

**FINAL COPY  
TORRANCE COUNTY BOARD OF COMMISSIONERS  
COMMISSION MEETING  
AUGUST 28, 2019**

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

**OTHERS PRESENT:** WAYNE JOHNSON-COUNTY MANGER  
BELINDA GARLAND-DEPUTY COUNTY MANAGER  
JOHN BUTRICK-COUNTY ATTORNEY  
LINDA JARAMILLO- COUNTY CLERK  
SYLVIA CHAVEZ-ADMIN. ASST.

**1.) CALL MEETING TO ORDER**

Chairman Schwebach calls the August 28, 2019 Commission Meeting to order at 9:05 A.M.

**2.) INVOCATION AND PLEDGE**

**Pledge lead by Chairman Schwebach**

**Invocation lead by Nick Sedillo**

**3.) CHANGES TO THE AGENDA**

Commissioner Sanchez asks if item 12A can be heard as soon as possible, there are people here that would like to speak on the item but need to leave by 10.

Chairman Schwebach states that he believes that the agenda will move along in time for this item to be heard before 10.

**4.) PROCLAMATIONS**

Chairman Schwebach would like to recognize Cindi Sullivan at animal services for a job well done on the Facebook page for the animal shelter. Ms. Sullivan is thanked for her service and a round of applause is given.

**5.) CERTIFICATES AND AWARDS**

There were no items presented

**6.) BOARD AND COMMITTEE APPOINTMENTS**

There were no items presented

**7.) PUBLIC COMMENT and COMMUNICATIONS**

**Linda Jaramillo, Torrance County Clerk** informs the Commission that yesterday was candidate filing day for the local election that will be held on November 5, 2019. There were a total of 28 candidates that filed yesterday. 7 for the Town of Mountainair Town Council, 5 for the Town of Estancia board of Trustee's with one withdrawing at the end of the day. 5 for the Mountainair School District, 4 for the Moriarty-Edgewood School District and 3 for the Estancia School District. 2 for Claunch Pinto Soil & Water Conservation District, 2 for the East Torrance Soil & Water Conservation and 2 in the Edgewood Soil & Water Conservation. Ms. Jaramillo states that she can give the Commission of the list of Candidates if they would like a copy of them.

**Marcie Wallin, TCFB member** states that she is here to talk about agenda item 12A, Ms. Wallin states that she attended the meeting for the Heritage Center, Ms. Wallin does not feel that it is appropriate for her to support this project when she is on another Commission appointed board, which also is funded by the Commission. Her goal is to improve the fair, the current board members are progressive in thinking of how to improve the fair for the kids. The fair board stays within its budget and tries not to ask the Commission for more money.

**Cindi Sullivan, Animal Services Director** states that as the director and with all the changes that have taken place within the County and with all the new positions comes new ideas as well as new agendas. Ms. Sullivan is sure when you the new Commissioners came into office they wanted to make changes to improve the County. Nick Sedillo has a new position and is doing a very good job at it, he has been very helpful with Animal Services and she is very appreciative with his help. Wayne Johnson our new County Manager has been a positive role model for the County and Belinda has continued to do an amazing job. But Ms. Sullivan asks that the changes stop, it is hard for the department heads (us) with all the new changes. Ms. Sullivan also thanks County Attorney John Butrick for his assistance in her department. She thanks everyone again.

**County Manager Johnson** thanks Cindi for her words and welcomes any input to help with the process in the County there will be more changes to come for they will only improve the County. Mr. Johnson states that all the employees from each department are important to the county and are very valuable. The County is getting better every day.

