



TORRANCE COUNTY
COMMISSION MEETING
September 8, 2021
9:00 A.M.

For Public View
Do Not Remove



Torrance County

BOARD OF COUNTY COMMISSIONERS (BCC)

Ryan Schwebach, Chair, District 2

Kevin McCall, Vice Chair, District 1

LeRoy M. Candelaria, District 3

Janice Y. Barela, County Manager

ADMINISTRATIVE MEETING AGENDA

WEDNESDAY, September 8, 2021 @ 9:00 AM
205 S. Ninth Street, Estancia, NM 87016

1. **Call to Order**
2. **Invocation and Pledge of Allegiance**
3. **Changes to the Agenda**
4. **PROCLAMATIONS**
 - A. **DWI:** Naming September 2021 as “Suicide Prevention Awareness Month” in Torrance County.
5. **CERTIFICATES AND AWARDS**
 - A. **OPERATIONS:** Announcement of Employee Service Year Pin: Reese Swatsworth (2).
 - B. **OPERATIONS:** Announcement of Employee Service Year Pin: Victoria Sedillo (25).
6. **BOARD AND COMMITTEE APPOINTMENTS**
7. **PUBLIC COMMENT and COMMUNICATIONS**
8. **APPROVAL OF MINUTES**
 - A. **COMMISSION:** Motion to approve the August 13, 2021, Torrance County Special Commission Meeting Minutes.
 - B. **COMMISSION:** Motion to approve the August 25, 2021, Torrance County Commission Meeting Minutes.
9. **APPROVAL OF CONSENT AGENDA**
 - A. **FINANCE:** Motion to approve payables.

10. ADOPTION OF ORDINANCE/AMENDMENT TO COUNTY CODE

A. PLANNING AND ZONING: Motion to approve amendment to Ordinance 94-12 Solid Waste Ordinance. **Public Hearing and Final Action**

11. ADOPTION OF RESOLUTION

A. ASSESSOR: Motion to approve the 2021 Imposition of Mill Rates, Resolution No. 2021-_____.

B. MANAGER: Motion to approve restructuring of the Torrance County Fair Board membership and a paid administrative support position, Resolution No. _____.

C. GRANTS: Motion to approve ICIP Projects and to adopt the FY2023-2027 Infrastructure Capital Improvement Plan, Resolution No. _____.

D. FINANCE: Motion to approve budget increase, Resolution No. _____.

12. APPROVALS

A. MANAGER: Motion to approve Professional Services Agreement with New Mexico Demographic Research, LLC for Re-districting County Commission Districts, as required every ten (10) years based upon the latest US Census data.

B. MANAGER: Motion to approve Professional Services Agreement with Estancia Valley Economic Development (EVEDA) for Economic Development Services.

C. COMMISSION: Motion to approve joint project with Edgewood Soil and Water Conservation District for the thinning of the Torrance County Park, to approve the 20% match, and to authorize County Manager Janice Barela to sign Water Trust Grant Cost Share Assistance application.

D. SHERIFF: Motion to approve reorganization of the Torrance County Sheriff's Office Transport/Civil Division to Community and Court Services Division (CCS) and additional Patrol Deputy positions.

E. SHERIFF: Motion to approve accounts payable to DT Automotive, invoice over \$5,000 threshold.

F. SHERIFF: Motion to approve MOU between HIDTA Drug Enforcement Administration and Torrance County Sheriff's Office and authorizing County Manager Janice Barela to sign.

G. COUNTY ATTORNEY: Motion to approve restructure of County Attorney's Office, eliminating Executive Assistant position and adding Records Custodian duties to Legal Assistant and setting salary.

H. FINANCE & PURCHASING: Motion to approve award for IFB 2022-01 – HFE 100P Oil to HollyFrontier Refining & Marketing, LLC.

I. FINANCE & PURCHASING: Motion to approve award for IFB 2022-02 – CSS-1 Fog Seal to HollyFrontier Refining & Marketing, LLC.

J. MANAGER: Motion to approve an additional three-month extension of Torrance County’s current contract with Estancia Valley Solid Waste Authority (EVSWA).

13. DISCUSSION

A. FINANCE: Update of FY 2022 budget approval from Department of Finance Administration.

B. ASSESSOR: Annual Report to Commission.

C. MANAGER’S REPORT

D. COMMISSIONER’S REPORTS

1) Commissioner McCall, District 1

2) Commissioner Schwebach, District 2

3) Commissioner Candelaria, District 3

14. EXECUTIVE SESSION

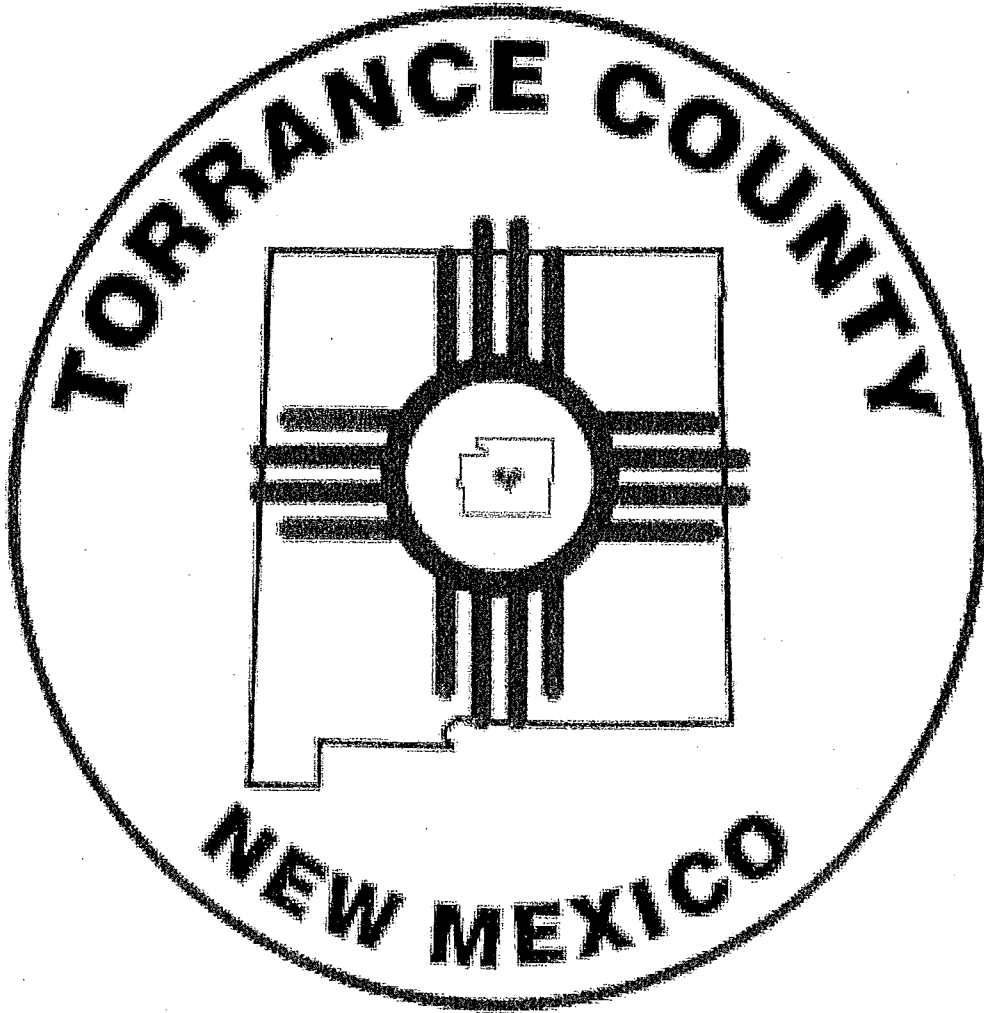
15. Announcement of the next Board of County Commissioners Meeting: October 13, 2021, at 9:00AM. The September 22, 2021 Regular Commission Meeting has been cancelled due to lack of quorum.

16. SIGNING OF OFFICIAL DOCUMENTS

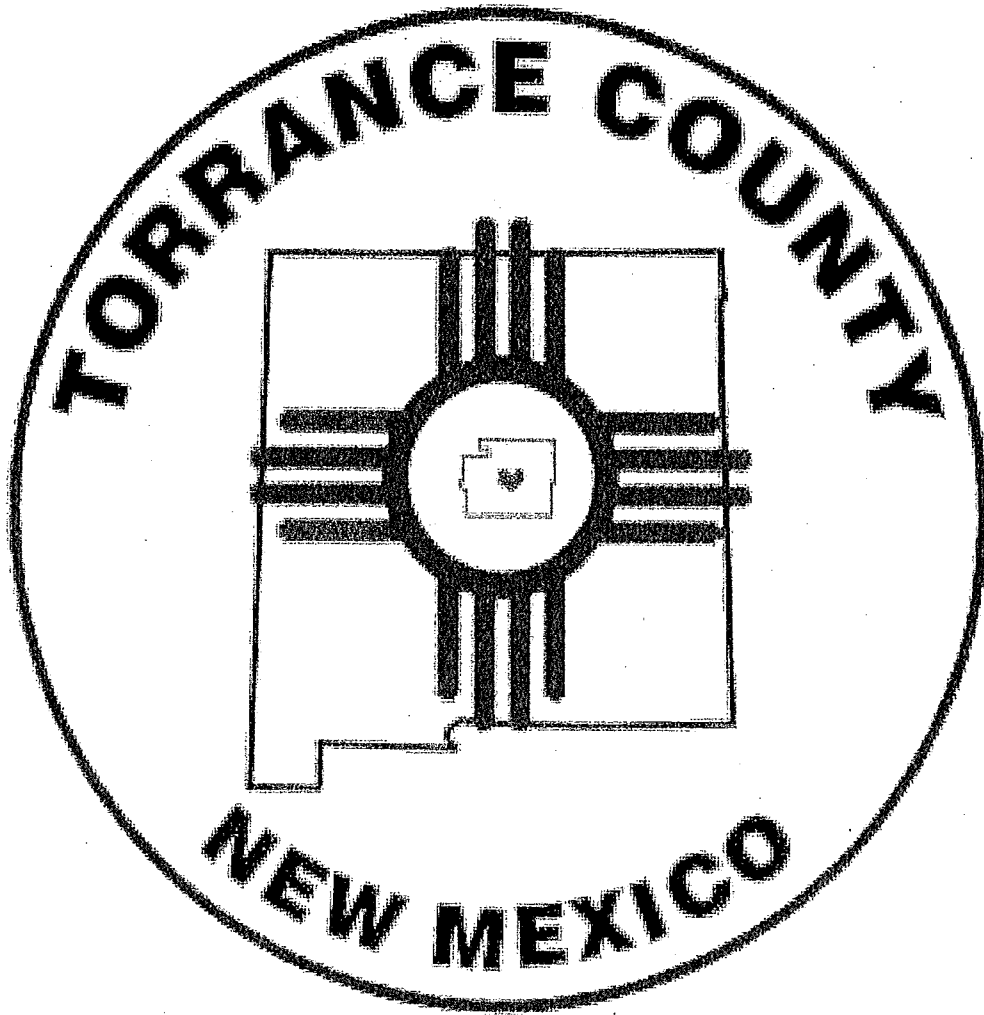
17. ADJOURN



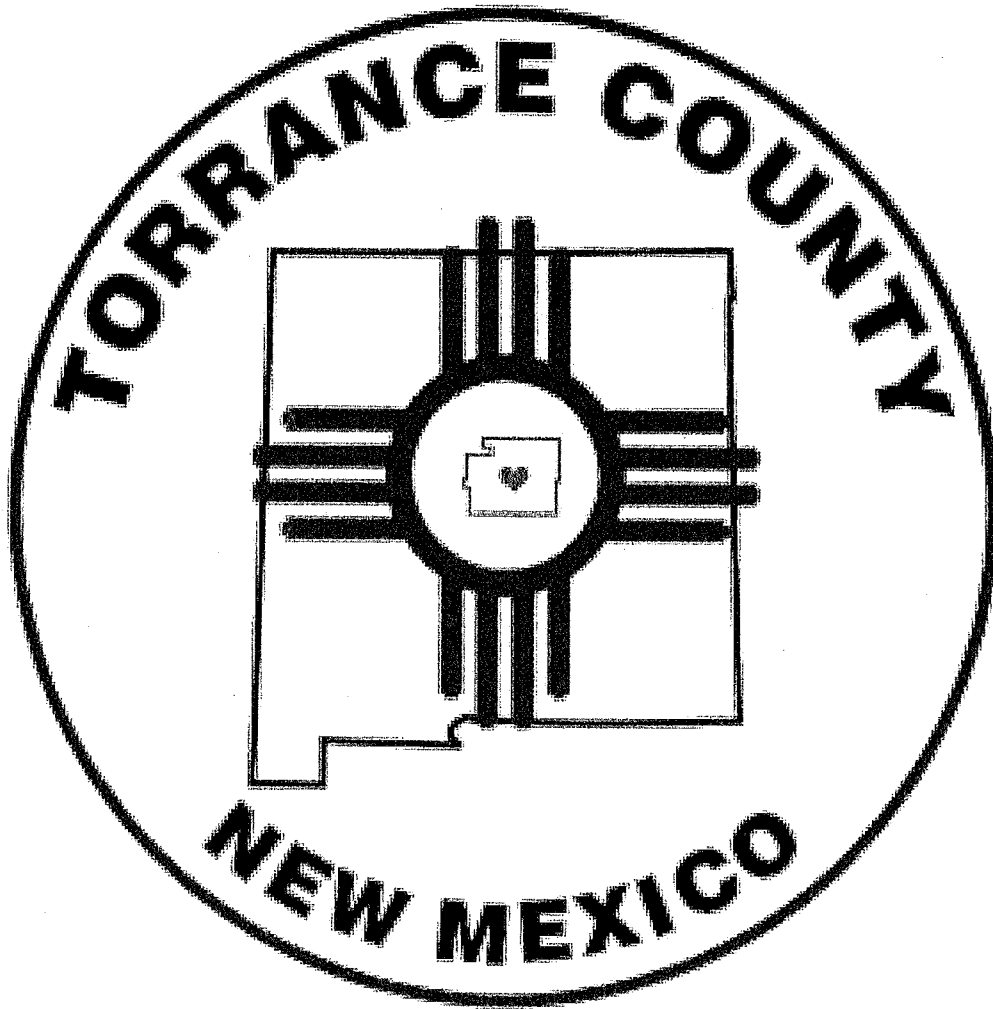
*Agenda Item
No. 1*



Agenda Item
No. 2



Agenda Item
No. 3



Agenda Item
No. 4-A



Torrance County
Board of County Commissioners

DESIGNATE SEPTEMBER 2021 AS
“SUICIDE PREVENTION AWARENESS MONTH”

WHEREAS, in the United States, over forty-seven thousand individuals died by suicide in 2019 and the number of deaths from suicide continues to increase; and

WHEREAS, New Mexico had five hundred and fifteen deaths from suicide in 2019, or nearly ten deaths a week, ranking fourth in the nation for age-adjusted suicide rates; and

WHEREAS, in New Mexico, suicide is the leading cause of death for ages ten to fourteen, the second leading cause of death for ages fifteen to twenty-four and twenty-five to thirty-four, the third leading cause of death for ages thirty-five to forty-four, the fifth leading cause of death for ages forty-five to fifty-four, the seventh leading cause of death for ages fifty-five to sixty-four, and the ninth leading cause of death in the state overall; and

WHEREAS, the tragic loss of someone to suicide has an enduring effect on loved ones, families, friends, and the community, regardless of age, gender, race, ethnicity, religion, or economic status, and the State of New Mexico acknowledges and remembers the precious lives of those lost to suicide and the countless individuals left behind to grieve their loss; and

WHEREAS, in 2019, a significantly greater proportion of New Mexicans aged twenty-five to forty-five sought medical care in emergency rooms and hospitals for self-harm attempts than all ages of New Mexicans; and

WHEREAS, suicide attempt survivors and researchers who study suicide recommend counseling to help find long-term strategies to ease the emotional pain that led to expressions of suicidal ideation and attempts; and

WHEREAS, mental health is part of overall physical health and emotional well-being and community-based behavioral health services that respond to individual and family needs are cost-effective and beneficial to consumers and the community; and

WHEREAS, public awareness of the warning signs, risk factors, healthy help-seeking behaviors, services, and resources available for people at increased risk for suicide are essential to decreasing the rates of suicide in our communities across the state; and

WHEREAS, it is essential to share the message that it is always okay to ask for help and that individuals struggling with thoughts of suicide or self-harm should be encouraged and assisted in reaching out for help; and

WHEREAS, the following phone numbers are available to help: The National Suicide Prevention Lifeline at 1-800-273-8255, the New Mexico Crisis and Access Line at 1-855-662-7474, and the Agora Crisis Line at 505-277-3013 or 855-505-4505; and

WHEREAS, the Partnership for a Healthy Torrance Community, located at the New Mexico National DWI Memorial of Perpetual Tears, is working to address the impact of suicide and other health-related issues; and

WHEREAS, strong relationships and cohesion are protective factors during life's challenges; and

WHEREAS, one small act to show support, offer hope, or build trust can make a difference and may save a life; and

WHEREAS, talking openly about stress and psychological health builds trust, reduces barriers to care, and enables early intervention; and

WHEREAS, it is the duty of every citizen to respond to a call-to-action to change the way we discuss, perceive, and react to suicide and help-seeking; and

WHEREAS, the collaboration of government agencies, health organizations, and public and private partners should be encouraged and supported;

NOW THEREFORE, BE IT RESOLVED, we, the Board of Commissioners of Torrance County, New Mexico, do hereby proclaim September 2021, as ***SUICIDE PREVENTION AND AWARENESS MONTH***, recognizing that suicide is a serious public health issue.

*Signed and Sealed in the Torrance County Seat,
Estancia, New Mexico.*

Ryan Schwebach, Chair
District 2

Kevin McCall, Vice Chair
District 1

Yvonne Otero, Torrance County Clerk

LeRoy M. Candelaria, Member
District 3



Agenda Item
No. 5-A



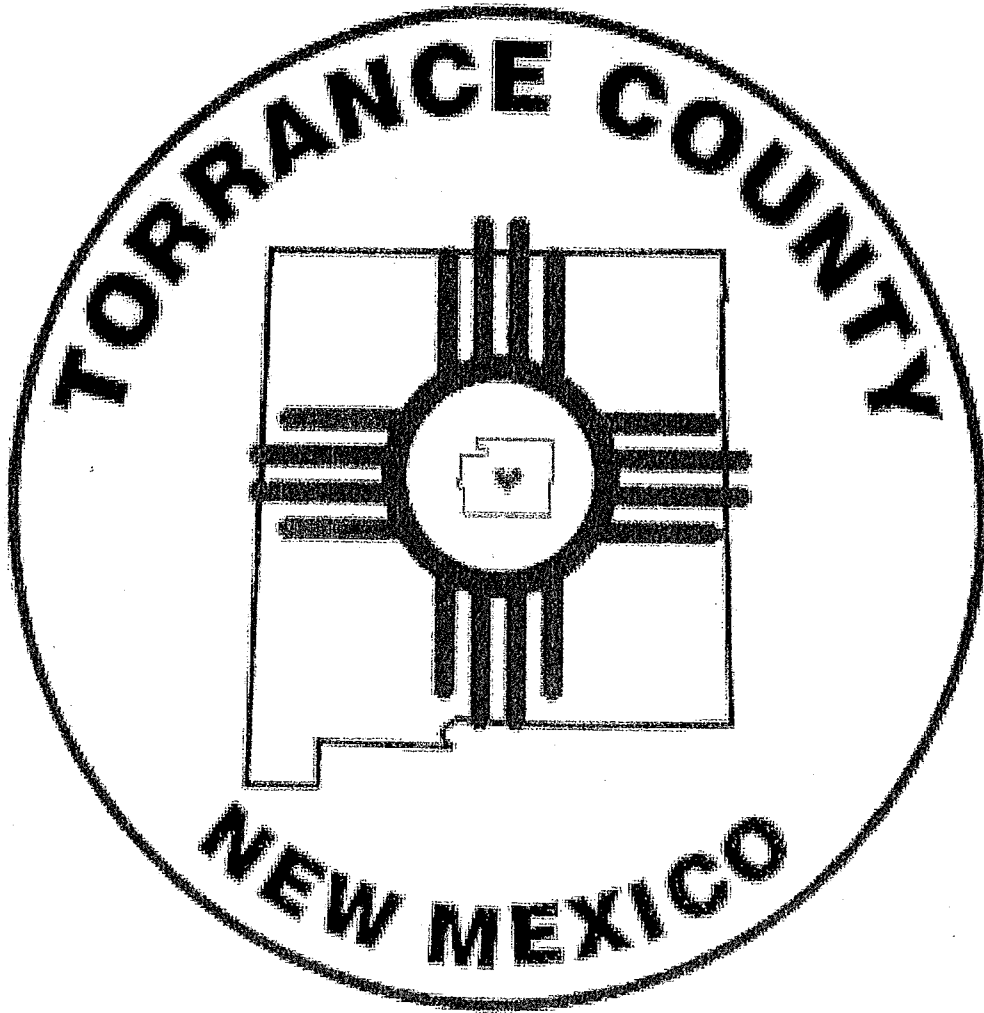
Agenda Item
No. 5-B



Agenda Item
No. 6



Agenda Item
No. 7



Agenda Item
No. 8-A

DRAFT

Torrance County Board of Commissioners

Special Commission Meeting

Friday, August 13, 2021

9:00 AM

Commissioners Present: **RYAN SCHWEBACH – CHAIR**
 KEVIN MCCALL – VICE CHAIR
 LEROY CANDELARIA – MEMBER

Others Present:

DAVID GALLEGOS- NM STATE SENATOR
JEREMY OLIVER – FINANCE DIRECTOR
JOHN BUTRICK – COUNTY ATTORNEY
YVONNE OTERO – COUNTY CLERK
VALERIE SMITH – ADMINISTRATIVE ASSISTANT

1. CALL MEETING TO ORDER:

Chairman Schwebach: Called meeting to order at 9:00 A.M. and led the Pledge of Allegiance.

Commissioner McCall: Led the invocation.

2. CHANGES TO THE AGENDA: Move Item 4-C after 5A.

3. DISCUSSION

A. COMMISSION: Discussion questioning the Constitutionality of the New Mexico Public Department of Education’s authority to suspend or remove duly elected local school board members.

Chairman Schwebach: Explained to the attendees the reason for the meeting, and introduced Mr. Keith Sandy, Estancia Municipal School Board.

Keith Sandy, Estancia Board of Education: On July 26, 2021, the Public Education Department (PED) distributed the “2021 COVID Response Toolbox” to all schools in New Mexico, a directive of how students will return to learning. The children are mandated to wear masks in the classrooms, but not on the bus, in the cafeteria, or on the playground.

August 2, 2021, the Estancia Board of Education held a meeting and drafted a resolution requesting community control over how COVID masks will be handled within the schools.

Teachers spoke of how they struggled to teach phonics and reading, especially to those children with learning disabilities.

The Estancia School Board wanted parents to decide whether they want their children to wear masks regardless of vaccination status, and for the teachers and employees to decide for themselves as well. In places where the children could not socially distance, they would have to wear a mask. They would also maintain the stringent cleaning and sanitizing that they have abided since COVID began.

The Resolution asks the NMPED to recognize the local Department of Education’s ability and responsibility to make the decisions on whether masks will be worn in Estancia Municipal Schools.

The Resolution was passed by Estancia Board of Education unanimously. On August 3rd, it was sent to the Public Education Secretary Ryan Stewart.

August 5th, 2021, a response was garnered from Ryan Stewart’s office, that by 12:00 p.m. on August 10, 2021, a confirmation of conformity was required, and if the School Board did not confirm this, that any member who acts in defiance of the “Toolbox” would be removed from the Board for the remainder of their term. If the School Board did not assure the NMPED that the students would wear masks, then the students would begin mandatory distance-learning. If any Superintendent or Staff Member did not conform, their license would be suspended. The School District would have restricted access to their budget.

On August 8, 2021, a meeting of the School Board took place, and the Resolution was upheld with a 3-2 vote, and a copy was sent to Secretary Stewart. Secretary Stewart reiterated the same punishment for non-conformity.

Chairman Schwebach: Explained that he called this meeting to stand in support of Mr. Sandy and the entire Estancia School Board. Chairman Schwebach said that he does not like the idea of elected officials being bullied by the State.

Chairman Schwebach explained that the law is in favor of the State and the New Mexico Public Education Department. Chairman Schwebach deferred to State Senator Gallegos. He carries Eddy and Lea Counties.

Senator Gallegos: Explained that he did not like seeing that the State of New Mexico was trying to take out elected officials. The Senator was on the School Board for 21 years. He believes that the State is misinterpreting the statutes and that they do not have the right to take out elected officials. He believes that if you do not follow the State's mandate, you will be taken out of your position

Article 12, Section 6, Subject D of the New Mexico State Constitution says that the Cabinet of the Secretary of New Mexico shall have administrative and regulatory powers and duties, including all functions relating to the distribution of school funds and financial accounting for the public schools as provided by law.

When Governor Richardson's cabinet came in, they took over the powers of hiring and firing employees. The school only hires the Superintendent and manages the finances. Policy is Board run only. The "Toolbox" is not, and should not be, policy. The "Toolbox" was published, and then the CDC changed their guidelines. The "Toolbox" should have been changed as well but was not.

