village of Willard, in cash or in kind, according to the fair market value of such assets and properties on the date of the proposed distribution.

c. For purposes of this article, the fair market value of assets or properties to be distributed shall be determined by an independent appraisal.

XI.

The Association shall not sell or export water outside of the Estancia Underground Water Basin, as its boundaries are defined by the New Mexico Office of the State Engineer. Provided that the Association may provide water to the Town of Mountainair, which currently relies on water from the Estancia Underground Water Basin to supply its water needs, for use only within the Town limits as they exist as of the date of the Association's incorporation. Under no circumstances shall this Certificate of Association be amended to permit the sale, transfer, or conveyance of the Association, in whole or in part, to any privately-owned, for-profit entity.

WITNESS our hands and seals as of the dates set forth below.

By: [Signature]  
Ted Hart

Date: 3/10/14

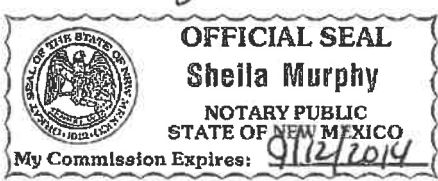
ACKNOWLEDGEMENT

STATE OF NEW MEXICO     )  
  ) ss.  
COUNTY OF TORRANCE     )

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of March, 2014, by Ted Hart.

[Signature]  
Notary Public

My Commission Expires:  
9/12/2014



RECEIVED  
SOS  
Corporation Bureau  
OCT 20 2014

RECEIVED  
SOS  
Corporation Bureau  
OCT 31 2014

By: *Ted Barela*  
Ted Barela

Date: 3-13-14

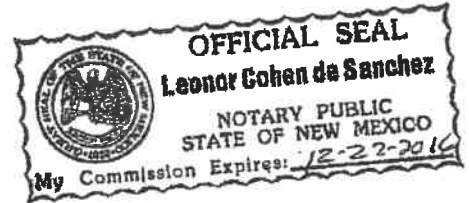
**ACKNOWLEDGEMENT**

STATE OF NEW MEXICO     )  
  ) ss.  
COUNTY OF TORRANCE    )

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of March, 2014, by Ted Barela.

*Leonor Cohen de Sanchez*  
Notary Public

My Commission Expires:  
12-22-2016



RECEIVED  
SOS  
Corporation Bureau OCT 20 2014

RECEIVED  
SOS  
Corporation Bureau OCT 31 2014



By: *Robert Chavez*  
Robert Chavez

Date: 3-7-14

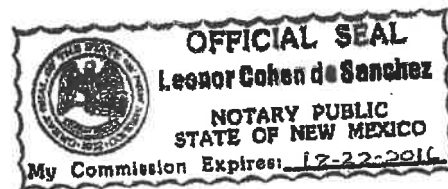
ACKNOWLEDGEMENT

STATE OF NEW MEXICO     )  
  ) ss.  
COUNTY OF TORRANCE    )

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of March, 2014, by Robert Chavez.

*Lesnor Cohen de Sanchez*  
Notary Public

My Commission Expires:  
12-22-2016



RECEIVED  
SOS  
Corporation Bureau OCT 20 2014

RECEIVED  
SOS  
Corporation Bureau OCT 31 2014

By: *LeRoy M. Candelaria*  
LeRoy M. Candelaria

Date: 3/7/14

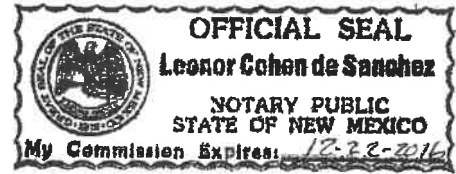
**ACKNOWLEDGEMENT**

STATE OF NEW MEXICO     )  
  ) ss.  
COUNTY OF TORRANCE     )

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of March, 2014, by LeRoy M. Candelaria.

*Leonor Cohen de Sanchez*  
Notary Public

My Commission Expires:  
12-22-2016





Attorneys at Law

**LAW & RESOURCE  
PLANNING ASSOCIATES**

*A Professional Corporation*

**FILED**  
**SOS**  
**Corporation Bureau** **OCT 31 2014**

ALBUQUERQUE PLAZA  
201 Third Street NW, Suite 1750  
Albuquerque, NM 87102

Post Office Box 27209  
Albuquerque, NM 87125

Telephone: (505) 346-0998  
Facsimile: (505) 346-0997  
[www.lrpa-usa.com](http://www.lrpa-usa.com)

October 30, 2014

State of New Mexico  
Office of the Secretary of State  
**attn: Stacy Starr – Corporations**  
325 Don Gaspar, Suite 300  
Santa Fe, NM 87501

**RE: EMWT Regional Water Association – Certificate of Association**

**VIA FEDERAL EXPRESS**

Dear Ms. Starr,

Thank you for assisting our office in completing this task. Per our discussion by phone of earlier today, and pursuant to New Mexico Statutes, NMSA 1978, § 3-28-3 and -4, please find enclosed for filing with the Office of the New Mexico Secretary of State (“NMSOS”) the following item:

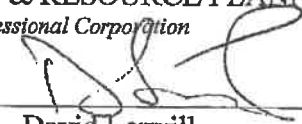
1. Original Certificate of Association of EMWT Regional Water Association;
2. Check No. 86348, in the amount of \$25.00, for payment of the NMSOS filing fee.

Please return a copy of the Certificate, duly certified by the Secretary of State, to our office using the enclosed Federal Express pre-paid envelope.

Thank you for your assistance. Please let us know if anything else is required by your office.

Very truly yours,

**LAW & RESOURCE PLANNING ASSOCIATES,**  
*A Professional Corporation*

By:   
David Lerwill  
Paralegal

Enclosures as noted

**FILED**  
**SOS**  
**Corporation Bureau** **OCT 31 2014**

**BYLAWS OF THE  
EMWT REGIONAL WATER ASSOCIATION**

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**ARTICLE I. PURPOSE**

The name of the organization shall be the EMWT Regional Water Association (the "Association"). The objectives and purposes of business of this association shall be as stated and provided for in the Certificate of Association.

**ARTICLE II. GOVERNANCE**

**Section 1 Name and Incorporation.**

The name of the organization shall be the EMWT Regional Water Association, a duly incorporated non-profit, municipally owned corporation formed in accordance with NMSA 1978, §§ 3-28-1 to 3-28-22 and the Joint Powers Agreements Act, NMSA 1978, §§ 11-1-1 to 11-1-7.

**Section 2 Corporate Powers.**

The corporate powers of the Association will be vested in a Board of Directors (the "Board").

**Section 3 Place of Business.**

The Association's principal place of business will be the Association headquarters, located in Estancia, New Mexico. It will remain there until changed by the Board of Directors.

**Section 4 Registered Agent.**

The Board at its discretion will designate a Registered Agent, who resides in the State of New Mexico. This Agent will serve as liaison with the Board regarding any matter pertaining to legal aspect of the Certificate of Association of the Association. This Agent will serve at the pleasure of the Board.

**Section 5 Fiscal Year.**

The Association's fiscal year is from July 1 to June 30, inclusive.

**ARTICLE III. BOARD OF DIRECTORS AND OFFICERS**

**Section 1 Composition.**

A board of nine (9) Directors shall manage the business and affairs of the Association, consisting of two members each appointed by the City of Moriarty, the Town of Estancia, the Village of Willard, and Torrance County, and one (1) member appointed by EMW Gas Association.

**Section 2 Officers of the Association.**

A. The Officers of the Association shall be a Chairperson (the "Chair") of the Board who shall also serve as President of the Association, a Vice

President, a Secretary, and a Treasurer, provided, however, that any two or more offices may be held by the same person, except the offices of President and Secretary. The Chair and the Vice-president shall be members of the Board. The Secretary and the Treasurer may, but need not, be members of the Board. Each officer will be elected in accordance with these Bylaws.

- B. The Board shall elect Officers of the District at the next Regular Meeting of the Board following each appointment of Directors. Each Officer shall hold office until his or her successor has been duly elected. In the event of a vacancy due to resignation of an Officer or for any other reason, the Board shall elect a person to fill the vacancy.

**Section 3      Terms of Office.**

The Directors shall be appointed for staggered terms of four (4) years each. The terms of no more than five (5) of the Directors will expire in any one year.

**Section 4      Appointments.**

- A. The City of Moriarty, the Town of Estancia, the Village of Willard, and Torrance County shall each appoint two representatives to serve on the Board of Directors of the Association in accordance with the laws of the State of New Mexico and the ordinances and resolutions of each municipality and the County.

- B. Any vacancy on the Board of Directors due to the death, resignation or removal of a Director shall be filled by appointment by the governing body of the municipality or county from which said director was originally appointed, for the purpose of serving out the unexpired term of the vacated office.

- C. A newly appointed Board member shall normally be sworn in at the beginning of the first Regular or Special Meeting of the Board following the appointment.

- D. Any member of the Board may be removed at the discretion of the governing body of the municipality or the county from which said member of the Board was originally appointed, or by EMW Gas Association, as appropriate.

**Section 5      Compensation.**

Neither Directors nor Officers shall receive compensation for their services to the Association. Directors and Officers shall be allowed reimbursement for their actual and necessary expenses incurred in

performance of their duties for the Association as provided for in Article VI, Section 2.

**Section 6 Duties.**

**A. Board of Directors.**

The Directors shall have the general management and control of the business affairs of the Association. They shall have and exercise all of the powers that may be exercised and performed by the Association under the laws of the State of New Mexico, the Joint Powers Agreement for Organizing an Association for the Purpose of Acquiring or Constructing a Regional Water Supply System between the City of Moriarty, the Town of Estancia, the Village of Willard and the County of Torrance, New Mexico, the Certificate of Association and these Bylaws. Board members are expected to attend a minimum of 75% of Board meetings as well as assigned committee meetings.

**B. Chair and President.**

The Chair and President of the Association shall, when present, preside at all meetings of the Board and shall perform other duties incidental to the office of President, including, but not limited to, the general supervision over the affairs of the Association, subject to the Board of Directors. He or she shall sign deeds, notes, mortgages, conveyances of real property and written contracts of the Association, and shall perform all other such duties as are incident to that office. The Chair shall establish the agenda for all meetings of the Board and provide the agenda to the Secretary sufficiently in advance of the meeting to provide for publishing or posting of the agenda as required by the Open Meetings Act and the Board's Open Meetings Resolution.

**C. Vice President.**

In the absence of the President or in the event of his or her inability or refusal to act, the Vice-President shall have and exercise all the duties, obligations and responsibilities and shall have the same rights and powers as the President.

**D. Secretary.**

1. The Secretary shall keep record of all Board proceedings, including minutes of Board meetings, original signed copies of the Board's resolutions, bylaws, certificates, contracts, annual audit reports, and copies of all official correspondence and legal documents relating to the Association's activities. The Secretary shall keep such records in a secure place and shall make them available for inspection and copying by members of the public in

accordance with the Inspection of Public Records Act, NMSA 1978, §§ 14-2-1 to 14-2-12.

2. The Secretary shall arrange a meeting place for the meetings of the Board and shall publish or post notices of the Board's meetings in accordance with the Board's Open Meetings Resolution and these Bylaws.
3. In keeping a record of the Board's meetings, the Secretary may utilize the services of a recorder to assist the Secretary. Subject to approval by the Board, the Secretary may employ a secretarial or clerical service to maintain the Association's files, prepare correspondence, prepare reports, and perform other clerical services on behalf of the Association.
4. Other duties may include, but are not limited to the following: (i) preparing and authorizing customer communication via monthly publication and web page content; (ii) issuing press releases and other communications with the media on topics the Board wants distributed to the community; (iii) being the Board liaison with the media for general communications; (iv) consulting with professionals and volunteers for advice on communications, public relations, and governmental relations; (v) propose a document management and retention plan for Board approval; (vi) propose other communication methods for update and alerts that will better serve the community; and (vii) perform other duties incidental to that office and such other duties as may be assigned by the Board from time to time.

E. Treasurer.

1. The Treasurer shall receive and deposit in appropriate accounts all monies of the Association and shall disburse such funds as directed by resolution of the Board. The Treasurer shall maintain strict and accurate records of all monies of the Association and of all income and disbursements of the Association, and shall keep permanent records thereof, in the manner prescribed by law.
2. The Treasurer shall annually prepare a budget for the upcoming Fiscal Year, which shall be timely submitted to the Board for its approval. The Treasurer shall also provide regular reports to the Board on the state of the Association's finances.
3. The Treasurer shall oversee and direct any audits or reporting required by state law.



4. During any time that revenue bonds of the Association are outstanding, the Treasurer shall provide for the timely payment of the interest on and principal of the bonds and shall ensure that all necessary notifications and other actions with regard to the bonds are made in a timely manner, as provided in the Official Statement, Transcript, or in any other documents related to the bonds.
5. In performing the duties described herein, the Treasurer, with the approval of the Board, may employ a bookkeeping service, an accountant, or other qualified persons or professionals to assist the Treasurer in performing the duties of that office.
6. The Treasurer shall perform other duties incidental to that office and such other duties as may be assigned by the Board from time to time.

**Section 7 Committees.**

In addition to the standing administrative committees listed below, the Board may appoint other special committees to advise the Board on matters of administration and policy. The Board may designate one or more Board members to serve on any such committee. Other persons not members of the Board may also be designated by the Board to serve on such committee. The Board may delegate such tasks, as it deems appropriate, to a committee or an individual member of the Board. Such tasks and duties shall be clearly defined, and any such delegation of authority shall not extend to any matter expressly or implicitly made the responsibility or duty of the entire Board by statute or other authority. Any decision rendered by a committee shall be subject to review and approval, disapproval or modification by the Board upon the request of any Board member or of any person affected by such decision.

Standing Administrative Committees:

1. Finance

**ARTICLE IV. CODE OF CONDUCT**

To the extent not covered in these Bylaws, all members of the Board and employees of the Association shall abide by the terms of the New Mexico Governmental Conduct Act (NMSA 1978, § 10-16-1 et seq.), and to that end shall maintain appropriate and professional internal and external relationships. Directors or employees found to be in violation of the New Mexico Governmental Conduct Act or any provision of these Bylaws may be subject to removal pursuant to Article III, Section 4(D).

Members of the Board and employees of the Association shall avoid any conflict of interest or any appearance of a conflict of interest. No member

of the Board may take part in any deliberations, present testimony, or vote on any matter in which the Board member, or an immediate family member, has a pecuniary interest, either direct or indirect. However, this provision shall not be construed to prevent any Board member or Association employee from participating in and voting on matters affecting generally the customers of the Association, even though the Board member, or Association employee, or members of his or her immediate family will be affected as customers of the Association.

## **ARTICLE V. MEETINGS**

### **Section 1 Board Meetings.**

- A. Regular Meetings of the Board of Directors shall take place at least once each month at a time and place set by action of the Board. All Regular Meetings shall have an agenda, which shall be posted in accordance with the Association's Open Meetings Resolution.
- B. Special Meetings may be called by the Chair, or by a majority of the members of the Board with advance notice to all Board members as specified by the Association's Open Meetings Resolution, and may take place at any time and place that is mutually convenient for the members of the Board. All Special Meetings shall have an agenda which shall be posted in accordance with the Association's Open Meetings Resolution.
- C. Emergency Meetings may be called by the Chair, or by a majority of the members of the Board, with such notice as is reasonable under the circumstances, to address an emergency that could not have been anticipated and which, if not addressed immediately by the Board, will threaten the health, safety or property of customers of the Association, or likely result in substantial financial loss to the Association. Notice of Emergency Meetings shall be given in accordance with the Association's Open Meeting Resolution.
- D. Informational Meetings may be called by the Chair or by a majority of the members of the Board. The Board shall not take any formal action or make any policy decision at an Informational Meeting. Notice of the Informational Meeting shall be provided in accordance with the Association's Open Meetings Resolution, but no agenda is required and no minutes need be recorded.
- E. At least a simple majority of the membership of the Board will constitute a quorum for the transacting of business, unless otherwise provided by law or by these Bylaws. An affirmative vote of at least

two-thirds (2/3) of the Board members shall be required in the following circumstances:

1. Adoption of the annual budget;
2. Adoption of mid-year changes to the annual operating budget, including transfers from reserve funds;
3. Adoption of changes in commodity rates or fees;
4. Adoption of amendments to these Bylaws;
5. Incur indebtedness on behalf of the Association;
6. Adopt rules and regulations on behalf of the Association;
7. Expand the Association's distribution system.

**Section 2      Conduct of Meetings.**

A. All meetings of the Association will be conducted according to the current edition of Robert's Rules of Order, unless there is a conflict between Robert's Rules of Order, these Bylaws and the laws of New Mexico or of the United States, in which case the latter shall prevail.

B. At the Chair's sole discretion, Board members may participate in Board meetings or committee meetings by means of a video-conference, conference telephone, electronic video screen communication, or other similar communications equipment so long as all of the following apply:

1. Board members participating in the meeting, sufficient in number to constitute a quorum, can communicate with all the other Board members concurrently; and
2. Board members participating in the meeting, sufficient in number to constitute a quorum, are provided with the means of participating in all matters before the Board, including the capacity to propose or interpose an objection to a specific action to be taken by the Board.

**Section 3      Open Meetings Policy and Notice of Meetings.**

The Board shall annually adopt an Open Meetings Resolution in accordance with the Open Meetings Act, NMSA 1978, §§ 10-15-1 et seq. The Open Meetings Resolution will generally be adopted at the first Regular Meeting of the calendar year but may, at the discretion of the Board, be adopted or amended at any other Regular Meeting. Notice of all Board meetings shall be published or posted in accordance with the Board's Open Meetings Resolution then in effect.

## **ARTICLE VI      FINANCIAL MATTERS**

### **Section 1      Procurement Procedures.**

All procurements of tangible personal property, services, and construction shall be in accordance with the New Mexico Procurement Code, NMSA 1978, §§ 13-1-28 et seq., and any New Mexico state purchasing regulations then in effect. The Board shall by resolution designate the office of the Treasurer as the Association's Purchasing Office, and the Association Secretary as the Association's Procurement Officer, in accordance with the Procurement Code. The Treasurer and the Secretary, or such other officials or committees as the Board may from time to time designate as the Association's Central Purchasing Office and Procurement Officer shall ensure that procurements of tangible personal property, services, and construction are conducted in accordance with the Procurement Code. The Board shall by resolution adopt procurement procedures promulgating regulations for the procurement of services, construction or items of tangible personal property in accordance with NMSA 1978, § 13-1-125. All procurements of such services, construction or tangible personal property shall be made in accordance with the Association's regulations as stated in its Procurement Procedures.

### **Section 2      Reimbursement for Travel Expenses, Mileage, or Per Diem.**

1. Directors, Officers and employees may receive reimbursement for actual and necessary travel expenses incurred in performing services for the Association, or in the alternative may be eligible for per diem for official business requiring travel more than 35 miles from Estancia, in accordance with applicable New Mexico laws and regulations, including the Per Diem and Mileage Act, NMSA 1978, §§ 10-8-1 through 10-8-8, and Section 2.42.2 of the New Mexico Administrative Code ("NMAC") as amended.
2. Directors, Officers and employees may receive reimbursement for reasonable and necessary use of a privately owned automobile on Association business in accordance with the mileage rates set forth in the Per Diem and Mileage Act and Section 2.42.2 NMAC. The Association does not authorize reimbursement for use of a privately owned airplane.
3. Directors, Officers and employees seeking reimbursement for travel expenses, per diem, mileage, or any other reasonable and necessary expenses incurred on behalf of the Association, shall make application to the Treasurer, including appropriate documentation of all expenses, travel and mileage in accordance with the provision of Section 2.42.2 NMAC. If the Treasurer finds that the application and supporting documentation are complete and in compliance with Board adopted

policy, the Treasurer shall provide for appropriate reimbursement in accordance with adopted procedures.

**ARTICLE VII. MEMBERSHIP**

**Section 1 Members.**

The Association shall be owned by and operated at all times for the sole benefit of the City of Moriarty, Town of Estancia, Village of Willard, and Torrance County.

**ARTICLE VIII LIABILITY AND INSURANCE**

**Section 1 Liability Insurance.**

The Association shall carry adequate liability insurance coverage for the activities and actions of the Association and its Directors, Officers and employees, taking into account the scope of Association operations and the immunities granted to the Association and its Directors, Officers and employees under the Tort Claims Act, NMSA 1978, §§ 41-4-1 through 41-4-27.

**Section 2 Other Association Insurance.**

The Association shall carry appropriate insurance, as determined by the Board, to protect the Association from major loss as a consequence of damage to or destruction of Association property, including real property, personal property, Association business and financial records, equipment, supplies, vehicles, leased and rented property, and all other Association property of any nature.

**Section 3 Coverage of Privately Owned Automobiles Used on Association Business.**

Officers, Directors, and any other persons using a privately owned automobile on Association business shall carry, as a minimum, automobile liability and property damage insurance as required by New Mexico law. It is the responsibility of the automobile owner to ensure that such coverage will provide protection while the automobile is used on Association business. The Board may require the automobile owner to provide proof of such insurance coverage to the Board.

**Section 4 Indemnification of Directors and Officers.**

The Association, by approval given to these Bylaws, indemnifies each and every Director and Officer, including former Directors and Officers of the Association, against reasonable expenses, costs and attorneys' fees actually and reasonably incurred by him or her in connection with the defense of any action, suit or proceeding, civil or criminal, in which he or she is made a party by reason of being or having been a Director or Officer. The indemnification may include any amounts paid to satisfy a

judgment or to compromise or settle a claim. The Director or Officer shall not be indemnified if he or she shall be adjudged to be liable on the basis that he or she has breached or failed to perform the duties of his or her office and the breach or failure to perform constitutes willful misconduct or recklessness. The Association specifically indemnifies each such Director and Officer and former Director and Officer from payment of any judgment, levy or demand that might be granted against any such Director or Officer, or former Director or Officer, by virtue of his or her occupancy of said directorship or office growing out of any such action, suit or proceeding, which does not involve willful misconduct or recklessness in the performance of duty to the Association.