#### **8.) APPROVAL OF MINUTES**

**A.) Commission:** Motion to approve the August 14, 2019 Torrance County Board of County Commission Regular Minutes.

**ACTION TAKEN:** **Commissioner McCall** makes a motion to approve the August 14, 2019 Regular Commission Meeting minutes. **Chairman Schwebach** seconds the motion. No further discussion, all in favor. **MOTION CARRIED**

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

**A.) Finance: Approval of Payables**

**ACTION TAKEN:** **Chairman Schwebach** makes a motion to approve the payables. **Commissioner McCall** seconds the motion. No further discussion, all in favor. **MOTION CARRIED.**

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

There were no items presented

**11.) ADOPTION OF RESOLUTION**

**A.) MANAGER:** Approval for adopting the FY2021-2025 Infrastructure Capital Improvement Plan (ICIP), Resolution No. 2019-48

**Belinda Garland and Cheryl Allen** present the Commission with the list that was based off the ranking from the last Commission meeting. The ICIP is due to Santa Fe by September 3, so there is time to change if the Commission chooses to do so. The list is as follows:

- |  |   |
|--|---|
| <b>1. County Fair Ground Improvement</b> | <b>8. Security Fencing</b>                                |
| <b>2. New Road Department Yard/Shop</b>  | <b>9. Heritage Center</b>                                 |
| <b>3. New County Government Offices</b>  | <b>10. Torreon Community Renovation</b>                   |
| <b>4. Riley Road</b>                     | <b>11. Records Restoration and Storage</b>                |
| <b>5. McNabb Road Improvements</b>       | <b>12. Duran Water System Improvements</b>                |
| <b>6. Road Department Equipment</b>      | <b>13. Purchase &amp; Equip Medical Response Vehicles</b> |
| <b>7. 4x4 Sheriff Patrol Vehicles</b>    |   |

**County Manager Johnson** explains that he met with Mayor Garcia from the Town of Vaughn in regards to the water system in Duran. Currently Duran is getting their water from Vaughn. Mr. Johnson has a piece of the pipe that runs to Duran, which shows a crack in the pipe. They are currently using a 2’ pipe to run the water, what their long term solution would be is to use a 4’ pipe. Mayor Garcia has also written a letter to the Commission with suggestion on what needs to be done to help the residents in Duran with their water system. There are currently 30 hook-ups in Duran.

**Belinda Garland**, reads the letter into record, letter hereto attached.

Resolution hereto attached. **ACTION TAKEN: Commissioner McCall** makes a motion to approve Resolution 2019-48 FY2021-2025 Infrastructure Capital Improvement Plan (ICIP) with the exception of striking the Heritage Center from the list. **Chairman Schwebach** seconds the motion.

**Belinda Garland** states that if you are amending the list can we as the employees suggest an addition, we would like to have the Mescalero Dam at the bottom of the ICIP.

**Commissioner Sanchez** asks why the Heritage Center is being stricken from the list.

**Commissioner McCall** replies that he is not ready to ask the legislators for money on a project that needs more studying done. The operational costs need to be looked at before we get any kind of funding for this project. Commissioner McCall states that he does not want to see the County get in a financial strain trying to operate the museum. When 1<sup>st</sup> running for this office Commissioner McCall made a vow that he would stand up for the entire County and not let other items come before the entire County needs. And if you take a look around the County you will see that this County is in dire need of some capital outlay monies for infrastructure.

**Commissioner Sanchez** asks if Commissioner McCall is willing to support the concept plan/feasibility study.

**Commissioner McCall** responds that he is not ready to support that either.

**Chairman Schwebach** states that it has been well known that he is on the fence with this project. He has spoken to the community and they are supportive of this project but are cautious about the cost for a museum. This list is to set the priorities of the County to take to our elected officials in Santa Fe and to say here are the priorities in the County. This list is to say to our elected officials that this is what we need as citizens and to operate and maintain the safety and wellbeing of our citizens in this County. And Chairman Schwebach does not see how a museum will fit into that.

**Chairman Schwebach** would like to talk about the water projects, Chairman Schwebach is hesitant when it comes to these water projects. The County is not into water but EMWT is and that is something the County needs to stay away from. EMWT can do this, that's what they were established for, to get water to the people in the County. They have access to monies for water projects because of the type of organization that they are and they are able to submit ICIP as well. He states with that being said he is inclined to strike both of these projects from the ICIP but he does not know if that is the best move because potentially there can be 30 people in Duran without water but how is that any different than people in McIntosh or in the land grants.