Another item that Senator Gallegos brought forth was that the Gallup/McKinley lawsuit, which focuses on the same issue as described by Mr. Sandy, was asked to be thrown out twice by Governor Michelle Lujan Grisham, and Judge Matthew Wilson denied the request both times.

Senator Gallegos believes that this all boils down to local control and who can take it.

Chairman Schwebach: Wants to learn more about pending litigation with other school boards in the State.

Senator Gallegos: Believes the next step would be to speak to the Gallup/McKinley attorney, and to speak to other school districts. There are 24 districts currently on that lawsuit. Floyd and Gallup/McKinley are already further ahead in their lawsuits. Senator Gallegos is happy to see Torrance County standing behind the towns and their School Systems.

Commissioner McCall: Asked John Butrick, Torrance County Attorney if he had any comments on the lawsuit.

John Butrick, Torrance County Attorney: Wants to speak to other County Attorneys and see what can be done, whether Estancia begins their own lawsuit, or join in on another school district's lawsuit. Mr. Butrick skimmed the "Toolbox", and according to what he read it was all based on CDC recommendations. Now that the CDC has changed their stance, the "Toolbox" is out of date.

The State Statute also says that the School Board is solely and expressly responsible for discipline. The "Toolbox" says that students who remove their masks could be subject to being forced to participate in remote learning, outdoor learning or learning on a bus.

Keith Sandy, Estancia School Board: They are suggesting that they teach students outside in tents.

John Butrick, Torrance County Attorney: They are also suggesting that the student's lockers may be subject to takeover/search if students refuse to socially distance. Mr. Butrick reiterated that he only skimmed the document but believes there are many spots that violate state law.

Senator Gallegos: Questions if a gymnasium with open doors will count as open space. His granddaughter had to get vaccinated to be on the cheer squad. Doesn't believe that is appropriate.

Commissioner Candelaria: Said that small communities stand together, and that he wanted to stand as a veteran and say that he supports Estancia School systems and the elected officials of this County. He believes there needs to be a stopping point as far as the masks and the government overreach.

Chairman Schwebach: Opened the floor to comment from elected representatives of the State of New Mexico.

Stephani Lord, (R) State Representative for District 22; and **Ambrose Castellano, (D) NM Representative for District 70:** Stood in support of Torrance County, and their backing of the Estancia School Board.

Commissioner McCall: Said that he texted with Senator Gregg Schmedes, and he said that he was in support of Torrance County.

Senator Gallegos: Said he spoke to Senator Schmedes as well and that he can confirm that Sen. Schmedes, who is a medical doctor in addition to Senator.

Mary Gustin, Mountainair School Board President & Secretary for School Board of Directors: Requests to add Mountainair to the action item supporting local control. Mountainair was an original plaintiff in the Gallup-McKinley lawsuit. She wanted to clarify that Mountainair has been one of the original fighters of the PED's "Toolbox." The resolution circulating that the schools are using was written by Mountainair.

Chairman Schwebach: Stated that a new draft of the Resolution is already being printed.

Nathan Dial, Citizen, Torrance County; Mayor of Estancia; Adjutant, American Legion Post 22; Financial Officer, Torrance County Republican Party: Stood in support of Torrance County's sovereignty. Does not believe that a Governor has the right to disband a duly elected governing body.

Kendra Otis, Estancia School Board: Has 3 kids in the school system, and her kids have been affected emotionally, and socially, and so has their education. Her daughter Payton is dyslexic which makes it hard for her to wear a mask trying to read. She has also had trouble breathing while wearing a mask playing basketball. Her daughter's friend has

said she can't see anyone's smiles, which is how we interact. Kendra doesn't like that the kids are all segregated. Wants to show support to Dr. Sims, the Superintendent of Estancia Schools.

Commissioner McCall: Asked about what time the call from the Secretary of the Public Education Department was to Dr. Sims, which he heard came at 1:00 a.m., one hour after the deadline of 12:00 a.m. for agreement to comply with the PED "Toolbox" instructions.

Keith Sandy: Claimed he could not speak to that but did speak about emails that had been sent between the school board and the Secretary of Education. He said that the deadline was 12:00 p.m., August 10, 2021, and that the PED said that "despite the board's acknowledged preferences, that they do not require masks for any individual, that they will adopt a course of action that conforms to the Public Health and Safety Requirements. Further, the letter alluded to intervention action should the Board/District not comply."

Kendra Otis: On August 11, a call came into Mrs. Otis. A woman named Marcia from the Public Education Department. She asked what her stance was on masks at school. Mrs. Otis replied that she doesn't believe the kids should be forced to wear them, unless their parents want them to. "Marcia" threatened the School Board's jobs if they did not comply. Dr. Sims called the Secretary of Education and he said that no one named Marcia works at the Public Education Department.

Albert Lovato, Estancia Town Council Member: Stood in support of the County's Resolution backing the Estancia School Board.

Commissioner Schwebach: Asked for a show of hands from the public to see if they agreed with the Resolution. Asked for the record to show an almost unanimous show of support. He then asked students at Estancia Schools to come forward if they had something to put forward.

Payton Otis, Junior at Estancia High School: Thanked the public for their support in letting their parents choose whether they will have to wear masks. On March 13 they were told they would be out of school for 3 weeks. They did not return to in-school learning until February 9th of the next year. She spent the remainder of the school year online, and instead of learning, she watched T.V. and irritated her brother. She was excited to go back to school, but when she went back, she never got to see her friends because they were separated into A & B days. The ones she did get to see were wearing masks. All the sports, ag, fair, and other fun activities were cancelled. She wishes her parents were allowed to choose if she gets vaccinated or must wear a mask.

Kayla Metzger, Sophomore, Estancia High School: Fully supports what Payton Otis said, and thanked everyone for supporting their parent's right to choose. She was home alone all day while distance learning, and both of her parents were at work. She feels like it destroyed her mental health.

Kendra Smith, 8th Grader, Estancia Middle School: Thanked everyone for speaking out and supporting her parent's right to choose if the kids wear masks or not.

Senator Gallegos: Apologized to the kids for their loss of education during the past year and a half.

An anonymous citizen, Patty from Torrance County, Shane Lutrick, and Tina Estrada: Have all stood in support of the County and supporting parent's choice to make decisions for their own children.

Commissioner Candelaria: Said that a teacher's job is one of the hardest professions, and with making kids put on their masks all day it is a time waster when they could be using such valuable time to teach the children.

Commissioner McCall: Believes that rural America is the backbone of America, that they feed, clothe, and pump the oil of the rest of the United States. He does not like being spoken down to by those with more power.

4. APPROVALS

A. COMMISSION: Motion to approve Resolution NO. 2021-33, supporting the Estancia Municipal School District Board of Education's authority, as duly elected officials, to make independent decisions in the best interest of the students, parents, and staff of their District.

ACTION TAKEN:

Chairman Schwebach: Made a motion to approve Resolution No. 2021-33, supporting, WITH AN AMENDMENT TO strike all words "Estancia Municipal School District" throughout the resolution, and insert "Public School Districts within Torrance County".

John Butrick, Torrance County Attorney: Asked for permission to read his version of the amended Resolution 2021-33.

Chairman Schwebach: Asked for a second.

Commissioner McCall: Seconded the Motion.

John Butrick: Read the now current and approved version of the Resolution 2021-33, which is hereto attached.

Chairman Schwebach: Asked for discussion, there was none.

Roll Call Vote:

Commissioner Candelaria: Aye; **Chairman Schwebach:** Aye; **Commissioner McCall:** Aye.

Motion Carried.

BREAK FOR DISC CHANGE: 10:18 a.m.

BACK ON THE RECORD: 10:19:a.m.

B. COMMISSION: Motion to approve financial assistance to the Estancia Municipal School District.

ACTION TAKEN:

Chairman Schwebach: Made a motion to set aside \$75,000 from the general fund for the need of litigation support if public schools within Tarrant County choose to move forward.

Commission McCall: Seconded the motion.

There was no discussion.

Roll Call Vote:

Commissioner Candelaria: Yes; **Chairman Schwebach:** Yes; **Commissioner McCall:** Aye.

Motion Carried.

Chairman Schwebach: Explained that this is the County putting their money where their mouth is. He wants this sent to every Commissioner and media outlet in New Mexico. He believes this is a bigger fight than people realize, and that it is not fair for Santa Fe to be a blockade between what parents want for their children and the school system.

Commissioner Candelaria: Said that it is sad, but we should not have to put up money to defend our rights. The Supreme Court should be behind us. Thanks to everyone who came out and showed support.

Motion Carried.

C. COUNTY ATTORNEY: Motion to approve restructure of County Attorney's Office, eliminating Executive Assistant position and adding Records Custodian duties to Legal Assistant.

(MOVED TO AFTER ITEM 5-A, SEE 5-A FOR NEXT ITEM.)

Chairman Schwebach: Made a motion to approve restructure of County Attorney's Office, eliminating Executive Assistant Position and adding Records Custodian duties to Legal Assistant.

Commissioner Candelaria: Seconded the Motion.

John Butrick, Torrance County Attorney: This item came to the forefront when on Monday the Records Custodian accepted a job somewhere else. This position will combine the duties of Records Custodian to Legal Assistant.

Commissioner McCall: Asked for clarification on the new position.

John Butrick: The records custodian work is not difficult, but it is time consuming.

Commissioner McCall: Asked for more discussion and would like to have more information. Asked if Mr. Butrick needed to be named the Interim Records Custodian.

John Butrick: Said that he would be happy to take on the title.

Commissioner McCall: Said that he would like to have more time and information, and to wait to decide.

John Butrick: The problem with that would be that it would cost more money to post two positions, then do interviews, and try to get a qualified person and then ask if they would like to take on the extra duties. It also delays the entire process.

Chairman Schwebach: The only reason it came up in a special meeting is because it of the time restraints. Asked which position is resigning.

John Butrick: Bernadette Anaya, her title is Records Custodian and Executive Assistant. This would eliminate the Executive Assistant and add Records Custodian to the incoming Legal Assistant position.

Commissioner McCall: Wants to know the salary information and how they can make it a competitive rate.

John Butrick: Right now, as it is, it can be put in up to \$17.00/hour, as that was what was appropriated for the Legal Assistant Position.

Chairman Schwebach: Asked why it should be left to a different meeting when it can be finalized now, as that could affect the quality of candidates that are applying for the position.

John Butrick: He can only put the positions out separately, which costs the County more. He would not be able to post it as one position until it is approved, which, if deferred, would be after August 25. He has people that he can rely on until he is able to hire a new employee.

Commissioner McCall: Suggested posting both positions and seeing what kind of candidates apply and deferring this motion until the next meeting on August 25.

Chairman Schwebach: Retracted motion, deferred to next meeting on August 25, 2021.

Commissioner Candelaria: Seconded the motion.

Roll Call Vote:

Commissioner McCall: Aye; Chairman Schwebach: Aye; Commissioner Candelaria: Aye.

Motion Retracted and Deferred.

5. EXECUTIVE SESSION

A. COMMISSION: Discuss threatened or pending litigation, defending rights and independent decisions of duly elected local officials, pursuant to NMSA 1978 10-15-1(H)(7).

Chairman Schwebach: Made a motion to enter Executive Session, deferred to John Butrick about whether to go into executive session regarding threatened or pending litigation, defending rights and independent decisions of duly elected local officials, pursuant to NMSA1978 10-15-1 (H) (7)

John Butrick, Torrance County Attorney: Considering discussions today, and because the voters of Torrance County have now put money forth toward litigation, he believes it would be appropriate to go into Executive Session.

Chairman Schwebach: Asked Senator Gallegos if he believes an Executive Session would be appropriate given the circumstance.

Senator Gallegos: Agreed that an Executive Session would be appropriate.

Chairman Schwebach: Motion Stands.

Commissioner McCall: Seconded the Motion.

Roll Call Vote:

Commissioner McCall: Yes; Chairman Schwebach: Yes; Commissioner Candelaria: Yes.

Motion Carried.

Entered Executive Session at 10:22 A.M.

Regular Session Reconvened at 11:02 A.M.

Chairman Schwebach: Discussion in Executive Session pertained to threatened or pending litigation, defending rights and independent decisions of duly elected local officials, pursuant to NMSA1978 10-15-1 (H) (7).

No action will be taken at this time.

SEE ITEM 4-C FOR NEXT ITEM.

6. ADJOURN

Chairman Schwebach: Motion to adjourn meeting.

Commissioner McCall: Seconded motion.

Chairman Schwebach: Adjourned the meeting at 11:12 a.m.

Signed By:

**Ryan Schwebach – Torrance
County Board of Commission
Chairman**

**Valerie Smith – Admin Assistant,
Torrance County Clerk’s Office**

Date: / / 2021

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 out local radio station KXNM.



Agenda Item
No. 8-B

DRAFT

Torrance County Board of Commissioners

Regular Commission Meeting

August 25, 2021

9:00 AM

Commissioners Present: **RYAN SCHWEBACH – CHAIR**
 KEVIN MCCALL – VICE CHAIR
 LEROY CANDELARIA – MEMBER

Others Present:

JANICE BARELA – COUNTY MANAGER
JEREMY OLIVER – FINANCE DIRECTOR
JOHN BUTRICK – COUNTY ATTORNEY
YVONNE OTERO – COUNTY CLERK
VALERIE SMITH – ADMINISTRATIVE ASSISTANT

1. CALL MEETING TO ORDER

Chairman Schwebach: Called meeting to order at 9:03 A.M.

2. PLEDGE

Chairman Schwebach: Lead the Pledge of Allegiance.

INVOCATION:

Commissioner Candelaria: Lead the invocation.

3. CHANGES TO THE AGENDA

A. **Madam County Manager Barela:** Requested to defer items 11-A. , A motion to approve restructuring of the Torrance County Fair Board membership and a paid administrative support position, and item 12-F. County Attorney.

John Butrick, Torrance County Attorney: Explained that he wanted to do more research on competitive salaries regarding 12-F, a motion to approve restructure of County Attorney's Office, eliminating Executive Assistant Position and adding Records Custodian duties to Legal Assistant and setting salary.

No objections were raised to the two changes proposed.

Madam County Manager: 12-J. was moved to after the Executive Session and 12-K. was moved to after 12-C.

Chairman Schwebach: Asked if there were any objections. None were voiced. Items moved respectfully.

4. PROCLAMATIONS

None currently.

5. CERTIFICATES AND AWARDS

A. **OPERATIONS:** Announcement of Employee Service Year Pin: Stetson Lujan (2).

Madam County Manger Barela: Recognized Stetson Lujan's 2 years of Service.

6. BOARD AND COMMITTEE APPOINTMENT

None currently.

7. PUBLIC COMMENT AND COMMUNICATIONS

Tracey Master, Torrance County DWI Prevention Coordinator:

Gave a DWI Prevention Program Update. List of upcoming events hereto attached.

Cindy Sims, Estancia Municipal Schools Superintendent: Came to the meeting to thank the Commissioners for holding a Special Commission Meeting supporting the autonomy of the Estancia Municipal School, regarding their feelings on masks and making it the parent's right to choose. Dr. Sims also thanked the public in their showing of support for the School Board.

She feels that the Secretary of Education threatens licensure action against those who do not comply with the mask mandate. She wanted the public to know that the Board of Education is not "anti-mask", but "anti-mandate".

She appreciates the support for local control.

Chairman Schwebach, Commissioner McCall: Thanked Dr. Sims.

Nathan Dial, Estancia Mayor: Spoke about the incident that happened involving Mayor Dial at the Judicial Complex. The incident in question was that the security officer at the complex did not recognize Mayor Dial's role as "Chief Executive Officer" of the Town of Estancia. A call was made to Torrance County Dispatch regarding "an armed, unwanted man refusing to leave the property."

Mayor Dial said that he found out that the State is enforcing mandates in a County building inside the Municipality. He went to the Judicial Complex to "try to figure out how we got to the point that the State is enforcing mandates inside a County building in the Municipality."

Mayor Dial said that in the process of gathering information, under the powers given by the people to their representative under "NM Statute 3-11" he was told the Judiciary that they would not recognize the Executive Branch of the Town of Estancia. He was locked out of the building and reported to 911. He believes that the Governor is starting at the School Board and working up to the Sheriff.

Mayor Dial said that the Torrance County Building has posted a "No Firearms" sign "due to a misinterpretation of State Statute 30-7" because NMSU has an office in the building.

The Probate Court is under the Judiciary, and they have an office in this building. He believes that the State will send goons to enforce mandates and will not recognize powers given to the Commission by the people of Torrance County.

Don Dirks, Torrance County Fire Chief: Gave an update on the EMT hiring process. The job application is still open.

The precipitation has dampened the summer fire season, allowing Torrance County to prepare for fall and winter fire seasons.

Discussions with Mountainair EMS and Fire departments have continued, pertaining to expansion of services. Quotes have been received and specifications for a new ambulance with appropriations and 411 fund monies, the purchasing has been approved, and they are awaiting a notice of obligation from DFA to proceed with the purchase order.

NM Fire Protection is opened for applications for grants, which the Fire Department is working on.

Fire Chief Dirks has been working with Salinas Pueblo Monument on their first Mutual Aid Agreement. He said that he has been waiting a while for their final draft. In the meantime, he has made his first formal appointment with Moriarty to start a mutual aid agreement with them. He is also in talks with Estancia and Mountainair. The first week of September is the first of the meetings with Moriarty, possibly September 3rd being the day.

Commissioner McCall: Asked for updates on the ambulances in Mountainair.

Fire Chief Dirks: Explained that they have started a stipend system, and they have asked for funding. Fire Chief Dirks has been working with Mountainair for about a year on a plan to present to the County. They are working on coming up with a feasible funding amount to present so that they can cover a larger area. Moriarty tried to get funds as well, but Chief Dirks had to explain that the point to helping Mountainair is to commence establishing their Fire Department. Moriarty already has an established Fire Department. Getting Mountainair started would relieve transportation and coverage issues in the southern part of the County. It has been difficult to meet up with Mountainair, as they are frequently closed.

Steve Guetschow, Planning and Zoning: Introduced Larry (Dusty) Allen as the new Planning and Zoning Code Enforcement Officer.

Chairman Schwebach: Welcomed Zoning Officer Allen to Torrance County.

Charlene Guffy, Torrance County Resident, District 1: Thanked Leonard Lujan and his road crew, Petey, JJ, Randy, Tony, and Carlo, for their great work on McNabb Road. The equipment that was purchased is a big plus, and she wants the Commissioners to reconsider paving the rest of McNabb Road. She believes that having the road paved is necessary to draw businesses, which in turn ensures a steady stream of tourism and growth.

Charlene's daughter called her on her way to the meeting and told her that she is concerned about her kids having to wear masks in school. She thought that the Commission passed something on August 13 about this.

She asked the Commission to stand up for the County and tell the Governor that "we don't want our children masked up." She said that she stands behind the Commission and behind Estancia Mayor Nathan Dial.

8. APPROVAL OF MINUTES

A. COMMISSION: Motion to approve the July 28, 2021, Torrance County Commission Minutes.

ACTION TAKEN:

Chairman Schwebach: Made a motion to approve the July 28, 2021, Torrance County Commission Minutes.

Commissioner McCall: Seconded the motion.

There was no discussion.

ROLL CALL VOTE:

Commissioner Candelaria: Yes; **Chairman Schwebach:** Yes; **Commissioner McCall:** Yes.

MOTION PASSED.

9. APPROVAL OF CONSENT AGENDA

A. FINANCE: Motion to approve Payables.

ACTION TAKEN:

Chairman Schwebach: Made a motion to approve Payables.

Commissioner Candelaria: Seconded the motion.

There was no discussion.

ROLL CALL VOTE:

Commissioner Candelaria: Yes; **Chairman Schwebach:** Yes; **Commissioner McCall:** Yes.

MOTION PASSED.

10. ADOPTION OF ORDINANCE/AMENDMENT TO COUNTY CODE

NOTHING PRESENTED.

11. ADOPTION OF RESOLUTION:

A. MANAGER: Motion to approve restructuring of the Torrance County Fair Board Membership and a Paid Administrative Support Position, Resolution No. X.

ITEM DEFERRED

12. APPROVALS

A. SHERIFF: Motion to approve submission of application for the small Rural Tribal Body Worn Camera Program Grant.

ACTION TAKEN:

Chairman Schwebach: Made a motion to approve submission of application for the Small Rural Tribal Body Worn Camera Program Grant.

Commissioner McCall: Seconded the motion.

Cheryl Allen, Torrance County Grants Manager: Explained that the Small Rural Tribal Body Worn Camera Program Grant is a Department of Justice microgrant. She has been working with Stephanie on writing the grant. They are trying to get 15 cameras for the Sheriff's Department now that it has been mandated and the County can be held liable if they do not have them. They need to make sure that everyone has a camera and that there are backups.

It is a 50% Federal/50% State match. The Sheriff's office already has the required \$8,000 from this fiscal year's budget cycle.

Commissioner McCall: Asked for clarification on the 50/50 split.

Cheryl Allen: The split is 50% Federal, 50% Local, NOT State.

Chairman Schwebach: Asked if Mrs. Allen is allowed to purchase whichever type of camera she sees fit to buy for the Sheriff's Office.

Cheryl Allen: Answered in the affirmative.

ROLL CALL VOTE:

Commissioner Candelaria: Yes; **Chairman Schwebach:** Yes; **Commissioner McCall:** Yes.

MOTION PASSED.

B. SHERIFF: Motion to approve Memorandum of Understanding (MOU) for Law Enforcement Services between The Town of Estancia and The Torrance County Sheriff's Office.

ACTION TAKEN:

Chairman Schwebach: Made a motion to approve Memorandum of Understanding (MOU) for Law Enforcement Services between The Town of Estancia and The Torrance County Sheriff's Office.

Commissioner Candelaria: Seconded the motion.

Torrance County Sheriff Martin Rivera: Finalized the Memorandum of Understanding (MOU) between Torrance County and Estancia. He believes it will work for everyone.

Commissioner McCall: Asked Sheriff Rivera to elaborate on services being provided to Estancia.

Sheriff Rivera: Explained that Torrance County will be providing law enforcement services, as Estancia has only one officer and needs coverage in the town.

Chairman Schwebach: It is his understanding that Torrance County won't be providing 24-hour coverage, but dispatch will decide who gets toned-out?

Sheriff Rivera: With the MOU, Torrance County will now be accepting admin calls, where there is no danger to life or property, as well as emergency calls, and backing up the police on duty.

Commissioner McCall: Asked Sheriff Rivera to confirm that was something that Torrance County Sheriff's Department had already been doing.

Sheriff Rivera: Answered in the affirmative but said that the administrative calls are ones where there is no immediate danger to life or property. These calls had been handled by Estancia until now.

Commissioner Candelaria: Asked the term of the MOU.

Sheriff Rivera: The term is for one year, renewed yearly, and both parties have the right to terminate the contract at any time.

Chairman Schwebach: Will Torrance County be funding this at all?

Sheriff Rivera: Answered that the County will not be putting any capital towards the town for the MOU.

ROLL CALL VOTE:

Commissioner Candelaria: Yes; **Chairman Schwebach:** Yes; **Commissioner McCall:** Yes.

MOTION PASSED.

C. SHERIFF: Motion to approve reorganization of the Torrance County Sheriff's Office Transport/Civil Division to Community and Court Services Division (CCS) and additional Patrol Deputy positions.

ACTION TAKEN:

Chairman Schwebach: Made a motion to approve reorganization of the Torrance County Sheriff's Office Transport/Civil Division to Community and Court Services Division (CCS) and additional Patrol Deputy positions.

Commissioner McCall: Seconded the motion.

Torrance County Sheriff Marty Rivera: The reason for the motion is to ask for more certified deputies who can handle all calls, as well as court and transport functions and community policing services. There is not enough work for Court Services alone to have a dedicated employee. They are trying to maximize their deputies.

Commissioner McCall: Asked Sheriff Rivera how many he was proposing to get onboard for Court Services.

Sheriff Rivera: Believes there is enough work for one, maybe two deputies, but the Patrol Division can step in and help.

Chairman Schwebach: Asked Sheriff Rivera to confirm that the courts have mandated that the County provide security to them.

Sheriff Rivera: Answered in the affirmative, explained that any time the courts are in session, there is an officer (not necessarily certified) assigned. Explained that Transport can take in a prisoner and then provide security to the court and affirmed to Commissioner McCall that TCSO is fulfilling their obligation to the court, with deputies and transport officers.

Commissioner McCall: Asked Sheriff Rivera to expand on how much work "One plus a little", and that he would hesitate to cut them down to one officer at

the Court. He would like to know if two transport and one certified officer would work, and how it would affect the budget.

Sheriff Rivera: Introduced Jeremy Oliver.

Jeremy Oliver, Finance Director: He explained that in the current proposal he moved the current 5 transport deputies to three certified and two CSA. This will save close to \$5,000 a year.

Chairman Schwebach: Asked if it would be more advantageous to have all certified deputies, instead of having uncertified transport deputies.

Sheriff Rivera: Answered in the affirmative, but he doesn't believe that there is room in the budget for 4 certified deputies. (Looking at the budget) 4 patrol deputies would cost \$186,700/yr., with a total savings of \$25,438.

Chairman Schwebach: Do you see an issue hiring individuals who want to be certified?

Eli Lucero Torrance County Sheriff's Department: We did this to fulfill a commitment to you and limit our liability as a County. When they took on HB4 last year, they looked at what was to restrict their last transport positions and what they were allowed to do. They created Standard Operation Procedures to limit their function. They are requesting the one certified now because they are and will continue to lose certified personnel to the surrounding areas. They can offer better pay and benefits. He would like to leave it as one uncertified officer because they would be less likely to transfer to another County or City.