**ARTICLE IX. AMENDMENTS**

**Section 1 Amendments.**

The Association may change its name, change the location of its principal office, and make such other amendment, change or alteration to the Certificate of Association or the Bylaws as may desired, not inconsistent with applicable law, by a resolution duly adopted by a two-thirds vote of the entire membership of the Board of Directors. The Association may increase or decrease its membership only by a resolution duly adopted by the City of Moriarty, Town of Estancia, Village of Willard, and Torrance County.

IN WITNESS WHEREOF, we have hereunto set our hands this 23<sup>rd</sup> day of December 2018.

ESTANCIA VALLEY REGIONAL WATER ASSOCIATION

By:   
President and Chair of the Board of Directors

ATTEST:

By:   
Board Secretary







## Infrastructure Capital Improvement Plan FY 2020-2024

### EMWT Regional Water Association Project Summary

ID	Year	Rank	Project Title	Category	Funded to date						Total Project Cost	Amount Not Yet Funded	Phases?
						2020	2021	2022	2023	2024			
31982	2020	001	McIntosh Drinking Water Distrib System	Facilities - Administrative Facilities	30,000	0	5,911,000	0	0	0	5,941,000	5,911,000	Yes
31952	2020	002	McIntosh Drinking Water Dispensing Station	Water - Water Supply	0	240,000	0	0	0	0	240,000	240,000	No
31985	2021	001	NM Hwy 41 Corridor Drinking Water Distribution Sys	Facilities - Administrative Facilities	0	0	6,484,846	3,783,280	16,166,135	0	26,434,260	26,434,260	Yes
31986	2021	002	Edgewood, Moriarty & Stanley Water Dist System	Facilities - Administrative Facilities	0	0	0	8,640,069	15,118,264	0	23,758,332	23,758,332	Yes
31987	2022	001	East Mountain Water Distribution System	Water Supply	0	0	0	0	28,119,156	0	28,119,156	28,119,156	No
31988	2023	001	Escabosa & Chilili Water Dist System	Water Supply	0	0	0	0	0	2,922,182	2,922,182	2,922,182	No
<b>Number of projects:</b>			6										
<b>Grand Totals</b>			<b>Funded to date:</b>	<b>Year 1:</b>	<b>Year 2:</b>	<b>Year 3:</b>	<b>Year 4:</b>	<b>Year 5:</b>	<b>Total Project Cost:</b>	<b>Total Not Yet Funded:</b>			
			30,000	240,000	12,395,846	12,423,349	59,403,556	2,922,182	87,414,936	87,384,936			

## Infrastructure Capital Improvement Plan FY2020-2024

### ICIP Capital Project Description

**Year/Rank** 2020 001 **Priority:** High **ID:**31982  
**Project Title:** McIntosh Drinking Water Distrib System **Class:** New **Type/Subtype:** Facilities - Administrative Facilities  
**Contact Name:** Bobby Ortiz, Chairman **Contact Phone:** 505-379-2590 **Contact E-mail:** bortiz@cobbendley.com  
**Total project cost:** 5,941,000 **Proposed project start date:** June 2019  
**Project Location:** Westside NM Hwy 41 between CR A076 and A134 (NM41 Mile Marker 19.9) **Latitude:** 34.90580 **Longitude:** -106.052536  
 McIntosh NM 87032

**Legislative Language:** To plan, design and construct a storage tank and drinking water distribution system for the community of McIntosh in Torrance County.  
**Scope of Work:** The project entails the acquisition of land and water rights, plan design and construct for a 510,000 drinking water storage tank and enough drinking water distribution system to provide service to a 35 square mile area in community of McIntosh located along NM 41 between Moriarty and Estancia. Water rights may be leased from the owner entities, or additional water rights may be purchased from existing water rights holders within the basin. Through meetings with local OSE water rights staff and contact with local water rights owners, we have verified water rights are available and the permit process has been reviewed with OSE staff. Engineering services have been contracted with Bohannon Huston after a Qualifications-Based Selection Request for Proposal procurement process approved by the Professional Technical Advisory Board which met the requirements of the New Mexico Procurement Code. A drinking water well will be developed, along with chlorination system, power to the site, storage facility (510,000-gallon tank) and access improvements to feed the distribution system. This project will serve as the second fully functional phase of the overall EMWT Regional Water Project serving the Estancia Basin.

Secured and Potential Funding Budget:						
State Grant Funding should only be requested when all other funding sources have been exhausted if entity is providing matching funds, i.e. Federal, Local Taxes, Fees, NM Finance Authority Loans (NMFA), Tribal Infrastructure Fund (TIF), Water Trust Board (WTB), Public School Facility Authority (PSFA), Colonia's Infrastructure Board (CIB), etc.						
Please complete table below with all secured and potential funding sources.						
Funding Source(s)	Funding Amount	Applied For? Yes or No	Amount Secured	Amt Expended to Date	Date(s) Received	Comment
FGRANT	1,113,500	Yes	0	0		
FLOAN	2,881,000	Yes	0	0		
NMFA	1,363,500	Yes	0	0		
NMFAL	454,500	Yes	0	0		
CAP	30,000	Yes	30,000	30,000		
OTHER	98,500	No	0	0		
	0	No	0	0		
	0	No	0	0		
<b>TOTALS</b>	<b>5,941,000</b>		<b>30,000</b>	<b>30,000</b>		

## Infrastructure Capital Improvement Plan FY2020-2024

Project Budget - Complete the Budget below. Only include unfunded or unsecured funds under each project year. Note: Funded to Date column must equal the amounts listed above here.								
	Completed	Funded to Date	Estimated Costs Not Yet Funded					Total Project Cost
			2020	2021	2022	2023	2024	
Water Rights	No	0	0	192,500	0	0	0	192,500
Easements and Rights of Way	No	0	0	10,000	0	0	0	10,000
Acquisition	No	0	0	0	0	0	0	0
Archaeological Studies	No	0	0	0	0	0	0	0
Environmental Studies	Yes	10,000	0	0	0	0	0	10,000
Planning	Yes	20,000	0	0	0	0	0	20,000
Design (Engr./Arch.)	No	0	0	758,655	0	0	0	758,655
Construction	No	0	0	4,949,845	0	0	0	4,949,845
Furnishing/Equipment	N/A	0	0	0	0	0	0	0
<b>TOTALS</b>		<b>30,000</b>	<b>0</b>	<b>5,911,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5,941,000</b>
<i>Amount Not Yet Funded</i>		<i>5,911,000</i>						

PHASING BUDGET							
Can this project be phased? <input checked="" type="checkbox"/> Yes							
Phasing: Stand Alone: <input type="checkbox"/> No Multi-Phased: <input type="checkbox"/> No							
A project single phase approach is used for projects that can be completed with one process because it is manageable, affordable, and will not require any foreseeable additional resources or activities to be fully operational when complete.							
A project multi-phased approach is used for breaking down very large projects into manageable standalone parts that are independently functional and easier to fund.							
If the multi-phase approach is being used it is required to provide accurate dates, costs, and funding sources for prior phases, and be able to provide reasonable projections of dates, costs, and funding sources for future phases. In addition, each multi-phase has three main levels: Planning, Design, and Construction. Each level can be funded individually, however strong emphasis is put on completing all three levels.							
Phase	Amount	Plan	Design	Construct	Furnish/Equip	Other (Wtr Rights, Easements, Acq)	# Mos to Complete
1	991,155	Yes	Yes	No	No	Yes	12
2	4,949,845	No	No	Yes	No	No	12

**Infrastructure Capital Improvement Plan FY2020-2024**

3	0	No	No	No	No	No	0
4	0	No	No	No	No	No	0
5	0	No	No	No	No	No	0
<b>TOTAL</b>	<b>5,941,000</b>						

Has your local government/agency budgeted for operating expenses for the project when it is completed?								Yes
If no, please explain why:								
<b>ANNUAL OPERATING BUDGET</b>	<b>YEAR 1</b>	<b>YEAR 2</b>	<b>YEAR 3</b>	<b>YEAR 4</b>	<b>YEAR 5</b>	<b>TOTAL</b>		
Annual Operating Expenses plus Debt Service	0	33,918	339,180	339,180	339,180	1,051,458		
Annual Operating Revenues	0	50,000	151,724	200,000	250,000	651,724		

Does the project lower operating costs? No

If yes, please explain and provide estimates of operating savings

Entities who will assume the following responsibilities for this project:

Fiscal Agent:	Own:	Operate:	Own Land:	Own Asset:	Maintain:
EMWT Regional Water Association	EMWT Regional Water Association	EMWT Regional Water Association	EMWT Regional Water Association	EMWT Regional Water Association	EMWT Regional Water Association

Lease/operating agreement in place?

No	No	No	No	No	No
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More detailed information on project.

(a) How many years is the requested project expected to be in use before needing Renovate/Repair or Replacement? 16 years or more

(b) Has the project had public input and buy-in? Yes

(c) Is the project necessary to address population or client growth and if so, will it provide services to that population or clientele? Yes

(d) Regionalism - Does the project directly benefit an entity other than itself? Yes

If yes, please list the other entity. This project will provide a fully functional, revenue generating delivery system for the McIntosh area and extend the regional water distribution system.

(e) Are there oversight mechanisms built in that would ensure timely construction and completion of the project on budget? Yes

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## Infrastructure Capital Improvement Plan FY2020-2024

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**Please explain.** Project Management would be provided by EMW Gas Association, which, for 52 years, has established a proven ability for successful public works construction project completion.

**(f) Other than the temporary construction jobs associated with the project, does the project maintain or advance the region's economy?** Yes

**If yes, please explain.** The governing bodies of Estancia, Moriarty, Willard and Torrance County have signed Joint Powers Agreements which form EMWT and have supported its goals since its inception.

**(g) Does the project benefit all citizens within a recognized region, district or political subdivision?** Yes

**If yes, please explain and provide the number of people that will benefit from the project.**

Although McIntosh is small, this project will complete the 2nd fully functional phase establishing t

**(h) Does the project eliminate a risk or hazard to public health and/or safety that immediately endangers occupants of the premises such that corrective action is urgent and unavoidable? Emergencies must be documented by a Subject Matter Expert.** No

**If yes, please explain. (If mandatory, provide Summary Page of the Federal, State or Judiciary Agency who issued the mandate.)**

## Infrastructure Capital Improvement Plan FY2020-2024

### ICIP Capital Project Description

**Year/Rank** 2020 002 **Priority:** High **ID:**31952  
**Project Title:** McIntosh Drinking Water Dispensing Station **Class:** New **Type/Subtype:** Water - Water Supply  
**Contact Name:** Bobby Ortiz, Chairman **Contact Phone:** 505-379-2590 **Contact E-mail:** bortiz@cobbfindley.com  
**Total project cost:** 240,000 **Proposed project start date:** June 2019  
**Project Location:** NM Hwy 41 Mile Marker 18.3 Eastside North of CR A080 McIntosh NM **Latitude:** 34.873 **Longitude:** 106.151  
**Legislative Language:** To plan, design and construct a well, tank, piping, and a bulk drinking water dispensing station in the unincorporated community of McIntosh, Torrance County, New Mexico.  
**Scope of Work:** The project entails the building, disinfection equipment, dispenser facility, and associated site work and piping to the dispenser facility. Water source storage is not a part of this project. Water source and storage will be provided through another project or source.

**Secured and Potential Funding Budget:**

State Grant Funding should only be requested when all other funding sources have been exhausted if entity is providing matching funds, i.e. Federal, Local Taxes, Fees, NM Finance Authority Loans (NMFA), Tribal Infrastructure Fund (TIF), Water Trust Board (WTB), Public School Facility Authority (PSFA), Colonia's Infrastructure Board (CIB), etc.

Please complete table below with all secured and potential funding sources.

Funding Source(s)	Funding Amount	Applied For? Yes or No	Amount Secured	Amt Expended to Date	Date(s)	
					Received	Comment
FGRANT	120,000	No	0	0		
FLOAN	120,000	No	0	0		
FGRANT	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
<b>TOTALS</b>	240,000		0	0		

**Project Budget - Complete the Budget below. Only include unfunded or unsecured funds under each project year. Note: Funded to Date column must equal the amounts listed above here.**

Completed	Funded to Date	Estimated Costs Not Yet Funded				Total Project Cost
		2020	2021	2022	2023	
No						

### Infrastructure Capital Improvement Plan FY2020-2024

Water Rights		0	0	0	0	0	0	0
Easements and Rights of Way	No	0	0	0	0	0	0	0
Acquisition	No	0	0	0	0	0	0	0
Archaeological Studies	N/A	0	0	0	0	0	0	0
Environmental Studies	Yes	0	0	0	0	0	0	0
Planning	Yes	0	0	0	0	0	0	0
Design (Engr./Arch.)	No	0	40,000	0	0	0	0	40,000
Construction	No	0	200,000	0	0	0	0	200,000
Furnishing/Equipment	N/A	0	0	0	0	0	0	0
<b>TOTALS</b>		<b>0</b>	<b>240,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>240,000</b>
<i>Amount Not Yet Funded</i>		<i>240,000</i>						

#### PHASING BUDGET

Can this project be phased? No

Phasing: Stand Alone: No Multi-Phased: No

A project single phase approach is used for projects that can be completed with one process because it is manageable, affordable, and will not require any foreseeable additional resources or activities to be fully operational when complete.

A project multi-phased approach is used for breaking down very large projects into manageable standalone parts that are independently functional and easier to fund.

If the multi-phase approach is being used it is required to provide accurate dates, costs, and funding sources for prior phases, and be able to provide reasonable projections of dates, costs, and funding sources for future phases. In addition, each multi-phase has three main levels: Planning, Design, and Construction. Each level can be funded individually, however strong emphasis is put on completing all three levels.

Phase	Amount	Plan	Design	Construct	Furnish/Equip	Other (Wtr Rights, Easements, Acq)	# Mos to Complete
1	0	No	No	No	No	No	0
2	0	No	No	No	No	No	0
3	0	No	No	No	No	No	0
4	0	No	No	No	No	No	0
5	0	No	No	No	No	No	0
<b>TOTAL</b>	<b>0</b>						

**Infrastructure Capital Improvement Plan FY2020-2024**

Has your local government/agency budgeted for operating expenses for the project when it is completed?	Yes					
If no, please explain why:						
<b>ANNUAL OPERATING BUDGET</b>	<b>YEAR 1</b>	<b>YEAR 2</b>	<b>YEAR 3</b>	<b>YEAR 4</b>	<b>YEAR 5</b>	<b>TOTAL</b>
Annual Operating Expenses plus Debt Service	2,400	2,400	2,400	2,400	12,000	21,600
Annual Operating Revenues	15,000	15,000	15,000	15,000	15,000	75,000

Does the project lower operating costs? No

If yes, please explain and provide estimates of operating savings

Entities who will assume the following responsibilities for this project:

	<u>Fiscal Agent:</u>	<u>Own:</u>	<u>Operate:</u>	<u>Own Land:</u>	<u>Own Asset:</u>	<u>Maintain:</u>
	EMWT Regional Water Association	EMWT Regional Water Association	EMWT Regional Water Association	EMWT Regional Water Association	EMWT Regional Water Association	EMWT Regional Water Association
Lease/operating agreement in place?	No	No		No	No	No

**More detailed information on project.**

(a) How many years is the requested project expected to be in use before needing Renovate/Repair or Replacement? 1-9 years

(b) Has the project had public input and buy-in? Yes

(c) Is the project necessary to address population or client growth and if so, will it provide services to that population or clientele? Yes

(d) Regionalism - Does the project directly benefit an entity other than itself? Yes

If yes, please list the other entity. This project will complete a fully functional station capable of generating revenues as water is purchased by area residents.

(e) Are there oversight mechanisms built in that would ensure timely construction and completion of the project on budget? Yes

Please explain. Project Management will be provided by EMW Gas Association, which, for 52 years, has established a proven ability for successful public works construction project completion.

(f) Other than the temporary construction jobs associated with the project, does the project maintain or advance the region's economy? Yes

If yes, please explain. The governing bodies of Estancia, Moriarty, Willard and Torrance County have had Joint Powers Agreements which form EMWT and have supported its goals since its inception.



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## Infrastructure Capital Improvement Plan FY2020-2024

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**(g) Does the project benefit all citizens within a recognized region, district or political subdivision?**

Yes

If yes, please explain and provide the number of people that will benefit from the project.

Although McIntosh is small, this project will complete the first fully functional phase establishing

**(h) Does the project eliminate a risk or hazard to public health and/or safety that immediately endangers occupants of the premises such that corrective action is urgent and unavoidable? Emergencies must be documented by a Subject Matter Expert.**

No

If yes, please explain. (If mandatory, provide Summary Page of the Federal, State or Judiciary Agency who issued the mandate.)

## Infrastructure Capital Improvement Plan FY2020-2024

### ICIP Capital Project Description

<b>Year/Rank</b> 2021 001	<b>Priority:</b> High		<b>ID:</b> 31985
<b>Project Title:</b> NM Hwy 41 Corridor Drinking Water Distribution Sys	<b>Class:</b> New	<b>Type/Subtype:</b> Facilities - Administrative Facilities	
<b>Contact Name:</b> Bobby Ortiz, Chairman	<b>Contact Phone:</b> 505-379-2590	<b>Contact E-mail:</b> bortiz@cobbhendley.com	
<b>Total project cost:</b> 26,434,260	<b>Proposed project start date:</b>		
<b>Project Location:</b> Intersection NM Hwy 41 and Tree Farm Road, Mile Marker 13.5 Estancia NM 87016	<b>Latitude:</b> 34.797939	<b>Longitude:</b> -106.054154	

**Legislative Language:** Plan, design and construct municipal bulk water supply and residential distribution along the NM 41 Corridor from Willard to Moriarty.

**Scope of Work:** The project entails the acquisition of land and water rights, plan design and construct transmission main from Willard to Moriarty, four wells with accompanying equipment and buildings, three storage tanks, two pump stations and one PRV station. Water rights may be leased from the owner entities, or additional water rights may be purchased from existing water rights holders within the basin. Through meetings with local OSE water rights staff and contact with local water rights owners, we have verified water rights are available and the permit process has been reviewed with OSE staff. Engineering services have been contracted with Bohannon Huston after a Qualifications-Based Selection Request for Proposal procurement process approved by the Professional Technical Advisory Board which met the requirements of the New Mexico Procurement Code. Four drinking water wells will be developed, along with chlorination systems, power to the sites, storage facilities (tanks) and access improvements to feed the distribution system. This project will serve as the third fully functional phase of the overall EMWT Regional Water Project serving the Estancia Basin.

<b>Secured and Potential Funding Budget:</b>						
State Grant Funding should only be requested when all other funding sources have been exhausted if entity is providing matching funds, i.e. Federal, Local Taxes, Fees, NM Finance Authority Loans (NMFA), Tribal Infrastructure Fund (TIF), Water Trust Board (WTB), Public School Facility Authority (PSFA), Colonia's Infrastructure Board (CIB), etc.						
Please complete table below with all secured and potential funding sources.						
Funding Source(s)	Funding Amount	Applied For? Yes or No	Amount Secured	Amt Expended to Date	Date(s) Received	Comment
FGRANT	20,000,000	No	0	0		
FLOAN	200,000	No	0	0		
NMFA	6,000,000	No	0	0		
NMFAL	234,260	No	0	0		
CAP	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
<b>TOTALS</b>	26,434,260		0	0		

## Infrastructure Capital Improvement Plan FY2020-2024

Project Budget - Complete the Budget below. Only include unfunded or unsecured funds under each project year. Note: Funded to Date column must equal the amounts listed above here.								
	Completed	Funded to Date	Estimated Costs Not Yet Funded					Total Project Cost
			2020	2021	2022	2023	2024	
Water Rights	No	0	0	6,384,846	0	0	0	6,384,846
Easements and Rights of Way	No	0	0	100,000	0	0	0	100,000
Acquisition	N/A	0	0	0	0	0	0	0
Archaeological Studies	N/A	0	0	0	0	0	0	0
Environmental Studies	Yes	0	0	0	0	0	0	0
Planning	No	0	0	0	1,891,640	0	0	1,891,640
Design (Engr./Arch.)	No	0	0	0	1,891,640	0	0	1,891,640
Construction	No	0	0	0	0	16,166,135	0	16,166,135
Furnishing/Equipment	N/A	0	0	0	0	0	0	0
<b>TOTALS</b>		0	0	6,484,846	3,783,280	16,166,135	0	26,434,260
<i>Amount Not Yet Funded</i>								26,434,260

PHASING BUDGET							
Can this project be phased? <input checked="" type="checkbox"/> Yes							
Phasing: Stand Alone: <input type="checkbox"/> No Multi-Phased: <input type="checkbox"/> No							
A project single phase approach is used for projects that can be completed with one process because it is manageable, affordable, and will not require any foreseeable additional resources or activities to be fully operational when complete.							
A project multi-phased approach is used for breaking down very large projects into manageable standalone parts that are independently functional and easier to fund.							
If the multi-phase approach is being used it is required to provide accurate dates, costs, and funding sources for prior phases, and be able to provide reasonable projections of dates, costs, and funding sources for future phases. In addition, each multi-phase has three main levels: Planning, Design, and Construction. Each level can be funded individually, however strong emphasis is put on completing all three levels.							
Phase	Amount	Plan	Design	Construct	Furnish/Equip	Other (Wtr Rights, Easements, Acq)	# Mos to Complete
1	10,268,125	Yes	Yes	No	No	Yes	12
2	16,166,135	No	No	Yes	No	No	24

**Infrastructure Capital Improvement Plan FY2020-2024**

3	0	No	No	No	No	No	0
4	0	No	No	No	No	No	0
5	0	No	No	No	No	No	0
<b>TOTAL</b>	<b>26,434,260</b>						

Has your local government/agency budgeted for operating expenses for the project when it is completed?								No
If no, please explain why:								
<b>ANNUAL OPERATING BUDGET</b>	<b>YEAR 1</b>	<b>YEAR 2</b>	<b>YEAR 3</b>	<b>YEAR 4</b>	<b>YEAR 5</b>	<b>TOTAL</b>		
Annual Operating Expenses plus Debt Service	0	0	102,000	135,000	135,000	372,000		
Annual Operating Revenues	0	0	51,000	121,000	220,000	392,000		

Does the project lower operating costs? No

If yes, please explain and provide estimates of operating savings

Entities who will assume the following responsibilities for this project:

	<u>Fiscal Agent:</u>	<u>Own:</u>	<u>Operate:</u>	<u>Own Land:</u>	<u>Own Asset:</u>	<u>Maintain:</u>
	EMWT Regional Water Association	EMWT Regional Water Association	EMWT Regional Water Association	EMWT Regional Water Association	EMWT Regional Water Association	EMWT Regional Water Association
Lease/operating agreement in place?	No	No		No	No	No

**More detailed information on project.**

(a) How many years is the requested project expected to be in use before needing Renovate/Repair or Replacement? 1-9 years

(b) Has the project had public input and buy-in? Yes

(c) Is the project necessary to address population or client growth and if so, will it provide services to that population or clientele? Yes

(d) Regionalism - Does the project directly benefit an entity other than itself? Yes

If yes, please list the other entity. This project complete a fully functional extension of the Estancia Valley Basin's regional water distribution plan.