**Belinda Garland** states that Torreon has their own water association which is very effectively run, they manage their water well in Torreon. Ms. Garland did some research and found that in the prior year's legislative session Torreon was awarded \$50,000.00 to improve their building. Ms. Garland submitted paperwork to have those monies reallocated to the water association because the County does not own the building in Torreon. DFA got back to Ms. Garland and informed her that the reauthorization did not go through because the water assoc. is not compliant with their paperwork. Ms. Garland has spoken with Mr. Alderete from the water assoc. and informed him of what needs to be done in order to become compliant to receive the monies for their building. The Torreon Mutual Domestic Water Assoc. can submit their own ICIP. Which Ms. Garland feels is the right move because if they submit an ICIP and receive funding they can receive the money directly. The Commission can give the water assoc. a letter of support for them to receive capital outlay funds.

**County Manager Johnson** states that becoming the Fiscal Agent for projects comes with problems. If there are any type of compliant issues the County can be held liable for those issues which may end up costing the County. Mr. Johnson suggests to the Commission that prior to the ICIP list being submitted these entities should get prior approval from the Commission to be the fiscal agent for projects being submitted for funding.

**Commissioner McCall** clarifies for the record on project #2 for the New Road Department Yard/Shop that it includes a chain-link fence for security purposes.

**Belinda Garland** states that Steve Guetschow has done a lot of work on the Duran water line, the agencies he has spoken with are hesitant on funding this project because the County does not own the water, it's actually Vaughn's water system. Ms. Garland feels that the storage tank can be something the County can help them with.

**Chairman Schwebach** states that the County is a member of EMWT, getting a tank for Duran might fix the problem but drilling a new well will definitely fix the problem and EMWT can do that.

**County Manager Johnson** explains that Torreon has an active Mutual Domestic Water Assoc. system but Duran does not nor do they feel they would be capable of running such an

association due to their aging population. Torreon just needs to become compliant and they will be able to receive funds directly.

**Steve Guetschow, P/Z Director** states that there has been research done on the Duran project, he spoke with the NM environmental water quality bureau. They were the ones that were in charge of the grant that Vaughn got to do the repairs on the water lines. This will be an expensive project to have new lines put in but if the County can get them a storage tank put in it will be an improvement for their system. Drilling a well would be the best thing so having EMWT get involved would be the way to go.

**County Manager Johnson** explains that the idea of drilling a well was brought up but Duran does not feel they will be capable of being able to maintain or have the resources to keep it up.

**Chairman Schwebach** states that if the storage tank will band aid the water situation in Duran he is willing to go that route until something further can be sought out for the water system in Duran. He feels going through EMWT is going to be the best route for Duran.

**County Manager Johnson** states that there may be the possibility of drilling a well for Duran but there have been several wells go dry out in that area. So getting water from Vaughn may be the only option for Duran to get water. So he suggest leaving it on the ICIP and get with EMWT as well as Mayor Garcia and see what the options can be for the water system.

**Commissioner McCall** states that the Commission needs to be careful on leaving Duran on the list and striking Torreon. We need to be careful of going into the water business because there are people in McIntosh whose wells have gone dry.

**Chairman Schwebach** asks for clarification on Torreon, they need to get their paperwork done and they will be compliant and then they will be able to submit their own ICIP. So does that mean they want us to remove them from our ICIP list or keep them on?

**Commissioner Sanchez** answers that they want to be left on the County's ICIP.

**Belinda Garland** states that if Torreon could create their own ICIP it would be better due to the County not being able to give Torreon money for a building or property that the County does not own. It would be cleaner for them to submit than the County.

**County Manager Johnson** states that having other Community projects on our ICIP list is like the county competing for money within our own ICIP.

**Belinda Garland** mentions that she will call Mayor Garcia to see if they put the Duran water system on their ICIP list.

**Chairman Schwebach** asks if these two projects should remain on the ICIP list with the intention of Torreon becoming compliant with their paperwork and they submit their own ICIP and Duran we will move forward with help from EMWT for their water system.