Chairman Schwebach: Would like for restructuring to stay an open option.

Discussion on the positives and negatives of having certified vs. non-certified officers in the Torrance County Sheriff's Office continued.

Chairman Schwebach: Said that he would like to defer the motion.

Commissioner Candelaria: Said that he has seen great changes and is proud of the Sheriff's Office.

Commissioner McCall: Wants to make it clear that Torrance County is not defunding the police. Commissioner McCall wants to defer to mull over the options on what the answer is.

Madam County Manager Barela: Wanted to make it known that the Commissioners have included a 3-year salary increase. We are in Year 2 of 3. This also includes a better PERA plan. The Commission has made strides on making it a more competitive place to work.

Chairman Schwebach: Retracted his motion.

Commissioner Candelaria: Seconded the retracted motion.

Chairman Schwebach: Item 12-C Deferred.

MOTION DEFERRED.

D. MANAGER: Motion to accept the Second Quarter 2021 Restrictive Housing Report from CoreCivic pursuant to NMSA 1978 § 33-16-5.

Chairman Schwebach: Made a motion to accept the Second Quarter 2021 Restrictive Housing Report from CoreCivic pursuant to NMSA 1978 § 33-16-5.

Commissioner McCall: Seconded the Motion.

John Butrick, Torrance County Attorney: This is a statutorily required report that CoreCivic is compelled to provide Torrance County with. After that, Torrance provides it to the Legislative Council Service in Santa Fe.

There was no discussion.

ROLL CALL VOTE:

Commissioner Candelaria: Yes; **Chairman Schwebach:** Yes; **Commissioner McCall:** Yes.

MOTION PASSED.

E. FIRE: Motion to grant permission to apply for the FY22 Fire Protection Grant for all districts and granting authorization for County Manager Janice Barela and Fire Chief Don Dirks to sign.

ACTION TAKEN:

Chairman Schwebach: Made a motion to grant permission to apply for the FY22 Fire Protection Grant for all districts and granting authorization for County Manager Janice Barela and Fire Chief Don Dirks to sign.

Torrance County Fire Chief Don Dirks: This year Chief Dirks wants to get each District everything he can for each of the 6 Districts, which adds up to approximately \$1.6 Mil.

Chairman Schwebach: Wanted to know what was different this year compared to the last.

Fire Chief Don Dirks: For the past 10 years, approximately, as the inference reporting was never completed on time.

ROLL CALL VOTE:

Commissioner Candelaria: Yes; **Chairman Schwebach:** Yes; **Commissioner McCall:** Yes.

MOTION PASSED.

F. COUNTY ATTORNEY: Motion to approve restructure of County Attorney's Office, eliminating Executive Assistant position and adding Records Custodian duties to Legal Assistant and setting salary.

ITEM DEFERRED.

G. ROAD: Motion to approve reclassification of Mechanic Position to Operator/Mechanic and increase pay rate.

ACTION TAKEN:

Chairman Schwebach: Motion to approve reclassification of Mechanic Position to Operator/Mechanic and increase pay rate.

Commissioner Candelaria: Seconded the motion.

Jeremy Oliver, Finance Director: When Salary Schedule was made, the person who held this position resigned before they held the review. It was not caught in time that they were not set at the same rate as other Operators. This position would be set up to include operator with additional trainer duties. Nothing needs to be increased this year. There would be enough vacancy savings, but next year we would need to do a total increase of what was proposed, the \$5,000, to cover the max earning potential of this position.

Chairman Schwebach: Had questions about filling the vacant position.

Jeremy Oliver: Answered Chairman Schwebach's questions about filling the position and the qualifications needed.

Madam County Manager Barela: Explained the position.

ROLL CALL VOTE:

Commissioner Candelaria: Yes; **Chairman Schwebach:** Yes; **Commissioner McCall:** Yes.

MOTION PASSED.

H. FINANCE: Motion to approve Professional Services Contract with John Shumaker & Associates, Inc. for Geohydrologic Consulting Services for the Estancia Basin Water Planning Committee – RFP TC-FY21-01.

ACTION TAKEN:

Chairman Schwebach: Made a motion to approve Professional Services Contract with John Shumaker & Associates, Inc. for Geohydrologic Consulting Services for the Estancia Basin Water Planning Committee – RFP TC-FY21-01.

Noah Sedillo, Torrance County Purchasing Director: Spoke on behalf of the Estancia Basin Water Planning Committee, formed under a tri-county MOU (Bernalillo, Santa Fe and Torrance Counties). As fiscal agent, they facilitated an RFP on their behalf. They receive their funding from Bernalillo, Santa Fe County and the municipalities. Two proposals were received, both responsive, one from Hydro Resolutions Incorporated, and one from John Schumaker and

Associates, Inc. Hydro Resolutions Contract. The recommendation is to approve John Schumaker & Associates, Inc, for \$23,198.40 for professional services, basin monitoring, and does not include expenses.

Chairman Schwebach: Asked if there was any discussion.
There was no discussion.

ROLL CALL VOTE:

Commissioner Candelaria: Yes; **Chairman Schwebach:** Yes; **Commissioner McCall:** Yes.

MOTION PASSED.

I. DWI: Motion to approve CDWI Grant Agreement for FY2021, between Torrance County and the New Mexico Department of Transportation and granting County Manager Janice Barela authority to sign.

ACTION TAKEN:

Chairman Schwebach: Made a motion to approve CDWI Grant Agreement for FY2021, between Torrance County and the New Mexico Department of Transportation and granting County Manager Janice Barela authority to sign.

Tracey Master, DWI Program Coordinator: Asked for the CDWI Grant Agreement for FY 2021 to be approved. Asked the Commission to approve the grant in the amount of \$1,518. The funds are used for promotional items.

There was no discussion.

Commissioner Candelaria: Yes; **Chairman Schwebach:** Yes; **Commissioner McCall:** Yes.

MOTION PASSED.

J. COMMISSION: Motion to approve amendment to Fire Chief's employment contract after Performance Evaluation and granting County Manager Janice Barela authority to sign.

Moved after Executive Session.

ACTION TAKEN:

Chairman Schwebach: Made a motion to approve amendment to Fire Chief's employment contract after Performance Evaluation and granting County Manager Janice Barela authority to sign.

Commissioner McCall: Seconded the motion.
There was no discussion.

ROLL CALL VOTE:

Commissioner Candelaria: Yes; **Chairman Schwebach:** Yes; **Commissioner McCall:** Yes.

MOTION PASSED.

K. MANAGER: Motion to concur with the hiring of Juan Torres as the Torrance County Deputy County Manager at the terms and conditions set forth in the contract offered by the County Manager and granting County Manager Janice Barela authority to sign.

Moved after Executive Session.

ACTION TAKEN:

Chairman Schwebach: Made a motion to concur with the hiring of Juan Torres as the Torrance County Deputy County Manager at the terms and conditions set forth in the contract offered by the County Manager and granting County Manager Janice Barela authority to sign.

Commissioner McCall: Seconded the Motion.

Madam County Manager: Thanked the Commission for concurring with the hiring of Mr. Torres and said that she is excited to have him come aboard.

Roll Call Vote:

Commissioner Candelaria: Yes; **Chairman Schwebach:** Yes; **Commissioner McCall:** Yes.

MOTION PASSED.

13. DISCUSSION

A. PLANNING & ZONING: Revision to TC Ordinance 94-12 (Public Hearing will be held during the September 8, 2021, Commission Meeting).

Chairman Schwebach: Introduced the topic of discussion, and asked Mr. Guetschow if they would only be discussing the logistics of the public hearing.

Steve Guetschow, Planning and Zoning: Answered in the affirmative. Explained the Revision to TC Ordinance 94-12. Asked if he could explain what has been changed. He asked if he could go over the “where-as”.

Chairman Schwebach: Answered in the affirmative.

Steve Guetschow: The notice to the public went out August 20th. Mr. Guetschow explained the changes that were made. Original and new copies are in the Commission Meeting Packet.

John Butrick, Torrance County Attorney: Asked Mr. Guetschow specifics about 90-3 in the Ordinance and told him about certain non-substantive changes he would like to have changed.

Chairman Schwebach: Asked for clarification if he was incorrect, but as understood, he believed that there was a published document that needed to be brought before a public hearing. He wants to know if everything that needs to be changed should be put in before the public hearing.

Madam County Manager Barela: Answered in the affirmative and explained that after this will be a public hearing. A new ordinance or changes to a previous ordinance must go before the public.

Commissioner McCall: Mr. McCall was wondering about the tarping rule that he wanted to introduce many weeks ago. He was wondering if this Ordinance is where he would add the rule.

Steve Guetschow: Answered in the affirmative but explained that it is a road safety and so Code Enforcement cannot do anything about ticketing or stopping an untarped vehicle.

County Manager Barela: Spoke to the Sheriff, and they are who informed Ms. Barela that it is a road safety issue. The Sheriff's Office would have to write the ticket.

The Commissioners, Mr. Guetschow, Madam County Manager Barela and Mr. Butrick continued discussion on the Ordinance.

BREAK TO CHANGE DISC: 10:27 A.M.

RECONVENE: 10:30 A.M.

B. GRANTS: Presentation and discussion regarding current Infrastructure Capital Improvement Plan (ICIP) Projects and addition of new projects.

Cheryl Allen, Torrance County: Read the presentation that is hereto attached. She explained all the different projects that can be done. Discussion on the different projects commenced.

Chairman Schwebach: Asked why there are possible plans for a new animal shelter, as he was under the impression that a lot of money went into the current Torrance County Animal Shelter.

Cheryl Allen: The money that has gone into the current Animal Shelter has been for upkeep. The Shelter is not big enough and needs a cat area. The \$25,000 agreement award is still pending. They are looking at having all communities within Torrance County pull together and build a regional center.

Commissioner McCall: Asked if the vehicles through the Aging and Long-Term Services go through Torrance County, or just through Aging and Long-Term Services.

Cheryl Allen: They belong only to Aging and Long-Term Services. Through that application, they are allowed to buy smaller vehicles.

Commissioner McCall: Asked what the “Smart Choice Ride Services” are.

Tracey Master, DWI Prevention Program Coordinator: Gave an update and answered questions on the Smart Choice Ride program, which is a service to bring people to and from a drinking establishment. The reason for bringing someone to the establishment (for a \$5 fee each way) is because they found that those who drive to the restaurant/bar will not leave their vehicles in the parking lot, even if drunk. If they are given a ride there and back, then they will be more likely to call and get a safe ride home from Smart Choice. The fee can be waived if the person has absolutely no money to get home.

The van was vandalized the previous weekend. They need to fix and restore the van.

Chairman Schwebach: Asked if September 8th is the correct deadline.

Cheryl Allen: For the final ICIP and Resolution, yes. She must send it in on the next Friday.

The Commissioners, Madam County Manager Barela, and Cheryl Allen spoke about the fact that she never got an email telling her that the program was open, and what the deadlines are.

County Manager Barela: Went over the program and its deadlines. For discussion, not approval today.

Sept. 8th, 2021- Full discussion and resolution must be drawn up and submitted on this day. If deemed necessary, smaller meetings can be held, if there are not enough people for a quorum.

She mentioned that if the Torrance County Constituents have ideas for projects, to immediately bring them to the Manager. They can go on the next meeting agenda.

Chairman Schwebach: Wants to know why so much money has gone into patching up old buildings, and why the County cannot buy new facilities instead.

Cheryl Allen: Gave examples as to what can be done with the \$25,000 that the Animal Shelter is being given for improvements.

No further Discussion.

C. MANAGER'S REPORT

Madam County Manager Barela: September 1st is the statutory deadline for the DFA to issue the 2022 property tax rates for Torrance County.

The Board of County Commissioners are required by State Statute to deliver to the County Assessor a written order imposing these rates within 5 days of its rate setting order. Depending on when the County Receives the rates, the Commission may need to call for a special meeting to meet the statutory requirement.

September 6th is Labor Day, so the County Offices are closed and that creates a 4-day weekend. This may lead to the Commission filling their requirement during their regularly scheduled Commission Meeting on September 8th. Madam County Manager Barela will keep the Commission updated on that. Tracey Sedillo will provide more information on tax rates before the meeting. There are three different tax rates certificates because of the bonds that will be placed on the upcoming election. Depending on which bonds are passed, that will determine what the tax rates will be. Every one of the certificates will be approved, then DFA will determine which are applicable based on the Election.

During the 5 days, all the local agencies that we collect and distribute tax monies to, we will let them know what their tax rates are. If they disagree, they may prove that the rate is incorrect.

Regarding the Park, there is a thinning project with Edgewood Soil and Water Conservation District. It requires a match, possibly 10%, and we can determine how much of the park needs thinning. Brenda Smythe is excited and wants to do the project with us.

Commissioner Candelaria: Claunch-Pinto wants to get involved as well.

D. COMMISSIONER'S REPORTS

1) Commissioner McCall, District 1: No Report

2) Commissioner Schwebach, District 2: No Report

3) Commissioner Candelaria, District 3: As Follows:

Commissioner Candelaria: Thanked the Road Department for being out in the Gran Quivera area and fixing the roads while rain has torn them up.

14. EXECUTIVE SESSION

ACTION TAKEN:

Chairman Schwebach: Made a motion to enter executive session.

Commissioner McCall: Seconded the motion.

There was no discussion.

Commissioner Candelaria: Yes; **Chairman Schwebach:** Yes; **Commissioner McCall:** Yes.

MOTION PASSED.

Entered Executive Session at: 11:21 AM

A. MANAGER: PILT Negotiations for proposed Pattern Energy Wind Farm Project, closed pursuant to NMSA 1978 § 10-15-1(H)(8).

B. MANAGER: Fire Chief - End of Probation Performance Evaluation, closed pursuant to NMSA 1978 § 10-15-1(H)(2).

C. MANAGER: Discuss Deputy County Manager position, closed pursuant to NMSA 1978 § 10-15-1(H)(2).

Chairman Schwebach: Made a motion to reconvene regular session.

Commissioner Candelaria: Seconded the motion.

Chairman Schwebach: Offered a statement that during Executive Session, the only items discussed were those on the agenda for the Executive Session and nothing else.

There was no discussion.

Commissioner Candelaria: Yes; Chairman Schwebach: Yes; Commissioner McCall: Yes.

MOTION PASSED.

Regular Session Reconvened at: 12:56 p.m.

Moved to Items 12-J and 12-K.

Chairman Schwebach: Gave the floor to the Sheriff's Office as they had more to discuss on item 12-C. **SHERIFF: Motion to approve reorganization of the Torrance County Sheriff's Office Transport/Civil Division to Community and Court Services Division (CCS) and additional Patrol Deputy positions.**

Torrance County Undersheriff Eli Lucero: Gave clarification on the point of certification. He does not want to be short staffed and limit the Sheriff's Office because they are only trying to get certified officers. He would rather be well rounded and have more Police Service Aides in the meantime.

Madam County Manager Janice Barela: On the match to the Park: 20% is the number to match.

15. Announcement of the next Board of County Commissioners Meeting: September 8, 2021, at 9:00AM.

16. SIGNING OF OFFICIAL DOCUMENTS

17. ADJOURN

ACTION TAKEN:

Chairman Schwebach: Made a motion to adjourn meeting.

Commissioner McCall: Seconded the motion.

Roll Call Vote:

Commissioner Candelaria: Yes; Chairman Schwebach: Yes; Commissioner McCall: Yes.

MOTION PASSED.

MEETING ADJOURNED AT: 1:04 P.M.

Signed By:

**Ryan Schwebach – Torrance
County Board of Commission
Chairman**

**Valerie Smith – Admin Assistant,
Torrance County Clerk’s Office**

Date: / / 2021

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.

INFORMATION REGARDING DWI PREVENTION SERVICES:

4th Annual Torrance County Suicide Awareness and Prevention 5k
(aka "Suicide Prevention and Embrace Life Celebration")

Estancia

September 19, 2021

Dance Under the Stars

Moriarty

September 11, 2021

Adult Mental Health First Aid

Moriarty

August 29, 2021

Adult Mental Health First Aid (two-day class)

Estancia

August 30 - 31, 2021

Participating in:

Pinto Bean Fiesta

September 25, 2021

Moriarty

MADD Honoring Heroes

September 18, 2021

Albuquerque

Sunflower Festival

August 28, 2021

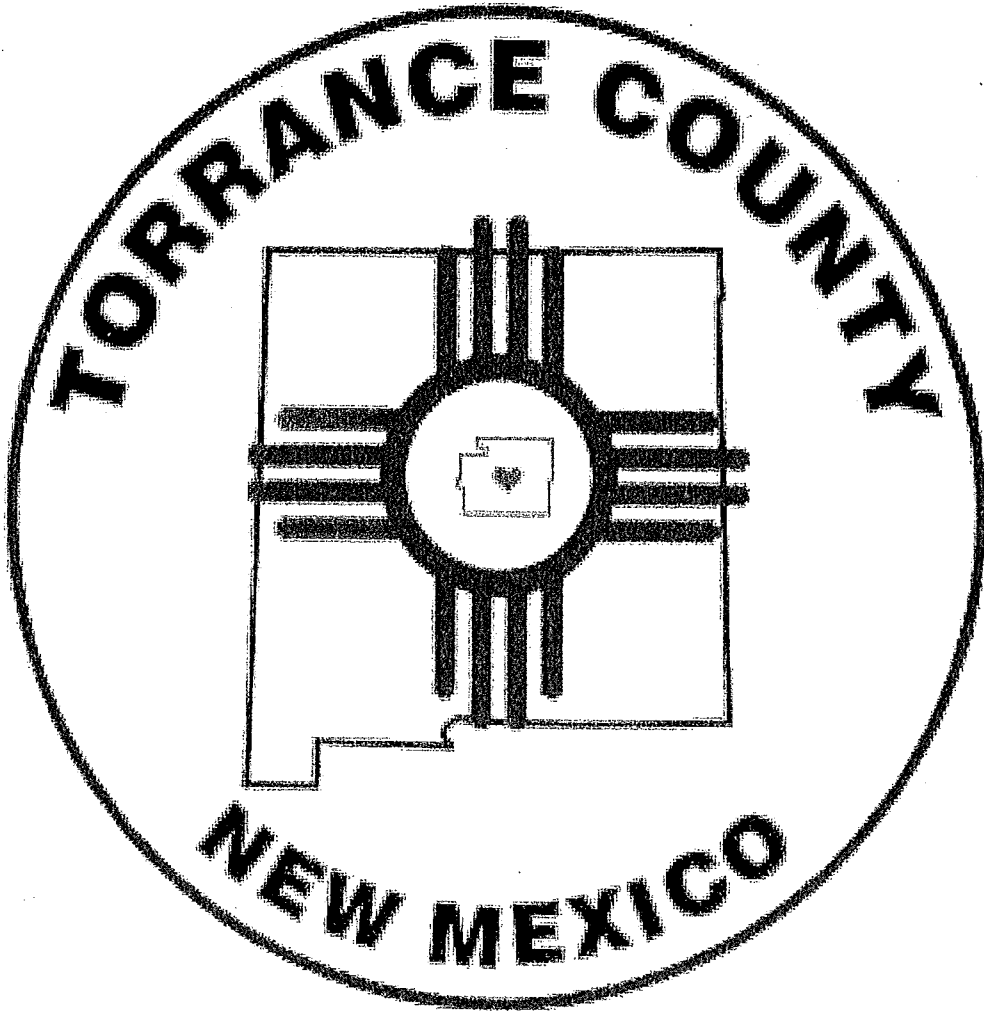
Mountainair

Zoom Bingo

Wednesday evenings

From the comfort of your own home!

Email tmaster@tcnm.us for Bingo Cards.



Agenda Item
No. 9-A

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

TOTAL CHECKS PRINTED 110

THE UNDERSIGNED MEMBERS OF THE TORRANCE COUNTY BOARD OF COMMISSIONERS DO CERTIFY THAT THE CLAIMS ENUMERATED ABOVE WERE APPROVED ALLOWED & DO AUTHORIZE THE WARRANTS AGAINST THE FUNDS OF TORRANCE COUNTY FOR THE SUM OF 264,078.33 ON ACCOUNT OF OBLIGATIONS INCURRED FOR THE SERVICES AS SHOWN ABOVE FOR THE PERIOD ENDING 09/02/2021 . 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

LeRoy M. Candelaria

Ryan Schwebach

Yvonne Otero

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 #	PO #	Amount
01 O	117265	A-1 TROPHY CENTER	3 STREAMER ROSETTE, GRAND AND RESERVE CHAMPION	412-53-2245	482421	36928	68.60
	375.95		2 STREAMER ROSETTE BLACK, TURQUOISE CHAMPION	412-53-2245	/	36928	52.50
	08/24/2021		YOUTH SASH	412-53-2245	/	36928	31.80
			ADULT SASH	412-53-2245	/	36928	37.80
			2" X 8" HONORABLE MENTION	412-53-2245	/	36928	54.00
			2" STREAMER ROSETTE NAVY/SILVER	412-53-2245	/	36928	31.50
			FOIL SHOWMANSHIP	412-53-2245	/	36928	99.75
			2" STREAMER ROSETTE	412-53-2245	/	36928	
			TURQUOISE/BLACK 15, BEST OF SHOW			36928	
			1, SPECIAL CAKE 1, BEST PIE,			36928	
			1 BEST CAKE, 1 COTTON			36928	
			EXTRAVAGANZA			36928	
			INVOICE#6148 ACCT#RIBBONS				
COUNTY FAIR		375.95					
01 O	117266	RARDVARK CARPET CARE	CARPET CLEANING		282421	36842	
	650.00		COUNTY ADMIN		/	36842	
	08/24/2021		JUDICIAL COMPLEX	401-16-2237	/	36842	650.00
			INVOICE#1242				
JUDICIAL COMPLEX MAINT		650.00					
01 R	117267	ALBUQUERQUE FENCE COMPANY	2421" OF 6' HIGH 9 GUAGE CHAIN	620-94-2612	4182421	36512	33093.91
	72594.27		LABOR - NEW FENCE INSTALLATION.	620-94-2612	/	36512	36511.02
	08/24/2021		NMGRT (8.1875%) - LABOR ONLY	620-94-2612	/	36512	2989.34
			INVOICE#252234				
INFRASTRUCTURE GROSS R		72594.27					
01 R	117268	AMAZON BUSINESS	GLOVES INVOICE#RPQ7 REF PO#36670	402-60-2248	4882421		95.83
	95.83						
	08/24/2021						
COUNTY ROAD DEPARTMENT		95.83					
01 O	117269	AMBITIONS TECHNOLOGY GROUP LLC	LATITUDE 5520 LAPTOP	609-30-2219	6182421	36804	1554.99
	1959.52		MACHINE SETUP	609-30-2219	/	36804	375.00
	08/24/2021		GRT	609-30-2219	/	36804	29.53
			INVOICE#9293 ACCT #TORRANCE				
			COUNTY				
COUNTY TREASURER		1959.52					
01 O	117270	BANK OF AMERICA	TORRANCE COUNTY SHERIFF'S OFFICE	401-50-2271	5782421	36853	212.00
	369.25		PO BOX 498, ESTANCIA, NM 87016			36853	
	08/24/2021		PO BOX SERVICE FEE			36853	
			INVOICE#USFS ESTANCIA NM ACCT#				
			PO BOX 498				
			PARTS AND SUPPLIES FOR SHOP AND	402-60-2244	5882421	36660	157.25
			EQUIPMENT			36660	
			INVOICE#06358 TJS NAPA LLC ACCT#				
			1187				
COUNTY SHERIFF		212.00	COUNTY ROAD DEPARTMENT	157.25			

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

08/24/2021 COUNTY MANAGER 217.15
OF TORRANCE COUNTY VS AMPARO PACHECO 08/13/2021 401-10-2205 5382421 08/24/2021 36787 112.49
TRAVEL TO ALBUQ NM NON JURY TRIAL THE BOARD OF COUNTY COMMISSIONERS OF TORRANCE COUNTY V AMPARO PACHECO 08/12/2021 401-10-2205 5482421 08/24/2021 36787 43.43
TRAVEL TO ALBUQUERQUE NM NON JURY TRIAL THE BOARD OF COUNTY COMMISSIONERS OF TORRANCE COUNTY V AMPARO PACHECO 08/11/2021 401-10-2205 5582421 08/24/2021 36787 43.43
TRAVEL TO ALBUQUERQUE NM NON JURY TRIAL THE BOARD OF COUNTY COMMISSIONERS OF TORRANCE COUNTY V AMPARO PACHECO 08/10/2021 401-10-2205 5682421 08/24/2021 36787 43.43

01 O 117272 BOOT BARN INC WORK FIELD SAFETY BOOTS 401-65-2248 382421 08/24/2021 36787 112.49
ACCT#999900383395. STETSON LUJAN

01 R 117273 CARRFON, ROBBIE WITNESS COMPENSATION, STATE V. B. LEHMAN 401-08-2300 4582421 08/24/2021 36983 95.00
M-56-MR-2019-00213 2021.07.29 NON JURY TRIAL INVOICE#TRIAL DATE 2021.07.29 36983 36983

01 R 117274 CENTRAL NM ELECTRIC COOP. MONTHLY ELECTRIC FOR FY2022 406-91-2208 2282421 08/24/2021 36700 173.74
PLANNING & ZONING 95.00
JULY 2021