(e) Are there oversight mechanisms built in that would ensure timely construction and completion of the project on budget? Yes

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## Infrastructure Capital Improvement Plan FY2020-2024

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**Please explain.** Project management would be provided by EMW Gas Association, which for 52 years, has established a proven ability for successful public works construction project completion.

**(f) Other than the temporary construction jobs associated with the project, does the project maintain or advance the region's economy?** Yes

**If yes, please explain.** The governing bodies of Estancia, Moriarty, Willard and Torrance County have signed Joint Powers Agreements which form EMWT and have supported its goals since its inception.

**(g) Does the project benefit all citizens within a recognized region, district or political subdivision?** Yes

**If yes, please explain and provide the number of people that will benefit from the project.** This project will supply water for the NM 41 corridor and serve as the 3rd fully functional phases

**(h) Does the project eliminate a risk or hazard to public health and/or safety that immediately endangers occupants of the premises such that corrective action is urgent and unavoidable? Emergencies must be documented by a Subject Matter Expert.** No

**If yes, please explain. (If mandatory, provide Summary Page of the Federal, State or Judiciary Agency who issued the mandate.)**

## Infrastructure Capital Improvement Plan FY2020-2024

### ICIP Capital Project Description

**Year/Rank** 2021 002 **Priority:** High **ID:**31986  
**Project Title:** Edgewood, Moriarty & Stanley Water Dist System **Class:** New **Type/Subtype:** Facilities - Administrative Facilities  
**Contact Name:** Bobby Ortiz, Chairman **Contact Phone:** 505-379-2590 **Contact E-mail:** bortiz@cobbfindley.com  
**Total project cost:** 23,758,332 **Proposed project start date:**  
**Project Location:** Midpoint is Intersection US 140 and NM 41 Moriarty NM 87035 **Latitude:** 35.008599 **Longitude:** -106.044676  
**Legislative Language:** To plan, design and construct a bulk water supply and regional distribution system to Stanley, Edgewood and Moriarty  
**Scope of Work:** The project entails the plan design and construct of transmission main, meters and service line to distribute water from Moriarty North to Stanley and from Moriarty West to Edgewood. Water rights may be leased from the owner entities, or additional water rights may be purchased from existing water rights holders within the basin. Through meetings with local OSE water rights staff and contact with local water rights owners, we have verified water rights are available and the permit process has been reviewed with OSE staff. Engineering services have been contracted with Bohannon Huston after a Qualifications-Based Selection Request for Proposal procurement process approved by the Professional Technical Advisory Board which met the requirements of the New Mexico Procurement Code. This project will serve as the fourth fully functional phase of the overall EMWT Regional Water Project serving the Estancia Basin.

**Secured and Potential Funding Budget:**

State Grant Funding should only be requested when all other funding sources have been exhausted if entity is providing matching funds, i.e. Federal, Local Taxes, Fees, NM Finance Authority Loans (NMFA), Tribal Infrastructure Fund (TIF), Water Trust Board (WTB), Public School Facility Authority (PSFA), Colonia's Infrastructure Board (CIB), etc.

Please complete table below with all secured and potential funding sources.

Funding Source(s)	Funding Amount	Applied For? Yes or No	Amount Secured	Amt Expended to Date	Date(s)	
					Received	Comment
FGRANT	20,000,000	No	0	0		
FGRANT	2,000,000	No	0	0		
NMFA	1,000,000	No	0	0		
NMFAL	758,333	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
<b>TOTALS</b>	<b>23,758,332</b>		<b>0</b>	<b>0</b>		

**Project Budget - Complete the Budget below. Only include unfunded or unsecured funds under each project year. Note: Funded to Date column must equal the amounts listed above here.**

Estimated Costs Not Yet Funded

### Infrastructure Capital Improvement Plan FY2020-2024

	Completed	Funded to Date	2020	2021	2022	2023	2024	Total Project Cost
Water Rights	No	0	0	0	5,089,545	0	0	5,089,545
Easements and Rights of Way	N/A	0	0	0	0	0	0	0
Acquisition	N/A	0	0	0	0	0	0	0
Archaeological Studies	N/A	0	0	0	0	0	0	0
Environmental Studies	Yes	0	0	0	0	0	0	0
Planning	No	0	0	0	1,065,157	0	0	1,065,157
Design (Engr./Arch.)	No	0	0	0	2,485,367	0	0	2,485,367
Construction	No	0	0	0	0	15,118,264	0	15,118,264
Furnishing/Equipment	N/A	0	0	0	0	0	0	0
<b>TOTALS</b>		0	0	0	8,640,069	15,118,264	0	23,758,332
<i>Amount Not Yet Funded</i>		23,758,332						

#### PHASING BUDGET

Can this project be phased? Yes

Phasing: Stand Alone: No Multi-Phased: No

A project single phase approach is used for projects that can be completed with one process because it is manageable, affordable, and will not require any foreseeable additional resources or activities to be fully operational when complete.

A project multi-phased approach is used for breaking down very large projects into manageable standalone parts that are independently functional and easier to fund.

If the multi-phase approach is being used it is required to provide accurate dates, costs, and funding sources for prior phases, and be able to provide reasonable projections of dates, costs, and funding sources for future phases. In addition, each multi-phase has three main levels: Planning, Design, and Construction. Each level can be funded individually, however strong emphasis is put on completing all three levels.

Phase	Amount	Plan	Design	Construct	Furnish/Equip	Other (Wtr Rights, Easements, Acq)	# Mos to Complete
1	8,640,069	Yes	Yes	No	No	Yes	0
2	15,118,264	No	No	Yes	No	No	0
3	0	No	No	No	No	No	0
4	0	No	No	No	No	No	0
5	0	No	No	No	No	No	0

**Infrastructure Capital Improvement Plan FY2020-2024**

<b>TOTAL</b>	<b>33,758,332</b>
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Has your local government/agency budgeted for operating expenses for the project when it is completed?							Yes
If no, please explain why:							
<b>ANNUAL OPERATING BUDGET</b>	<b>YEAR 1</b>	<b>YEAR 2</b>	<b>YEAR 3</b>	<b>YEAR 4</b>	<b>YEAR 5</b>	<b>TOTAL</b>	
Annual Operating Expenses plus Debt Service	0	0	102,000	135,000	135,000	372,000	
Annual Operating Revenues	0	0	51,000	121,000	167,000	339,000	

Does the project lower operating costs? No

If yes, please explain and provide estimates of operating savings

Entities who will assume the following responsibilities for this project:

	<u>Fiscal Agent:</u>	<u>Own:</u>	<u>Operate:</u>	<u>Own Land:</u>	<u>Own Asset:</u>	<u>Maintain:</u>
	EMWT Regional Water Association	EMWT Regional Water Association	EMWT Regional Water Association	EMWT Regional Water Association	EMWT Regional Water Association	EMWT Regional Water Association
Lease/operating agreement in place?	No	No		No	No	No

**More detailed information on project.**

(a) How many years is the requested project expected to be in use before needing Renovate/Repair or Replacement? 1-9 years

(b) Has the project had public input and buy-in? Yes

(c) Is the project necessary to address population or client growth and if so, will it provide services to that population or clientele? Yes

(d) Regionalism - Does the project directly benefit an entity other than itself? Yes

If yes, please list the other entity. This project will complete a fully functional extension of the Estancia Valley Basin's regional water distribution system.

(e) Are there oversight mechanisms built in that would ensure timely construction and completion of the project on budget? Yes

Please explain. Project management would be provided by EMW Gas Association, which for 52 years has established a proven ability for successful public works construction project completion.



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## Infrastructure Capital Improvement Plan FY2020-2024

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- (f) **Other than the temporary construction jobs associated with the project, does the project maintain or advance the region's economy?** Yes  
If yes, please explain. The governing bodies of Estancia, Moriarty, Willard and Torrance County have signed Joint Powers Agreements which form EMWT and have supported its goals since inception.
- (g) **Does the project benefit all citizens within a recognized region, district or political subdivision?** Yes  
If yes, please explain and provide the number of people that will benefit from the project. This project will supply water for Moriarty, Edgewood and Stanley and also serve as the 4th fully fu
- (h) **Does the project eliminate a risk or hazard to public health and/or safety that immediately endangers occupants of the premises such that corrective action is urgent and unavoidable? Emergencies must be documented by a Subject Matter Expert.** No  
If yes, please explain. (If mandatory, provide Summary Page of the Federal, State or Judiciary Agency who issued the mandate.)

## Infrastructure Capital Improvement Plan FY2020-2024

### ICIP Capital Project Description

**Year/Rank** 2022 001 **Priority:** **ID:**31987  
**Project Title:** East Mountain Water Distribution System **Class:** New **Type/Subtype:** Water Supply  
**Contact Name:** Bobby Ortiz, Chairman **Contact Phone:** 505-379-2590 **Contact E-mail:** bortiz@cobbfindley.com  
**Total project cost:** 0 **Proposed project start date:**  
**Project Location:** Midpoint is NM Hwy 542 (Ewing Road), Mile Marker 6 Estancia NM 87016 **Latitude:** 34.666982 **Longitude:** -106.217291  
**Legislative Language:** To plan, design and construct a bulk water supply and regional distribution system to the East Mountain Area of Torrance County (Mountainair, Punta de Agua, Manzano, Torreon and Tajique).  
**Scope of Work:** The project entails the plan design and construct of transmission main, 2429 radio read meters with cans and service lines to distribute water to Mountainair, Punta de Agua, Manzano, Torreon and Tajique. Water rights may be leased from the owner entities, or additional water rights may be purchased from existing water rights holders within the basin. Through meetings with local OSE water rights staff and contact with local water rights owners, we have verified water rights are available and the permit process has been reviewed with OSE staff. Engineering services have been contracted with Bohannon Huston after a Qualifications-Based Selection Request for Proposal procurement process approved by the Professional Technical Advisory Board which met the requirements of the New Mexico Procurement Code. This project will serve as the fifth fully functional phase of the overall EMWT Regional Water Project serving the Estancia Basin.

Secured and Potential Funding Budget:

State Grant Funding should only be requested when all other funding sources have been exhausted if entity is providing matching funds, i.e. Federal, Local Taxes, Fees, NM Finance Authority Loans (NMFA), Tribal Infrastructure Fund (TIF), Water Trust Board (WTB), Public School Facility Authority (PSFA), Colonia's Infrastructure Board (CIB), etc.

Please complete table below with all secured and potential funding sources.

Funding Source(s)	Funding Amount	Applied For? Yes or No	Amount Secured	Amt Expended to Date	Date(s) Received	Comment
	FGGRANT	20,000,000	No	0	0	
FLOAN	500,000	No	0	0		
NMFA	7,000,000	No	0	0		
NMFAL	619,156	No	0	0		
OTHER	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
<b>TOTALS</b>	<b>28,119,156</b>		<b>0</b>	<b>0</b>		

Project Budget - Complete the Budget below. Only include unfunded or unsecured funds under each project year. Note: Funded to Date column must equal the amounts listed above here.

### Infrastructure Capital Improvement Plan FY2020-2024

	Completed	Funded to Date	Estimated Costs Not Yet Funded					Total Project Cost
			2020	2021	2022	2023	2024	
Water Rights	No	0	0	0	0	2,948,011	0	2,948,011
Easements and Rights of Way	N/A	0	0	0	0	0	0	0
Acquisition	N/A	0	0	0	0	0	0	0
Archaeological Studies	N/A	0	0	0	0	0	0	0
Environmental Studies	Yes	0	0	0	0	0	0	0
Planning	No	0	0	0	0	1,432,064	0	1,432,064
Design (Engr./Arch.)	No	0	0	0	0	3,341,484	0	3,341,484
Construction	No	0	0	0	0	20,397,596	0	20,397,596
Furnishing/Equipment	N/A	0	0	0	0	0	0	0
<b>TOTALS</b>		0	0	0	0	28,119,156	0	28,119,156
		Amount Not Yet Funded	28,119,156					

**PHASING BUDGET**

Can this project be phased? No

Phasing: Stand Alone: No Multi-Phased: No

A project single phase approach is used for projects that can be completed with one process because it is manageable, affordable, and will not require any foreseeable additional resources or activities to be fully operational when complete.

A project multi-phased approach is used for breaking down very large projects into manageable standalone parts that are independently functional and easier to fund.

If the multi-phase approach is being used it is required to provide accurate dates, costs, and funding sources for prior phases, and be able to provide reasonable projections of dates, costs, and funding sources for future phases. In addition, each multi-phase has three main levels: Planning, Design, and Construction. Each level can be funded individually, however strong emphasis is put on completing all three levels.

Phase	Amount	Plan	Design	Construct	Furnish/Equip	Other (Wtr Rights, Easements, Acq)	# Mos to Complete
1	0	No	No	No	No	No	0
2	0	No	No	No	No	No	0
3	0	No	No	No	No	No	0
4	0	No	No	No	No	No	0

**Infrastructure Capital Improvement Plan FY2020-2024**

5	0	No	No	No	No	No	0
<b>TOTAL</b>	0						

Has your local government/agency budgeted for operating expenses for the project when it is completed?								No
If no, please explain why:								
<b>ANNUAL OPERATING BUDGET</b>	<b>YEAR 1</b>	<b>YEAR 2</b>	<b>YEAR 3</b>	<b>YEAR 4</b>	<b>YEAR 5</b>	<b>TOTAL</b>		
Annual Operating Expenses plus Debt Service	0	102,000	135,000	135,000	135,000	507,000		
Annual Operating Revenues	51,000	82,000	124,000	157,000	173,000	587,000		

Does the project lower operating costs? No

If yes, please explain and provide estimates of operating savings

Entities who will assume the following responsibilities for this project:

	Fiscal Agent:	Own:	Operate:	Own Land:	Own Asset:	Maintain:
	EMWT Regional Water Association	EMWT Regional Water Association	EMWT Regional Water Association	EMWT Regional Water Association	EMWT Regional Water Association	EMWT Regional Water Association
Lease/operating agreement in place?	No	No		No	No	No

**More detailed information on project.**

(a) How many years is the requested project expected to be in use before needing Renovate/Repair or Replacement?

(b) Has the project had public input and buy-in? Yes

(c) Is the project necessary to address population or client growth and if so, will it provide services to that population or clientele? Yes

(d) Regionalism - Does the project directly benefit an entity other than itself? Yes

If yes, please list the other entity. This project will extend and enhance previous projects' water supply to the region.

(e) Are there oversight mechanisms built in that would ensure timely construction and completion of the project on budget? Yes

Please explain. Project management will be provided by EMW Gas Association, which for 52 years has established a proven ability for successful public works construction project completion.

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## Infrastructure Capital Improvement Plan FY2020-2024

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- (f) Other than the temporary construction jobs associated with the project, does the project maintain or advance the region's economy? Yes  
If yes, please explain. The governing bodies of Estancia, Moriarty, Willard and Torrance County have signed Joint Powers Agreements which form EMWT and have supported its goals since inception.
- (g) Does the project benefit all citizens within a recognized region, district or political subdivision? No  
If yes, please explain and provide the number of people that will benefit from the project. This project will supply water for 5 communities and will also serve as the 5th fully functional pha
- (h) Does the project eliminate a risk or hazard to public health and/or safety that immediately endangers occupants of the premises such that corrective action is urgent and unavoidable? Emergencies must be documented by a Subject Matter Expert. No  
If yes, please explain. (If mandatory, provide Summary Page of the Federal, State or Judiciary Agency who issued the mandate.)

## Infrastructure Capital Improvement Plan FY2020-2024

### ICIP Capital Project Description

**Year/Rank** 2023 001 **Priority:** **ID:**31988  
**Project Title:** Escabosa & Chilili Water Dist System **Class:** New **Type/Subtype:** Water Supply  
**Contact Name:** Bobby Ortiz, Chairman **Contact Phone:** 505-379-2590 **Contact E-mail:** bortiz@cobbendley.com  
**Total project cost:** 0 **Proposed project start date:**  
**Project Location:** Midpoint is 1.25 Miles East of Intersection of NM Hwy 337 & AO52 **Latitude:** 34.826560 **Longitude:** -106.191843  
 (Lesperance Rd.) Tijeras NM 87059  
**Legislative Language:** To plan, design and construct a bulk water supply and regional distribution system from McIntosh to Escabosa and Chilili.  
**Scope of Work:** The project entails plan, design and construct two storage tanks, radio read meters with cans, lids and service lines and pipeline to distribute water from McIntosh to Escabosa and Chilili. Water rights may be leased from the owner entities, or additional water rights may be purchased from existing water rights holders within the basin. Through meetings with local OSE water rights staff and contact with local water rights owners, we have verified water rights are available and the permit process has been reviewed with OSE staff. Engineering services have been contracted with Bohannan Huston after a Qualifications-Based Selection Request for Proposal procurement process approved by the Professional Technical Advisory Board which met the requirements of the New Mexico Procurement Code. This project will serve as the sixth and final fully functional phase of the overall EMWT Regional Water Project serving the Estancia Basin.

**Secured and Potential Funding Budget:**

State Grant Funding should only be requested when all other funding sources have been exhausted if entity is providing matching funds, i.e. Federal, Local Taxes, Fees, NM Finance Authority Loans (NMFA), Tribal Infrastructure Fund (TIF), Water Trust Board (WTB), Public School Facility Authority (PSFA), Colonia's Infrastructure Board (CIB), etc.

Please complete table below with all secured and potential funding sources.

Funding Source(s)	Funding Amount	Applied For? Yes or No	Amount		Date(s)	
			Secured	Amt Expended to Date	Received	Comment
NMFA	2,250,000	No	0	0		
NMFA	672,182	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
	0	No	0	0		
<b>TOTALS</b>	<b>2,922,182</b>		<b>0</b>	<b>0</b>		

## Infrastructure Capital Improvement Plan FY2020-2024

Project Budget - Complete the Budget below. Only include unfunded or unsecured funds under each project year. Note: Funded to Date column must equal the amounts listed above here.									
	Completed	Funded to Date	Estimated Costs Not Yet Funded					Total Project Cost	
			2020	2021	2022	2023	2024		
Water Rights	No	0	0	0	0	0	507,657	507,657	
Easements and Rights of Way	N/A	0	0	0	0	0	0	0	
Acquisition	N/A	0	0	0	0	0	0	0	
Archaeological Studies	N/A	0	0	0	0	0	0	0	
Environmental Studies	Yes	0	0	0	0	0	0	0	
Planning	No	0	0	0	0	0	137,370	137,370	
Design (Engr./Arch.)	No	0	0	0	0	0	320,529	320,529	
Construction	No	0	0	0	0	0	1,956,626	1,956,626	
Furnishing/Equipment	N/A	0	0	0	0	0	0	0	
<b>TOTALS</b>		0	0	0	0	0	2,922,182	2,922,182	
Amount Not Yet Funded			2,922,182						

PHASING BUDGET							
Can this project be phased? No							
Phasing: Stand Alone: No Multi-Phased: No							
A project single phase approach is used for projects that can be completed with one process because it is manageable, affordable, and will not require any foreseeable additional resources or activities to be fully operational when complete.							
A project multi-phased approach is used for breaking down very large projects into manageable standalone parts that are independently functional and easier to fund.							
If the multi-phase approach is being used it is required to provide accurate dates, costs, and funding sources for prior phases, and be able to provide reasonable projections of dates, costs, and funding sources for future phases. In addition, each multi-phase has three main levels: Planning, Design, and Construction. Each level can be funded individually, however strong emphasis is put on completing all three levels.							
Phase	Amount	Plan	Design	Construct	Furnish/Equip	Other (Wtr Rights, Easements, Acq)	# Mos to Complete
1	0	No	No	No	No	No	0
2	0	No	No	No	No	No	0

**Infrastructure Capital Improvement Plan FY2020-2024**

3	0	No	No	No	No	No	0
4	0	No	No	No	No	No	0
5	0	No	No	No	No	No	0
<b>TOTAL</b>	<b>0</b>						

Has your local government/agency budgeted for operating expenses for the project when it is completed?								No
If no, please explain why:								
<b>ANNUAL OPERATING BUDGET</b>	<b>YEAR 1</b>	<b>YEAR 2</b>	<b>YEAR 3</b>	<b>YEAR 4</b>	<b>YEAR 5</b>	<b>TOTAL</b>		
Annual Operating Expenses plus Debt Service	0	25,000	25,000	25,000	25,000	100,000		
Annual Operating Revenues	0	18,000	21,000	32,000	32,000	103,000		

Does the project lower operating costs? No

If yes, please explain and provide estimates of operating savings

Entities who will assume the following responsibilities for this project:

	<u>Fiscal Agent:</u>	<u>Own:</u>	<u>Operate:</u>	<u>Own Land:</u>	<u>Own Asset:</u>	<u>Maintain:</u>
	EMWT Regional Water Association	EMWT Regional Water Association	EMWT Regional Water Association	EMWT Regional Water Association	EMWT Regional Water Association	EMWT Regional Water Association
Lease/operating agreement in place?	No	No		No	No	No

**More detailed information on project.**

(a) How many years is the requested project expected to be in use before needing Renovate/Repair or Replacement?