**Commissioner McCall** makes the statement that he would like to see if Vaughn placed Duran on their ICIP. He wants to make sure that some governmental agency will be advocating for their water system. Commissioner McCall is cautious about becoming a water company but wants to assure these projects get some type of funding.

**ACTION TAKEN: Commissioner McCall** makes a motion to table the ICIP list. **Chairman Schwebach** seconds the motion. All in favor, this will be revisited later on in the agenda.

## 12.) APPROVALS

**A.) Commission:** Motion to approve budgeting of funds for the Heritage Center from PILT (Commissioner Sanchez)

**Commissioner Sanchez** states the request is for funding from the PILT money for up to \$30,000.00 for the Heritage Center which will be the concept plan/feasibility study. The ad-hoc committee met and came up with the scope of work, general concept, market assessment, profitability/sustainability, capital and facility description. Commissioner Sanchez reads the concept and market assessment and list the members of the ad-hoc members. Attachment hereto attached.

**Chairman Schwebach** asks why the City of Moriarty is not on the list of the ad-hoc members. **Commissioner Sanchez** states that perhaps the Commissioners from district 1 and 2 could reach out to Mayor Hart and talk to him. Commissioner Sanchez is unaware of how the City of Moriarty feels about this project and thought Commissioners from district 1 and 2 would be better able to judge their feeling about this project.

**Chairman Schwebach** states that he talked with them and he was unaware of the ad-hoc meeting. Maybe he missed the email, but he was not able to invite the City of Moriarty to this meeting. Chairman Schwebach states that when he ran for this position he ran on bringing this County together from North to South, so regardless of what district you represent the City of Moriarty should be on here as an ad-hoc member.

**Commissioner Sanchez** responds that this just isn't his idea, every step that has been made on this project he has reached out to all the stakeholders on this project. Since January there have been meeting on economic growth for the County and this is one of them. Commissioner Sanchez is open to bringing more stakeholders into this project.

### *Public comment:*

**Johnny Romero, on behalf of the Tajique Land grant** reads a letter of support from the land grant. The land grant would like to see either grant funding or money from the PILT funding to move forward with this project. Mr. Romero asks why the other two Commissioners want to shoot this project down, this will benefit the whole Community. It should be left on the ICIP, you may not get any funding for it or you could get a little bit of funding.

**Tom Betts, Superintendent of Salinas Pueblo Missions National Monument** reads a letter of support for the Heritage center. Mr. Betts explains that he is new to the area but he has been here long enough to see businesses close and not reopen. He explains that the National Monument brings in 37 to 40 thousand visitors a year and the county needs to capitalize on those visitors it can bring revenue into the County. The museum is something to be looked into, the operational costs is something to be concerned about but that all can be looked into with this plan.

**Commissioner Sanchez** states that there are more people in the audience that will replicate the support for this project, Torreon, Willard and the Town of Estancia.

**Noah Sedillo, Mayor Pro-Tem Town of Estancia** states that this is a good idea but there are other issues that need to be addressed such as the water issues for Duran, Torreon and even in Estancia. The County does need economic development, this area is struggling but perhaps not right now with this project.

**Commissioner Sanchez** states that all these projects are something to look at, they will all take time and we can take small steps. The Heritage center is not being built today but we can cultivate a plan, we don't have answers to the question on if this is even a feasible concept. The

plan may not even use the \$30,000.00 but could use up to it. All of these issues can be worked on at the same time, water issues and the heritage center. The center merits some research, this could help revitalize the County's business. Commissioner Sanchez goes over the valley's economical changes. First it was sheep, then on to cows, then there was wheat to bean then onto potatoes.

**Chairman Schwebach** states that a museum can drain public and private funds faster than it can create funds but he is not sure of that. The belief is that this is a good idea, in light of what is being said Estancia may not be the area for this museum but perhaps Mountainair is. Chairman Schwebach is 100% sure that baby steps need to be taken with this project and is in favor of using PILT money to facilitate this study but not to the tune of \$30,000.00. The County will soon have a study on the southern part of the County that perhaps this could not piggy back off of. Chairman Schwebach explains that Commissioner Sanchez has him thinking about this project but feels that the County should take baby steps with it.