01 R 117275 CENTRAL NM ELECTRIC COOP. MONTHLY ELECTRIC FOR FY2022 418-91-2208 2382421 08/24/2021 36695 42.99
STATE FIRE ALLOTMENT 173.74
ACCT#207079301 JULY 2021

01 R 117276 CENTRAL NM ELECTRIC COOP. MONTHLY ELECTRIC FOR FY2022 401-53-2208 2482421 08/24/2021 36689 207.42
STATE FIRE ALLOTMENT 42.99
ACCT#404536900/404571500/
404572200/404572300/8880064700
JULY 2021

01 R 117277 CENTRAL NM ELECTRIC COOP. MONTHLY ELECTRIC FOR FY2022 401-15-2208 2582421 08/24/2021 36688 2977.54
STATE FIRE ALLOTMENT 207.42
ACCT#404273000/404273700

CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
01 R	117278	CENTRAL NM ELECTRIC COOP.	MONTHLY ELECTRIC FOR FY2022	604-83-2208	2682421	08/24/2021	36697	282.92
	282.92		ACCT#8880104503/8880117505					
	08/24/2021		JULY 2021					
COMMUNICATIONS/EMS TAX 282.92								
01 R	117279	CENTRAL NM ELECTRIC COOP.	MONTHLY ELECTRIC FOR FY2022	911-80-2208	2782421	08/24/2021	36698	1300.66
	1300.66		ACCT#8880281300/19705500					
	08/24/2021		8880581500					
911-DISPATCH CENTER 1300.66								
01 R	117280	CENTRAL NM ELECTRIC COOP.	MONTHLY ELECTRIC FOR FY2022	405-91-2208	2882421	08/24/2021	36699	302.80
	302.80		ACCT#19103300/19103200/					
	08/24/2021		8880411701 JULY 2021					
STATE FIRE ALLOTMENT 302.80								
01 R	117281	CENTRAL NM ELECTRIC COOP.	MONTHLY ELECTRIC FOR FY2022	401-16-2208	2982421	08/24/2021	36690	3015.60
	3015.60		ACCT#8880179001 JULY 2021					
	08/24/2021							
JUDICIAL COMPLEX MAINT 3015.60								
01 R	117282	CENTRAL NM ELECTRIC COOP.	MONTHLY ELECTRIC FOR FY2022	401-24-2208	3082421	08/24/2021	36692	384.25
	1636.60		MTRAIR SC / 205707901					
	08/24/2021		ESTANCIA SC / 8880109702					
			MORIARTY SC / 401421201					
			JULY 2021					
HEALTH DEPT BLDG MAINT 384.25 MOUNTAINAIR SENIOR CEN 377.28 ESTANCIA SENIOR CENTER 602.98								
MORIARTY SENIOR CENTER 272.09								
01 R	117283	CENTRAL NM ELECTRIC COOP.	MONTHLY ELECTRIC FOR FY2022	401-82-2208	3182421	08/24/2021	36693	516.99
	516.99		ACCT#8880084401 JULY 2021					
	08/24/2021							
ANIMAL SERVICES 516.99								
01 R	117284	CENTRAL NM ELECTRIC COOP.	MONTHLY ELECTRIC FOR FY2022	401-21-2308	3282421	08/24/2021	36691	41.49
	41.49		ACCT#88805829300 JULY 2021					
	08/24/2021							
ELECTIONS 41.49								
01 R	117285	CENTRAL NM ELECTRIC COOP.	MONTHLY ELECTRIC FOR FY2022	413-91-2208	3382421	08/24/2021	36696	268.34
	268.34		ACCT#8880270701 JULY 2021					
	08/24/2021							
STATE FIRE ALLOTMENT 268.34								
01 R	117286	CENTRAL NM ELECTRIC COOP.	MONTHLY ELECTRIC FOR FY2022	407-91-2208	3482421	08/24/2021	36701	134.55
	134.55		ACCT#21036000/8880105100/					
	08/24/2021		8880625100 JULY 2021					
STATE FIRE ALLOTMENT 134.55								

01 R 11/28/ 535.12

CENTRAL NW ELECTRIC COOP.

MONTHLY ELECTRIC FOR FY2022
ACCT#888007400/19615100/

408-91-2208

3582421 08/24/2021

36702

535.12

CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
08/24/2021		8880488700	JULY 2021					
STATE FIRE ALLOTMENT 535.12								
01 R	117288	CENTRAL NM ELECTRIC COOP.	MONTHLY ELECTRIC FOR FY2022	409-91-2208	3682421	08/24/2021	36703	118.67
			ACCT#20554000/8880282700					
08/24/2021			JULY 2021					
STATE FIRE ALLOTMENT 118.67								
01 R	117289	CENTRAL NM ELECTRIC COOP.	MONTHLY ELECTRIC FOR FY2022	402-60-2208	3782421	08/24/2021	36694	23.21
			ACCT#8880133806 JULY 2021					
08/24/2021								
COUNTY ROAD DEPARTMENT 23.21								
01 O	117290	COUNTY LINE FEED & SUPPLY LLC	COUNTY BRED PLAQUE	412-53-2235	582421	08/24/2021	36767	600.00
			INVOICE#13009					
08/24/2021								
COUNTY FAIR 600.00								
01 R	117291	CUEVAS, ARACELI	CUSTODIAL SERVICE 2021 TORRANCE	412-53-2237	982421	08/24/2021	36763	600.00
			COUNTY FAIR					
08/24/2021			INVOICE#101 ACCT#CLEANING					
			CUSTODIAL AUGUST 9TH-13TH 2021					
COUNTY FAIR 600.00								
01 O	117292	CULLIGAN ABQ LLC	WATER DELIVERY SERVICE FOR 12	401-40-2271	4982421	08/24/2021	36728	45.73
			ACCT#94060 08/01/2021					
08/24/2021								
COUNTY ASSESSOR 45.73								
01 O	117293	DE LAGE LANDEN FINANCIAL SERVICE	CONTRACT FIRE ADMIN COPIER	413-91-2271	1482421	08/24/2021		288.19
			CONTRACT#25551986 INVOICE#					
08/24/2021			73457135 ACCT#1304774					
STATE FIRE ALLOTMENT 288.19								
01 O	117294	DE LAGE LANDEN FINANCIAL SERVICE	COPIER PAYMENT FOR DV	690-09-2284	1582421	08/24/2021		258.11
			INVOICE#73456690 ACCT#25569234					
08/24/2021								
WIND PILOT 258.11								
01 O	117295	DE LAGE LANDEN FINANCIAL SERVICE	CONTRACT ASSESSOR COPIER INVOICE	401-40-2284	1682421	08/24/2021		352.15
			#73456669 ACCT#1341834 CONTRACT#					
08/24/2021			25569228					
COUNTY ASSESSOR 352.15								
01 O	117296	DE LAGE LANDEN FINANCIAL SERVICE	CONTRACT MANAGER COPIER CONTRACT	401-10-2284	1782421	08/24/2021		318.62
			#25569218 INVOICE#73456654					
08/24/2021			ACCT#1341834					
COUNTY MANAGER 318.62								

01 O 117297

DE LAGE LANDEN FINANCIAL SERVICECONTRACT SHERIFF COPIER INVOICE# 401-50-2284

1882421 08/24/2021

512.17

398.80
08/24/2021

ROUNTRIP MILEAGE
INVOICE#04

412-53-2271

/ /

36934

98.80

CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
COUNTY FAIR		398.80						
01 O 117306	08/24/2021	MCPHAUL, CHASE	LIVESTOCK JUDGE - SHEEP/GOAT	412-53-2271	582421	08/24/2021	36916	300.00
			ROUNDRIP MILEAGE	412-53-2271		/ /	36916	463.84
			INVOICE#3					
COUNTY FAIR		763.84						
01 O 117307	08/24/2021	MORIARTY FOODS	BREAK SERVICE ITEMS FOR	606-35-2257	182421	08/24/2021		33.24
			PREVENTION EVENT AT MOUNTAINAIR					
			ELEMENTARY SCHOOL 5/14/2021					
			CASES WATER LITTLE DEBBIE CAKES					
			GALLON BOTTLES OF WATER REF PO#					
			365111 INVOICE#842 ACCT#554					
DWI PROGRAM		33.24						
01 R 117308	08/24/2021	NEW MEXICO COUNTIES	84TH ANNUAL CONFERENCE REG.	401-14-2266	3982421	08/24/2021	36979	225.00
			KRISTIN OLIVER				36979	
			INVOICE#AC2021-082021-0613-0513					
RAID GRANT FY18		225.00						
01 O 117309	08/24/2021	NEW MEXICO COUNTIES	NMC CONF. REG. SEPT. 2021	401-20-2266	4482421	08/24/2021	36978	225.00
			YVONNE OTERO				36978	
			NMC CONF. REG. SEPT. 2021			/ /	36978	225.00
			SYLVIA CHAVEZ			/ /	36978	225.00
			NMC CONF. REG. SEPT. 2021			/ /	36978	225.00
			GENELL MORRIS				36978	
COUNTY CLERK		675.00						
01 O 117310	08/24/2021	NEW MEXICO COUNTIES	84TH CONFERENCE REGISTRATION		5182421		36908	
			JEREMY OLIVER				36908	
			LORI ARCHULETA				36908	
			84TH CONFERENCE TELECOMMUTE				36908	
			NOAH SEDILLO				36908	
			JOANNA ROMERO			/ /	36908	100.00
			INVOICE#AC2021-082021-0937-0830					
FINANCE DEPARTMENT		100.00						
01 O 117311	08/24/2021	NOBLE SOFTWARE GROUP LLC	DATABASE LICENSES FOR	608-35-2271	1182421	08/24/2021	36831	700.00
			COORDINATOR AND EVALUATOR				36831	
			FY2022				36831	
			NMSWPA 90-00000-18-00016				36831	
			INVOICE#1266					
DWI PROGRAM		700.00						
01 O 117312	08/24/2021	NOVAT, MARLYN	LIVESTOCK JUDGE -	412-53-2271	782421	08/24/2021	36935	300.00
			RABBITS/POULTRY				36935	
			ROUNDRIP MILEAGE			/ /	36935	81.95
			INVOICE#02					
COUNTY FAIR		381.95						

01 R 117313
32.82

NUBE GROUP

COLOR COPIES OVERAGE 07/01/2021 - 401-40-2203
07/31/2021 INVOICE#INS0181 ACCT#

5082421 08/24/2021

32.82

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

08/24/2021 TC07

COUNTY ASSESSOR 32.82
 01 O 117314 PITNEY BOWES PURCHASE POWER 401-10-2206 4782421 08/24/2021 1005.00
 1005.00
 08/24/2021 ACCT#8000-9090-0137-3179

COUNTY MANAGER 1005.00
 01 R 117315 PRUDENTIAL OVERALL SUPPLY MATS AND MOPS COUNTY ADMIN 401-15-2203 4282421 08/24/2021 37.57
 160.23 UNIFORMS STETSON ARELY MARISSA 401-65-2236 / / 63.87
 08/24/2021 MATS AND MOPS FOR JUDICIAL ACCT# 401-16-2203 / / 58.79
 6528480 INVOICE#45059-6353
 45059-6352

ADMINISTRATIVE OFFICES 37.57 OPERATIONS & MAINTENAN 63.87 JUDICIAL COMPLEX MAINT 58.79
 01 R 117316 SNOW, CHRISTINE TRAVEL TO ALBUQUERQUE NM 911-80-2205 6082421 08/24/2021 56.41
 56.41 TRAINING

911-DISPATCH CENTER 56.41

01 O 117317 TRIADIC INC. 401-65-2213 1382421 08/24/2021 3944.53
 4594.71 NMGR (8.25%) 401-65-2213 / / 36622 325.42
 08/24/2021 CLERK'S LIVE WEBB 612-20-2203 / / 36622 75.00
 NMGR (8.25%) 612-20-2203 / / 36622 6.19
 CLERK'S SCANNING SOFTWARE 612-20-2203 / / 36622 75.00
 NMGR (8.25%) 612-20-2203 / / 36622 6.19
 401-30-2203 401-30-2203 / / 36622 75.00
 NMGR (8.25%) 401-30-2203 / / 36622 6.19
 TREASURER'S SCANNING SOFTWARE 401-30-2203 / / 36622 75.00
 NMGR (8.25%) 401-30-2203 / / 36622 6.19
 INVOICE#24:25.9 ACCT#1425

OPERATIONS & MAINTENAN 4269.95 COUNTY CLERK 162.38 COUNTY TREASURER 162.38
 01 R 117318 TYLER TECHNOLOGIES, INC EAGLE & INCODE 401-65-2228 5982421 08/24/2021 1363.36
 1363.36 ACCT#54200

OPERATIONS & MAINTENAN 1363.36

01 O 117319 WEST PUBLISHING CORPORATION LEGAL RESEARCH ENGINE FY2022 401-56-2269 1282421 08/24/2021 206.79
 206.79 ACCT # 1000341642
 08/24/2021 ACCT#1000641642

ATTORNEY 206.79

01 O 117320 WETTERMAN, MARY J 401-08-2300 4682421 08/24/2021 95.00
 95.00 WITNESS COMPENSATION, STATE V. B. LEHMAN
 08/24/2021 M-56-MR-2019-00213 36984
 2021.07.29 NON JURY TRIAL 36984
 TRIAL DATE 2021.07.29 36984

PLANNING & ZONING 95.00

01:0 117325
94.67

AMAZON BUSINESS

1 DISPLAY TO DISPLAY CABLE,
2 DISPLAY TO HDMI, 2 DVI TO

401-20-2219

782621 08/26/2021

36937
36937

94.67

CK#	DATE	Name	Description	Line Item	Invoice #	PO #	Amount
08/26/2021	94.67	COUNTY CLERK	DISPLAY IPHONE 12 CASE, IPHONE 12 SCREEN PROTECTOR, IPHONE 11 SCREEN PROTECTOR, IPHONE 11 CASE ACCT#A3JI65BS912J5M	600-06-2248	2282621	36937	58.68
08/26/2021	68.68	AMAZON BUSINESS	EVACUATED DOOR KNOB HANGER TAGS INVOICE#IRXM-KRH7-1Y13 ACCT#A3JI65BS912J5M	600-06-2248	2282621	36937	58.68
08/26/2021	29.17	AMAZON BUSINESS	COMMUNITY PARTNERSHIP INITIATIVE EVENTS	401-50-2224	2782621	36638	29.17
08/26/2021	29.17	AMAZON BUSINESS	2 HORSESHOE SETS, 1 VOLLEYBALL, 1 GIANT JENGA GAME, 2 CORNHOLE BAGS, 1 KICKBALL 4 PACK, 1 THROWDOWN BASES, 2 450/PACK WATERBALLOONS, 2 30 PC WATER GUN SETS, 1 GIANT CONNECT 4 GAME, AND 1 SET OF 4 SACK RACE BAGS. INVOICE#19PP-DQ3P-3NNQ	401-50-2224	2782621	36638	29.17
08/26/2021	1389.00	ARTESIA FIRE EQUIPMENT INC	NAVIGATOR PRO 2.0 CONVERSION KIT (TO UPGRADE AKRON 9313 VALVE CONTROLLER TO 9333). AK-9147 AKRON 3" AND 3.5" G2 VALVE SERVICE CONERSION KIT, SWING-OUT VALVES WITH S/S METAL BALL INVOICE#75212	405-91-2248	982621	36563	1045.00
08/26/2021	1800.00	STATE FIRE ALLOTMENT	BERNALILLO CTY JUVENILE DETENTIGONE 2021 HOUSING INVOICE# 68403	420-72-2172	2982621	36563	1800.00
08/26/2021	1800.00	JUVENILE INMATE CARE	PORTACOOOL CYCLONE 1 PORTACOOOL CYCLONE 1 FREIGHT INVOICE#48486410 ACCT#12427432	408-91-2248	582621	36966	3676.00
08/26/2021	4069.13	BLUETARP FINANCIAL, INC.	BOUND TREE MEDICAL, LLC REF PO#36205	408-91-2248	1582621	36966	393.13
08/26/2021	26.12	STATE FIRE ALLOTMENT	GLOVES HIGH FIVE BLAZE XI INVOICE#84057624 ACCT#204887	411-92-2230	1582621	36966	26.12
08/26/2021	26.12	BOUND TREE MEDICAL, LLC	REF PO#36205	411-92-2230	1582621	36966	26.12
08/26/2021	26.12	1/4% FIRE EXCISE TAX					26.12
08/26/2021	5658.86	BOUND TREE MEDICAL, LLC	NPAS, OPAS, CPAP DEVICES, LUBRICATING JELLY, NASAL	406-91-2230	1882621	36967	1886.29
08/26/2021	5658.86	BOUND TREE MEDICAL, LLC	LUBRICATING JELLY, NASAL	408-91-2230	1882621	36967	1886.29

08/26/2021

CANNALS, NEBULIZER KITS,
02 CONNECTORS, IV FILTER LINES

405-91-2230

/ /

36967
36967

1886.28

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

STATE FIRE ALLOTMENT 5658.86
 01 0 117333 CODE 3 SERVICE LLC
 508.20
 08/26/2021
 SUCTION TIPS, BGL TEST STRIPS, 36967 190.00
 THERMOMETERS, HOT/COLD BACKS 36967
 ELECTRODES, GAUZE, SPLINTS, 36967
 ARMOARDS, IV SETS, ALBUTEROL, 36967
 STRINGES, CO2 DETECTORS, 36967
 DEXTROSE, EPINEPHERINE, BENADRYL 36967
 , LIDOCAINE, ATROPINE, THIAMINE 36967
 DEXAMETHASONE, DOPAMINE, 36967
 MAGNESIUM SULFATE, OXYTOCIN, 36967
 SODIUM BICARBONATE, PROPARACAINE 36967
 SOLUTION, ADENOSINE, AMIODARONE, 36967
 FORCEPS, LARYNGOSCOPE BLADE KIT, 36967
 NITROGLYCERIN, IO NEEDLES, 36967
 NEEDLE DEPRESSION KIT, 36967
 IPRAZIPIUM BROMIDE, STERILE 36967
 WATER, CALCIUM GLUCONATE, 36967
 KETOROLAC TROMETHAMIN. 36967
 CITY OF RIO RANCHO CONTRACT 36967
 IFB 21-FR-018 36967
 ACCT#204887 36967

STATE FIRE ALLOTMENT 508.20
 01 0 117334 COMPUTER CORNER INC
 529.98
 08/26/2021
 HOURS POLICE/SHERIFF PATROL 413-91-2201 1382621 08/26/2021 37012 299.99
 VEHICLE BUILD LABOR 37012
 FEDERAL SIGNAL DYNAMAX 100 WATT 413-91-2201 37012 229.99
 SPEAKER 37012
 MISC. SHOP MATERIAL - WIRE 413-91-2201 37012 125.00
 CONNECTORS, LOOM, MOUNTING 37012
 HARDWARE, AND OTHER NEEDED 37012
 MATERIAL FOR INSTALLATION 37012
 FD10 37012
 VIN: 1GCKKRGKXK178801 37012
 LP: 06656G 37012
 MILEAGE: 20,471 37012
 INVOICE#210896 37012

STATE FIRE ALLOTMENT 529.98
 01 0 117335 COMPUTER CORNER INC
 529.98
 08/26/2021
 HP COMPUTER MONITOR 401-08-2218 182621 08/26/2021 37011 299.99
 3 YEAR MFG WARRANTY 37011
 PART #1FH49A8 37011 229.99
 APC ELECTRIC BACK UP 401-08-2218 37011
 PART # BR1500MS2 37011
 INVOICE#2201115 37011
 PLANNING & ZONING 529.98
 01 0 117335 COMPUTER CORNER INC
 299.98
 08/26/2021
 HP BUSINESS E2431 24" WUGA LED 401-65-2218 36975 299.99
 LCD MONITOR 36975
 SPARE MONITOR FOR INFORMATION 36975
 TECH. USE 36975
 INVOICE#2201041 ACCT#2464732 36975

OPERATIONS & MAINTENAN 299.99
 01 0 117336 DESERT SNOW LLC
 599.00
 08/26/2021
 CRIMINAL INTERDICTION WORKSHOP 410-50-2222 2882621 08/26/2021 36947 599.00
 DEPUTY P. ARREOLA 36947

08/26/2021

COUNTY SHERIFF

599.00

INVOICE#10432

CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
01 0	117337	DOUBLE E CONSTRUCTORS	DRILL HOLE ON DOOR	401-16-2215	3082621	08/26/2021	36957	300.50
	2776.00		INSTALL DOOR VIEWER PEEP HOLE				36957	
	08/26/2021		DISTRICT COURT OFFICE					
			TAX	401-16-2215	/	/	36957	20.25
			BREAK CONCRETE IN FRONT OF	401-15-2238	3182621	08/26/2021	36938	2300.00
			COUNTY ADMINISTRATION AND				36938	
			HAUL AWAY, POUR NEW CONCRETE				36938	
			NWGRT	401-15-2238	/	/	36938	155.25
			INVOICE#490883					
JUDICIAL COMPLEX MAINT 320.75 ADMINISTRATIVE OFFICES 2455.25								
01 0	117338	GUSTIN HARDWARE INC.	MISC. ELECTRICAL, PLUMBING,	401-15-2215	3282621	08/26/2021	36615	32.40
	32.40		INVOICE#265233 ACCT#125					
	08/26/2021							
ADMINISTRATIVE OFFICES 32.40								
01 0	117339	HART'S TRUSTWORTHY HARDWARE	LUMBER, PLUMBING, PAINT,		1082621		36666	
	47.76		ROLLERS/BRUSHES, CLEANING				36666	
	08/26/2021		SUPPLIES, MISCELLANEOUS ITEMS				36666	
			NEEDED FOR BUILDING MAINTENANCE				36666	
			REPAIR AND SAFETY EQUIPMENT				36666	
			JULY - DECEMBER 2021				36666	
			INVOICE#5458610 ACCT#33	413-91-2248	/	/	36666	47.76
STATE FIRE ALLOTMENT 47.76								
01 0	117340	HIGHER STANDARDS AUTOMOTIVE	2006 FORD VAN LP: 142767	401-82-2201	282621	08/26/2021	36924	63.05
	147.64		2019 FORD F150 LP: 18336	401-82-2201	/	/	36924	84.59
	08/26/2021		ACCT#33					
ANIMAL SERVICES 147.64								
01 0	117341	INSURANCE SERVICES OF NEW MEXICO	INSURANCE SERVICES OF NEW MEXICO	401-10-2271	2482621	08/26/2021	37020	50.00
	50.00		BOND FOR AMBER PAVA					
	08/26/2021							
COUNTY MANAGER 50.00								
01 0	117342	NEW MEXICO CORRECTIONS DEPT	JULY HOUSING KERNAGHAN	420-70-2172	382621	08/26/2021		4069.68
	4069.68		2021 INVOICE#CUH-2203					
	08/26/2021							
ADULT INMATE CARE 4069.68								
01 0	117343	NM SECRETARY OF STATE	NOTARY STATE APPLICATION FOR	401-10-2271	2382621	08/26/2021	37019	20.00
	20.00		AMBER PAVA				37019	
	08/26/2021							
COUNTY MANAGER 20.00								
01 0	117344	NM WASTE SERVICE INC	RESIDENTIAL CONTAINER SERVICE	408-91-2210	1782621	08/26/2021	36725	83.85
	83.85		3 MONTHS SERVICE 95 GALLON CART					
	08/26/2021		OCTOBER/NOVEMBER/DECEMBER					
			INVOICE#85865 ACCT#2997300					

CK#	DATE	Name	Description	Line Item	Invoice #	PO #	Amount
01 0	117345	NMAAO	ASSESSOR'S ANNUAL AFFILIATE DUES 401-40-2269		882621 08/26/2021	36998	100.00
	100.00		2021 - 2022 DUES			36998	
	08/26/2021		JESSE LUCERO				
COUNTY ASSESSOR 100.00							
01 0	117346	POWER PHONE INC	EMD CERTIFICATION-E.	911-85-2266	1682621 08/26/2021	36963	399.00
	419.45		CERVANTES, C. GUERRERO,			36963	
	08/26/2021		H. COSTA, & C. RAMIREZ			36963	
			GRT	911-85-2266	/ /	36963	20.45
			INVOICE#73618				
DFA TRAINING GRANT 419.45							
01 0	117347	PRUDENTIAL OVERALL SUPPLY	MATS AND MOPS COUNTY ADMIN	401-15-2203	2182621 08/26/2021		37.57
	160.23		UNIFORMS STERSON ARELY MARISSA	401-65-2236	/ /		63.87
	08/26/2021		NICK		/ /		58.79
ADMINISTRATIVE OFFICES 37.57 OPERATIONS & MAINTENAN 63.87 JUDICIAL COMPLEX MAINT 58.79							
01 0	117348	RICH FORD SALES	RESCUE 1-2		1482621	36661	
	107.82		VIN: 1FDWF36R49EA91107			36661	
	08/26/2021		MILEAGE APPROX: 97,791			36661	
			DIAGNOSTIC FEE	413-91-2201	/ /	36661	99.95
			SALES TAX	413-91-2201	/ /	36661	7.87
			INVOICE#6811546/1				
STATE FIRE ALLOTMENT 107.82							
01 0	117349	SAFETY FLARE INC.	BA17T 2 1/2 LB ABC	401-10-2201	3382621 08/26/2021	36985	71.10
	71.10		FIRE EX 1A-10BC			36985	
	08/26/2021		INVOICE#122070				
COUNTY MANAGER 71.10							
01 0	117350	SAMBA HOLDINGS, INC.	DATA FEE STATE FEE Q LICENSE	413-91-2271	1982621 08/26/2021		203.02
	203.02		SUBSCRIPTION TAXES/FEEES				
	08/26/2021		06/01/2021 TO 06/30/2021				
			INVOICE#INV00655826				
			ACCT#M00004795				
STATE FIRE ALLOTMENT 203.02							
01 0	117351	SAMBA HOLDINGS, INC.	DATA FEE Q LICENSE FEE	413-91-2271	2082621 08/26/2021		201.01
	201.01		SUBSCRIPTION TAXES/FEEES				
	08/26/2021		07/01/2021 TO 07/31/2021				
			INVOICE#INV00673582 ACCT#				
			M00004795				
STATE FIRE ALLOTMENT 201.01							
01 0	117352	SOUTHWEST PROPANE LLC	ANNUAL TANK RENT 9SE086148	406-91-2209	1282621 08/26/2021		89.00
	89.00		28 BRYANT RD EDGEWOOD NM 87015				
	08/26/2021		INVOICE#00332 ACCT#01-03654				