(b) Has the project had public input and buy-in? Yes

(c) Is the project necessary to address population or client growth and if so, will it provide services to that population or clientele? Yes

(d) Regionalism - Does the project directly benefit an entity other than itself? Yes

If yes, please list the other entity. This project will extend and enhance previous projects' regional water supply and complete a fully functional supply for these two communities.

(e) Are there oversight mechanisms built in that would ensure timely construction and completion of the project on budget? Yes



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## Infrastructure Capital Improvement Plan FY2020-2024

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**Please explain.** Project management will be provided by EMW Gas Association, which, for 52 years has established a proven ability to successfully complete public works construction projects.

**(f) Other than the temporary construction jobs associated with the project, does the project maintain or advance the region's economy?** Yes

**If yes, please explain.** The governing bodies of Estancia, Moriarty, Willard and Torrance County have signed Joint Powers Agreements which form EMWT and have supported its goals since its inception.

**(g) Does the project benefit all citizens within a recognized region, district or political subdivision?** Yes

**If yes, please explain and provide the number of people that will benefit from the project.** Although this project will supply water for two small communities, it will also serve as the 6th and

**(h) Does the project eliminate a risk or hazard to public health and/or safety that immediately endangers occupants of the premises such that corrective action is urgent and unavoidable? Emergencies must be documented by a Subject Matter Expert.** No

**If yes, please explain. (If mandatory, provide Summary Page of the Federal, State or Judiciary Agency who issued the mandate.)**

# Appendix I: ICIP Completion Certification Form

## FY 2020-2024 ICIP Completion Certification Form

This certifies that

EMWT Regional Water Association

22212

Entity Name

Entity Code Number

has completed and entered the information required for the FY 2020-2024 Infrastructure Capital Improvement Plan (ICIP), to include the following for each project (please check mark each item completed):

1. Entity Information.

- Contact person name, address, county, telephone, fax number, email address.
- COG District number
- Entity type.
- Compliant with Executive Order 2013-006
- N/A* Asset management plan and/or inventory listing of capital assets.

2. Complete information on –

- Project Priority Process
- Capital Improvement Goals
- Factors/Trends Considered

3. Capital Project Detail.

- Year/Rank
- Project Title
- Project Type
- Category
- Project Contact Information
- Project Location
- Legislative Language
- Description/Scope of Work
- Secured/Potential Funding Budget
- Project Budget
- Phasing Budget
- Operating Budget
- Who will Own, Operate, Fiscal Agent, Own Land, Own Asset, and Maintain
- Answer all questions as related to each specific project

Bobby Ortiz  
Authorized Signature

06/26/18  
Date (xx/xx/xxxx)

Bobby Ortiz  
Printed Name

Appendix III: Permission for Access Form

**FY 2020-2024 ICIP Permission for Access Form**

(Must be a political subdivision of the state - municipality, county, special district, tribe, or senior center facility.)

**EMWT Regional Water Association**

(Entity Name) agrees to provide the following agency or individual the authority to enter the Infrastructure Capital Improvement Plan (ICIP) website and manipulate the FY 2020-2024 Infrastructure Capital Improvement Plan database for this entity.

Person with signatory authority for this local government entity to give such permission:

Name: Bobby Ortiz Title: Chairman

Entity/Agency Name: EMWT Regional Water Association

Address: PO Box 118

City: Estancia State: NM Zip: 87016 County: Torrance

Phone: 5053842369 Email: bortiz@cobbhendley.com

Signature: *Bobby Ortiz* Date: 06/26/2018

Agency or individual who has been given authority to enter the ICIP data on behalf of said entity:

Name: Donzil Worthington Title: Project Manager

Entity/Agency Name: Bohannan Huston, Inc.

Address: Courtyard 1, 7500 Jefferson

City: Albuquerque State: NM Zip: 87109-4335 County: Bernalillo

Phone: (505) 798-7985 Email: dworthington@bhinc.com

Signature: *Donzil Worthington* Date: 06/26/2018

Appendix III: Permission for Access Form

**FY 2020-2024 ICIP Permission for Access Form**

(Must be a political subdivision of the state - municipality, county, special district, tribe, or senior center facility.)

EMWT Regional Water Association (Entity Name) agrees to provide the following agency or individual the authority to enter the Infrastructure Capital Improvement Plan (ICIP) website and manipulate the FY 2020-2024 Infrastructure Capital Improvement Plan database for this entity.

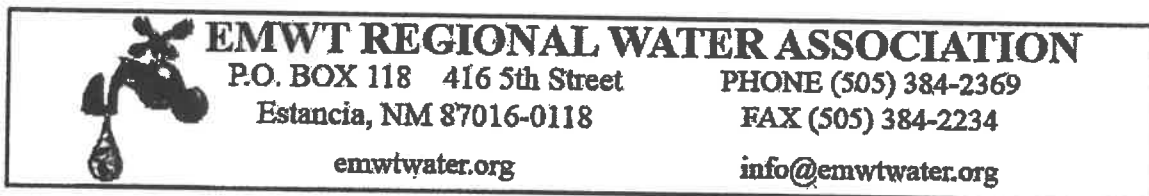
Person with signatory authority for this local government entity to give such permission:

Name: Bobby Ortiz Title: Chairman  
Entity/Agency Name: EMWT Regional Water Association  
Address: PO Box 118  
City: Estancia State: NM Zip: 87016 County: Torrance  
Phone: 505-384-2369 Email: bortiz@cobbfendley.com  
Signature: *Bobby Ortiz* Date: 06/26/2018

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Agency or individual who has been given authority to enter the ICIP data on behalf of said entity:

Name: Kay Brown Title: Chief Procurement Officer  
Entity/Agency Name: EMWT Regional Water Association  
Address: PO Box 118  
City: Estancia State: NM Zip: 87016 County: Torrance  
Phone: 505-384-2369 Email: info@emwtwater.org  
Signature: *Kay Brown* Date: 06/26/2018



**Special District of: EMWT Regional Water Association**

**County of Torrance**

**RESOLUTION No. 2019-3**

**A RESOLUTION ADOPTING AN INFRASTRUCTURE CAPITAL  
IMPROVEMENT PLAN (ICIP)**

**WHEREAS**, the special district of EMWT Regional Water Association recognizes that the financing of public capital projects has become a major concern in New Mexico and nationally; and


**WHEREAS**, in times of scarce resources, it is necessary to find new financing mechanisms and maximize the use of existing resources; and

**WHEREAS**, systematic capital improvements planning is an effective tool for communities to define their development needs, establish priorities and pursue concrete actions and strategies to achieve necessary project development; and

**WHEREAS**, this process contributes to local and regional efforts in project identification and selection in short and long range capital planning efforts.

**NOW, THEREFORE, BE IT RESOLVED BY THE Board of Directors of the EMWT Regional Water Association that:**

1. The EMWT Regional Water Association has adopted the attached FY 2020-2024 Infrastructure Capital Improvement Plan, and
2. It is intended that the Plan be a working document and is the first of many steps toward improving rational, long-range capital planning and budgeting for New Mexico's infrastructure.
3. This Resolution supersedes Resolution No. 2018-3

	<b>EMWT REGIONAL WATER ASSOCIATION</b>	
	P.O. BOX 118 416 5th Street	PHONE (505) 384-2369
	Estancia, NM 87016-0118	FAX (505) 384-2234
	<a href="http://emwtwater.org">emwtwater.org</a>	<a href="mailto:info@emwtwater.org">info@emwtwater.org</a>

**PASSED, APPROVED and ADOPTED** by the governing body at its meeting of July 24, 2018.

**EMWT REGIONAL WATER ASSOCIATION BOARD OF DIRECTORS**

\_\_\_\_\_  
Robert Ortiz, Chair

\_\_\_\_\_  
Steve Anaya, Vice-Chair

\_\_\_\_\_  
Ronnie Reynolds, Secretary/Treasurer

\_\_\_\_\_  
Mike Anaya, Member

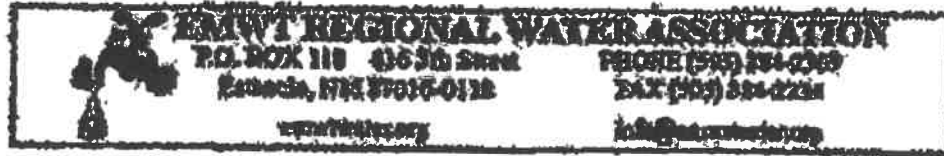
\_\_\_\_\_  
Bobby Chavez, Member

\_\_\_\_\_  
George Immerwahr, Member

\_\_\_\_\_  
Rhonda King, Member

\_\_\_\_\_  
Art Swenka, Member

\_\_\_\_\_  
Cass Tyler, Member



**PAKED, APPROVED and ADOPTED** by the governing body at a meeting of July 24, 2018.

**EAWT REGIONAL WATER ASSOCIATION BOARD OF DIRECTORS**

*Robert Ordo*  
 Robert Ordo, Chair

*Rosita Reynolds*  
 Rosita Reynolds, Secretary/Treasurer

*Bobby Chaves*  
 Bobby Chaves, Member

*Rhonda King*  
 Rhonda King, Member

*Casey Tyler*  
 Casey Tyler, Member

*Mike Amaya*  
 Mike Amaya, Member

*[Signature]*  
 [Signature], Member

*[Signature]*  
 [Signature], Member

*[Signature]*  
 [Signature], Member



*Agenda Item  
No. 13-A*



PO Box 48  
205 9<sup>th</sup> Street  
Estancia, NM 87016  
(505) 246-4725 Main Line (505) 384-5294 Fax  
[www.torrancecountynm.org](http://www.torrancecountynm.org)



**County Commission**  
Commissioner Lonnie Freyburger, District 1  
Commissioner Leanne Tapia, District 2  
Commissioner LeRoy M. Candelaria, District 3  
**County Manager**  
Joy Ansley  
**Deputy County Manager**  
Annette Ortiz

**REQUEST TO BE PLACED ON THE TORRANCE COUNTY  
COMMISSION AGENDA**

This form must be returned to the County Manager's Office **ONLY!**

Deadline for inclusion of an item is **WEDNESDAY, NOON** prior to the subsequent meeting.  
All fields must be filled out for consideration.

Name: Stephanie Dunlap Sheriff  
First Last Department / Company / Organization Name

Today's Date: 2/20/2019 Mailing Address: \_\_\_\_\_  
(Departments/employees of Torrance County need not include their address)

Telephone number/Extension: \_\_\_\_\_ Fax Number: \_\_\_\_\_  
Would you like this Agenda Faxed to you? Yes No

Email Address: sdunlap@tcnm.us

Is this request for the next Commission meeting?  YES  NO If no, date of Commission Meeting: \_\_\_\_\_

**Brief explanation of business to be discussed:**

Approval of Law Enforcement Protection Fund (LEPF) Application for the Torrance County Sheriff's Office

Is this a Resolution , Contract, Agreement, Grant Application, Other? \_\_\_\_\_

Has this been reviewed by Grant Committee? YES NO If yes, corresponding paperwork must be attached.

Has this been reviewed by the County Attorney? YES NO

If this is a contract, MOU, or Joint Powers Agreement there must be a signature line for the County Attorney on the original contract.

Has this been reviewed by the Finance Dept? YES NO Comptroller Initials: \_\_\_\_\_

- No Impact
- Change in current fund
- Raise Budget (allow 45 days after Commission approval)
- Change in funds (allow 45 days after Commission approval)
- Reduction
- Transfer funds (allow 45 days after Commission approval)

Other: \_\_\_\_\_

**APPLICATION FOR LAW ENFORCEMENT PROTECTION FUNDS  
FOR CLASS 1 MUNICIPALITIES AND COUNTIES  
PURSUANT TO CHAPTER 29, ARTICLE 13 NMSA 1978  
FOR THE JULY 1, 2019 - JUNE 30, 2020 FISCAL YEAR**

I. Municipality or County: Torrance County Sheriffs Office

II. Computation of Proposed Distribution:

A. Class 1 (Population per 2010 Census = 0 to 20,000) \$20,000

B. Total Number of Full-Time Certified Police Officers or Sheriff Deputies (\*) multiplied by \$600 (\*\*):  
14 X \$600 = \$ 8,400<sup>00</sup>

(\*) Each officer or Deputy listed on Supplemental Schedule (page 2) must be certified by the New Mexico Police Academy pursuant to Section 29-7-8 NMSA or authorized as a New Mexico Peace Officer pursuant to Section 29-1-11 NMSA. Certification status of officers for whom the award is requested must be current on the March 31, 2019 DPS Registry or officers must be enrolled in the New Mexico Police Academy with an anticipated graduation date prior to or on July 1, 2019.

C. Total Requested Distribution\*\* (A + B) \$ 28,400.-

III. Amounts distributed from the Law Enforcement Protection Fund must be expended only for the purposes allowed by Section 29-13-7 NMSA 1978. Itemize the proposed use of these funds below:

A. Repair and purchase of law enforcement apparatus and equipment (itemized schedule, page 3, must be completed) <sup>1</sup> which meet minimum nationally recognized standards. (Please Note: regular maintenance on vehicles and police equipment; office furniture and supplies; or operating expenses are not allowable expenses) Rule 2 NMAC 110.3	\$ 18,400.-
B. Expenses associated with advanced law enforcement planning and training.	\$ 10,000.-
C. Complying with match or contribution requirements for the receipt of federal funds relating to criminal justice programs.	
D. No more than fifty percent (50%) of the replacement salaries of law enforcement personnel participating in basic law enforcement training.	
E. New Mexico Finance Authority Loan Intercept Agreement.	
<b>F. TOTAL REQUESTED EXPENDITURES**</b>	<b>\$ 28,400.-</b>

\*\*Total Requested Expenditures (Section III) must equal Total Requested Distribution (Section II).

IV. **CERTIFICATION:** Under penalty of law, we hereby certify that to the best of our knowledge and belief, the information contained in this application is correct, and that all expenditures of Law Enforcement Protection Fund monies will be made in accordance with Sections 29-13-7 and 29-13-9 NMSA 1978 as well as Rule 2 NMAC 110.3.

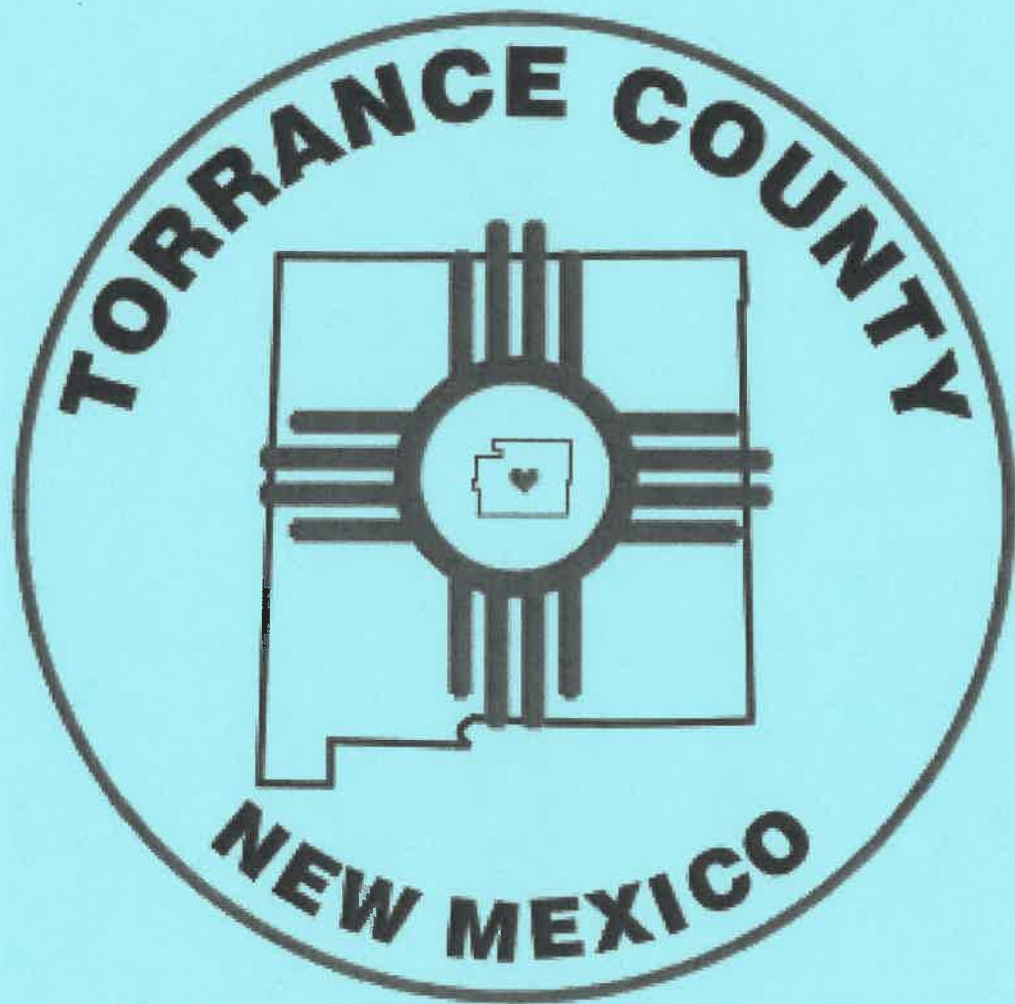
\_\_\_\_\_  
Mayor/Chairman

Mark Kinn  
Police Chief or Sheriff

2/20/19  
Date

<sup>1</sup>Pertains only to municipalities with a population of 1500 or less and universities.

(\*\*) Per officer rate is based on current law as of 2/13/19.



*Agenda Item  
No. 13-B*

PO Box 48  
205 9<sup>th</sup> Street  
Estancia, NM 87016  
(505) 544-4700 Main Line (505) 384-5294 Fax  
[www.torrancecountynm.org](http://www.torrancecountynm.org)



**County Commission**  
Commissioner Kevin McCall, District 1  
Commissioner Ryan Schwebach, District 2  
Commissioner Javier E. Sanchez, District 3  
**County Manager**  
Belinda Garland  
**Deputy County Manager**  
Annette Ortiz

**REQUEST TO BE PLACED ON THE TORRANCE COUNTY COMMISSION AGENDA**  
This form must be returned to the County Manager's Office **ONLY!**

Deadline for inclusion of an item is WEDNESDAY, NOON prior to the subsequent meeting.  
All fields must be filled out for consideration.

Name: Cheryl Allen Grant Coordinator, City Manager's Office  
First Last Department / Company / Organization Name

Today's Date: 3/4/19 Mailing Address: \_\_\_\_\_  
(Departments/employees of Torrance County need not include their address)

Telephone number/Extension: 505-544-4309 Fax Number: \_\_\_\_\_  
Would you like this Agenda Faxed to you? Yes  No

Email Address: callen@tcnm.us

Is this request for the next Commission meeting? YES  NO  If no, date of Commission Meeting: \_\_\_\_\_

Brief explanation of business to be discussed:  
Seek approval to submit application for 2018 Staffing for Adequate Fire and Emergency Response (SAFER) Grant for hiring 5 term firefighters/EI. The grant could require 25% match for Torrance County for first 2 years and 65% match for 3rd year. 100% funding by TC or layoff of term positions would be required after 3rd year.

Is this a Resolution, Contract, Agreement, Grant Application, Other? \_\_\_\_\_

Has this been reviewed by Grant Committee? YES  NO  If yes, corresponding paperwork must be attached.

Has this been reviewed by the County Attorney? YES  NO

If this is a contract, MOU, or Joint Powers Agreement there must be a signature line for the County Attorney on the original contract.

Has this been reviewed by the Finance Dept? YES  NO  Comptroller Initials: \_\_\_\_\_

- No Impact
- Change in current fund
- Raise Budget (allow 45 days after Commission approval)
- Change in funds (allow 45 days after Commission approval)
- Reduction
- Transfer funds (allow 45 days after Commission approval)

Other: \_\_\_\_\_





**DHS-18-GPD-083-000-99**  
**Fiscal Year (FY) 2018 Staffing for Adequate Fire and Emergency Response (SAFER)**  
**Department of Homeland Security**

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**GENERAL INFORMATION**


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<b>Document Type:</b>	Grants Notice
<b>Funding Opportunity Number:</b>	DHS-18-GPD-083-000-99
<b>Funding Opportunity Title:</b>	Fiscal Year (FY) 2018 Staffing for Adequate Fire and Emergency Response (SAFER)
<b>Opportunity Category:</b>	Discretionary
<b>Opportunity Category Explanation:</b>	
<b>Funding Instrument Type:</b>	Grant
<b>Category of Funding Activity:</b>	Other (see text field entitled "Explanation of Other Category of Funding Activity" for clarification)
<b>Category Explanation:</b>	The hiring firefighters and the recruitment and retention of volunteer firefighters.
<b>Expected Number of Awards:</b>	300
<b>CFDA Number(s):</b>	97.083 -- Staffing for Adequate Fire and Emergency Response (SAFER)
<b>Cost Sharing or Matching Requirement:</b>	No

<b>Version:</b>	Synopsis 1
<b>Posted Date:</b>	Feb 08, 2019
<b>Last Updated Date:</b>	Feb 08, 2019
<b>Original Closing Date for Applications:</b>	Mar 22, 2019
<b>Current Closing Date for Applications:</b>	Mar 22, 2019
<b>Archive Date:</b>	Apr 21, 2019
<b>Estimated Total Program Funding:</b>	\$350,000,000
<b>Award Ceiling:</b>	\$0
<b>Award Floor:</b>	\$0

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**ELIGIBILITY**


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<b>Eligible Applicants:</b>	County governments City or township governments Others (see text field entitled "Additional Information on Eligibility" for clarification)
<b>Additional Information on Eligibility:</b>	Fire Departments National, state, local, or federally recognized tribal organizations representing the interests of volunteer firefighters

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**ADDITIONAL INFORMATION**


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**Agency Name:**

Department of Homeland Security

**Description:**

The Department of Homeland Security (DHS) Federal Emergency Management Agency's (FEMA) Grant Programs Directorate implements and administers the Staffing for Adequate Fire and Emergency Response (SAFER) Grants. SAFER grants provide financial assistance to help fire departments increase frontline firefighters. SAFER offers grants to support activities in two activities:

1. Hiring of Firefighters
2. Recruitment and Retention of Volunteer Firefighters

The authority for SAFER is derived from Section 34 of the Federal Fire Prevention and Control Act of 1974 (Pub. L. No. 93-498, as amended) (15 U.S.C. § 2229a).

The notice of funding opportunity document provides potential applicants with the details of the requirements, processing, and evaluation of an application for financial assistance for both of these activity areas.

**Link to Additional Information:** [Program Guidance](#)**Grantor Contact Information:** If you have difficulty accessing the full announcement electronically, please contact:

SAFER Help Desk

SAFER Help Desk



**The Department of Homeland Security (DHS)  
Notice of Funding Opportunity (NOFO)  
FY 2018 Staffing for Adequate Fire and Emergency Response (SAFER)**

**NOTE:** If you are going to apply for this funding opportunity and have not obtained a Data Universal Numbering System (DUNS) number and/or are not currently registered in the System for Award Management (SAM), please take immediate action to obtain a DUNS Number, if applicable, and then to register immediately in SAM. It may take 4 weeks or more after you submit your SAM registration before your registration is active in SAM, then an additional 24 hours for Grants.gov to recognize your information. Information on obtaining a DUNS number and registering in SAM is available from Grants.gov at: <http://www.grants.gov/web/grants/register.html>. Detailed information regarding DUNS and SAM is also provided in Section D of this NOFO, subsection, Content and Form of Application Submission.

**A. Program Description**

**Issued By**

U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), Grant Programs Directorate (GPD)

**Assistance Listings (formerly Catalog of Federal Domestic Assistance (CFDA) Number**

97.083

**Assistance Listings Title**

Staffing for Adequate Fire and Emergency Response (SAFER)

**Notice of Funding Opportunity (NOFO) Title**

Fiscal Year (FY) 2018 Staffing for Adequate Fire and Emergency Response (SAFER)

**NOFO Number**

DHS-18-GPD-083-000-99

**Authorizing Authority for Program**

Section 34 of the *Federal Fire Prevention and Control Act of 1974* (Pub. L. No. 93-498, as amended) (15 U.S.C. § 2229a)

**Appropriation Authority for Program**

*Department of Homeland Security Appropriations Act, 2018* (Pub. L. No. 115-141)

**Program Type**

New



## **Program Overview, Objectives, and Priorities**

### ***Program Overview***

The Department of Homeland Security (DHS), Federal Emergency Management Agency's (FEMA) Grant Programs Directorate (GPD) is responsible for the implementation and administration of the Staffing for Adequate Fire and Emergency Response (SAFER) grant program.

The National Preparedness Goal (the Goal) defines what it means to be prepared for diverse and complicated events. The National Preparedness System is the instrument the Nation employs to build, sustain, and deliver the core capabilities needed to achieve the goal of a more secure and resilient Nation. The development and sustainment of these core capabilities is not exclusive to any single level of government or organization, but rather it requires the combined effort of the whole community. To that end, the FY 2018 SAFER Program represents one part of a comprehensive set of measures authorized by Congress and implemented by the Administration. Among the five basic homeland security missions noted in the DHS Quadrennial Homeland Security Review, the SAFER Program supports the goal to Strengthen National Preparedness and Resilience.

The recently released 2018-2022 FEMA Strategic Plan creates a shared vision for the field of emergency management and sets an ambitious, yet achievable, path forward to unify and further professionalize emergency management across the country. The SAFER Program supports the goal of *Readying the Nation for Catastrophic Disasters*. We invite all of our stakeholders and partners to also adopt these priorities and join us in building a stronger Agency and a more prepared and resilient Nation.

### ***Program Objectives***

The purpose of the SAFER Grant Program is to provide funding directly to fire departments and volunteer firefighter interest organizations to assist in increasing the number of firefighters to help communities meet industry minimum standards and attain 24-hour staffing to provide adequate protection from fire and fire-related hazards, and to fulfill traditional missions of fire departments.

The objective of the SAFER grant program is to assist local fire departments with staffing and deployment capabilities to respond to emergencies and assure that communities have adequate protection from fire and fire-related hazards. Local fire departments accomplish this by improving staffing and deployment capabilities so they may more effectively and safely respond to emergencies. With enhanced staffing levels, recipients should experience a reduction in response times and an increase in the number of trained personnel assembled at the incident scene.

Although not required for a SAFER grant, it is preferable that the enhanced staffing levels of all SAFER recipients should ensure that all first-arriving apparatus are staffed with a minimum of four qualified personnel (to meet National Fire Protection Association

(NFPA) 1710/1720 standards) who are capable of initiating the suppression response. Ultimately, SAFER recipients should achieve more efficient responses and safer incident scenes, thereby ensuring communities have improved protection from fire and fire-related hazards.

In awarding grants, the Administrator of FEMA is required to consider the following:

- The findings and recommendations of the Technical Evaluation Panel (TEP);
- The degree to which an award will reduce deaths, injuries, and property damage by reducing the risks associated with fire related and other hazards; and
- The extent of an applicant’s need for a SAFER grant and the need to protect the United States as a whole.

SAFER offers grants to support projects in two activities. This NOFO provides potential eligible applicants with application requirements and details for processing and evaluating applications for financial assistance for both of these activity areas.

- **Hiring of Firefighters Activity** is to hire new, additional firefighters to improve staffing levels or changing the status of part-time or paid-on-call firefighters to full-time firefighters
- **Recruitment and Retention of Volunteer Firefighters Activity** is to assist fire departments with the recruitment and retention of volunteer firefighters who are involved with or trained in the operations of firefighting and emergency response

#### ***Priorities***

Each activity has specific priorities and objectives. For additional details, please see Appendix B – Programmatic Information and Priorities, Section IV. Funding Priorities.

#### **Performance Metrics**

Performance metrics for the program are as follows:

1. Percent of “majority career” SAFER recipients’ structural fire responses that complied with NFPA 1710 structural response standards.
2. Percent of “majority volunteer” SAFER recipients’ structural fire responses that complied with NFPA 1720 structural response standards.
3. Percent of SAFER hiring recipients who reported and provided evidence that the grant funding increased compliance with NFPA 1710 or 1720 assembly and deployment standards.

#### **B. Federal Award Information**

**Award amounts, important dates, and extensions**

**Available funding for the NOFO:** \$350,000,000

**Projected number of Awards:** 300

**Period of performance:** 12-48 Months

- **Hiring of Firefighters Activity:** The period of performance will be 36 months for all grants awarded under the Hiring of Firefighters Activity.
- **Recruitment and Retention of Volunteer Firefighters Activity:** The period of performance will be between 12 and 48 months for all grants awarded under the Recruitment and Retention of Volunteer Firefighters Activity.

**Projected period of performance start date(s):** 07/01/2019

**Projected period of performance end date(s):** 06/30/2020-06/30/2023

**Funding instrument:** Grant

**Extensions:** Extensions to the period of performance under the Recruitment and Retention of Volunteer Firefighters Activity generally are not allowable. FEMA will consider extension requests to the period of performance under the Recruitment and Retention of Volunteer Firefighters Activity only in extenuating circumstances (such as those fire departments whose operations were significantly impacted due to presidentially declared disasters). Extensions to the period of performance under the Hiring Activity are not allowable.

**C. Eligibility Information**

**Eligible Applicants**

Under the FY 2018 SAFER Grant Program, eligible applicants are limited to those entities described below within each activity:

- **Hiring of Firefighters Activity**  
Volunteer, combination, and career fire departments are eligible to apply for funding.

National, state, local, or federally recognized tribal organizations representing the interests of volunteer firefighters are not eligible to receive a SAFER Grant Award under the Hiring of Firefighters Activity.

- **Recruitment and Retention of Volunteer Firefighters Activity**  
Volunteer and combination fire departments and National, state, local, or federally recognized tribal organizations representing the interests of volunteer firefighters are eligible to apply for funding.

Career fire departments are not eligible to receive a SAFER Grant Award under the Recruitment and Retention of Volunteer Firefighters Activity.

Volunteer fire departments and combination fire departments may apply for funding under both activities; however, departments must complete separate applications for each activity. Applicants are limited to one application per activity, per application period. If an applicant submits two applications for the same activity during a single application period, FEMA will disqualify both applications.

Municipalities and fire districts may submit applications on behalf of fire departments lacking the legal status to do so, such as those under the support of the municipality or district. The municipality or fire district may submit only one application under the Hiring of Firefighters Activity per application period for each eligible fire department within the municipality or fire district.

The following entities are **NOT** eligible to apply under this announcement:

- Federal fire departments and fire departments under contract to the Federal Government whose sole responsibility is the suppression of fires on federal installations or lands;
- For-profit fire departments and organizations (*e.g.*, fire departments that do not have specific nonprofit status or that are not municipally based);
- Ambulance services, emergency medical service organizations, rescue squads, auxiliaries, dive teams, and urban search and rescue teams;
- Non-federal airport or port authority fire departments whose sole responsibility is the suppression of fires on the airport grounds or port facilities, unless the airport/port fire department has a formally recognized arrangement with the local jurisdiction to provide fire suppression on a first-due basis outside the confines of the airport or port facilities;
- Fire stations that are part of, controlled by, or under the day-to-day operational direction of a larger fire department or agency, or that are not otherwise independent; and
- State and local agencies, such as forest service, fire marshals, emergency management offices, hospitals, and training offices.

Each activity has its own application and eligibility requirements, as outlined in [Appendix B – Programmatic Information and Priorities, Section IV. Funding Priorities.](#)

## **Eligibility Criteria**

### **Minimum Budget Requirement**

At the time of application, both SAFER Hiring of Firefighter Activity and Recruitment and Retention of Volunteer Firefighters Activity grant applicants are required to certify their annual budget for fire-related programs and emergency response must not have been reduced below 80 percent of the applicant's average funding level in the three years prior to the date it applies for the grant. *See* 15 U.S.C. § 2229a(c)(2).

Applicants experiencing economic hardship may apply for a waiver of this requirement. Please see [Appendix C: Award Administration Information.](#)

## **Other Eligibility Criteria**

### ***National Incident Management System (NIMS) Implementation***

SAFER Grant Program applicants are not required to be in compliance with the National Incident Management System (NIMS) to apply for funding under this NOFO or to be awarded a grant under this NOFO. However, any applicant that receives an FY 2018 SAFER Grant Program award must achieve the level of NIMS compliance required by the Authority Having Jurisdiction (AHJ) over the applicant's emergency service operations (e.g., a local government), prior to the end of the grant's period of performance.

### **Maintenance of Effort (MOE)**

There is no maintenance of effort requirement for the FY 2018 SAFER grant program.

### **Cost Share or Match**

- **Recruitment and Retention of Volunteer Firefighters Activity**  
Recipients of SAFER Recruitment and Retention of Volunteer Firefighters Activity grants are not required to contribute a Cost Share or Match (non-federal funds).
- **Hiring of Firefighters Activity**  
Recipients of SAFER Hiring of Firefighters Activity grants are required to contribute non-federal funds subject to a Position Cost Limit and a Cost Share, as described below.

All recipients should ensure that they are thoroughly familiar with FEMA's cost sharing requirements identified below, as well as the appropriate cost principles as identified at 2 C.F.R. § 200.101(b)(1).

FEMA does not require the recipient to have the cost share at the time of application. However, before FEMA awards a grant, it may contact potential awardees to determine whether the recipient has the funding in hand or if the recipient has a viable plan to obtain the funding necessary to fulfill the cost-sharing requirement.

### **Position Cost Limit (Waiver Available)**

The amount of federal funding provided to a recipient under the SAFER Hiring of Firefighters Activity for hiring a new firefighter in any fiscal year may not exceed:

- in the first and second years of the grant, 75 percent of the usual annual cost of a first-year firefighter in that department at the time the grant application was submitted; and
- in the third year of the grant, 35 percent of the usual annual cost of a first-year firefighter in that department at the time the grant application was submitted.

"Usual annual costs" includes the base salary (excluding non-FLSA overtime) and the standard benefits package (including the **average** health cost, dental, vision, FICA, life insurance, retirement/pension, etc.) offered by fire departments to first-year (*i.e.*,

entry-level) firefighters. Please refer to [Appendix B: Programmatic Information and Priorities](#) regarding eligible and ineligible costs for SAFER Hiring of Firefighter Activity grants.

The eGrants system automatically calculates the Position Cost Limit in the Budget section of the application.

#### **Cost Share (Waiver Available)**

Under the SAFER Hiring of Firefighters Activity, grant recipients are required to contribute a Cost Share toward the actual cost of hiring firefighters under this program. The Federal portion of the costs of hiring firefighters under this grant may not exceed:

- 75 percent of the actual costs incurred in each of the first and second years of the grant; and
- 35 percent of the actual costs incurred in the third year of the grant.

Therefore, the recipient is required to contribute at least the following in non-Federal funds:

- 25 percent of the actual costs incurred in each of the first and second years of the grant; and
- 65 percent of the actual costs incurred in the third year of the grant.

A Cost Share of non-federal cash is the only allowable recipient contribution. Grant recipients can apply to waive this requirement.

#### **Example: Position Cost Limit and Cost Share**

The Position Cost Limit and Cost Share work together, depending on amount expended, to limit the federal share. For example:

Suppose the applicant submits a SAFER Hiring of Firefighter Activity grant application for one new firefighter. At the time that application is submitted, the usual annual cost of a first-year firefighter in that department is \$100,000. No matter what the department ends up paying the firefighter (for example, even if the department ends up paying the new hire \$110,000), the Position Cost Limit, will cap the federal funding to:

- Year 1 = \$75,000
- Year 2 = \$75,000
- Year 3 = \$35,000.

But, suppose the grant is awarded and the department accrues actual costs that are different from the usual annual cost of a first-year firefighter in the department. If the following actual costs during the term of the grant are:

- Year 1 = \$80,000
- Year 2 = \$95,000

- Year 3 = \$110,000.

Then the Cost Share will further limit the federal contribution, unless this requirement is waived. In other words, the federal portion can neither be more than the Position Cost Limit *nor* be more than the Cost Share, and applicants must assess both restrictions to determine where and whether the caps apply. In this example, the federal portion will be:

- Year 1
  - If the Cost Share requirement is not waived
    - Federal funds will be limited to \$60,000, or 75 percent of actual costs incurred (\$80,000)
  - If the Cost Share requirement is waived
    - Federal funds will cover no more than \$75,000, or 75 percent of the usual cost of a firefighter at the time of application (\$100,000)
- Year 2
  - If the Cost Share requirement is not waived
    - Federal funds will be limited to \$71,250, or 75 percent of actual costs incurred (\$95,000)
  - If the Cost Share requirement is waived
    - Federal funds will cover no more than \$75,000, or 75 percent of the usual cost of a firefighter at the time of application (\$100,000)
- Year 3
  - If the Cost Share requirement is not waived
    - Federal funds will be limited to \$35,000 due to the Position Cost Limit of 35 percent of the usual cost of a firefighter at the time of application (\$100,000).
  - If the Cost Share requirement is waived
    - Federal funds will cover no more than \$35,000, or 35 percent of the usual cost of a firefighter at the time of application (\$100,000).

**Economic Hardship Waiver of Cost Share, Position Cost Limit, Supplanting, or Minimum Budget Requirement**

The FEMA Administrator may waive or reduce the Cost Share, Position Cost Limit, Minimum Budget, or Supplanting requirements in cases of demonstrated economic hardship. Please see [Appendix C: Award Administration Information](#).

**D. Application and Submission Information**

***Key Dates and Times***

<b>Date posted to Grants.gov:</b>	<i>02/15/2019</i>
<b>Application start date:</b>	<i>02/15/2019 at 8:00 AM Eastern Time</i>
<b>Application submission deadline:</b>	<i>03/22/2019 at 5:00 PM Eastern Time</i>
<b>Anticipated funding selection date:</b>	<i>05/01/2019</i>
<b>Anticipated award date:</b>	<i>07/31/2019</i>



**FEMA**

**Grant Programs Directorate Information Bulletin  
No. 427  
February 2, 2018**

**MEMORANDUM FOR:** FY 2017 AFG, FP&S, and SAFER Applicants and Grant Recipients  
Volunteer, Combination, and Career Fire Departments  
Municipalities and Fire Districts  
National, State, Local, or Tribal Fire Service Organizations

**FROM:** Thomas DiNanno  
Assistant Administrator for Grant Programs *Thomas DiNanno*  
Federal Emergency Management Agency

**SUBJECT:** **Economic Hardship Waivers AFG Grant Program, FP&S Grant Program, and SAFER Grant Program**

**I. Purpose**

This Information Bulletin (IB) provides Assistance to Firefighters (AFG), Fire Prevention and Safety (FP&S), and Staffing for Adequate Fire and Emergency Response (SAFER) applicants and recipients guidance for requesting waivers of specific provisions under the AFG, SAFER and FP&S grant programs.

These include waivers or reductions of the non-Federal funds cost share requirement, waiver of the maintenance of effort requirement, waiver of the minimum budget requirement, waiver of the non-supplanting requirement, or any combination thereof, based on demonstrated economic hardship. Collectively these are known as an Economic Hardship Waiver. This guidance provides the minimum requirements for eligibility for an Economic Hardship Waiver, conditions which constitute economic hardship and the process and mechanism for requesting an Economic Hardship Waiver.

**II. Applicability**

A. This IB is applicable to AFG, FP&S, and SAFER applicants and recipients commencing with the Fiscal Year (FY) 2017 grant cycle.

1. All AFG applicants or recipients may request an Economic Hardship Waiver as permitted by the terms of Section III (Guidance). In order to be eligible to receive an



- Economic Hardship Waiver, AFG recipients must demonstrate economic hardship by meeting the minimum requirements detailed in Section III (Guidance).
2. Under FP&S, only applicants or recipients that are fire departments are eligible to request an Economic Hardship Waiver, per 15 U.S.C. § 2229(k)(4)(C), and in order to receive an Economic Hardship Waiver, these FP&S recipients must demonstrate economic hardship by meeting the minimum requirements in Section III(Guidance). Certain FP&S applicants or recipients are *not* eligible to request or receive an Economic Hardship Waiver, in accordance with 15 U.S.C. § 2229(k)(4)(C). Those organizations ineligible to request or receive an Economic Hardship Waiver are 1) nonprofit organizations that are not fire departments or emergency medical services organizations; and 2) nonprofit organizations that are recognized for their experience and expertise with respect to fire prevention or fire safety programs and activities and firefighter research and development programs.
  3. All SAFER applicants may request an Economic Hardship Waiver. In order to be eligible to receive an Economic Hardship Waiver, SAFER applicants must demonstrate economic hardship by meeting the minimum requirements detailed in Sec. III (Guidance).
  4. Not all AFG, FP&S, and SAFER applicants and recipients will meet the minimum requirements to request an Economic Hardship Waiver.
  5. This IB is not retroactive. This IB does not apply to FY 2016 or previous grant years.
- B. This IB *does* supersede other guidance on this subject starting with the FY 2017 grant cycle. Specifically, *FP 207-088-01: Economic Hardship Waivers of Cost Share and Maintenance of Effort Requirements for the Assistance to Firefighters (AFG) and Fire Prevention & Safety (FP&S) Grant Programs*, last updated September 13, 2016 and *Information Bulletin 413: Economic Hardship Waivers of Cost Share, Minimum Budget, and Supplanting Requirements for the Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program*, last updated December 28, 2016, will not apply to any FY 2017 applicants or recipients under the AFG, FP&S, or SAFER Programs.

### III. Guidance

#### A. Authority

In cases of demonstrated economic hardship, and upon the request of the recipient, the Administrator may waive or reduce requirements of an AFG, FP&S, or SAFER recipient's awards, as outlined below, by program.