CK#	DATE	Name	Description	Line Item	Invoice #	PO #	Amount
01 O	11/7353	STAPLES BUSINESS ADVANTAGE	CALENDAR, DISPLAY CASE, LABEL	401-50-2219	2582621 08/26/2021	36641	54.70
	54.70		INVOICE#3481998614 ACCT#7010				
	08/26/2021		9685				
COUNTY SHERIFF 54.70							
01 O	11/7354	TA OPERATING LLC	BRUSH 5-1	405-91-2201	1182621 08/26/2021	36920	724.02
	724.02		11R22.5 TIRES TO INCLUDE			36920	
	08/26/2021		MOUNT/BALANCE, VALVE STEMS, SERVICE LABOR, SHOP SUPPLIES, TIRE DISPOSAL, NMGR			36920	
			VIN: 1GTM7D26XFFV521141			36920	
			LP: G99966			36920	
			MILEAGE: 71,760			36920	
			INVOICE#229211321				
STATE FIRE ALLOTMENT 724.02							
01 O	11/7355	TOWNSEND, KENNETH	WITNESS COMPENSATION,	401-08-2300	682621 08/26/2021	37014	95.00
	95.00		STATE V. WALDO			37014	
	08/26/2021		M-56-MR-2021-00015			37014	
			2021.08.11 NON JURY TRIAL			37014	
			INVOICE#TRIAL DATE 2021.08.11				
PLANNING & ZONING 95.00							
01 O	11/7356	UNM MEDICAL GROUP, INC.	MEDICAL MONTANO INVOICE#	420-70-2173	2882621 08/26/2021		9159.43
	9159.43		S714686600102				
	08/26/2021						
ADULT INMATE CARE 9159.43							
01 O	11/7403	AMAZON BUSINESS	DRIVER SIDE HEAD LIGHT FOR P 18	402-60-2201	383121 08/31/2021	36949	180.90
	180.90		2015 RAM G95474			36949	
	08/31/2021		VIN 53807			36949	
			INVOICE#2J5M				
COUNTY ROAD DEPARTMENT 180.90							
01 O	11/7404	AMBITIONS DOCUMENT SOLUTIONS	2-PART CARBONLESS PAPER:	412-53-2221	693121 08/31/2021	36926	45.75
	45.75		UP TO 8.5" X 11"			36926	
	08/31/2021		DOCUMENT SETUP & DESIGN SERVICES			36926	
			PER HOUR			36926	
			ONE TIME 25% PROFESSIONAL			36926	
			DISCOUNT			36926	
			INVOICE#15615				
COUNTY FAIR 45.75							
01 O	11/7405	BRAZIL ART STUDIO	INDOOR EXHIBIT PLAQUES -	412-53-2235	583121 08/31/2021	36927	81.00
	385.00		REFURBISH OLD, RETURNED PLAQUES			36927	
	08/31/2021		8" X 10"			36927	
			INDOOR EXHIBIT PLAQUES 8" X 10"			36927	304.00
			ACCT#AWARDS				
COUNTY FAIR 385.00							
01 O	11/7406	BRUCKNER TRUCK AND EQUIPMENT	CLUTCH REPAIR	402-60-2244	1683121 08/31/2021	36836	7931.22

7931.22
08/31/2021

VIN #26979
MACK TRUCK #4

36836
36836

CK#	DATE	Name	Description	Line Item	Invoice #	DATE	PO #	Amount
COUNTY ROAD DEPARTMENT 7931.22								
01 0	11/7407	DUNLAP, KRISTIN	RETURN TRAVEL FROM RUIDOSO NM	401-50-2205	2083121	08/31/2021		36.40
	36.40		NM SHERIFF'S ASSOCIATION					
08/31/2021								
COUNTY SHERIFF 36.40								
01 0	11/7408	EVSNA	COUNTY ENVIRONMENTAL	423-26-2301	1083121	08/31/2021		291.12
	69255.29		COUNTY AREA GROSS RECEIPTS-403	423-26-2301	/	/		68964.17
08/31/2021								
ENVIRONMENTAL GROSS RE 69255.29								
01 0	11/7409	GUSTIN HARDWARE INC.	PAPER TOWELS, SCREW, BOLTS,	402-60-2250	708921	08/09/2021		463.15
	463.15		BATTERIES, SHOP SUPPLIES,					
08/31/2021			PIPE, ELECTRIC SUPPLIES,					
			PLUMBING SUPPLIES, PAINT,					
			CLEANING SUPPLIES.					
			INVOICE#01-AUG 21 ACCT#126					
COUNTY ROAD DEPARTMENT 463.15								
01 0	11/7410	GUSTIN HARDWARE INC.	OPEN PO REQUEST FOR ALL		483121			
	463.72		COUNTY BUILDING SITES					
08/31/2021			FY2022					
			FIX WATER LEAK AND SUPPLIES TO	401-53-2215		/		463.72
			FIX WATER LEAK AT COUNTY					
			FAIRGROUNDS					
COUNTY FAIR 463.72								
01 0	11/7411	HART'S TRUSTWORTHY HARDWARE	OPEN PO REQUEST FOR ALL	401-15-2215	1283121	08/31/2021		53.74
	53.74		COUNTY BUILDING SITES					
08/31/2021			FISCAL YEAR FY2022					
			COUNTY ADMIN SIGNS POST ANCHOR					
			BOLT AND FASTENER KIT 4X4X8 POST					
			INVOICE#B464886 ACCT#33					
ADMINISTRATIVE OFFICES 53.74								
01 0	11/7412	HART'S TRUSTWORTHY HARDWARE	WATER SOFTENER SALT PELLETS	911-80-2215	1883121	08/31/2021		48.54
	68.50		TWO PRONG FLORESCENT LIGHT BULBS	911-80-2215		/		19.96
08/31/2021			INVOICE#B464909 ACCT#33					
111-DISPATCH CENTER 68.50								
01 0	11/7413	INDEPENDENT NEWS LLC	RUN AD FOR 1 WEEK PROCLAMATION	401-21-2221	1183121	08/31/2021		299.20
	353.62		FOR REGULAR LOCAL ELECTION FOR					
08/31/2021			11-2-2021					
			NMGR					
			PROCESSING FEE					
			INVOICE#FA29E08-0003					

01 0 117422
98.74

STAPLES BUSINESS ADVANTAGE

NOTEBOOKS, PARCHMENT PAPER,
KEYBOARD, MOUSE, BINDER CLIPS

401-14-2219

883121 08/31/2021

36982
36982

98.74

CK# DATE Name Invoice # DATE PO # Amount

08/31/2021 RAID GRANT FY18 98.74
 INVOICE#3484984571 ACCT#
 0070109685

01 0 117423 WAGNER EQUIPMENT CO. 283121 36664
 3206.52
 08/31/2021
 TENDER 3-2
 REPLACE FOUR INJECTORS/NECESSARY
 LABOR
 VIN: 1FVACD65HN30307
 LP: G60034
 MILEAGE: 34,288
 PARTS
 LABOR
 MISC. CHARGES
 ROAD TEST TRUCK/TAX ON LABOR
 AMOUNT INCREASED FOR PARTS
 INVOICE#S10W0894296 ACCT#88059

STATE FIRE ALLOTMENT 3206.52
 01 0 117424 WAGNER EQUIPMENT CO. 1383121 08/31/2021 36911 447.92
 1013.53
 08/31/2021
 TEETH FOR LOADER
 CLIPS TO HOLD TEETH
 AIR FILTER
 CAB FILTER
 OUTER AIR FILTER
 SEALS FOR DOZER RADIATOR
 FUEL FILTER CHANGE
 INVOICE#811693 ACCT#88034

COUNTY ROAD DEPARTMENT 1013.53

110 264078.33 / / TOTAL

DEBITS	CREDITS
** GRAND TOTAL **	264,078.33
**TOTAL	29,259.68
GENERAL FUND	
RURAL ADDRESSING	609.13
EMPLOYEE TRAINING	225.00
CONTRACT - EQUIPMENT LEASE	384.13
PLANNING & ZONING	1,143.68
FURN/FIX/EQUIP	529.98
CONTRACT - EQUIPMENT LEASE	328.70
BOARD MEMBER TRAVEL	285.00
COUNTY MANAGER	2,720.17
MAINTENANCE & REPAIRS - VEHICLES	71.10
TRAVEL - EMPLOYEES	217.15
POSTAGE	1,611.60
CONTRACT - OTHER SERVICES	70.00
CONTRACT - EQUIPMENT LEASE	750.32
RAID GRANT FY18	323.74
SUPPLIES - GENERAL OFFICE	98.74
EMPLOYEE TRAINING	225.00
ADMINISTRATIVE OFFICES MAINTENAN	7,453.81
CONTRACTS - EQUIPMENT MAINT	348.85
UTILITIES - ELECTRICITY	2,977.54
MAINTENANCE & REPAIRS-BUILD/STRU	1,672.17
MAINTENANCE & REPAIRS-GROUNDS/RO	2,455.25
JUDICIAL COMPLEX MAINTENANCE	4,398.87
CONTRACTS - EQUIPMENT MAINT	412.52
UTILITIES - ELECTRICITY	3,015.60
MAINTENANCE & REPAIRS-BUILD/STRU	320.75
CONTRACTS - CLEANING SERVICE	650.00
COUNTY CLERK	769.67
SUPPLIES - GENERAL OFFICE	94.67
EMPLOYEE TRAINING	675.00
ELECTIONS	395.11
PRINTING/PUBLISHING/ADVERTISING	353.62
VOTING MACHINE STORAGE	41.49
HEALTH DEPT BLDG MAINTENANCE	384.25
UTILITIES - ELECTRICITY	384.25
MOUNTAINAIR SENIOR CENTER MAINT	377.28
UTILITIES - ELECTRICITY	377.28
COUNTY TREASURER	162.38
CONTRACTS - EQUIPMENT MAINT	162.38
ESTANCIA SENIOR CENTER MAINT	602.98
UTILITIES - ELECTRICITY	602.98
MORIARTY SENIOR CENTER MAINT	272.09
UTILITIES - ELECTRICITY	272.09

**DEPT

COUNTY ASSESSOR

530.70

.00

	DEBITS	CREDITS
401-40-2203	32.82	.00
401-40-2269	100.00	.00
401-40-2271	45.73	.00
401-40-2284	352.15	.00
**DEPT	917.24	.00
401-50-2205	109.20	.00
401-50-2219	54.70	.00
401-50-2224	29.17	.00
401-50-2271	212.00	.00
401-50-2284	512.17	.00
**DEPT	671.14	.00
401-53-2208	207.42	.00
401-53-2215	463.72	.00
**DEPT	418.62	.00
401-55-2266	100.00	.00
401-55-2284	318.62	.00
**DEPT	206.79	.00
401-56-2269	206.79	.00
**DEPT	6,237.40	.00
401-65-2213	4,269.95	.00
401-65-2218	299.99	.00
401-65-2228	1,363.36	.00
401-65-2236	191.61	.00
401-65-2248	112.49	.00
**DEPT	664.63	.00
401-82-2201	147.64	.00
401-82-2208	516.99	.00
**TOTAL	43,172.06	.00
**DEPT	9,865.09	.00
402-60-2201	180.90	.00
402-60-2208	23.21	.00
402-60-2244	9,102.00	.00
402-60-2248	95.83	.00
402-60-2250	463.15	.00
**DEPT	33,306.97	.00
402-62-2406	33,306.97	.00
**TOTAL	4,302.10	.00
**DEPT	4,302.10	.00
405-91-2201	724.02	.00
405-91-2208	302.80	.00
405-91-2230	1,886.28	.00
405-91-2248	1,389.00	.00
**TOTAL	2,149.03	.00
**DEPT	2,149.03	.00
406-91-2208	173.74	.00
406-91-2209	89.00	.00

406-91-2230

SUPPLIES - MEDICAL

1,886.29

.00

**TOTAL

DISTRICT 1 VFD

134.55

.00

DEBITS

CREDITS

**DEPT	STATE FIRE ALLOTMENT	134.55	.00
407-91-2208	UTILITIES - ELECTRICITY	134.55	.00
**TOTAL	DISTRICT 3 VFD	9,780.91	.00
**DEPT	STATE FIRE ALLOTMENT	9,780.91	.00
408-91-2201	MAINTENANCE & REPAIRS - VEHICLES	3,206.52	.00
408-91-2208	UTILITIES - ELECTRICITY	535.12	.00
408-91-2210	UTILITIES - WATER	83.85	.00
408-91-2230	SUPPLIES - MEDICAL	1,886.29	.00
408-91-2248	SUPPLIES - SAFETY	4,069.13	.00
**TOTAL	DISTRICT 4 VFD	118.67	.00
**DEPT	STATE FIRE ALLOTMENT	118.67	.00
409-91-2208	UTILITIES - ELECTRICITY	118.67	.00
**TOTAL	L.E. PROTECTION FUND	599.00	.00
**DEPT	COUNTY SHERIFF	599.00	.00
410-50-2222	SUPPLIES - FIELD	599.00	.00
**TOTAL	COUNTY FIRE PROTECTION FUND	2,741.12	.00
**DEPT	1/4% FIRE EXCISE TAX	2,741.12	.00
411-92-2230	SUPPLIES - MEDICAL	26.12	.00
411-92-2248	SUPPLIES - SAFETY	2,715.00	.00
**TOTAL	COUNTY FAIR	3,878.95	.00
**DEPT	COUNTY FAIR	3,878.95	.00
412-53-2221	PRINTING/PUBLISHING/ADVERTISING	45.75	.00
412-53-2235	SUPPLIES - AWARDS	985.00	.00
412-53-2237	CONTRACTS - CLEANING SERVICE	600.00	.00
412-53-2245	SUPPLIES - RIBBONS	375.95	.00
412-53-2271	CONTRACT - OTHER SERVICES	1,872.25	.00
**TOTAL	FIRE DEPARTMENT ADMIN	1,624.34	.00
**DEPT	STATE FIRE ALLOTMENT	1,624.34	.00
413-91-2201	MAINTENANCE & REPAIRS - VEHICLES	616.02	.00
413-91-2208	UTILITIES - ELECTRICITY	268.34	.00
413-91-2248	SUPPLIES - SAFETY	47.76	.00
413-91-2271	CONTRACT - OTHER SERVICES	692.22	.00
**TOTAL	DISTRICT 6 VFD	42.99	.00
**DEPT	STATE FIRE ALLOTMENT	42.99	.00
418-91-2208	UTILITIES - ELECTRICITY	42.99	.00
**TOTAL	JAIL FUND	15,029.11	.00
**DEPT	ADULT INMATE CARE	13,229.11	.00
420-70-2172	CARE OF INMATES	4,069.68	.00
420-70-2173	INMATE MEDICAL	9,159.43	.00
**DEPT	JUVENILE INMATE CARE	1,800.00	.00
420-72-2172	CARE OF INMATES	1,800.00	.00

***TOTAL

ENVIRONMENTAL INTERCEPT

69,255.29

.00

DEBITS

CREDITS

**DEPT	ENVIRONMENTAL GROSS RECEIPTS TAX	69,255.29	.00
423-26-2301	EVSWA JPA EGRT	69,255.29	.00
**TOTAL	SAFETY PROGRAM	68.68	.00
**DEPT	RISK MANAGEMENT	68.68	.00
600-06-2248	SUPPLIES - SAFETY	68.68	.00
**TOTAL	CIVIL DEFENSE FUND	282.92	.00
**DEPT	COMMUNICATIONS/EMS TAX	282.92	.00
604-83-2208	UTILITIES - ELECTRICITY	282.92	.00
**TOTAL	DWI PROGRAM FUND	4,086.39	.00
**DEPT	DWI LOCAL GRANT FY20	4,086.39	.00
605-02-2272	CONTRACT - PROFESSIONAL SERVICES	4,086.39	.00
**TOTAL	DWI SCHOOL	33.24	.00
**DEPT	DWI PROGRAM	33.24	.00
606-35-2257	SUPPLIES - OUTREACH MATERIALS	33.24	.00
**TOTAL	DWI SCREENING FEES	700.00	.00
**DEPT	DWI PROGRAM	700.00	.00
608-35-2271	CONTRACT - OTHER SERVICES	700.00	.00
**TOTAL	TREASURER'S FEE	1,959.52	.00
**DEPT	COUNTY TREASURER	1,959.52	.00
609-30-2219	SUPPLIES - GENERAL OFFICE	1,959.52	.00
**TOTAL	CLERK'S EQUIPMENT FUND	162.38	.00
**DEPT	COUNTY CLERK	162.38	.00
612-20-2203	CONTRACTS - EQUIPMENT MAINT	162.38	.00
**TOTAL	COUNTY INFRASTRUCTURE GR	72,594.27	.00
**DEPT	INFRASTRUCTURE GROSS RECEIPTS TX	72,594.27	.00
620-94-2612	CO - LAND & LAND IMPROVEMENTS	72,594.27	.00
**TOTAL	DOMESTIC VIOLENCE GRANT	258.11	.00
**DEPT	WIND PILT	258.11	.00
690-09-2284	CONTRACT - EQUIPMENT LEASE	258.11	.00
**TOTAL	EMERGENCY-911 FUND	1,845.02	.00
**DEPT	911-DISPATCH CENTER	1,425.57	.00
911-80-2205	TRAVEL - EMPLOYEES	56.41	.00
911-80-2208	UTILITIES - ELECTRICITY	1,300.66	.00
911-80-2215	MAINTENANCE & REPAIRS-BUILD/STRU	68.50	.00
**DEPT	DEA TRAINING GRANT	419.45	.00
911-85-2266	EMPLOYEE TRAINING	419.45	.00

BANKU1

US BANK
** BANK TOTALS **

264,078.33
264,078.33

.00
.00



Agenda Item
No. 10-A

TORRANCE COUNTY ORDINANCE NO. 94-12
(Amended April 13, 2016)

AN ORDINANCE PROVIDING FOR THE EFFICIENT AND SANITARY DISPOSAL AND COLLECTION OF SOLID WASTE IN TORRANCE COUNTY; REGULATING SOLID WASTE, LITTER AND CONSTRUCTION & DEMOLITION DEBRIS; ESTABLISHING A SOLID WASTE MANAGEMENT FEE AND PROVIDING A PENALTY, SEVERABILITY AND EFFECTIVE DATE

WHEREAS, the Torrance County Board of Commissioners finds that it is necessary to provide for the efficient and sanitary collection, recycling, transportation and disposal of solid waste and construction and demolition debris and control of litter in Torrance County, to provide for the safety; preserve the health; promote the prosperity and improve the morals, order, comfort and convenience of the county and its citizens; and

WHEREAS, the Torrance County Board of Commissioners participated in establishing the Torrance County Solid Waste Authority, which is now known as the Estancia Valley Solid Waste Authority, for the purpose of providing a coordinated county-wide program for the collection of solid waste in cooperation with the incorporated municipalities of Moriarty, Estancia, Mountainair, Encino, and Willard; and,

WHEREAS, the Torrance County Board of Commissioners has determined that it is necessary to adopt the powers enumerated in Section 11-1-1 et seq. NMSA 1978 (Repl Pamph. 1983) for the storage, recycling, collection and disposal of solid waste; and,

WHEREAS, the Torrance County Board of Commissioners finds that it is necessary to provide a coordinated county-wide program of management of solid waste and construction and demolition debris in cooperation with Federal and State Agencies, and that it is necessary that a solid waste management program be implemented in order to protect the environment; provide for the safety; preserve the health; promote the prosperity and improve the morals, order, comfort and convenience of the county its citizens; and,

WHEREAS, the Torrance County Board of Commissioners finds that a system of solid waste collection is necessary in order to protect the environs of Torrance County from illegal dumping occasioned by the lack of a countywide system of refuse collection containers, and to protect the environment and promote the preservation of the natural beauty of Torrance County lands; and,

WHEREAS, the Torrance County Board of Commissioners finds it necessary to assess a fee, (hereinafter the Solid Waste Management Fee), to pay for the solid waste collection and disposal system described herein and to provide for a mechanism for collection of said fee,

NOW, THEREFORE BE IT ORDAINED by the Torrance County Board of Commissioners as follows:

SECTION 1: SHORT TITLE

This Ordinance shall be known as the "SOLID WASTE MANAGEMENT ORDINANCE," and shall be referred to herein as "this Ordinance."

T O R R A N C E C O U N T Y
L I N D A J A R A N I L L O , C L E R K
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Book 334 Page 2952
1 of 9
04/13/2016 04:38:20 PM
BY L I N D A R K



SECTION 2: AUTHORITY

This ordinance is enacted pursuant to the authority granted to counties to provide for the safety and preserve the health of the residents of the county as set forth in Section 4-37-1 NMSA 1978; the authority provided in Sections 4-56-1 through 4-56-3 NMSA 1978 which authorizes the county to establish and maintain, manage and supervise a system of storage, collection and disposal of all refuse; and the authority provided in Sections 3-36-1 through 3-36-7 NMSA 1978 which enables the county to attach liens for unpaid charges established by ordinance.

SECTION 3: INTERPRETATION AND CONFLICT

The regulations provided herein are held to include the minimum standards necessary to carry out the purposes of this Ordinance. This Ordinance is not intended to interfere with, abrogate or annul any other valid ordinances. Where the provisions of this Ordinance conflict with other rules, regulations, agreements or other County ordinances or resolutions, the provisions of this Ordinance shall be controlling. Where this Ordinance imposes greater restrictions than those imposed by other rules, regulations, agreements or other County ordinances or resolutions, the provisions of this Ordinance shall be controlling.

SECTION 4: DEFINITIONS:

- A. Word Construction – Words used in the present tense include the future; words in the masculine include the feminine; and words in the singular include the plural.
- B. Definitions – the following definitions apply to this Ordinance
1. “Clean Fill is broken concrete, brick, rock, stone, glass, reclaimed asphalt pavement, or uncontaminated soil generated from construction and demolition activities. Reinforcement materials which are an integral part, such as rebar, are included. Clean fill must be free of other solid waste or hazardous waste.
 2. “Code Enforcement Officer” is the person appointed by the County Commission upon recommendation of the Sheriff’s office to enforce portions of this Ordinance.
 3. “Composting” is the process by which biological decomposition of organic solid waste is carried out under controlled conditions. The process stabilizes the organic fraction into a material which can be easily and safely stored, handled and used in an environmentally acceptable manner.
 4. “Construction and Demolition (C&D) Debris” is material generally considered to be water insoluble and nonhazardous in nature, including, but not limited to, steel, glass, brick, concrete, asphalt roofing materials, pipe, gypsum wallboard, and lumber from the construction or destruction of a structure project and includes rocks, soil, tree remains, trees and other vegetative matter that normally results from land clearing. If construction and demolition debris is mixed with any other types of solid waste, it loses its classification as construction and demolition debris. Construction and demolition debris does not include asbestos or liquids including, but not limited to, waste paints, solvents, sealers, adhesives or potentially hazardous materials.
 5. “County Commission” is the Torrance County Board of Commissioners, the duly constituted governing body of Torrance County.
 6. “County Manager” is the chief administrative assistant to the Torrance County Board of Commissioners.

7. "Greenwaste" means landscape trimmings, including limbs and branches of 1 inch in diameter or greater. Does not include brush or tree stumps.
8. "Hazardous waste" includes material listed in 40 CFR 261 classified as Toxic, Reactive, Ignitable, or Corrosive.
9. "Hauler" is any person transporting solid waste by whatever means for the purpose of disposing of the solid waste in a solid waste facility, except that the term does not include an individual transporting solid waste generated on or from his residential premises for the purpose of disposing of it in a solid waste facility;
10. "Litter" is solid waste or debris found in public areas or generated while traveling in a motor vehicle.
11. "Owner" is the property owner, whether residing on said property or not, the property being located within Torrance County and outside the corporate boundaries of the municipalities of Moriarty, Estancia, Mountainair, Encino and Willard.
12. "Person" is any individual, partnership, company, corporation, firm, association, trust, estate, state and federal agency, institution, county, city, town, village, or municipality or other legal entity, however organized.
13. "Premises" is defined as a structure, whether designed for residential or commercial use, located on any property within Torrance County and outside the corporate limits of the municipalities of Moriarty, Estancia, Mountainair, Encino and Willard.
14. "Residence" is any habitable dwelling or each single unit of multi-unit habitable dwellings.
15. "Responsible party" is defined as the owner of any premises.
16. "Solid Waste" is any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant or air pollution control facility and other discarded material, including solid, liquid, semisolid or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations and from community activities. "Solid Waste" does not include:
 - a) waste from the extraction, beneficiation and processing of ores and waste materials, including phosphate rock and overburden from the mining of uranium ore, coal, copper, molybdenum and other ores and minerals;
 - b) agricultural waste, including, but not limited to, manures and other crop residues returned to the soil as fertilizer or soil conditioner;
 - c) sand and gravel;
 - d) solid or dissolved material in domestic sewage or solid or dissolved materials in irrigation return flows or industrial discharges that are point sources subject to permits under Section 402 of the Federal Water Pollution Control Act, 33 U.S.C. Section 1342 or source, special nuclear or by-product material as defined by the Atomic Energy Act of 1954, 42 U.S.C. Section 2011 et seq.;
 - e) any material regulated by Subtitle C of the federal Resource Conservation and Recovery Act, or substances regulated by the federal Toxic Substance Control Act.

17. "Solid Waste Facility means any public or private system, facility, location, improvements on the land, structures or other appurtenances or methods used for processing, transformation, recycling, or disposal of solid waste, including landfill disposal facilities, transfer stations, convenience centers, resource recovery facilities, and incinerators, or any facility that processes, recycles, transforms, transfers, or otherwise handles low level or high level radioactive waste or transuranic wastes, and other facilities not specified. A "Solid Waste Facility" does not include a residential "backyard" composting pile that composts organic solid waste generated on-site or any facility or person accepting, stockpiling, or using clean fill material as long as:

- a) the clean fill material does not create a public nuisance or adversely affect the environment;
- b) the material is not placed in a watercourse or in any other manner inconsistent with the Water Quality Control Commission regulation 2-201 "Disposal of Refuse."

SECTION 5: ACCUMULATION OF SOLID WASTE, LITTER, AND C&D DEBRIS; REMOVAL; PENALTY

- A. No person shall permit to accumulate any solid waste on property owned, leased or occupied by that person within two hundred (200) feet of another occupied premises, except in covered water-tight containers made of metal or plastic.
- B. No person shall throw, place, dump, or dispose of any solid waste, litter, or C&D debris on any road, street, gutter, sidewalk or alley, or on any public property or another's private property.
- C. No person (whether owner, tenant, lessee, manager or other person) shall permit any solid waste, litter, or C&D debris or any composition or residue thereof which is in an unsanitary condition or hazardous to public health to remain upon the property.
- D. No person shall cast, place, sweep or deposit any solid waste, litter, or C&D debris in such a manner that it may be carried or deposited by the elements upon any road, street, sidewalk, alley, sewer, parkway or other public place or private property within the County.
- E. Any accumulation of solid waste, litter, or C&D debris in violation of the terms of this Ordinance is hereby declared to be a nuisance and is unlawful.
- F. Subject to any limitations or otherwise provided by law, the Sheriff or his designated Code Enforcement Officer is authorized, upon issuance of a warrant, to inspect and enter any property where he has reasonable cause to suspect that unlawful accumulations of solid waste, refuse, litter, or C&D debris may exist.
 - 1) If, upon the basis of such inspection, the Sheriff finds that a violation of Subsections A-E of this Section exists, he shall notify in writing the owner or any other person with an interest in or control of the property (whether, tenant, lessee, manager or other person) to correct such violation within a designated period of time, from ten (10) days up to thirty (30) days.
 - 2) Upon the failure, neglect or refusal of any person, owner, tenant, lessee, manager or occupant to properly correct any such violations within the time prescribed (or within five [5] days of the return of such prescribed notice as undeliverable if the notice is served by mail), the County Commission may contract for the correction of the unlawful accumulation, or order its correction by the County, at the expense of the person, owner, tenant, lessee, manager or occupant in charge of the property.

- G. If the Sheriff finds that the unlawful accumulation of solid waste, litter, or C&D debris presents a clear and present danger to the public health, safety and welfare, and immediate measures are required to alleviate this clear and present danger, the County Manager may waive the ten (10) day notification period.
- H. Costs for correction of an unlawful accumulation of solid waste, litter, or C&D debris shall be determined on the basis of man-hours worked, equipment utilized in the clean-up at a customary rental rate per day, plus any direct costs paid by the County to correct the violation. The cost of correction shall be a lien upon the property and shall remain in full force and effect for the amount due plus other costs and attorney fees.
- I. The County Manager or her designee shall maintain files of the inspections, notices and actions taken pursuant to this Section. Costs incurred by the County in undertaking corrective actions shall be documented. The files shall be considered public records.

SECTION 6: SOLID WASTE, LITTER AND C&D DEBRIS PRE-COLLECTION PRACTICES

- A. Solid waste and recyclables are to be properly stored on the premises where they are generated, or shall be placed and maintained in County containers at a Torrance County Collection Station or other refuse and solid waste disposal facility(ies) franchised, licensed and/or permitted in conformance with applicable state law, state regulations, and this Ordinance.
- B. Solid waste transported for disposal at a Torrance County Collection Station shall be secured in garbage bags, with tarps, or straps as necessary to prevent fugitive waste.
- C. Hazardous waste may, at the sole discretion of the solid waste authority, be accepted for disposal at Torrance County collection stations only in household quantities, and only in secure containers.
- D. Wood ash which has not cooled or which may otherwise be capable of rekindling or igniting a fire if brought in contact with combustible materials may not be disposed at Torrance County collection stations.
- E. No garbage, solid waste, or debris shall be burned within the county.

SECTION 7: SOLID WASTE CONTAINERS

- A. Haulers are expressly prohibited from using County solid waste containers for the disposal of solid waste and C&D debris.
- B. The owner of every mobile home park shall provide for the collection of not less than .5 cubic yards of solid waste weekly per mobile home space. If the County Manager or her designee determines that additional containers are necessary, she may order such additional containers as may be required to prevent the accumulation of solid waste or litter.
- C. The owner of every multi-family residential development consisting of five (5) or more units shall provide for the collection of not less than .5 cubic yards of solid waste weekly per residential unit. If the County Manager or her designee determines that additional containers are necessary, she may order such additional containers as may be required to prevent accumulation of solid waste or litter.
- D. Any person using a County solid waste container shall comply with the rules and regulations established from time to time by the County Commission for the use, care and location of such containers and shall keep the lids and covers furnished for such containers closed at all times except when they are being filled or emptied.

- E. Any solid waste, litter or C&D debris deposited in the County solid waste containers shall be reduced in size to no more than four (4') feet in length.
- F. In the event that the County solid waste container is full, solid waste shall not be placed on the ground or in proximity to the containers so as to constitute a litter or health hazard or become blown and scattered.
- G. No person shall impede access to a County solid waste container other than when necessary to remove and deposit solid waste.

SECTION 8: DAMAGE TO SOLID WASTE CONTAINERS

- A. No person, including children, shall be on top of or inside the County solid waste containers.
- B. No person shall intentionally damage any County solid waste container.
- C. Any person who damages a County solid waste container shall be liable to the County for the cost, repair, or replacement of such container, in addition to the penalties provided in Section 16 of this Ordinance.

SECTION 9: HAZARDOUS WASTE AND GREENWASTE

- A. Hazardous wastes in greater than household quantities shall not be disposed at Torrance County collection stations. Such waste shall be disposed of in accordance with any applicable county, state and federal laws or regulations, at the expense of the person accumulating such waste.
- B. Greenwaste shall only be disposed at designated Torrance County collection stations.

SECTION 10: CONSTRUCTION SITES AND TRANSPORTATION OF MATERIALS

- A. Any person who has secured a state building permit shall, prior to commencement of any construction activity in the County, furnish or place on that property a container or fenced area of suitable size and design to contain all solid waste, litter, or C&D debris which may be disturbed or removed from the premises or property by the wind or elements.
- B. No person generating solid waste or C&D debris shall allow solid waste or litter of any kind to be blown or be carried by the elements from the premises or property for which the building permit was secured.
- C. Any person engaged in construction or demolition shall remove the solid waste, litter, and C&D debris, including structural parts, from the construction site and contain their elements from scattering in the same manner as set out above. C&D debris or solid waste shall be removed and disposed on within five (5) days of completion to an approved solid waste or C&D debris facility.

SECTION 11: SCAVENGING PROHIBITED

- A. No person shall remove, collect, or disturb solid waste or C&D debris stored in or disposed in a solid waste facility or solid waste container unless authorized by the County.
- B. No person shall remove any solid waste or C&D debris from a solid waste container and scatter the same upon any public or private property.

SECTION 12: REGULATIONS ADOPTED

The laws of the State of New Mexico dealing with solid waste management and all regulations promulgated and published pursuant to those laws for the New Mexico Environment Department or any division thereof, (or any successor department, agency or division), along with any subsequent revisions or amendments to such laws or regulations, are hereby adopted and incorporated herein by reference and made a part of this Ordinance; provided, however, the penalty provisions herein shall apply to violations prosecuted under this Ordinance.

SECTION 13: SOLID WASTE MANAGEMENT FEE

- A. Payment of the solid waste management fee shall be the obligation of the responsible party for each residence located in the unincorporated area of Torrance County.
- B. The County Commission shall set fees for solid waste management based on the actual or projected cost to collect, transport and recycle or dispose of such solid waste. Unmet actual costs resulting from unpaid fees or certain discounts defined and approved by the County Commission shall be the responsibility of the County Commission.
- C. If there are multiple residences on a property, the solid waste management fee shall be assessed on each such residence.
- D. The solid waste management fee, and any subsequent modification thereof, shall be established and adopted through resolution by the County Commission.
- E. Any responsible party owning or possessing a vacant residence may be entitled to a reduction of the solid waste management fee, according to administrative guidelines established and adopted through resolution by the County Commission. Any property owner falsely certifying that a residence is vacant is in violation of this Ordinance, and is subject to penalties set forth in Section 16.A.

SECTION 14: LIENS

- A. All fees arising under this Ordinance shall be payable by the responsible party of the residence being served at the time the rate or charge accrues and becomes due. The County of Torrance shall be entitled to a lien upon the residence and upon the tract or parcel of land being served for failure to pay such fees pursuant to the authority granted under Section 3-36-1 et seq. NMSA 1978, which lien shall be a first and prior lien on the property coequal with municipal liens pursuant to Section 3-36-2 NMSA 1978, but subject only to the lien of general state and county taxes.
- B. The lien provided for in this section shall be enforced in the manner prescribed in Sections 3-36-7 NMSA 1978. For purposes of this section, such action shall be taken by the Torrance County Clerk. In any proceedings where pleadings are required, it shall be sufficient to declare that the general purpose of said lien is for the service supplied for the collection, transportation and disposal of solid waste.
- C. The charges and fees imposed herein are the obligation of the responsible party of the premises, regardless of whether occupied by an owner, tenants or others, and the County may file a lien against the property for such charges, penalties, costs of enforcement, including attorney's fees incurred in filing the lien.

SECTION 15: POWERS OF THE COUNTY

In connection with the operation of a solid waste collection system, the Torrance County Board of Commissioners may:

- A. Execute contracts on behalf of the County, with any municipality, county, or other unit of government, including the Estancia Valley Solid Waste Authority, or any private entity for the collection, transportation and recycling or disposal of solid waste generated in the unincorporated areas of Torrance County.
- B. Regulate the collection, transportation and recycling or disposal of solid waste and C&D debris by any person within the unincorporated areas of Torrance County.
- C. Establish, assess and collect fees directly or through its authorized agent from responsible parties in amounts designated herein;
- D. Coordinate the collection, transportation and recycling or disposal of solid waste and C&D debris in consultation with the New Mexico Department of Environment.
- E. Develop, or authorize any contractor, including the Estancia Valley Solid Waste Authority, for the collection, transportation and recycling or disposal of solid waste generated in the unincorporated areas of Torrance County, to develop, operating policies and procedures for the implementation of the provisions of this Ordinance.

SECTION 16: PENALTIES

- A. Persons violating the Ordinance shall, upon conviction, be subject to a fine not to exceed THREE HUNDRED (\$300.00) DOLLARS and/or NINETY (90) days in jail for each separate offense, except as set forth in Paragraphs B and C below.
- B. Persons violating this Ordinance by discarding or disposing of solid waste or litter on public or private property in any manner other than by disposing of it in an authorized container, convenience center, or landfill shall, upon conviction, be subject to a fine not to exceed ONE THOUSAND (\$1,000.00) DOLLARS.
- C. Each violation shall constitute a separate offense. Each day an offense continues shall also constitute a separate offense.

SECTION 17: SEVERABILITY

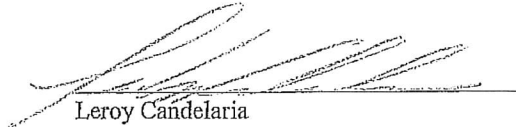
If any article, section, subsection, paragraph, sentence, clause, phrase, provision or portion of any article, section, subsection, paragraph, sentence, clause, phrase or provision in this Ordinance is, for any reason, held to be unconstitutional, invalid or void, the remaining portions shall not be affected since it is the express intention of the Torrance County Board of Commissioners to pass such article, section, subsection, paragraph, sentence, clause, phrase or provision and every part thereof separately and independently from every other part.

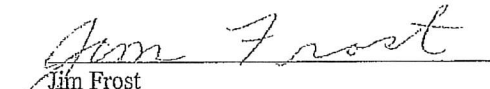
SECTION 18: EFFECTIVE DATE

This Ordinance shall be recorded and authenticated by the County Clerk following adoption by the Board of County Commissioners. The effective date of this Ordinance shall be thirty days after the Ordinance has been recorded.

TORRANCE COUNTY
LINDA JARAMILLO, CLERK
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BY LINDARK

PASSED, APPROVED AND ADOPTED this 13th day April of 2016, by the Board of County Commissioners of Torrance County, New Mexico.


Leroy Candelaria
Chairman


Jim Frost
Member

Julia DuCharme
Member



ATTEST:


Linda Jaramillo
County Clerk

T O R R A N C E C O U N T Y
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TORRANCE COUNTY

Ordinance No. 2021-___

SOLID WASTE MANAGEMENT ORDINANCE AMENDMENTS

WHEREAS, the current version of the Torrance County Solid Waste Management Ordinance was last revised in 2016; and,

WHEREAS, the 2016 version of the Ordinance is substantially identical to the original version passed in 1994, it did not adjust for departmental authority over personnel tasked with enforcement of portions of this Ordinance; and,

WHEREAS, Planning & Zoning Department personnel are utilized to enforce portions of this Ordinance; and,

WHEREAS, funding for equipment, supplies, vehicle maintenance, and vehicle fuel to enforce portions of this Ordinance is derived from the Planning & Zoning budget; and,

WHEREAS, the Planning & Zoning Director or Department Head has supervisory authority of department personnel; and,

WHEREAS, discarded appliances are considered to be solid waste; and,

WHEREAS, wording of the Interpretation and Conflict section of 2006 version of the Ordinance conflicts with itself; and,

WHEREAS, definition changes were needed to reflect current NMAC Title 20 and Zoning Ordinance definitions and minor spelling corrections were required.

NOW, THEREFORE BE IT ORDAINED by the Torrance County Board of Commissioners as follows:

SECTION 1: SHORT TITLE

This Ordinance shall be known as the “SOLID WASTE MANAGEMENT ORDINANCE,” and shall be referred to herein as “this Ordinance.”

SECTION 2: AUTHORITY

This ordinance is enacted pursuant to the authority granted to counties to provide for the safety and preserve the health of the residents of the county as set forth in Section 4-37-1 NMSA 1978; the authority provided in Sections 4-56-1 through 4-56-3 NMSA ,1978 which authorizes the county to establish and maintain, manage and supervise a system of storage, collection and disposal of all refuse; and the authority provided in Sections 3-36-1 through 3-36-7 NMSA 1978 which enables the county to attach liens for unpaid charges established by ordinance.

SECTION 3: INTERPRETATION AND CONFLICT

The regulations provided herein are held to include the minimum standards necessary to carry out the purposes of this Ordinance. This Ordinance is not intended to interfere with, abrogate or annul any other valid ordinances. ~~Where the provisions of this Ordinance conflict with other rules, regulations, agreements or other County ordinances or resolutions, the provisions of this Ordinance shall be controlling. Where this Ordinance imposes greater restrictions than those imposed by other rules, regulations, agreements or other County ordinances or resolutions, the provisions of this Ordinance shall be controlling.~~ Whenever any provisions of this Ordinance are more or less restrictive than other laws, ordinances, or Torrance County resolutions, then whichever is the more restrictive shall govern.

SECTION 4: DEFINITIONS:

A. Word Construction - Words used in the present tense include the future; words in the masculine include the feminine; and words in the singular include the plural.

B. Definitions — the following definitions apply to this Ordinance

1. ~~“Clean Fill is broken concrete, brick, rock, stone, glass, reclaimed asphalt pavement, or uncontaminated soil generated from construction and demolition activities. Reinforcement materials which are an integral part, such as rebar, are included. Clean fill must be free of other solid waste or hazardous waste.~~
Clean fill" means broken concrete, brick, rock, stone, glass, reclaimed asphalt pavement, or soil that is uncontaminated, meaning the fill has not been mixed with any waste other than the foregoing and has not been subjected to any known spill or release of chemical contaminants, including petroleum product, nor treated to remediate such contamination; reinforcement materials which are an integral part, such as rebar, are included. Clean fill must be free of other solid waste to include land clearing debris, C&D debris, municipal solid waste, hazardous waste, or special waste.
2. ~~“Code Enforcement Officer” is the person appointed by the County Commission upon recommendation of the Sheriff's office to enforce portions of this Ordinance,~~
“Zoning Enforcement Officer” is the person employed as the Zoning Director or his assigns as stipulated in the Torrance County Ordinance 90-3 dated May 11, 2016.
3. “Composting” is the process by which biological decomposition of organic solid waste is carried out under controlled conditions. The process stabilizes the organic fraction into a material which can be easily and safely stored, handled and used in an environmentally acceptable manner.
4. “Construction and Demolition (C&D) Debris” is material generally considered to be water insoluble and nonhazardous in nature, including, but not limited to, steel, glass, brick, concrete, asphalt roofing materials, pipe, gypsum wallboard, and lumber from the construction or destruction of a structure project and includes rocks, soil, tree remains, trees and other vegetative matter that normally results from land clearing. If construction and demolition debris is mixed with any other types of solid waste, it loses its classification as construction and demolition debris. Construction and demolition debris does not include asbestos or liquids including, but not limited to, waste paints, solvents, sealers, adhesives or potentially hazardous materials.
5. “County Commission” is the Torrance County Board of Commissioners, the duly constituted governing body of Torrance County.
6. “County Manager” is the chief administrative assistant to the Torrance County Board of Commissioners.
7. "Greenwaste" means landscape trimmings, including limbs and branches of 1 inch in diameter or greater. Does not include brush or tree stumps.
8. “Hazardous waste" includes material listed in 40 CFR261.3 ~~classified as Toxic, Reactive, Ignitable, or Corrosive.~~
9. **"Hauler" is any person transporting solid waste.** ~~by whatever means for the purpose of~~

~~disposing of the solid waste in a solid waste facility, except that the term does not include an individual transporting solid waste generated on or from his residential premises for the purpose of disposing of it in a solid waste facility;~~

10. "Litter" is solid waste or debris found in public areas or generated while traveling in a motor vehicle.
11. "Owner" is the property owner, whether residing on said property or not, the property being located within Torrance County and outside the corporate boundaries of the municipalities of Moriarty, Estancia, Mountainair, Encino and Willard.
12. "Person" is any individual, partnership, company, corporation, firm, association, trust, estate, state and federal agency, institution, county, city, town, village, or municipality or other legal entity, however organized,
13. "Premises" ~~is defined as a structure, whether designed for residential or commercial use, located on any property within Torrance County and outside the corporate limits of the municipalities of Moriarty, Estancia, Mountainair, Encino and Willard.~~
Means any lot or combination of contiguous lots held in single ownership, together with the development thereon.
14. "Residence" is any habitable dwelling **unit** or each single unit of **a** multi-unit habitable dwelling.
15. "Responsible party" is defined as the owner of any premises.
16. "Solid Waste" is any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant or air pollution control facility and other discarded material, including solid, liquid, semisolid or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations and from community activities.

"Solid Waste" does not include:

- a) waste from the extraction, beneficiation and processing of ores and waste materials, including phosphate rock and overburden from the mining of uranium ore, coal, copper, molybdenum and other ores and minerals;
 - b) agricultural waste, including, but not limited to, manures and other crop residues returned to the soil as fertilizer or soil conditioner;
 - c) sand and gravel;
 - d) solid or dissolved material in domestic sewage or solid or dissolved materials in irrigation return flows or industrial discharges that are point sources subject to permits under Section 402 of the Federal Water Pollution Control Act, 33 U.S.C. Section 1342 or source, special nuclear or by-product material as defined by the Atomic Energy Act of 1954, 42 U.S.C. Section 2011 et seq.;
 - e) any material regulated by Subtitle C of the federal Resource Conservation and Recovery Act, or substances regulated by the federal Toxic Substance Control Act.
17. "Solid Waste Facility" means any public or private system, facility, location, improvements on the land, structures or other appurtenances or methods used for processing, transformation, recycling, or disposal of solid waste, including landfill disposal facilities, transfer stations, convenience centers, resource recovery facilities, and incinerators, ~~or any facility that processes, recycles, transforms, transfers, or otherwise~~

~~handles low level or high level radioactive waste or transuranic wastes, and other facilities not specified.~~ “Solid Waste Facility” does not include a residential “backyard” composting pile that composts organic solid waste generated on-site or any facility or person accepting, stockpiling, or using clean fill material as long as:

- a) the clean fill material does not create a public nuisance or adversely affects the environment;
- b) the material is not placed in a watercourse or in any other manner inconsistent with the Water Quality Control Commission regulation 2-201 “Disposal of Refuse.”

SECTION 5: ACCUMULATION OF SOLID WASTE. LITTER. AND C&D CONSTRUCTION & DEMOLITION DEBRIS: REMOVAL: PENALTY

- A. No person shall permit to accumulate any solid waste on property owned, leased or occupied by that person within two hundred (200) feet of another occupied premises, except in covered water-tight containers made of metal or plastic.
- B. No person shall throw, place, dump, or dispose of any solid waste, litter, or C&D debris on any road, street, gutter, sidewalk or alley, or on any public property or another’s private property.
- C. No person (whether owner, tenant, lessee, manager or other person) shall permit any solid waste, litter, or C&D debris or any composition or residue thereof which is in an unsanitary condition or hazardous to public health to remain upon the property.
- D. No person shall cast, place, sweep or deposit any solid waste, litter, or C&D debris in such a manner that it may be carried or deposited by the elements upon any road, street, sidewalk, alley, sewer, parkway or other public place or private property within the County.
- E. Any accumulation of solid waste, litter, or C&D debris in violation of the terms of this Ordinance is hereby declared to be a nuisance and is unlawful.
- F. Subject to any limitations or otherwise provided by law, the Sheriff, his Deputy ~~or his designated Code Enforcement Officer~~, the Zoning Director, or his assigns are authorized, upon issuance of a warrant, to inspect and enter any property where he has reasonable cause to suspect that unlawful accumulations of solid waste, refuse, litter, or C&D debris may exist.
 - 1) If, upon the basis of such inspection, the Sheriff, his Deputy, the Zoning Director, or his assigns find that a violation of Subsections A-E of this Section exists, he shall notify in writing the owner or any other person with an interest in or control of the property (whether, tenant, lessee, manager or other person) to correct such violation within a designated period of time, ~~from~~ from ten (10) days up to thirty (30) days.
 - 2) Upon the failure, neglect or refusal of any person, owner, tenant, lessee, manager or occupant to properly correct any such violations within the time prescribed (or within five [5] days of the return of such prescribed notice as undeliverable if the notice is served by mail), the County Commission may contract for the correction of the unlawful accumulation, or order its correction by the County, at the expense of the person, owner, tenant, lessee, manager or occupant in charge of the property.
- G. If the Sheriff his Deputy, the Zoning Director, or his assigns find that the unlawful accumulation of solid waste, litter, or C&D debris presents a clear and present danger to the public health, safety and welfare, and immediate measures are required to alleviate this clear and present danger, the County Manager may waive the ten (10) day notification period.

- H. Costs for correction of an unlawful accumulation of solid waste, litter, or C&D debris shall be determined on the basis of man-hours worked, equipment utilized in the clean-up at a customary rental rate per day, plus any direct costs paid by the County to correct the violation. The cost of correction shall be a lien upon the property and shall remain in full force and effect for the amount due plus other costs and attorney fees.
- I. The County Manager or his designee shall maintain files of the inspections, notices and actions taken pursuant to this Section. Costs incurred by the County in undertaking corrective actions shall be documented. The files shall be considered public records.

SECTION 6: SOLID WASTE, LITTER AND ~~C&D~~ CONSTRUCTION & DEMOLITION DEBRIS
PRE-COLLECTION PRACTICES

- A. Solid waste and recyclables are to be properly stored on the premises where they are generated, or shall be placed and maintained in County containers at a Torrance County Collection Station or other refuse and solid waste disposal facility(ies) franchised, licensed and/or permitted in conformance with applicable state law, state regulations, and this Ordinance.
- B. Solid waste transported for disposal at a Torrance County Collection Station shall be secured in garbage bags, with tarps, or straps as necessary to prevent fugitive waste.
- C. Hazardous waste may, at the sole discretion of the solid waste authority, be accepted for disposal at Torrance County collection stations only in household quantities, and only in secure containers.
- D. Wood ash which has not cooled or which may otherwise be capable of rekindling or igniting a fire if brought in contact with combustible materials may not be disposed at Torrance County collection stations.
- E. No garbage, solid waste, or debris shall be burned within the county.