1. AFG: All AFG recipients may request a waiver for the cost share and/or maintenance of effort requirements (15 U.S.C. § 2229(k)(4)(A)).
2. FP&S: Eligible FP&S recipients, as outlined above, may request a waiver for the cost share and/or maintenance of effort requirements (15 U.S.C. § 2229(k)(4)(A)).
3. SAFER: SAFER Hiring of Firefighters Activity recipients may request a waiver for the cost share, minimum budget requirement, and/or non-supplanting requirements. Beginning in FY 2018, applicants may also request a waiver for the position cost limit. The cost share, position cost limit (applicable in FY 2018 and beyond), and non-supplanting requirements do not apply to SAFER

Recruitment and Retention Activity recipients, so these recipients may only request a waiver for the minimum budget requirement (15 U.S.C. § 2229a(d)).

## B. Definitions

1. **Administrator** refers to the Administrator of the Federal Emergency Management Agency (FEMA).
2. **Cost Share Requirement** is the requirement applicable to AFG, FP&S, and SAFER Hiring of Firefighters Activity recipients that the Federal portion of the costs of hiring firefighters may not exceed certain percentages as described in the AFG, FP&S, and SAFER Notices of Funding Opportunity (NOFO), 15 U.S.C. § 2229(k)(1)-(2), and 15 U.S.C. § 2229a(a)(1)(E).
3. **Economic Hardship Waiver** a collective term to refer to a waiver or reduction available for requirements/rules applicable to AFG, FP&S, and SAFER: 1) cost share requirement; 2) maintenance of effort requirement; 3) minimum budget requirement; and 3) prohibition on supplanting. A waiver or reduction is only granted for cases that demonstrate economic hardship per the terms of this IB.
4. **First Due Response Geographic Area** means the geographical area that a fire or rescue facility normally serves in the event of a fire or other emergency.
5. **Maintenance of Effort Requirement** means the requirement of AFG or FP&S recipients to maintain aggregate expenditures of allowable grant activities at a certain level during the term of the grant. Specifically, under 15 U.S.C. § 2229(k)(3), AFG and FP&S recipients must calculate the average of their annual expenditures on allowable grant activities for the prior two fiscal years in which they received a grant, and for the current grant year, expend at least 80 percent of that average on allowable activities.
6. **Minimum Budget Requirement** is the requirement that a SAFER recipient's budget for fire-related programs and emergency response must not be below 80 percent of the recipient's average funding level during the time period specified in the applicable SAFER NOFO.
7. **Peer Review Panel** refers to the panel that reviews AFG, FP&S, and SAFER applications as enumerated in each program's respective NOFO.
8. **Position Cost Limit** is the requirement that the amount of federal funding provided to a recipient under the SAFER Hiring of Firefighters Activity for hiring a firefighter in any fiscal year may not exceed certain percentages of the usual annual cost of a first-year firefighter in that department at the time the grant application was submitted.
9. **Recipient**, for purposes of this IB, references an AFG, FP&S, or SAFER recipient, as well as an AFG, FP&S, or SAFER grant applicant.
10. **State** refers to any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any possession of the United States.
11. **Non-Supplanting Requirement** is the requirement in which funds received under a SAFER Hiring of Firefighters Activity grant may not be used to replace funds that would be available from State or local sources or from the Bureau of Indian Affairs. Instead, SAFER funds shall be used in addition to the funding from State, local, or

Bureau of Indian Affairs sources that would be available even in the absence of Federal funds.

#### C. Abbreviations

1. **AFGP:** Assistance to Firefighters Grant Program Branch.
2. **AFG:** Assistance to Firefighters Grant Program
3. **DHS:** Department of Homeland Security
4. **FEMA:** Federal Emergency Management Agency
5. **FP&S:** Fire Prevention and Safety Grant Program
6. **NOFO:** Notice of Funding Opportunity
7. **SAFER:** Staffing for Adequate Fire and Emergency Response Grant Program
8. **SNAP:** U.S. Dept. of Agriculture's Supplemental Nutrition Assistance Program (formerly known as the Food Stamp Program)

#### D. Eligibility – Demonstrating Economic Hardship

For a recipient to be eligible for an Economic Hardship Waiver, the recipient must affirm that its governing agency or municipality does not have the available financial resources to cover all or part of the cost share, maintenance of effort requirement/minimum budget requirements, or the restriction on supplanting. Recipients must affirm that they do not have access to financial resources from any source that could be used to cover these costs, including from: reserve funds, savings accounts, rainy day fund, or other financial instruments.

In addition to this affirmation, to be eligible for an Economic Hardship Waiver, a recipient must demonstrate economic hardship in the following two ways:

1. Demonstrating that the following conditions exist within the community consisting of the recipient's first-due response geographical area:
  - a. The rate of unemployment in the recipient's community has had a net increase of no less than ten percent over the last three (3) years preceding the application for the waiver. Each recipient submitting an Economic Hardship Waiver shall supply statistics indicating their local unemployment rates for the previous three complete years; See, for example, national unemployment rate data at: <http://data.bls.gov/timeseries/LNS14000000>;
  - b. The rate of unemployment in the recipient's community has exceeded the annual national average rate of unemployment for three (3) of the last five (5) years.
  - c. The median household income over the last three (3) years for the recipient's community has been 80 percent or less than that of the median household income in the State in which the recipient is located in each of the past three (3) years. See, for example, county-level data at: <http://www.ers.usda.gov/data-products/county-level-data-sets.aspx>;

- d. The Social Vulnerability Index in the recipient's community is greater than or equal to the 75<sup>th</sup> percentile for the nation. See, for example, data on community level social vulnerability at: <https://svi.cdc.gov/>, or
  - e. The recipient, or the recipient's governing agency or municipality, has filed for bankruptcy, or has been placed under third party financial oversight or receivership with the previous three (3) years.
2. Provide a narrative response to the following three categories to demonstrate the economic hardship:
- a. **History:** Describe the background/history of the economic hardship in the recipient's organization or jurisdiction, including, but not limited to:
    - i. Why is your organization or jurisdiction in an economic downturn (e.g., a particular industry has been impacted)?
    - ii. How many jobs have been lost over the past three years?
    - iii. What was the annual budget for the past three years?
    - iv. How has your tax revenue declined over the past five years?
    - v. What is the foreclosure rate in the community or jurisdiction?
    - vi. Is your jurisdiction a Labor Surplus Area (see <https://www.doleta.gov/programs/lisa.cfm>)?
    - vii. Are there any independent reports about the financial outlook for the community or jurisdiction?
    - viii. Have you ever requested and/or received an Economic Hardship Waiver from FMEA under these grant programs before?
  - b. **Austerity Measures:** Describe any measures the organization or jurisdiction has taken to address this economic hardship including, but not limited to:
    - i. Has the organization or jurisdiction attempted to borrow money?
    - ii. Has the organization or jurisdiction attempted to get assistance from the state?
    - iii. Has the organization or jurisdiction limited expenses (e.g., not hiring, not providing promotions, reducing services, restricting contracting, limiting overtime, reducing personnel)?
    - iv. Are there regular meetings to assess the financial status of the organization or jurisdiction?
    - v. Are there other means to fund this project or salary?
    - vi. Has the organization or jurisdiction considered other revenue streams for funding (Homeland Security/Urban Area Security Initiative Grants, fundraising, etc.)?
    - vii. Has the organization or jurisdiction considered or implemented options such as mutual/automatic aid agreements or partnerships with neighboring jurisdictions in order to achieve the goals of the project or staffing levels?
    - viii. Are there any documents or reports prepared by the organization or jurisdiction showing attempts to address the economic hardship?

- c. **Operational Impact:** Describe how the lack of a waiver will impact the jurisdiction's or organization's ability to accomplish the mission including, but not limited to:
- i. Has the department conducted a needs assessment? If yes, please summarize the findings and source of assessment.
  - ii. How have changes in national codes and standards impacted the organization's or jurisdiction's ability to fund this project? Have the changes in standards impacted the cost of the equipment?
  - iii. How has this economic hardship impacted or delayed response times to fires and other emergencies?
  - iv. How has firefighter and/or community health and safety been impacted?
  - v. How has the economic hardship impacted the staffing levels of the department or fire prevention division?
  - vi. How has the economic hardship impacted the public education, community risk reduction efforts, and other prevention activities within the departments, and what impact has that had on the community's risk of fire and fire-related injuries and deaths?
  - vii. How else has this economic hardship impacted the organization's or jurisdiction's ability to achieve its mission of saving lives and property and responding to fires and other emergencies?

*Note:* Recipients or applicants may also supply optional additional information supporting their waiver request. Such information may include data which shows an increase in the percentage of individuals in the recipient's community who are eligible to receive assistance under the U.S. Dept. of Agriculture's Supplemental Nutrition Assistance Program (SNAP) over the three (3) year period preceding the waiver application. See, for example, SNAP data at: <http://www.fns.usda.gov/pd/SNAPmain.htm>. Submitting this information does not replace the requirement to provide the information required in Section III.D.1. or III.D.2, above, in order to be eligible for an Economic Hardship Waiver.

All waiver requests must identify the data source(s) and provide attribution in support of their claim(s) of economic hardship. All data sources must be verifiable. Failure to supply the source(s) of the data supplied will result in the waiver request being denied.

Narrative responses must conform to the following requirements:

1. **Font:** Times New Roman or Arial.
2. **Font Size:** 11 points (11 pt) or larger.
3. **Page Dimensions:** Page dimensions must be 8.5" x 11" (21.6 cm x 27.9 cm) or smaller.
4. **Margins:** All margins (top, bottom, left, and right) must be at least 1" (2.54cm).

## E. Economic Hardship Waiver Request Process

### 1. AFG and FP&S:

- a. **FY 2017 AFG and FP&S Recipients:** Only FY 2017 AFG and FP&S applicants or recipients whose applications have undergone further evaluation through the Peer Review Panel evaluation and have been recommended for award will be permitted to submit a request for an Economic Hardship Waiver. Final submission of an Economic Hardship Waiver will require the recipient to formally accept the award through the AFG eGrants or successor system in order to access and submit the amendment request. Upon receipt of the waiver request, the applicant will be contacted by the AFG/FP&S program office with detailed instructions as to how to submit all required supporting documentation. The AFG/FP&S program office will confirm receipt of the submitted information and subsequently attach the submitted information to the applicants file through the AFGP eGrant or successor system.
  - b. **FY 2018 applicants, and going forward for all subsequent years:** AFG and FP&S applicants will indicate at the time of application via the *eGrants* or successor system, which of the two waiver they will be requesting. The AFG and FP&S Program Office will only contact applicants that selected a waiver option in their submitted application. Applicants will be asked, during the respective application period for AFG and FP&S, about their intent to request an Economic Hardship Waiver and which provisions of the statute they are requesting to waive. The AFG and FP&S program office will ask applicants to provide information to support their request after the application period has ended. Only submitted applications that select a waiver option will be contacted by the AFG and FP&S program offices. Upon receipt of the waiver request, the applicant will be contacted by the AFG/FP&S program office with detailed instructions as to how to submit all required supporting documentation. The AFG/FP&S program office will confirm receipt of the submitted information and subsequently attach the submitted information to the applicants file through the AFGP eGrant or successor system.
2. **SAFER applicants:** For all years FY 2017 and going forward, SAFER applicants who intend to request an Economic Hardship Waiver must indicate which of the three waivers they will be applying for online via the eGrants or successor system at the time of application. In FY 2018, the waiver options will include Position Cost Limit as a waiver option. Applicants will be asked, during the SAFER application period, about their intent to request an Economic Hardship Waiver and which requirements they are requesting to waive. The SAFER program office will ask applicants to provide information to support their waiver request after the application period has ended. The SAFER Program Office will only contact applicants that selected a waiver option in their submitted application. Upon receipt of the waiver request, the applicant will be contacted by the SAFER program office with detailed instructions as to how to submit all required supporting documentation. The SAFER program office will confirm receipt of the submitted information and subsequently attach the submitted information to the applicants file through the AFGP eGrant or successor system.

The Assistant Administrator for Grant Programs, on behalf of the FEMA Administrator, with input from the FEMA Grant Programs Directorate, has the discretion and the final authority to make determinations as to whether a request for an Economic Hardship Waiver will be granted. Meeting the eligibility requirements described in section III does not entitle a recipient to an Economic Hardship Waiver. All decisions regarding Economic Hardship Waivers by the Administrator are final. Recipients will not be permitted to appeal any Economic Hardship Waiver decision made by the Administrator. Additionally, FEMA reserves the right to request additional or clarifying information from the recipient after any Economic Hardship Waiver request has been submitted before making a final decision.

**F. Impacts on Cost Share, Maintenance of Effort, Position Cost Limit (applicable in FY 2018 and beyond), and Minimum Budget Requirements**

Where a full waiver has been requested, FEMA reserves the right to reduce, but not eliminate, the recipient's cost share, maintenance of effort, position cost limit (applicable in FY 2018 and beyond), or minimum budget requirement.

In FY 2017, should FEMA grant an Economic Hardship Waiver of the cost share requirement for AFG or FP&S recipients, this shall only have an effect on the recipient's required cost share. FEMA will not increase the amount of the Federal share awarded for FY 2017. Beginning in FY 2018 and in subsequent years, FEMA may consider increasing the amount of the Federal share awarded for AFG or FP&S recipients. Should FEMA grant an Economic Hardship Waiver of the cost share or position cost limit (applicable in FY 2018 and beyond) requirement for SAFER recipients, the amount of the Federal share awarded may be increased in order to allow for the hiring of firefighters as requested in the application.

**G. Roles & Responsibilities**

1. The FEMA Grant Programs Directorate, Assistance to Firefighters Grant Program Branch is responsible for the content of this IB.
2. FEMA AFGP Program Staff are responsible for implementing this IB, including confirming that recipients have properly applied for an Economic Hardship Waiver per the terms of this IB and reviewing every Economic Hardship Waiver request.
3. AFG/FP&S/SAFER Recipients are responsible for requesting an Economic Hardship Waiver per the terms of this IB.
4. The Assistant Administrator of Grant Programs, on behalf of the FEMA Administrator, will have the final authority to make determinations as to whether a request for an Economic Hardship Waiver will be granted.
5. The AFGP Help Desk is responsible for addressing recipient's questions and requests for additional information.

**IV. Questions**

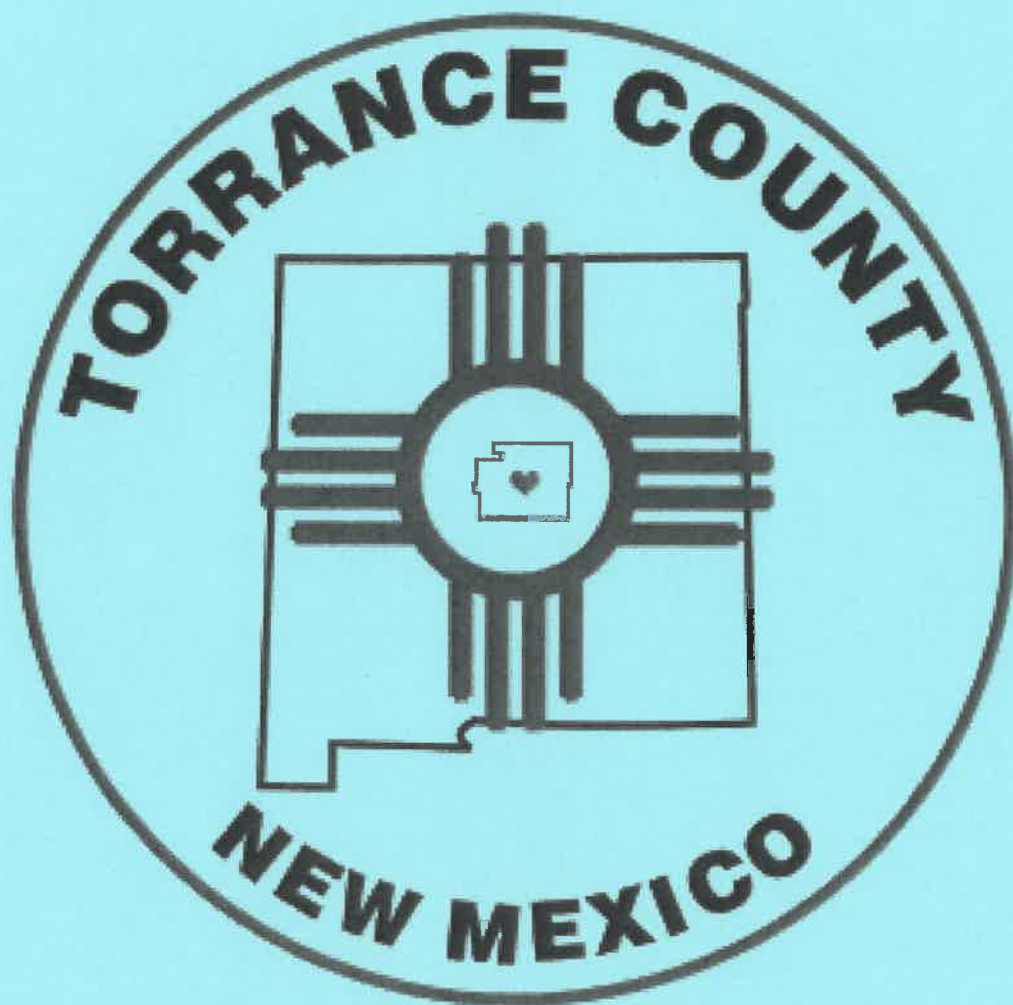
Questions regarding this IB may be directed to the AFGP Help Desk at [firegrants@fema.dhs.gov](mailto:firegrants@fema.dhs.gov) or by calling (866) 274-0960.

## **V. Review Date**

This IB will be reviewed within five years (5) from date of issuance.







*Agenda Item  
No. 13-C*

County Commission

*Ryan Schwebach*  
**Chair**  
**District 2**

*Kevin McCall*  
**Commissioner**  
**District 1**

*Javier E. Sanchez*  
**Commission**  
**District 3**



**Torrance County Road Department**

**PO Box 48 ~ 205 S. Ninth Street**  
**Estancia, NM 87016**  
**(505) 544-4666 Main Line (505) 384-2550 Fax**  
**Email: leonardl@tcnm.us**

County Manager  
*Wayne Johnson*

Deputy County Manager  
*Annette Ortiz*

County Attorney  
*Dennis Wallin*

Road Superintendent  
*Leonard Lujan*

Executive Assistant  
*Charmen Padilla*

Project: Village of Torreon

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Labor	\$1150.00
Equipment	\$1,718.00

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Total Estimated Cost    \$ 2868.00

(Prepared by the Torrance County Road Department Administration)

\_\_\_\_\_  
Torrance County Road Superintendent

\_\_\_\_\_  
Date

\_\_\_\_\_  
Torrance County Manager

\_\_\_\_\_  
Date

Job Work Sheet  
Removal of trees, stumps and fence.

**STATEMENT OF LABOR**

EMPLOYEE NAME	CLASSIFICATION	HOURS	RATE	AMOUNT
John		20	\$36.080	\$721.60
Leonard		20	\$21.420	\$428.40
<b>Total Labor Hours</b>		40		
			<b>Total</b>	<b>\$1,150.00</b>

**STATEMENT OF EQUIPMENT**

EQUIPMENT	EMPLOYEE NAME	HOURS	RATE	AMOUNT
Backhoe	Brian	20	\$39.60	\$792.00
Grader	Pete	20	\$46.30	\$926.00
				\$0.00
				\$0.00
				\$0.00
<b>Total Equipment Hours</b>		40		
			<b>Total</b>	<b>\$1,718.00</b>

**STATEMENT OF MATERIAL/OILS**

VENDOR	DESCRIPTION	TONS	RATE	AMOUNT
				\$0.00
				\$0.00

**STATEMENT OF WATER**

VENDOR	DESCRIPTION	GALLONS	RATE/per 1000	AMOUNT
				<b>\$2,868.00</b>

\$2,868.00

\_\_\_\_\_  
Road Foreman

\_\_\_\_\_  
County Manager

**TORRANCE COUNTY ROAD DEPARTMENT DAILY JOB WORKSHEET**

**ROAD:** Torrance Ditch  
**DATE:** \_\_\_\_\_

**Gravel Pit (OR) Caliche:** \_\_\_\_\_  
**Cost (per Yard):** \_\_\_\_\_  
**Base Course:** \_\_\_\_\_  
**Cost (per Ton):** \_\_\_\_\_

Curb Ditch and  
Remove Culvert

**Job Description:** \_\_\_\_\_  
**Chip Seal:** \_\_\_\_\_  
**Water From:** \_\_\_\_\_  
**Cost (per Load):** \_\_\_\_\_

PICK-UP#	NAME	LABOR/FLAGMAN/PILOT	HOURS

EQUIPMENT	NAME	MAN	HOURS	EQUIPMENT	NOTES
BROOM					
BACKHOE(CAT)-1					
BACKHOE(CASE)-2	<u>J.S.</u>	20		20	
BLUE TRACTOR					
CHIP SPREADER OPERATOR-1					
CHIP SPREADER OPERATOR-2					
DUMP TRUCK					LOADS TNS/YDS
DUMP TRUCK					
DUMP TRUCK					
DUMP TRUCK					
DUMP TRUCK					
DUMP TRUCK					
DUMP TRUCK					
GRADER(CAT)-1					
GRADER(JD)-2	<u>Leonard</u>	20		20	
LOADER-1					
LOADER-2					
SEMI-1					LOADS TNS/LDS
SEMI-2					
SEMI-3					
SEMI-4					
WHEEL ROLLER					
PNUEMATIC/LITTLE ROLLER					
WATER TRUCK-1					LOADS GALLONS
WATER TRUCK-2					
NOTES					

must clear cut the trees 8 to 10 feet from center of Ditch both sides before we will take a blade in to cut the ditch.