SECTION 7: SOLID WASTE CONTAINERS

- A. Haulers are expressly prohibited from using County solid waste containers for the disposal of solid waste and C&D debris.
- B. The owner of every mobile home park shall provide for the collection of not less than .5 cubic yards of solid waste weekly per mobile home space. If the County Manager or his designee determines that additional containers are necessary, she may order such additional containers as may be required to prevent the accumulation of solid waste or litter.
- C. The owner of every multi-family residential development consisting of five (5) or more units shall provide for the collection of not less than .5 cubic yards of solid waste weekly per residential unit. If the County Manager or his designee determines that additional containers are necessary, she may order such additional containers as may be required to prevent accumulation of solid waste or litter.
- D. Any person using a County solid waste container shall comply with the rules and regulations established from time to time by the County Commission for the use, care and location of such containers and shall keep the lids and covers furnished for such containers closed at all times except when they are being filled or emptied.
- E. Any solid waste, litter or C&D debris deposited in the County solid waste containers shall be reduced in size to no more than four (4') feet in length.
- F. In the event that the County solid waste container is full, solid waste shall not be placed on the

ground or in proximity to the containers so as to constitute a litter or health hazard or become blown and scattered.

G. No person shall impede access to a County solid waste container other than when necessary to remove and deposit solid waste.

SECTION 8: DAMAGE TO SOLID WASTE CONTAINERS

A. No person, including children, shall be on top of or inside the County solid waste containers.

B. No person shall intentionally damage any County solid waste container.

C. Any person who damages a County solid waste container shall be liable to the County for the cost, repair, or replacement of such container, in addition to the penalties provided in Section 16 of this Ordinance.

SECTION 9: HAZARDOUS WASTE AND GREENWASTE

A. Hazardous wastes in greater than household quantities shall not be disposed at Torrance County collection stations. Such waste shall be disposed of in accordance with any applicable county, state and federal laws or regulations, at the expense of the person accumulating such waste.

B. Greenwaste shall only be disposed at designated Torrance County collection stations.

SECTION 10: CONSTRUCTION SITES AND TRANSPORTATION OF MATERIALS

A. Any person or contractor who has secured a state building permit shall, prior to commencement of any construction activity in the County, furnish or place on that property a container or fenced area of suitable size and design to contain all solid waste, litter, or C&D debris which may be disturbed or removed from the premises or property by the wind or elements.

B. No person or contractor generating solid waste or C&D debris shall allow solid waste or litter of any kind to be blown or be carried by the elements from the premises or property for which the building permit was secured.

C. Any person or contractor engaged in construction or demolition shall remove the solid waste, litter, and C&D debris, including structural parts, from the construction site and contain their elements from scattering in the same manner as set out above. C&D debris or solid waste shall be removed and disposed on within five (5) days of completion to an approved solid waste or C&D debris facility.

SECTION 11: SCAVENGING PROHIBITED

A. No person shall remove, collect, or disturb solid waste or C&D debris stored in or disposed in a solid waste facility or solid waste container unless authorized by the County.

B. No person shall remove any solid waste or C&D debris from a solid waste container and scatter the same upon any public or private property.

SECTION 12: REGULATIONS ADOPTED

The laws of the State of New Mexico dealing with solid waste management and all regulations promulgated and published pursuant to those laws for the New Mexico Environment Department or any division thereof, (or any successor department, agency or division), along with any subsequent revisions or amendments to such laws or regulations, are hereby adopted and incorporated herein by reference and made a part of this Ordinance; provided, however, the penalty provisions herein shall apply to violations prosecuted under this Ordinance.

SECTION 13: SOLID WASTE MANAGEMENT FEE

- A. Payment of the solid waste management fee shall be the obligation of the responsible party for each residence located in the unincorporated area of Torrance County.
- B. The County Commission shall set fees for solid waste management based on the actual or projected cost to collect, transport and recycle or dispose of such solid waste. Unmet actual costs resulting from unpaid fees or certain discounts defined and approved by the County Commission shall be the responsibility of the County Commission.
- C. If there are multiple residences on a property, the solid waste management fee shall be assessed on each such residence.
- D. The solid waste management fee, and any subsequent modification thereof, shall be established and adopted through resolution by the County Commission.
- E. Any responsible party owning or possessing a vacant residence may be entitled to a reduction of the solid waste management fee, according to administrative guidelines established and adopted through resolution by the County Commission. Any property owner falsely certifying that a residence is vacant is in violation of this Ordinance, and is subject to penalties set forth in Section 16. A.

SECTION 14: LIENS

- A. All fees arising under this Ordinance shall be payable by the responsible party of the residence being served at the time the rate or charge accrues and becomes due. The County of Torrance shall be entitled to a lien upon the residence and upon the tract or parcel of land being served for failure to pay such fees pursuant to the authority granted under Section 3-36-1 et seq. NMSA 1978, which lien shall be a first and prior lien on the property coequal with municipal liens pursuant to Section 3-36-2 NMSA 1978, but subject only to the lien of general state and county taxes.
- B. The liens provided for in this section shall be enforced in the manner prescribed in Sections 3-36-7 NMSA 1978. For purposes of this section, such action shall be taken by the Torrance County Clerk. In any proceedings where pleadings are required, it shall be sufficient to declare that the general purpose of said lien is for the service supplied for the collection, transportation and disposal of solid waste.
- C. The charges and fees imposed herein are the obligation of the responsible party of the premises, regardless of whether occupied by an owner, tenants or others, and the County may file a lien against the property for such charges, penalties, costs of enforcement, including attorney's fees incurred in filing the lien.

SECTION 15: POWERS OF THE COUNTY

In connection with the operation of a solid waste collection system, the Torrance County Board of Commissioners may:

- A. Execute contracts on behalf of the County, with any municipality, county, or other unit of government, including the Estancia Valley Solid Waste Authority, or any private entity for the collection, transportation and recycling or disposal of solid waste generated in the unincorporated areas of Torrance County.
- B. Regulate the collection, transportation and recycling or disposal of solid waste and C&D debris by any person within the unincorporated areas of Torrance County.
- C. Establish, assess and collect fees directly or through its authorized agent from responsible parties in amounts designated herein;
- D. Coordinate the collection, transportation and recycling or disposal of solid waste and C&D debris in consultation with the New Mexico Department of Environment.
- E. Develop, or authorize any contractor, including the Estancia Valley Solid Waste Authority, for the collection, transportation and recycling or disposal of solid waste generated in the unincorporated areas of Torrance County, to develop, operating policies and procedures for the implementation of the provisions of this Ordinance.

SECTION 16: PENALTIES

- A. Persons violating the Ordinance shall, upon conviction, be subject to a fine not to exceed THREE HUNDRED (\$300.00) DOLLARS and/or NINETY (90) days in jail for each separate offense, except as set forth in Paragraphs B and C below.
- B. Persons violating this Ordinance by discarding or disposing of solid waste or litter on public or private property in any manner other than by disposing of it in an authorized container, convenience center, or landfill shall, upon conviction, be subject to a fine not to exceed ONE THOUSAND (\$1,000.00) DOLLARS.
- C. Each violation shall constitute a separate offense. Each day an offense continues shall also constitute a separate offense.

SECTION 17: SEVERABILITY

If any article, section, subsection, paragraph, sentence, clause, phrase, provision or portion of any article, section, subsection, paragraph, sentence, clause, phrase or provision in this Ordinance is, for any reason, held to be unconstitutional, invalid or void, the remaining portions shall not be affected since it is the express intention of the Torrance County Board of Commissioners to pass such article, section, subsection, paragraph, sentence, clause, phrase or provision and every part thereof separately and independently from every other part.

SECTION 18: EFFECTIVE DATE

This Ordinance shall be recorded and authenticated by the County Clerk following adoption by the Board of County Commissioners. The effective date of this Ordinance shall be thirty days after the Ordinance has been recorded.

ORIGINALLY PASSED APPROVED AND SIGNED the 12th day of December, 1994, by the Board of County Commissioners of Torrance County, New Mexico.

AMENDED on the 13th day of April, 2016, by the Board of County Commissioners of Torrance County, New Mexico.

AMENDED on the 25th day of August 2021, by the Board of County Commissioners of Torrance County, New Mexico.

APPROVED AS TO FORM ONLY:

BOARD OF COUNTY COMMISSIONERS

County Attorney Date

Ryan Schwebach, Chair

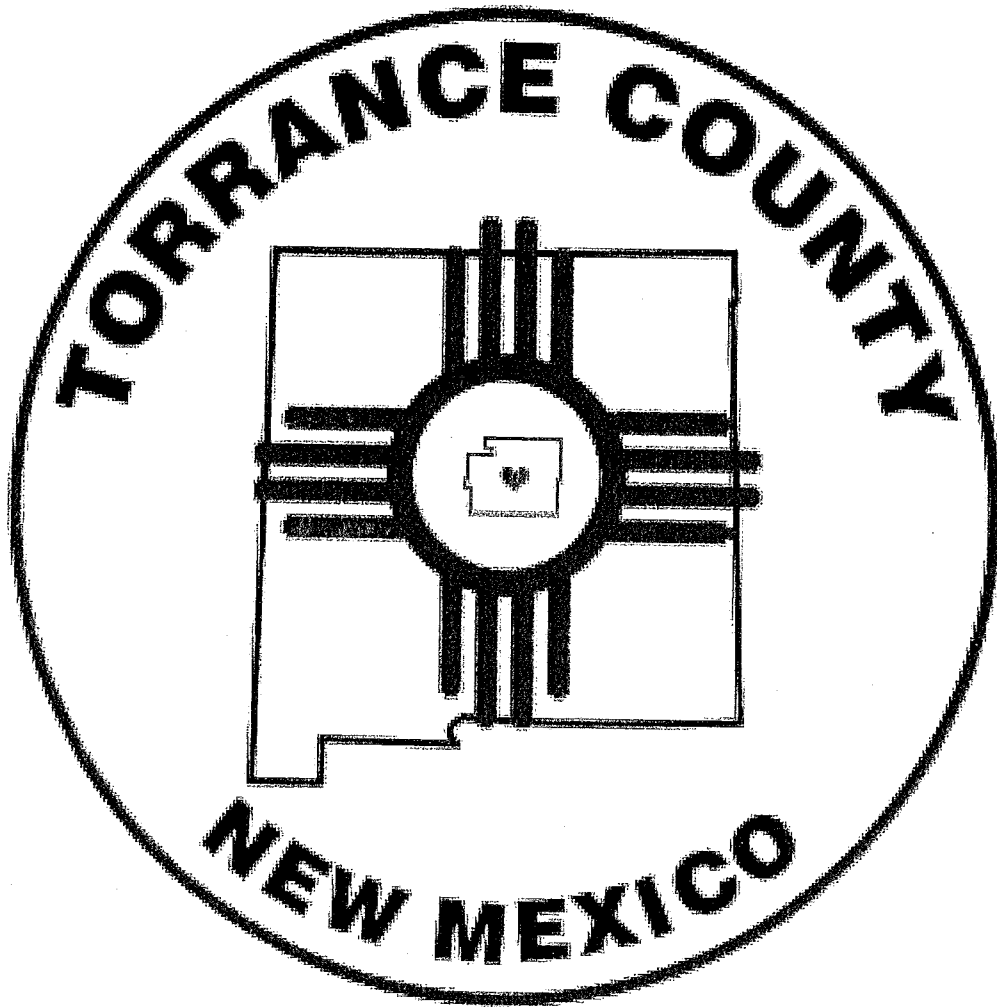
Kevin McCall, Vice Chair

Leroy Candelaria, Member

ATTEST:

Yvonne Otero, County Clerk

Date: _____



*Agenda Item
No. 11-A*

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**TORRANCE COUNTY
BOARD OF COUNTY COMMISSIONERS
RESOLUTION NO. R 2021-**

CERTIFICATES OF TAX RATES ORDER

WHEREAS, the Department of Finance and Administration of the State of New Mexico has sent its Order Setting Property Tax Rates for Fiscal Year 2022 to the County of Torrance; and

WHEREAS, the Board of County Commissioners of Torrance County is mandated by NMSA 1978 § 7038-34 to issue its own written Order imposing tax rates in conformance with amounts in the Order from the Department of Finance and Administration; and

WHEREAS, this written order must be issued within five days of the receipt of the Order sent by the Department of Finance Administration; and

WHEREAS, the Torrance County Board of County Commissioners is acknowledging receipt of imposed property tax rates pursuant to state law.

IT IS HEREBY ORDERED on this 8th day of September 2021, that the property tax rates for Torrance County for the Fiscal Year 2022 conform with the Certificate of Tax Rates transmitted with the Order from the Department of Finance and Administration for tax year 2021, and that a copy of this Order with the Certificate of Tax Rates, when received and verified by the County Manager, be delivered immediately to the Torrance County Assessor.

NOW THEREFORE, be it resolved by the Board of County Commissioners, the governing body of the County of Torrance, that this Order, having been duly heard is hereby adopted. **DONE THIS 8th DAY OF SEPTEMBER, 2021.**

APPROVED AS TO FORM ONLY:

BOARD OF COUNTY COMMISSIONERS

County Attorney Date

Ryan Schwebach, Chair, District 2

ATTEST:

Kevin McCall, Vice Chair, District 1

County Clerk Date

LeRoy M. Candelaria, Member, District 3



Agenda Item
No. 11-B



*Agenda Item
No. 11-C*

1 **TORRANCE COUNTY**
2 **BOARD OF COUNTY COMMISSIONERS**
3 **RESOLUTION NO. R 2021-_____**
4

5 **A RESOLUTION ADOPTING THE FY 2023-2027 INFRASTRUCTURE CAPITAL**
6 **IMPROVEMENT PLAN (ICIP)**

7 WHEREAS, the County of Torrance recognizes that the financing of public capital projects has
8 become a major concern in New Mexico and nationally; and

9 WHEREAS, in times of scarce resources, it is necessary to find new financing mechanisms and
10 maximize the use of existing resources; and

11 WHEREAS, systematic capital improvements planning is an effective tool for communities to
12 define their development needs, establish priorities and pursue concrete actions and strategies to
13 achieve necessary project development; and

14 WHEREAS, this process contributes to local and regional efforts in project identification and
15 selection in short and long range capital planning efforts.

16 NOW, THEREFORE, BE IT RESOLVED BY THE Torrance County Board of Commissioners
17 that:

18 1. The county government has adopted the attached FY 2023-2027 Infrastructure Capital
19 Improvement Plan, and

20 2. It is intended that the Plan be a working document and is the first of many steps toward
21 improving rational, long-range capital planning and budgeting for New Mexico's infrastructure

22 3. This Resolution supersedes Resolution No.R2020-36.
23

24 **DONE THIS 8th DAY OF September, 2021.**

25
26 **APPROVED AS TO FORM ONLY:**

BOARD OF COUNTY COMMISSIONERS

27
28 _____
29 County Attorney

Ryan Schwebach, Chair

30 Date: _____

Kevin McCall, Member

31
32 _____
33 LeRoy Candelaria, Member
34
35
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37 **ATTEST:**

38 _____
39 Yvonne Otero, County Clerk

40 Date: _____



Agenda Item
No. 11-D

TORRANCE COUNTY RESOLUTION# 2021-

Budget Increase

WHEREAS, the Torrance County Commission in regular session on Wednesday, September 8th 2021, did propose to authorize Budget Increases in the FY 2021-2022 Budget and

WHEREAS, Budget Increases require authorization from the Department of Finance and Administration, and

WHEREAS, we request authorization for the following Budget Increase: (See Schedule A)
NOW THEREFORE BE IT RESOLVED, we respectfully request approval for the attached Budget Increase in the FY 2021-2022 budget from the Department of Finance and Administration.

DONE at Estancia, New Mexico
Torrance County this 8th day of
September 2021.

Attest:

Torrance County Board of Commissioners

John Butrick
County Attorney

Kevin McCall, District 1

Yvonne Otero
Torrance County Clerk

Ryan Schwebach, District 2

LeRoy M. Candelaria, District 3

Vote Record

Table with 4 columns: Name, yes, no, abstain, absent. Rows for Kevin McCall, Ryan Schwebach, and LeRoy M. Candelaria.

DFA Approval





*Agenda Item
No. 12-A*



Agenda Item
No. 12-B



Agenda Item
No. 12-C



Agenda Item
No. 12-D



Torrance County Board of Commissioners

Meeting: 9/8/2021

Item: 12D

Department: Sheriff

Prepared By: Stephanie Dunlap

Reviewed by: Janice Y. Barela

Jeremy Oliver

Title: Torrance County Sheriff's Office Community and Court Services Reorganization

Sponsor:

Sheriff

Action:

Motion to Approve Reorganization of the TCSO Transport/Civil Division to Community and Court Services Division (CCS)

Summary:

During our assessment of Department functions and needs, we concluded that since Core Civic reopened, the Transport division was no longer necessary in the capacity it was created. While there is still a need for the personnel, the job duties and responsibilities needed to be changed to reflect our current needs. The reasoning for these changes were due to our evaluation. We found that the current positions could be better put to use to handle the civil functions of the Sheriff's Office, provide support to the patrol division as needed and to transport inmates when necessary. The current staffing can meet these needs and changes/additional duties with the proper training. Because there is no position that we could directly transfer the personnel into, the transport positions would have to be vacated and new positions for Community and Court Services Staff would have to be created. Because these would technically be new positions, the current staff would have to re-apply for the new positions. In considering this change, new policies were created defining the roles and responsibilities of the new positions.

Significant Issues:

Currently there is very little to no separation between the Patrol Division (certified deputies) and the Transport/Civil Division (un-certified). Liability due to current legislation has increased, leading the Sheriff's Office towards reducing the probability of unnecessary legal actions. Speaking with New Mexico Counties, we were advised that having uncertified personnel in the field, carrying weapons, and driving marked Police Units, increases the liability significantly for not just the Sheriff's Office but the County as well. If uncertified personnel in marked Police Units are waved down out of jurisdiction, and decide to act, there are significant liability issues that arise for the Sheriff's Office and Torrance County, as we put untrained personnel in marked Police Units without the proper certification to handle such instances.

Financial:

The Sheriff's Office did research into other Agencies with CSA/PSA (Community Service Aides/Police Service Aides). Below are the numbers that were provided for starting salaries for each different Agency:

Albuquerque Police Department PSA-

- \$14.98/hr
- \$31,158.40 (Rough Salary)

Bernalillo County Sheriff's Department CSA –

- \$13.99/hr
- \$29,099.20 (Rough Salary)

Bernalillo County Sheriff's Department Deputy Cadet –

- \$17.75/hr
- \$36,920.00 (Rough Salary)

Valencia County Sheriff's Office Court Security –

- 13.00/hr
- \$27,040.00 (Rough Salary)

Currently, Tarrant County is paying \$212,139.20 in salaries for the current Transport/Civil Division staff. Without including the raises that were initially proposed for the new fiscal year, for the Transport Division, the County is saving \$27,076.35.

With the proposed new positions Tarrant County would pay roughly \$210,745.60 in salaries. The cost difference would save the County \$1,378.40 in salaries.

The total cost the County would be saving by implementing this change in salaries would be roughly \$62,399.55 (no raises with current salaries and savings from new salary proposal).

Below is the breakdown of current salaries/proposed salaries and cost savings:

Current Salaries:

Transport Sergeant: \$26.84/hr - \$55,8237.20 (Salary)

Transport Deputy: \$20.40/hr - \$42,432.00 (Salary)

Transport Deputy: \$18.25/hr - \$37,960.00 (Salary)

Transport Deputy: \$18.25/hr - \$37,960.00 (Salary)

Transport Deputy - \$18.25/hr - \$37,960.00 (Salary)

Total: \$212,139.20

Proposed Salaries:

CSA - \$17.00/hr - \$35,360.00 (Salary)
CSA - \$17.00/hr - \$35,360.00 (Salary)
Certified Patrol Deputy - \$22.44/hr - \$46,675.20 (Salary)
Certified Patrol Deputy - \$22.44/hr - \$46,675.20 (Salary)
Certified Patrol Deputy - \$22.44/hr - \$46,675.20 (Salary)
Total: \$210,745.60

Total Savings in Salaries: \$1,378.40

Current personnel in the Transport/Civil Division, wishing to reapply, and if hired would start out at \$17/hr as they will require little to no additional training. Any new hires will start out at \$15/hr, as they will require both training for the entirety of the position, to include transporting of prisoners, civil process and court security. After a successful 1-year probation, a new hire will increase to \$16/hr. Certified deputies in this budget will follow the same salary increase as the Patrol Deputies paid out of the Sheriff's main budget.

Manager's Recommendation:

Manager is respectfully reminding Commissioners of their comments in a prior Commission Meeting regarding restructuring of the Sheriff's Office. The Commission expressed a possible interest in laying off the five (5) Transport Division positions and, without increasing the budget, hiring four (4) additional Patrol Deputy positions, which are certified positions. This would increase the level of service the Sheriff's Office could provide the residents and traveling public in Torrance County, as well as provide a higher level of security when transporting inmates and while staying with inmates during their hearings in Magistrate and District Courts. It would also limit the County's overall liability.

Commissioners' Prior Discussion:

Certified Patrol Deputy - \$22.44/hr - \$46,675.20 (Salary)
Certified Patrol Deputy - \$22.44/hr - \$46,675.20 (Salary)
Certified Patrol Deputy - \$22.44/hr - \$46,675.20 (Salary)
Certified Patrol Deputy - \$22.44/hr - \$46,675.20 (Salary)
Total: \$186,700.80

Total Savings in Salary: \$25,438.40



*Agenda Item
No. 12-E*



Agenda Item
No. 12-F



Agenda Item
No. 12-G



Agenda Item
No. 12-H

HFE 100P Oil

Torrance County, New Mexico

Deadline:

Tuesday, August 24, 2021

Opening:

Wednesday, August 25, 2021

IFB

2022-01

2:00 p.m.

5:00 p.m.

Bid Tabulation

Company Name	Company Address	Company Contact	Proposal Amount
Holly Famber	P.O. Box 26743 Albuquerque, NM 87125	Bradley Schwartz	\$592.05 / per ton

Witnesses:

Amber Pava

Adriana Bustillos

Noah J. Sedillo



HOLLYFRONTIER.

HollyFrontier Refining & Marketing LLC

August 23, 2021

Torrance County
Purchasing Department
PO Box 48
Estancia, NM 87016

Re: IFB 2022-01 – HFE 100P Oil

HollyFrontier Refining & Marketing, LLC is pleased to offer the following prices for Asphaltic Materials as shown below, delivered to any point in Torrance County in full truckload quantities only firm through 8/23/2022.

PRODUCT	FOB COLLECT PRICE PER TON	DELIVERED PRICE PER TON	DELIVERED AND SPREAD PRICE PER TON (INCLUDES HOLLYFRONTIER DISTRIBUTOR AND OPERATOR TO SPREAD MATERIAL)
HFE-100P	\$500.00	\$537.05	\$592.05

Additional Charges that may be incurred and will be billed separately:

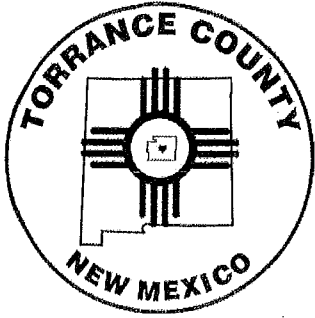
Demurrage: If a truck is not fully unloaded within 2 hours, a demurrage charge will be assessed at \$20.00 per 15 min (\$80.00 per hour). If demurrage occurs, Torrance County personnel will be provided a freight document by the carrier's personnel for signature. HollyFrontier bills demurrage based off the Torrance County signed documents provided by the carrier.

Return Freight: If a truck is not fully unloaded and returned to HollyFrontier with product, a credit for the material returned will be provided. In addition, a Return Freight charge of \$75.00 per ton will be billed separately.

Thank you for the opportunity to continue to participate in your roadway maintenance program.

Very truly yours,

Bradley Schmitz
Director of Marketing



Torrance County

Purchasing Department

Noah Sedillo

PO Box 48

205 S 9th Street

Estancia, NM 87016

Phone: (505) 544-4730 Fax: (505) 384-5294

www.torrancecountynm.org

Email: njsedillo@tcm.us

IFB 2022-01

INVITATION FOR BIDS FOR HFE 100P OIL

Torrance County is seeking sealed competitive bids for tonnage of HFE 100P Oil, price is to include delivery cost. Delivery is required to be **"In-Place"** to any county-maintained road within Torrance County. Required **"In-Place"** delivery pricing shall be valid for one (1) year with the option to renew for three (3) additional one (1) year terms. In no case shall the term of the awarded bid agreement exceed a term for four (4) years from the date of award letter/notice.

A completed **Campaign Contribution Form** (included in the IFB) must be submitted with all proposals. Compliance with NMSA 1978 13-1-191.1 (2006) is required. Any company that fails to submit the **Campaign Contribution Form** with their proposal will be considered unresponsive.

Torrance County requires one (1) original bid and four (4) copies for the bid selection team. Any bidder that fails to submit the required number will be considered to be unresponsive.

Clearly mark your sealed bid as **"IFB 2022-01 – HFE 100P OIL"**. Any bidder that fails to label a bid as such will be considered unresponsive.