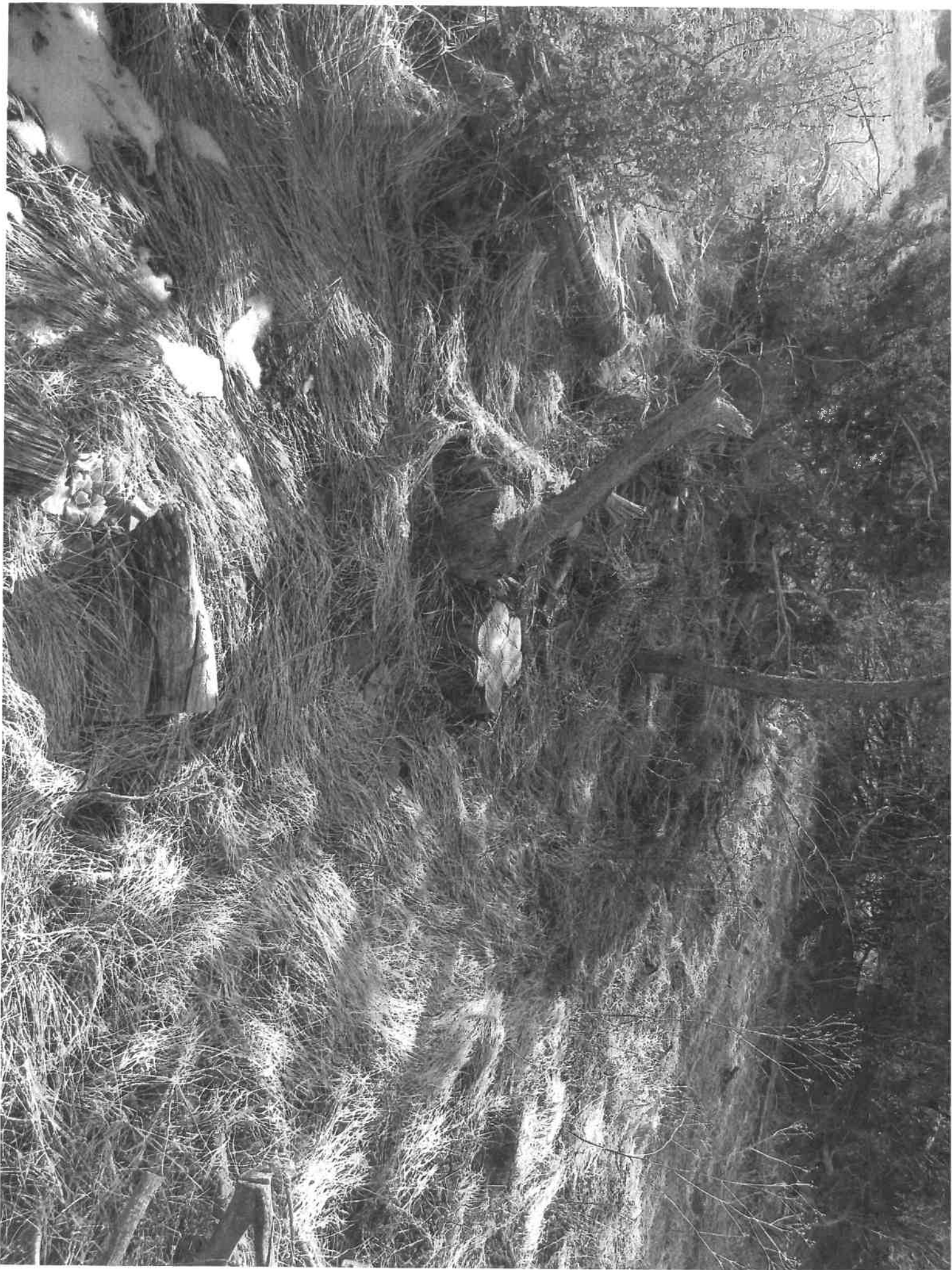


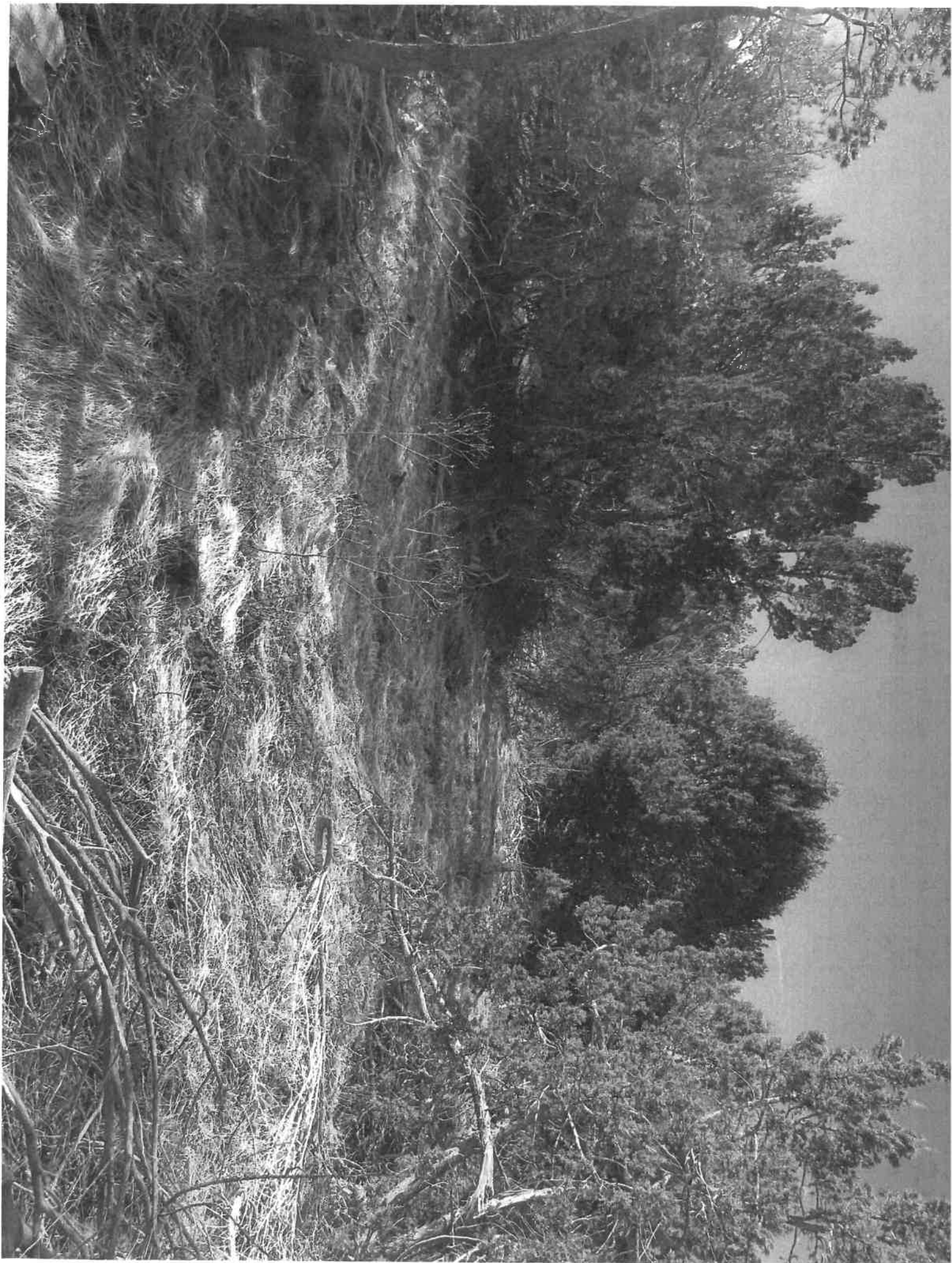


























































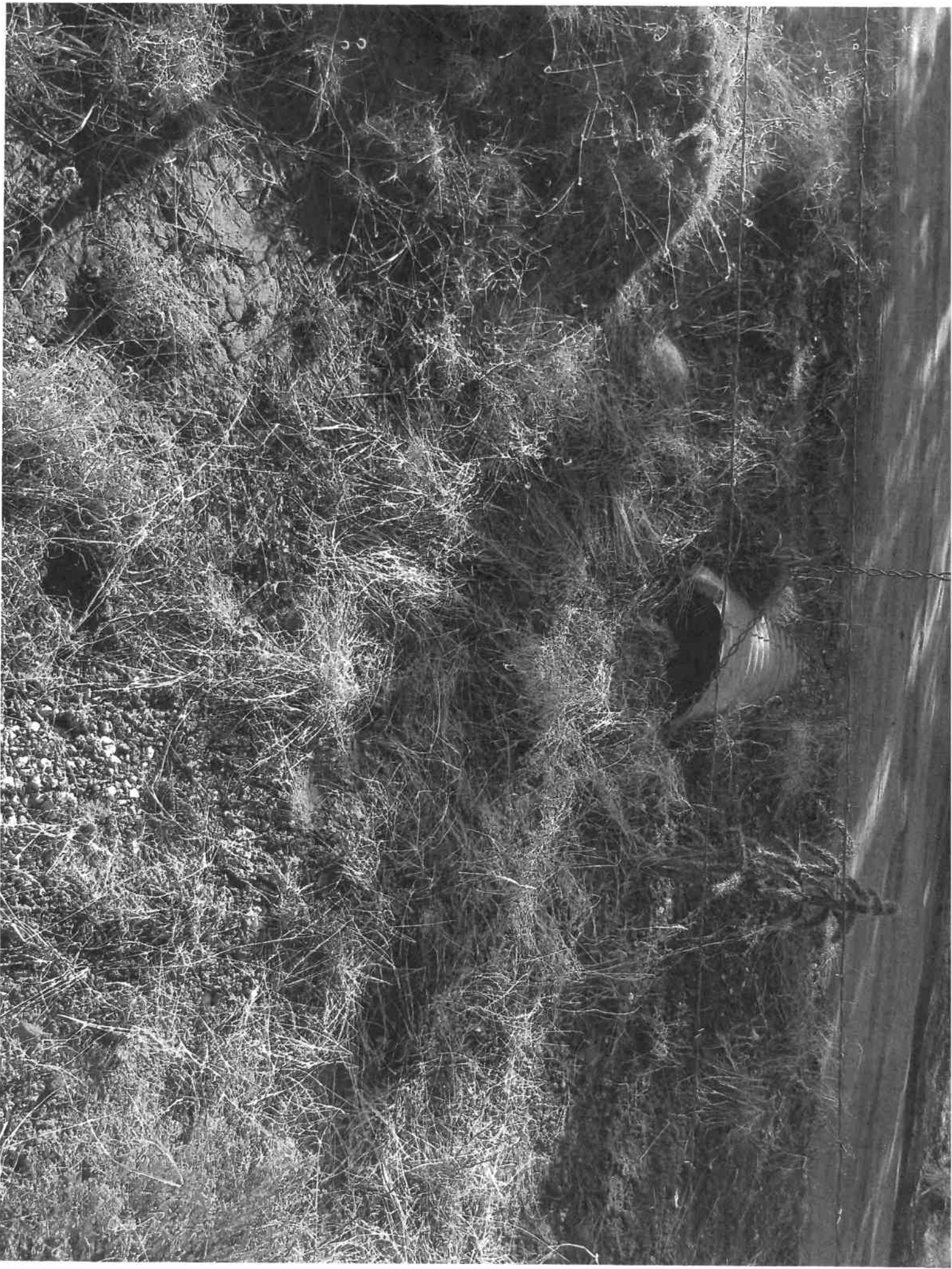


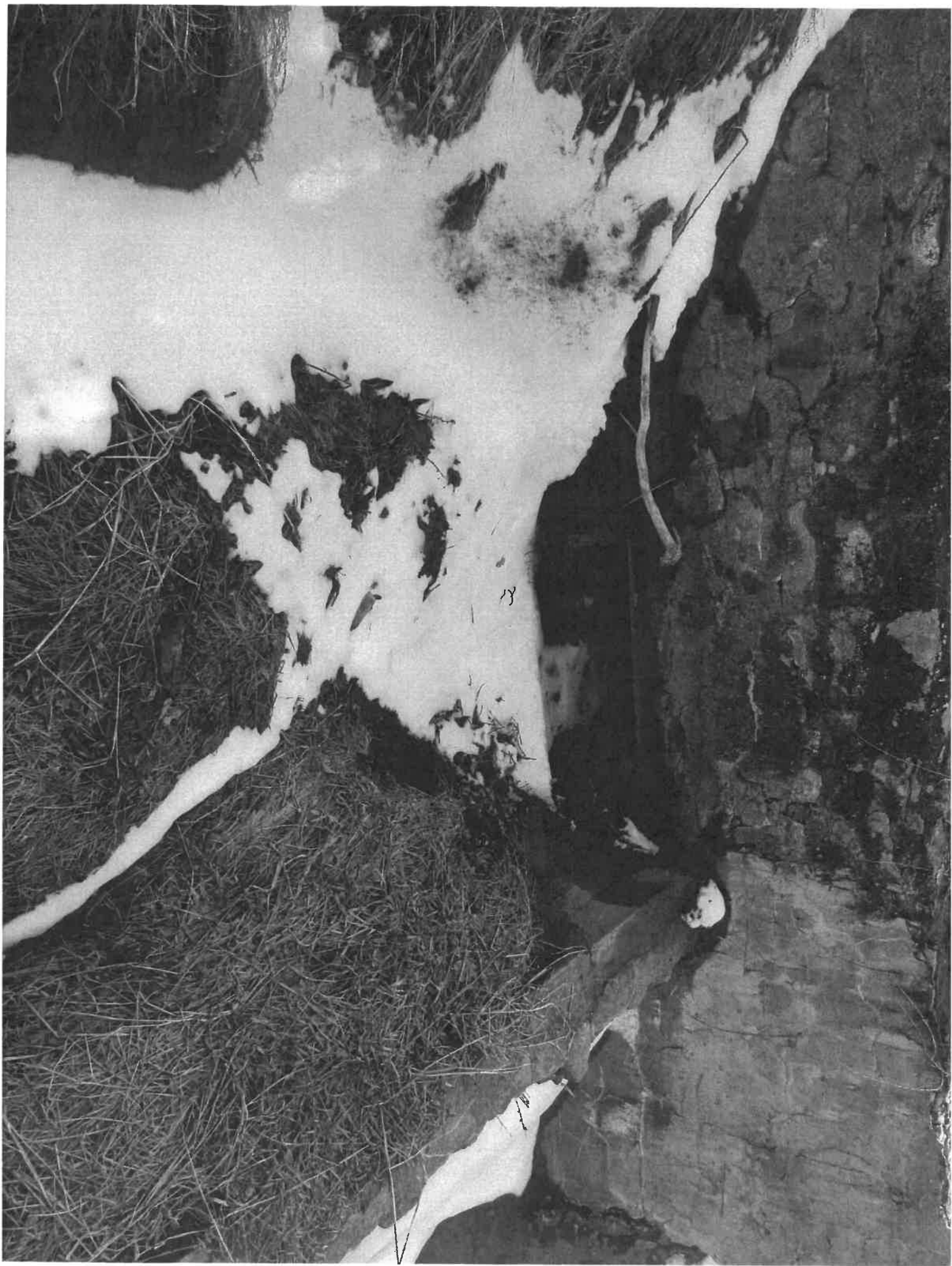


















*Agenda Item  
No. 13-D*



## **2019 International Livestock Judging Tour**

### **Pricing Sheet [estimated]**

The estimated cost for the tour is based on US Dollar exchange rates with the British Pound Sterling and the Euro in effect September 10, 2018. Fluctuations in exchange rates may affect the final tour cost. The tour cost includes all transportation from arrival airport in Glasgow, Scotland until departure from Shannon, Ireland; all hotels and meals as indicated on the itinerary; entrance fees to attractions, contest judging fees, Stenaline ferry from Scotland to Belfast, Ireland, services of a tour manager; taxes. [Tip to guide and drivers not included.] Air ticket not included in the tour price, see separate enclosure on travel arrangements.

Estimated cost per person in 3 or 4-star hotels, sharing a twin room: **\$3075**.

SINGLE ROOM supplement: **\$745** additional [we try to room everyone in twin rooms to avoid a single room cost, unless a single room is preferred.]

London Extension: Twin room share: \$545 per person. The London tour required an Aer Lingus airline ticket from Shannon to Heathrow Airport, approx. cost \$100 plus bag check.

**Deposits required by: January 10, 2019**

**Invoice date: April 1, 2019**

**Balance due date: May 10, 2019**

Please read the cancellation policy provided in your packet! Sign the acknowledgement on the back of your individual application forms. See also:  
[www.agrotours.com/termsconditions](http://www.agrotours.com/termsconditions)

## Lori Alderete

---

**From:** Heather Aday  
**Sent:** Wednesday, February 06, 2019 8:11 AM  
**To:** Lori Alderete  
**Subject:** FW: Scotland and Ireland Trip

*Here you go!*

**From:** elisabet@agrotours.com [mailto:elisabet@agrotours.com]  
**Sent:** Tuesday, February 5, 2019 10:16 AM  
**To:** Heather Aday <heather.aday@estancia.k12.nm.us>  
**Cc:** 'Lennie Gamage' <lennie@agrotours.com>  
**Subject:** RE: Scotland and Ireland Trip

Hi Heather,

I found the below flights for your team on United Airlines (UA) and Air Canada (AC). The current fare with taxes, surcharges and fees is \$1462.13 per person. Please note that airfares fluctuate regularly, so this fare is not guaranteed.

WED June 19: Depart ABQ on UA 3637 at 6:45AM, arrive ORD at 10:35AM  
WED June 19: Depart ORD on AC 506 at 12:20PM, arrive YYZ at 2:56PM  
WED June 19: Depart YYC on AC 1938 at 6:55PM, arrive GLA at 6:35AM (THU June 20)

MON July 1: Depart SNN on AC 821 at 10:20AM, arrive YYZ at 12:30PM  
MON July 1: Depart YYZ on AC 1039 at 2:10PM, arrive DEN at 3:48PM  
MON July 1: Depart DEN on UA 244 at 6:58PM, arrive ABQ at 8:23PM

[ABQ = Albuquerque; ORD = Chicago O'Hare; YYZ = Toronto, Canada; GLA = Glasgow, Scotland; SNN = Shannon, Ireland; DEN = Denver, CO]

In order to book, we will need full names exactly as they appear (or will appear) on passports, and birthdates. Once booked, tickets are nonrefundable and no name changes are allowed. Changes to the ticket may be allowed for a fee (usually \$250) plus any difference in fare. Payment will be due 15 days from booking. We recommend purchasing travel insurance, in case of the unexpected (delayed or cancelled flight; lost baggage; family illness; etc.).

If you have any questions, please let me know.

Thank you!

Best regards,

*Elisabet*

Elisabet  
Goodwyn  
Managing  
Director  
Agrotours, Inc.



### CONTACT

Tel/Fax: (804) 378-3332  
Mobile: (804) 512-6339  
Email:  
[elisabet@agrotours.com](mailto:elisabet@agrotours.com)

### ADDRESS

P.O. Box 29130  
Richmond, VA 23242  
United States of  
America

### ON THE WEB

[www.agrotours.com](http://www.agrotours.com)



## Livestock Judging Tour Travel Information

*Our 44<sup>th</sup> year taking winning teams to the Scotland contest!*

The Judging Tour consists of [1] the land-based tour, and [2] the international air travel from the USA to Glasgow, Scotland and back from Shannon, Ireland or London, England: the land arrangements consist of hotels, travel within the UK and European continent, meals, technical visits, entrance fees, etc.; and the estimated cost is included on the pricing sheet in your packet.

There are several ways to handle the air travel arrangements:

1. Teams and their coach, parents and others, may go online and purchase tickets from their nearest airport to Glasgow International Airport, and the return from Shannon [or London if taking the extension]; or use a local travel agent. Ticket purchase can be made with a credit card.
2. Use our Agrotours Richmond VA office to book flights for you. [Payment will need to be made within 15 days of ticketing; however, with 10 or more seats, we can hold seats for a deposit of \$100 per seat until a later ticketing date.] Call: 1.804.378.3332. Elisabet Goodwyn will contact you with the best rate that she can find before ticketing your team.

If you decide to make your own flight arrangements, you will need to arrange your arrival to Glasgow Airport on the morning of Thursday, June 20, not later than **10:30 AM**. **Depart the USA on Wednesday, June 19**. The return flights should be booked for **July 1** from Shannon, Ireland, or **July 3**, at any time from London Heathrow International Airport.

Please advise us of the airline, flight number, and arrival and departure times if you book yourselves!

Early booking and ticketing is highly recommended as fares will increase the closer to departure date, and as the seats on a particular flight are filled.

If you book your team, please take the earliest flight from your home airport to the connecting international departure city. A few extra hours at the airport waiting for your international flight may prevent you from missing your flight in case of weather delays.

We need to know how you prefer to handle the airline ticketing. Contact us at [mail@agrotours.com](mailto:mail@agrotours.com), or call 1.804.378.3332. Please be sure to indicate on the adult application forms if your team intends to return from Shannon, or take the London extension.