Bid Deadline: Bids must be submitted to the Torrance County Purchasing Department located in the Torrance County Administrative Offices at 205 S 9th Street in Estancia, NM by 2:00 PM on Tuesday, August 24, 2021.

Bid Opening: Bids will be opened at 2:15 PM on Tuesday, August 24, 2021 in the Purchasing Office located within the Torrance County Administrative Offices at 205 S 9th Street in Estancia, NM.

Bid Review: The bids will be reviewed by a bid selection team. A recommendation will be given to the County Commission after all bids are reviewed.

Bid Award: The Torrance County Commission will formally award the bid at their regular commission meeting on Wednesday, September 08, 2021 at 9:00 AM. This award date is tentative and can be changed without notice.

Torrance County reserves the right to reject any or all bids if it is not in the best interest of the County or waive any informality in the bid process. The Invitation for Bids process will be conducted according to the New Mexico Procurement Code (Sections 13-1-28 through 13-1-199, NMSA 1978) which imposes civil and criminal penalties for its violations. In addition, the New Mexico Criminal Statutes impose felony penalties for illegal bribes, gratuities, and kick-backs.

According to 13-1-158.A., no warrant, check or other negotiable instrument shall be issued in payment for any purchase of services, construction or items of tangible personal property unless the central purchasing office or the using agency certifies that the services, construction of items of tangible personal property have been received and meet specifications.

All bids must be sealed or will not be accepted. Bids will NOT be accepted after the deadline. Bids may be delivered in person to Torrance County Purchasing Department 205 South 9th Street, Estancia, NM 87016 or my mail to the Torrance County Purchasing Department, P.O. Box 48, Estancia, NM 87016. NOTE: United States Postal Service mail is not delivered until after 1:00 PM Mountain Standard Time.

Resident Business Preference

Pursuant to Section 13-1-21 and Section 13-1-22 NMSA 1978 a resident business possessing a valid resident business certificate shall receive 5% preference less the total cost. The Offeror's proposal must contain a copy of the Resident Business Preference Certificate issued by the New Mexico Taxation and Revenue Department in order to qualify for the preference.

Resident Veterans Preference

Pursuant to Section 13-1-21 and Section 13-1-22 NMSA 1978 a resident veteran may submit a completed Resident Veterans Preference Certificate in the proposal. The resident veteran shall receive up to 10% preference less the total cost. The Offeror's proposal must contain a Resident Veterans Preference Certificate issued by the New Mexico Taxation and Revenue Department in order to qualify for the preference.

CAMPAIGN CONTRIBUTION DISCLOSURE FORM

Pursuant to the Procurement Code, Sections 13-1-28, et seq., NMSA 1978 and NMSA 1978, § 13-1-191.1 (2006), as amended by Laws of 2007, Chapter 234, any prospective contractor seeking to enter into a contract with any state agency or local public body **for professional services, a design and build project delivery system, or the design and installation of measures the primary purpose of which is to conserve natural resources** must file this form with that state agency or local public body. This form must be filed even if the contract qualifies as a small purchase or a sole source contract. The prospective contractor must disclose whether they, a family member or a representative of the prospective contractor has made a campaign contribution to an applicable public official of the state or a local public body during the two years prior to the date on which the contractor submits a proposal or, in the case of a sole source or small purchase contract, the two years prior to the date the contractor signs the contract, if the aggregate total of contributions given by the prospective contractor, a family member or a representative of the prospective contractor to the public official exceeds two hundred and fifty dollars (\$250) over the two year period.

Furthermore, the state agency or local public body may cancel a solicitation or proposed award for a proposed contract pursuant to Section 13-1-181 NMSA 1978 or a contract that is executed may be ratified or terminated pursuant to Section 13-1-182 NMSA 1978 of the Procurement Code if: 1) a prospective contractor, a family member of the prospective contractor, or a representative of the prospective contractor gives a campaign contribution or other thing of value to an applicable public official or the applicable public official's employees during the pendency of the procurement process or 2) a prospective contractor fails to submit a fully completed disclosure statement pursuant to the law.

The state agency or local public body that procures the services or items of tangible personal property shall indicate on the form the name or names of every applicable public official, if any, for which disclosure is required by a prospective contractor.

THIS FORM MUST BE INCLUDED IN THE INVITATION FOR BIDS AND MUST BE FILED BY ANY PROSPECTIVE CONTRACTOR WHETHER OR NOT THEY, THEIR FAMILY MEMBER, OR THEIR REPRESENTATIVE HAS MADE ANY CONTRIBUTIONS SUBJECT TO DISCLOSURE.

The following definitions apply:

"Applicable public official" means a person elected to an office or a person appointed to complete a term of an elected office, who has the authority to award or influence the award of the contract for which the prospective contractor is submitting a competitive sealed proposal or who has the authority to negotiate a sole source or small purchase contract that may be awarded without submission of a sealed competitive proposal.

"Campaign Contribution" means a gift, subscription, loan, advance or deposit of money or other thing of value, including the estimated value of an in-kind contribution, that is made to or received by an applicable public official or any person authorized to raise, collect or expend contributions on that official's behalf for the purpose of electing the official to statewide or local office. "Campaign Contribution" includes the payment of a debt incurred in an election campaign, but does not include the value of services provided without compensation or unreimbursed travel or other personal expenses of individuals who volunteer a portion or all of their time on behalf of a candidate or political committee, nor does it include the administrative or solicitation expenses of a political committee that are paid by an organization that sponsors the committee.

"Family member" means spouse, father, mother, child, father-in-law, mother-in-law, daughter-in-law or son-in-law of (a) a prospective contractor, if the prospective contractor is a natural person; or (b) an owner of a prospective contractor.

"Pendency of the procurement process" means the time period commencing with the public notice of the request for proposals and ending with the award of the contract or the cancellation of the request for proposals.

"Prospective contractor" means a person or business that is subject to the competitive sealed proposal process set forth in the Procurement Code or is not required to submit a competitive sealed proposal because that person or business qualifies for a sole source or a small purchase contract.

"Representative of a prospective contractor" means an officer or director of a

corporation, a member or manager of a limited liability corporation, a partner of a partnership or a trustee of a trust of the prospective contractor.

Name(s) of Applicable Public Official(s) if any: _____
(Completed by State Agency or Local Public Body)

DISCLOSURE OF CONTRIBUTIONS BY PROSPECTIVE CONTRACTOR:

Contribution Made By: _____

Relation to Prospective Contractor: _____

Date Contribution(s) Made: _____

Amount(s) of Contribution(s) _____

Nature of Contribution(s) _____

Purpose of Contribution(s) _____

(Attach extra pages if necessary)

Signature

Date

Title (position)

--OR--

NO CONTRIBUTIONS IN THE AGGREGATE TOTAL OVER TWO HUNDRED FIFTY DOLLARS (\$250) WERE MADE to an applicable public official by me, a family member or representative.

Signature

Date

Title (Position)

corporation, a member or manager of a limited liability corporation, a partner of a partnership or a trustee of a trust of the prospective contractor.

Name(s) of Applicable Public Official(s) if any: _____
(Completed by State Agency or Local Public Body)

DISCLOSURE OF CONTRIBUTIONS BY PROSPECTIVE CONTRACTOR:

Contribution Made By: _____

Relation to Prospective Contractor: _____

Date Contribution(s) Made: _____

Amount(s) of Contribution(s) _____

Nature of Contribution(s) _____

Purpose of Contribution(s) _____

(Attach extra pages if necessary)

Signature

Date

Title (position)

--OR--

NO CONTRIBUTIONS IN THE AGGREGATE TOTAL OVER TWO HUNDRED FIFTY DOLLARS (\$250) WERE MADE to an applicable public official by me, a family member or representative.

Brodley Schmitz
Signature

8/23/2021
Date

Director, Asphalt Marketing & Operations
Title (Position)

Ryan Schwebach,
Chair
District 2

Attachment to Campaign Contribution Disclosure Form
Current Torrance County Elected Officials

Kevin McCall,
Vice-Chair
District 1

Commissioner, District 1 – Kevin McCall
Commission Chairman, District 2 – Ryan Schwebach
Commissioner, District 3 – LeRoy Candelaria

LeRoy Candelaria
District 3

Assessor – Jesse Lucero

Clerk – Yvonne Otero

Probate Judge – Josie Chavez

Sheriff – Marty Rivera

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County Manager

Tracy Sedillo
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Yvonne Otero
Clerk

Jesse Lucero
Assessor

Martin Rivera
Sheriff

Josie Chavez
Probate Judge



Agenda Item
No. 12-I

CSS-1 Fog Seal
 Torrance County, New Mexico

Deadline:
 Opening:

Tuesday, August 24, 2021
 Wednesday, August 25, 2021

IFB

2:00 p.m.
 5:00 p.m.

2022-02

Bid Tabulation

Company Name	Company Address	Company Contact	Proposal Amount
Holly Frontier	P.O. Box 26743 Albuquerque, NM 87125	Bradley Schmitz	\$469.77 per ton

Witnesses:

Amber Pava *Amber Pava*

Adriana Bustillos *Adriana Bustillos*

Noah J. Sedillo *(Signature)*



HOLLYFRONTIER.

HollyFrontier Refining & Marketing LLC

August 23, 2021

Torrance County
Purchasing Department
PO Box 48
Estancia, NM 87016

Re: IFB 2022-02 – CSS-1 FOG SEAL

HollyFrontier Refining & Marketing, LLC is pleased to offer the following prices for Asphaltic Materials as shown below, delivered to any point in Torrance County in full truckload quantities only firm through 8/23/2022.

PRODUCT	FOB COLLECT PRICE PER TON	DELIVERED PRICE PER TON	DELIVERED AND SPREAD PRICE PER TON (INCLUDES HOLLYFRONTIER DISTRIBUTOR AND OPERATOR TO SPREAD MATERIAL)
CSS-1P/1:1	\$379.00	\$414.77	\$469.77

Additional Charges that may be incurred and will be billed separately:

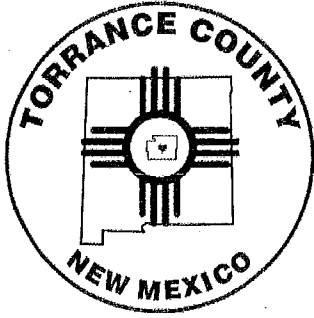
Demurrage: If a truck is not fully unloaded within 2 hours, a demurrage charge will be assessed at \$20.00 per 15 min (\$80.00 per hour). If demurrage occurs, Torrance County personnel will be provided a freight document by the carrier's personnel for signature. HollyFrontier bills demurrage based off the Torrance County signed documents provided by the carrier.

Return Freight: If a truck is not fully unloaded and returned to HollyFrontier with product, a credit for the material returned will be provided. In addition, a Return Freight charge of \$75.00 per ton will be billed separately.

Thank you for the opportunity to continue to participate in your roadway maintenance program.

Very truly yours,

Bradley Schmitz
Director of Marketing



Torrance County

Purchasing Department

Noah Sedillo

PO Box 48

205 S 9th Street

Estancia, NM 87016

Phone: (505) 544-4730 Fax: (505) 384-5294

www.torrancecountynm.org

Email: njsedillo@tcnm.us

IFB 2022-02

INVITATION FOR BIDS FOR CSS-1 FOG SEAL

Torrance County is seeking sealed competitive bids for tonnage of CSS-1 Fog Seal, price is to include delivery cost. Delivery is required to be **"In-Place"** to any county-maintained road within Torrance County. Required **"In-Place"** delivery pricing shall be valid for one (1) year with the option to renew for three (3) additional one (1) year terms. In no case shall the term of the awarded bid agreement exceed a term for four (4) years from the date of award letter/notice.

A completed **Campaign Contribution Form** (included in the IFB) must be submitted with all proposals. Compliance with NMSA 1978 13-1-191.1 (2006) is required. Any company that fails to submit the **Campaign Contribution Form** with their proposal will be considered unresponsive.

Torrance County requires one (1) original bid and four (4) copies for the bid selection team. Any bidder that fails to submit the required number will be considered to be unresponsive.

Clearly mark your sealed bid as **"IFB 2022-02 – CSS-1 Fog Seal"**. Any bidder that fails to label a bid as such will be considered unresponsive.

Bid Deadline: Bids must be submitted to the Torrance County Purchasing Department located in the Torrance County Administrative Offices at 205 S 9th Street in Estancia, NM by 2:00 PM on Tuesday, August 24, 2021.

Bid Opening: Bids will be opened at 2:15 PM on Tuesday, August 24, 2021 in the Purchasing Office located within the Torrance County Administrative Offices at 205 S 9th Street in Estancia, NM.

Bid Review: The bids will be reviewed by a bid selection team. A recommendation will be given to the County Commission after all bids are reviewed.

Bid Award: The Torrance County Commission will formally award the bid at their regular commission meeting on Wednesday, September 08, 2021 at 9:00 AM. This award date is tentative and can be changed without notice.

Torrance County reserves the right to reject any or all bids if it is not in the best interest of the County or waive any informality in the bid process. The Invitation for Bids process will be conducted according to the New Mexico Procurement Code (Sections 13-1-28 through 13-1-199, NMSA 1978) which imposes civil and criminal penalties for its violations. In addition, the New Mexico Criminal Statutes impose felony penalties for illegal bribes, gratuities, and kick-backs.

According to 13-1-158.A., no warrant, check or other negotiable instrument shall be issued in payment for any purchase of services, construction or items of tangible personal property unless the central purchasing office or the using agency certifies that the services, construction of items of tangible personal property have been received and meet specifications.

All bids must be sealed or will not be accepted. Bids will NOT be accepted after the deadline. Bids may be delivered in person to Torrance County Purchasing Department 205 South 9th Street, Estancia, NM 87016 or by mail to the Torrance County Purchasing Department, P.O. Box 48, Estancia, NM 87016. NOTE: United States Postal Service mail is not delivered until after 1:00 PM Mountain Standard Time.

Resident Business Preference

Pursuant to Section 13-1-21 and Section 13-1-22 NMSA 1978 a resident business possessing a valid resident business certificate shall receive 5% preference less the total cost. The Offeror's proposal must contain a copy of the Resident Business Preference Certificate issued by the New Mexico Taxation and Revenue Department in order to qualify for the preference.

Resident Veterans Preference

Pursuant to Section 13-1-21 and Section 13-1-22 NMSA 1978 a resident veteran may submit a completed Resident Veterans Preference Certificate in the proposal. The resident veteran shall receive up to 10% preference less the total cost. The Offeror's proposal must contain a Resident Veterans Preference Certificate issued by the New Mexico Taxation and Revenue Department in order to qualify for the preference.

CAMPAIGN CONTRIBUTION DISCLOSURE FORM

Pursuant to the Procurement Code, Sections 13-1-28, et seq., NMSA 1978 and NMSA 1978, § 13-1-191.1 (2006), as amended by Laws of 2007, Chapter 234, any prospective contractor seeking to enter into a contract with any state agency or local public body **for professional services, a design and build project delivery system, or the design and installation of measures the primary purpose of which is to conserve natural resources** must file this form with that state agency or local public body. This form must be filed even if the contract qualifies as a small purchase or a sole source contract. The prospective contractor must disclose whether they, a family member or a representative of the prospective contractor has made a campaign contribution to an applicable public official of the state or a local public body during the two years prior to the date on which the contractor submits a proposal or, in the case of a sole source or small purchase contract, the two years prior to the date the contractor signs the contract, if the aggregate total of contributions given by the prospective contractor, a family member or a representative of the prospective contractor to the public official exceeds two hundred and fifty dollars (\$250) over the two year period.

Furthermore, the state agency or local public body may cancel a solicitation or proposed award for a proposed contract pursuant to Section 13-1-181 NMSA 1978 or a contract that is executed may be ratified or terminated pursuant to Section 13-1-182 NMSA 1978 of the Procurement Code if: 1) a prospective contractor, a family member of the prospective contractor, or a representative of the prospective contractor gives a campaign contribution or other thing of value to an applicable public official or the applicable public official's employees during the pendency of the procurement process or 2) a prospective contractor fails to submit a fully completed disclosure statement pursuant to the law.

The state agency or local public body that procures the services or items of tangible personal property shall indicate on the form the name or names of every applicable public official, if any, for which disclosure is required by a prospective contractor.

THIS FORM MUST BE INCLUDED IN THE INVITATION FOR BIDS AND MUST BE FILED BY ANY PROSPECTIVE CONTRACTOR WHETHER OR NOT THEY, THEIR FAMILY MEMBER, OR THEIR REPRESENTATIVE HAS MADE ANY CONTRIBUTIONS SUBJECT TO DISCLOSURE.

The following definitions apply:

"Applicable public official" means a person elected to an office or a person appointed to complete a term of an elected office, who has the authority to award or influence the award of the contract for which the prospective contractor is submitting a competitive sealed proposal or who has the authority to negotiate a sole source or small purchase contract that may be awarded without submission of a sealed competitive proposal.

"Campaign Contribution" means a gift, subscription, loan, advance or deposit of money or other thing of value, including the estimated value of an in-kind contribution, that is made to or received by an applicable public official or any person authorized to raise, collect or expend contributions on that official's behalf for the purpose of electing the official to statewide or local office. "Campaign Contribution" includes the payment of a debt incurred in an election campaign, but does not include the value of services provided without compensation or unreimbursed travel or other personal expenses of individuals who volunteer a portion or all of their time on behalf of a candidate or political committee, nor does it include the administrative or solicitation expenses of a political committee that are paid by an organization that sponsors the committee.

"Family member" means spouse, father, mother, child, father-in-law, mother-in-law, daughter-in-law or son-in-law of (a) a prospective contractor, if the prospective contractor is a natural person; or (b) an owner of a prospective contractor.

"Pendency of the procurement process" means the time period commencing with the public notice of the request for proposals and ending with the award of the contract or the cancellation of the request for proposals.

"Prospective contractor" means a person or business that is subject to the competitive sealed proposal process set forth in the Procurement Code or is not required to submit a competitive sealed proposal because that person or business qualifies for a sole source or a small purchase contract.

"Representative of a prospective contractor" means an officer or director of a

corporation, a member or manager of a limited liability corporation, a partner of a partnership or a trustee of a trust of the prospective contractor.

Name(s) of Applicable Public Official(s) if any: _____
(Completed by State Agency or Local Public Body)

DISCLOSURE OF CONTRIBUTIONS BY PROSPECTIVE CONTRACTOR:

Contribution Made By: _____

Relation to Prospective Contractor: _____

Date Contribution(s) Made: _____

Amount(s) of Contribution(s) _____

Nature of Contribution(s) _____

Purpose of Contribution(s) _____

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--OR--

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8/23/2021
Date

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Title (Position)

Ryan Schwebach,
Chair
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Probate Judge



*Agenda Item
No. 12-J*



Agenda Item
No. 13-A



*Agenda Item
No. 13-B*



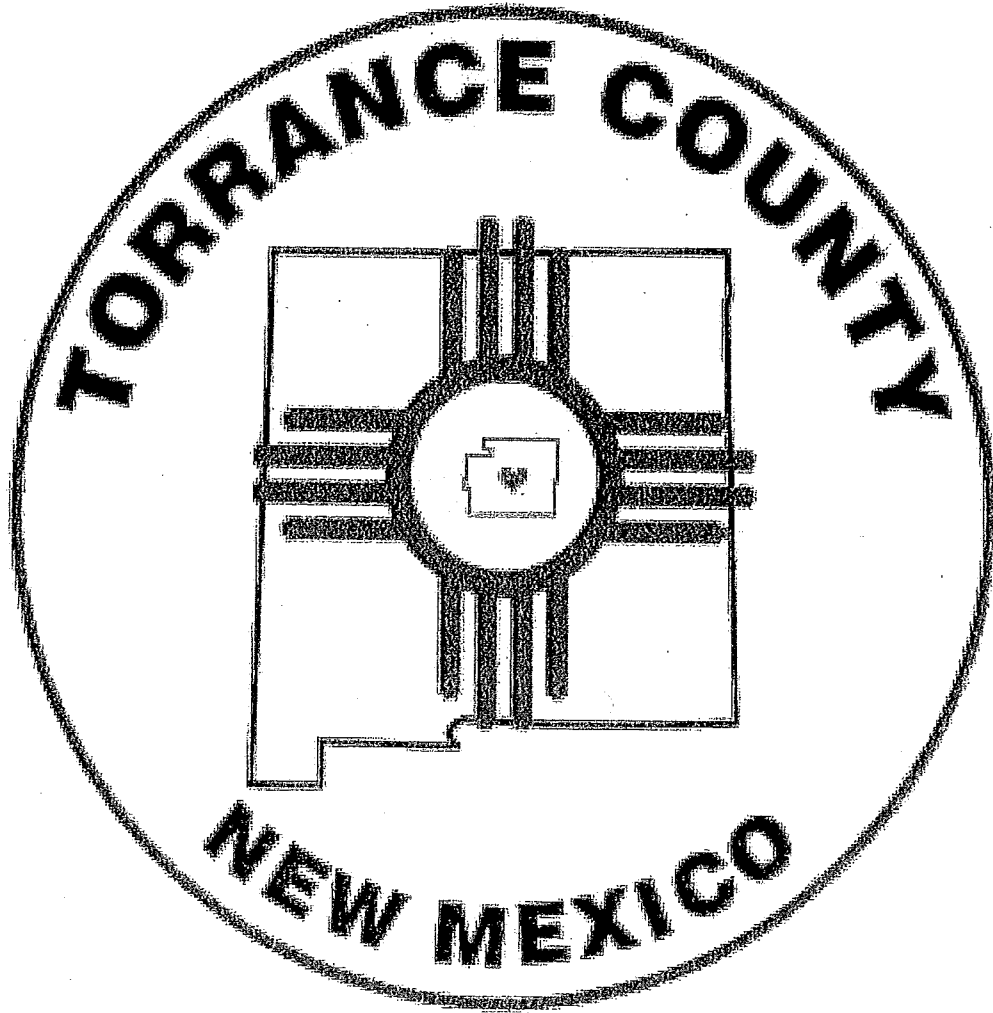
Agenda Item
No. 13-D



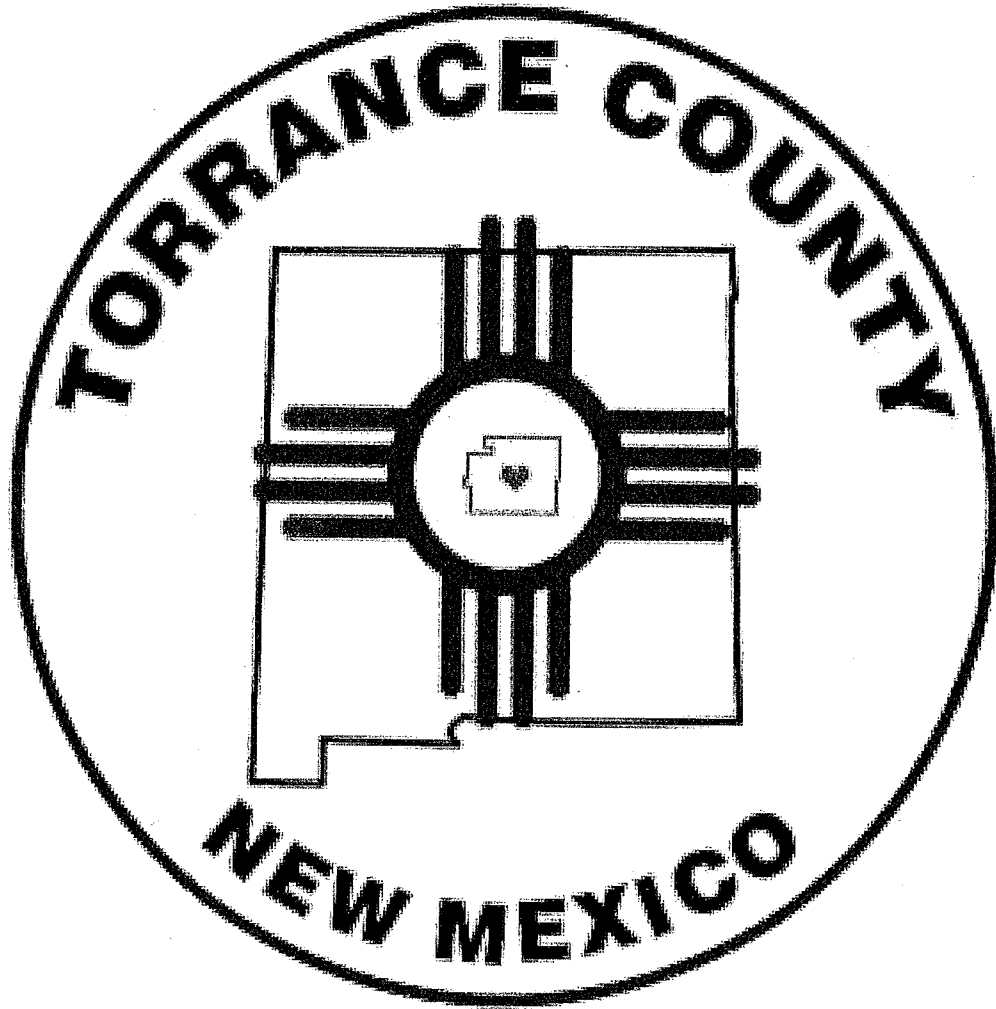
*Agenda Item
No. 14*



Agenda Item
No. 15



Agenda Item
No. 16



Agenda Item

No. 17