AGROTOURS

## The 2019 International Livestock Judging Tour

The Royal Highland Show, Scotland,  
and the Irish Republic [*London extension*]

### Travel Itinerary

June 19 – July 3, 2019

<p><b>Wednesday June 19</b></p> <p>- , -, D**</p>	<p><b>Home Airports – Glasgow.</b></p> <p>Check in two hours before your flight departs. Please follow your departure times, airline and flight number on your air tickets. Dinner and feature film on your overnight flight.</p>
<p><b>Thursday June 20</b></p> <p>B**, L , D</p>	<p><b>Glasgow – Stirling.</b></p> <p>Arrive at Glasgow early morning. Clear customs and immigration formalities, then meet your charter coach and driver just outside the baggage collection area. Your tour manager is Margot McMurdo. Because hotel check-in is not until 2:00P, we will stop at the Scottish Museum of Country Life, which will give you an idea of how farming has developed over the years in Scotland. We'll have Scottish sandwiches for lunch.</p> <p>After lunch, we drive to visit Home Farm [ML7 4JY] Hartwood, Schotts, owned by the Hutton Institute, that does field trials on pasture grasses, and has a herd of 200 beef cattle and 150 ewes. You'll meet with the farm manager, John Rattray.</p> <p>We'll check in at our hotel, and the balance of the day is free to relax or explore the vicinity. Dinner in the hotel dining room at 6:30 PM.</p> <p><b>Overnight at:</b> Golden Lion Hotel 8-10 King Street Stirling FK8 1BD Tel: +44 1786 475351</p>



AGROTOURS

<p><b>Friday June 21</b></p> <p><b>B, - , -</b></p>	<p><b>Stirling - Edinburgh.</b></p> <p>After our breakfast, we drive to Waterloo Place for a city sightseeing tour with local guide. You'll see both the "new town" and "old town", drive along the Royal Mile to see the Scottish Parliament, and the Palace of Holyrood, the Queen's summer residence. And of course, you'll get photos of Edinburgh Castle at the top of the Royal Mile! Then a couple of hours for lunch and sightseeing for everyone. Contestants and team coaches depart for the showground to look over the stock at 2 PM. All others may explore the sights of the city until time to return to the hotel.</p> <p>Team members and coaches meet at the Young Farmers Centre at 3:00 PM where one of the young stockmen will give pointers on how to judge the animals at tomorrow's contest.</p> <p>About 5 PM, the judging participants will return by coach to the hotel. For those sightseeing in Edinburgh, meet your coach at 5PM and return to Stirling. There are a few choices for dinner other than the hotel, and your guide will be glad to provide information. Overnight again at your hotel.</p>
<p><b>Saturday June 22</b></p> <p><b>B, - , D</b></p>	<p><b>The Royal Highland Show!</b></p> <p>Breakfast at 6:15 and depart the hotel at 7:30 AM sharp! You'll proceed directly to the Young Farmers Centre at the Royal Highland Show, where you will get instructions on how the contest will operate, and contestants will be assigned to groups each with a Young Farmer leader.</p> <p>Following the competitions, you may choose to have lunch in any of the Showground restaurants. Tour participants not taking part in the judging events have the opportunity to see the many exhibits, and the main ring includes a variety of horsemanship events. Don't miss the excellent farm machinery, forestry exhibits, and the Scottish foods building!</p> <p>Spend the afternoon observing the many activities taking place all over the grounds, and perhaps find a souvenir or two to take home!</p> <p>At 5:30 PM, gather at the MacRobert Pavilion for our awards presentation and "High Tea" – a two course meal Scottish style. Following dinner, board the charter coach and we return to our hotel.</p> <p>Overnight again at the Golden Lion Hotel.</p>



AGROTOURS

**Sunday  
June 23**

**B, -, D**

**Stirling – St Andrews – Perth.**

Breakfast at the hotel at 9 AM, then checkout and depart by coach at 9:30 AM, heading across the Forth of Forth toward Perth. We drive to South Queensferry where we see the famous Victorian Forth Railway Bridge and the more modern Forth Road Bridge which spans the Firth of Forth.

We then drive over the Queensferry Crossing Bridge into the Kingdom of Fife to visit the birthplace and museum dedicated to Andrew Carnegie. Carnegie was a Scottish American industrialist who led the enormous expansion of the American steel industry in the late 19th century. He is also well known as a leading philanthropist. He gave away to charities and foundations about \$350 million dollars (in 2015, \$4.76 billion) – almost 90 percent of his fortune.

Continuing through the lush farmland of Fife, we arrive in the old town of St Andrews which is famous for Golf. On a Sunday you can walk on the Old Course which is great for photo opportunities at the well-known Swilken Bridge, but also has a ruined castle with a bottle dungeon and a huge ruined cathedral and many tiny lanes and streets with small shops.

Plenty places for lunch and exploring. The golden sands on the huge beach was where they filmed the movie 'Chariots of Fire!' St Andrews University is also where Prince William met Catherine Middleton who eventually became his wife!

Late afternoon we drive a little north past Dundee that is home of the ship Discovery, built in 1901 as the last wooden three-masted ship build in Britain for explorer Scott's successful expedition to Antarctica. Then we arrive Perth for overnight. Dinner at your hotel at 7PM.

**Overnight at:**  
Mercure Hotel Perth  
West Mill Street  
Tel: +44 844 815 9105



AGROTOURS

<p><b>Monday June 24</b></p> <p><b>B, L, -</b></p>	<p><b>Perth – Kilmarnock.</b></p> <p>Breakfast at the hotel at <b>0700</b>, then we are off and on the road again at 8:30 to visit Balnadoich Farm. This property is owned by Lady Sally and Sir Michael Nairn, and their daughter Alex is the farm manager. You will see Highland cattle in their native habitat in this beautiful rural setting.</p> <p>After our visit, we drive to Bridge of Allan for lunch at the Highland Wagyu Grill. Here you will experience Wagyu beef, perhaps for the first time, in your burger for today! The grill is owned by HW Farms, and after lunch we will visit their large Wagyu and Angus operation to finish out the day.</p> <p>Then we make our way into Kilmarnock and check in at our hotel. Dinner on own.</p> <p><b>Overnight at:</b> The Park Hotel Rugby Park, Kilmarnock Tel: +44 1563 545999</p>
<p><b>Tuesday June 25</b></p> <p><b>B, L, D</b></p>	<p><b>Kilmarnock – Cairnryan - Belfast, N. Ireland.</b></p> <p>After our breakfast and check-out, board the coach for a visit to Culzean Castle, a beautiful furnished castle on a cliff top location where President Eisenhower had his own apartment, given to him by the nation in thanks for his and America's help during World War II. We furnish picnic lunches today to enjoy on the Castle grounds.</p> <p>In the afternoon, the coach takes you to Cairnryan Port, we will make a photo stop at the Trump Turnberry Hotel and Golf Course. Arrive at Cairnryan about 2:30 PM and check in for the Stenaline Ferry departing at 3:30 for Belfast. Arrival is scheduled for 5:45 PM, where your Irish coach and driver/guide are waiting for you.</p> <p>See the Stormont parliament of Northern Ireland, and the shipyard where the famed Titanic was built for the White Star Line, on your way to the hotel. Check in, and dinner served.</p> <p><b>Overnight at:</b> Radisson Blu Belfast The Gasworks, 3 Cromac Place Tel: +44 28 9043 4065</p>



AGROTOURS

<p><b>Wednesday June 26</b></p>	<p><b>Belfast – Dublin.</b></p>
<p><b>B, -, D</b></p>	<p>We check out after breakfast, and board the coach heading south toward the border of the Irish Republic, then onward to the capital city, Dublin. But first we stop to see a good demonstration of “zero-grazing” method gaining much acceptance in Ireland. The George Bingham farm with 550 dairy cows is one of the first to meet new regulations: The zero-grazing method requires farmers to install an effective and clean waste management system that will meet the sanitary requirements outlined by The Nitrates Action Programme, and ensure proper storage of slurry until the spring and summer months when animals can return to pasture. “We store the slurry in deep tanks under the cows and then we scrape the slats three times per day [sometimes more],” says Bingham. “We have to store all that manure and then spread that when the weather is appropriate.”</p>
	<p>Arrive in Dublin at lunch time, and get lunch on own in town. [<i>You will use Euros in the Irish Republic.</i>] After lunch on own, we regroup for a city tour driving to the important places of interesting in Dublin City. You’ll have the opportunity to get some photos during the tour.</p>
	<p>We finish the day at the National Museum of Ireland at Collins Barracks. Here you’ll learn about the history of Ireland: The Norman and English invasions of the country; the rebellion of 1916, the war of independence and formation of the Free State.</p>
	<p>Later check in and dinner at the hotel.</p>
	<p><b>Overnight at:</b> Red Cow Moran Hotel 22 Naas Rd, Fox-and-Geese Tel: +353 1 459 3650</p>





AGROTOURS

<p><b>Thursday June 27</b></p>	<p><b>Dublin – Cork.</b></p> <p>This morning we head toward Cork, and our first stop is to inspect the beef operation of Liam Delaney near the village of Portlaoise. The farm consists of 70 hectares, with 85 Limousin X cows crossed with a Charolais bull. They also grow 100 tons of barley used to feed out the young stock. The farm is a supplier to McDonalds restaurants.</p> <p>Next we'll visit the Kilkenny Mart to see the Thursday livestock sales. The mart was established as a co-operative to provide a viable market place for farmers. Each week it attracts up to 1,000 farmers, dealers, and their families to buy, sell, or just browse. Take the opportunity to talk with farmers and families; then get lunch at the Mart at your convenience.</p> <p>To finish out our day, we visit Brendan Crosse's sheep farm. This farm can provide: world award winning sheep cheese tastings, sheep milk tasting, yogurts, sheep milk ice creams and sheep milk lattes. They also have a top class sheep dog, year round lambs, and a sheep milking parlor. Brendan will be milking 1,000 sheep and has another 700 commercial sheep for you to observe.</p> <p>Continue to Cork and check in at your hotel, with dinner served.</p> <p><b>Overnight at:</b> Rochestown Park Hotel Rochestown Rd, Douglas, Cork Tel: +353 21 489 0800</p>
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AGROTOURS

<p><b>Friday June 28</b></p> <p><b>B, L, D</b></p>	<p><b>Cork – Killarney.</b></p> <p>After breakfast, we visit the Tim O'Leary family farm. Tim specializes in low-cost inputs to produce top quality milk from his Holsteins located in a very beautiful scenic area. His son Colm has joined the operation after taking a college degree, and they have plans to increase from 100 milkers to 150 in their 5-year plan. You might be invited to enjoy Mrs. O'Leary's freshly baked scones in the family room!</p> <p>Next on the schedule, we tour Blarney Castle where you can get a nice lunch in the Blarney Woolen Mills cafeteria or nearby pub. After lunch, you can climb the many narrow stairs to the top of Blarney Castle. Upon kissing the Blarney Stone, you'll achieve the "gift of gab"!! Take the opportunity to do some inexpensive shopping in the Mills.</p> <p>Later depart for Killarney, enroute we'll make a visit to the John Lynch water buffalo herd on his Toonsbridge farm. So what in the world does he do with water buffalo? He makes mozzarella cheese, of course, for your pizzas!</p> <p>Continue on through the colorful village of Ballyvourney and Ballymackeery and over the Cork and Kerry mountains to Killarney for a 2-night stay.</p> <p><b>Overnight at:</b> Dromhall Hotel Muckross Road, Killarney Tel: +353 64 66 39300</p>
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AGROTOURS

<p><b>Saturday June 29</b></p> <p><b>B, -, D</b></p>	<p><b>Killarney – Charleville Show!</b></p> <p>Enjoy a quick breakfast at the hotel dining room, then we board the coach for the drive over to Charleville in County Cork.</p> <p>The Charleville Show is the largest two day agricultural show in the country with numerous interesting events to be seen, varying from judging of cattle, horses, sheep, horticulture, dogs, arts &amp; crafts, cookery and numerous children's competitions.</p> <p>The Show was established in 1979 and the cost of running the show that year was €22,000; last year the show cost in excess of €250,000 to stage, this is an indication of the huge range of activities that go on at the show which makes it so attractive to country folks and city dwellers as well.</p> <p>You will be met on arrival by show management, and introduced to the judging competitions scheduled to start soon; with a few teams of irish young farmers participating with you.</p> <p>Our livestock coaches on the tour will be asked to assist with compilation of the scores.</p> <p>When the contest concludes, enjoy the various activities taking place on the show grounds. Before you leave home you can "friend" Charleville Agricultural Show on Facebook, and follow the preparations!</p> <p>When the show is over, return to the hotel and dinner is included.</p>
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AGROTOURS

**Sunday  
June 30**

**B, L, D**

**Ring of Kerry! – Newmarket on Fergus.**

Please make sure that your camera is ready for today! After breakfast we board the coach to see some of the finest scenery in the world: The Ring of Kerry.

The “Ring” is part of the mystical and unspoiled region of Ireland that has attracted visitors for hundreds of years. Its spectacular beauty is beyond question and it is a natural center for outdoor pursuits including golf, water sports, cycling, walking, riding and the very best fishing for salmon & trout.

We make a lunch stop half way around at Waterville, where after lunch you can take a walk on the beach where Charlie Chaplin, Shirley McClain, Walt Disney, Tiger Woods and Michael Jordan have all visited.

A special treat will be a visit to Barry Clifford's beef suckler herd producing high quality beef in the rugged landscapes and marginal land on the western coast of Ireland.

You'll enjoy a great view of Dingle Bay; pass the birthplace of Daniel O'Connell – the great Liberator and hero of the Irish people in the 1800's. Looking out to sea, you can see the Skellig Rocks, rising 700 feet out of the Atlantic Ocean, and used as a monastery during the 5th Century.

We proceed to Newmarket, County Clare, and check in at our hotel. Our “farewell to Ireland” medieval banquet will be a highlight at Bunratty Castle!

**Overnight at:**  
The Inn at Dromoland  
Latoon North  
Tel: +353 61 368 161



AGROTOURS

<p><b>Monday July 1</b></p> <p>B, -, -</p>	<p><b>Newmarket - Shannon – Home Airports.</b></p> <p>Breakfast at the hotel, then check out, and drive to Shannon International Airport. Check in for your flights back to the USA, and you will clear US Customs at the airport. For everyone departing today, thanks for traveling with Agrotours, and welcome home!!</p> <p style="text-align: center;"><b><u>LONDON EXTENSION</u></b></p> <p>Check in for Aer Lingus #380 departing for London Heathrow at 7:30 AM. Arrival is scheduled for 9:05 where your group is met by your London city guide. Board the Anderson Travel coach, and enjoy a city sightseeing tour, ending at your hotel around 3 PM. Dinner on own at the hotel or a nearby restaurant.</p> <p>Overnight at: Cophthorne Tara Hotel Scarsdale Place Kensington Tel: +44 20 7937 7211</p>
<p><b>Tuesday July 2</b></p> <p>B, -, -</p>	<p><b>London.</b></p> <p>Breakfast at the hotel. Then you have the entire day free to explore the city. Perhaps you'd like to head over to Buckingham Palace to see the changing of the guard. Or book the London Eye for a bird's eye view of London.</p> <p>The <i>Tower of London</i> with the crown jewels is also a favorite tourist destination. Some may want to book a London theatre for tonight's performance.</p> <p>There is so much to see! Don't forget the great museums where there is free entrance!</p> <p>Overnight again at your hotel.</p>



AGROTOURS

<b>Wednesday July 3</b>  <b>B, -, D**</b>	<b>London – Home Airports.</b>  Breakfast will be a box breakfast to pick up on your way out the door. The Anderson coach will depart at <b>0530</b> to Heathrow Airport for your return flight to the USA! Follow the departure times on your air ticket, and check in with your airline. You will clear US Customs on arrival from your international flight.  Thanks for traveling with Agrotours and welcome home!
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Latest revision 9/24/18

**NOTES:**

MEAL CODE: B = breakfast; L = Lunch; D = dinner; S=snack; \* assumes with hosts; \*\*airline meal. Breakfast includes coffee or tea; for other meals beverages are ordered and paid separately.

We reserve the right to substitute technical visits if circumstances require.

**Please read the terms and conditions for your tour at our website:**

**[www.agrotours.com/termsconditions](http://www.agrotours.com/termsconditions)**

Many of the technical visits are hosted by people who give their time quite freely. A small gift on behalf of the passengers is appreciated, and considered good etiquette.

**Tipping: Tour guides and coach drivers should be tipped the equivalent of \$2-3 per person per day in the currency of the host country.** It is recommended that this be done when your tour guide or driver completes their responsibility and leaves the group. Appointing a tour member to take up a collection is recommended.

Travelers on this livestock tour who own or operate a farm, or are employed in any part of the livestock industry, should consult their tax accountant, as a portion or all of the tour cost may be able to be deducted from federal and/or state income taxes.





*Agenda Item  
No. 13-E*



PO Box 48  
205 9<sup>th</sup> Street  
Estancia, NM 87016  
(505) 544-4700 Main Line (505) 384-5294 Fax  
[www.torrancecountynm.org](http://www.torrancecountynm.org)



**County Commission**  
Commissioner Kevin McCall, District 1  
Commissioner Ryan Schwebach, District 2  
Commissioner Javier E. Sanchez, District 3  
**County Manager**  
Wayne Johnson  
**Deputy County Manager**  
Annette Ortiz

**REQUEST TO BE PLACED ON THE TORRANCE COUNTY  
COMMISSION AGENDA**

This form must be returned to the County Manager's Office **ONLY!**

Deadline for inclusion of an item is WEDNESDAY, NOON prior to the subsequent meeting.  
All fields must be filled out for consideration.

Name: \_\_\_\_\_  
First Last Department / Company / Organization Name  
*Commission*

Today's Date: 3/6/19 Mailing Address: \_\_\_\_\_  
(Departments/employees of Torrance County need not include their address)

Telephone number/Extension: \_\_\_\_\_ Fax Number: \_\_\_\_\_  
Would you like this Agenda Faxed to you? Yes No

Email Address: \_\_\_\_\_

Is this request for the next Commission meeting? YES NO If no, date of Commission Meeting: \_\_\_\_\_

Brief explanation of business to be discussed:  
Approval of Contract extension for County Attorney  
Dennis Wallin

Is this a Resolution , Contract, Agreement, Grant Application, Other? \_\_\_\_\_

Has this been reviewed by Grant Committee? YES NO If yes, corresponding paperwork must be attached.

Has this been reviewed by the County Attorney? YES NO

If this is a contract, MOU, or Joint Powers Agreement there must be a signature line for the County Attorney on the original contract.

Has this been reviewed by the Finance Dept? YES NO Initials: \_\_\_\_\_

- No Impact
- Change in current fund
- Raise Budget (allow 45 days after Commission approval)
- Change in funds (allow 45 days after Commission approval)
- Reduction
- Transfer funds (allow 45 days after Commission approval)

Other: \_\_\_\_\_



*Agenda Item  
No. 14-A*



*Agenda Item  
No. 14-B*

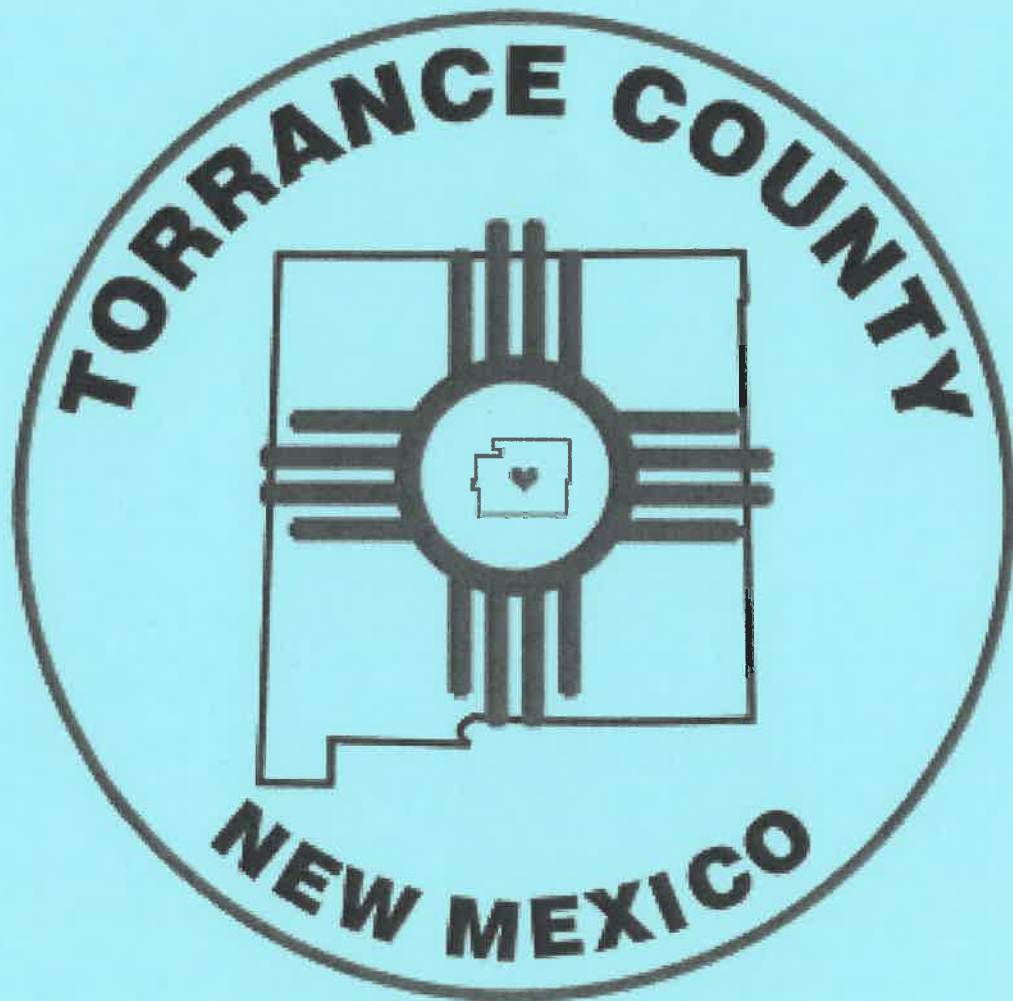


*Agenda Item  
No. 15-A*



*Agenda Item  
No. 16*





*Agenda Item  
No. 17*