**Commissioner Sanchez** states that these projects are different types of projects, yes one can be used to help the other but one is more of a lower altitude project to see what need the County needs for example for infrastructure needs and the other is to see if this project is going to be feasibility for the County.

*Public comment:*

**Michael Godey** states that he is in favor of seeing the PILT money used for this project, the benefit of that is the money is readily available for the county to use.

**Kathleen Jesse** states that grant money could be available to the County to use for this project if they involve UNM and NMSU. Using these two different resources could also help with the water issues the County is having. Torrance County is just like the rest of the nation where are resources are diminishing.

**Commissioner McCall** asks why this cannot wait till the CEDS to be done and see what that \$50,000.00 has to say before using \$30,000.00 of the PILT money.

**Commissioner Sanchez** replies that the CEDS will not answer the project questions.

**Commissioner McCall** states that the County is losing population because of the lack of services within the County.

**Commissioner Sanchez** explains that the County will always struggle with basic services, the County needs to improve the economic development which will lead to better services for the County.

**ACTION TAKEN:** **Chairman Schwebach** makes a motion to commit \$10,000.00 to the scope of work for the Heritage project presented by the ad-hoc committee from the PILT money. **Commissioner Sanchez** seconds the motion. No further discussion, 2 in favor Commissioner McCall against. **MOTION CARRIED.**

11.

**A.) ICIP Resolution 2019-48 (continued)**

**Chairman Schwebach** asks for clarification on the motion, the motion was made to approve the ICIP list with striking the Heritage Center.

**Sylvia Chavez (myself)** replies that the motion was to approve the list and to strike the Heritage Center from the list.

**Chairman Schwebach** explains that there is too much risk on having the museum on the list, when there are other projects like the water issues in Duran and Torreon.

**Commissioner McCall** states that he was a new Commissioner and set back with the ICIP, he did some research and found the numbers to be a bit staggering. The County only received 6% of its capital outlay requests and other government agencies/land grants received 114% of their requests. The County has been very careful in developing this ICIP list and we should keep it to the County needs. Commissioner McCall feels that if the heritage center is on this list it could circumvent the County needs and the funding we could get.

**Commissioner Sanchez** explains that capital outlay funding has a lot to do with who holds office in Santa Fe and how money is disbursed among the requests.

**Chairman Schwebach** agrees with that statement, that is why the County needs to be cautious of having the heritage center on the ICIP list because it could get funding and the other projects not get any. If the heritage center gets funding it could be detrimental to the County's operations because we are not ready to facilitate a museum.

**Commissioner Sanchez** agrees with Chairman Schwebach, the County will not be ready for funding in January for this project. So what if we modify the request and ask for \$50,000.00 for the planning phase of the project. The County's Senators and Representatives are willing to help with this heritage center one way or the other. We do not need to sacrifice needs this way or that way because we are asking for funding for this project.

**Commissioner McCall** replies that they can sacrifice those needs by funding this project and not the other projects on our list. It's their prerogative to fund what they want not necessarily what's on our top 5. That is the concern that Commissioner McCall has.

**Chairman Schwebach** states that Commissioner Sanchez is right when he talks about it all depends who is sitting in office and how or what gets funded. As he sits and looks at the list, he thinks about how the County Fair, it is near and dear to his heart but is a million dollars for a building being wise? Look at this building (county admin. building) what happens if the water goes down or if the heating goes out, at that point we cannot do the day to day business for the County because the building is not operational and that is a major problem. So in light of that Chairman Schwebach feels the Admin. Building needs to be pushed to the top of the list. Chairman Schwebach admits he is green when it comes to the ICIP but he feels the County needs to send the message that these are the County's "needs", you may want a museum or a luxurious building but those are wants these are our needs. The County was gifted a dam and that dam is going to cost the County \$30,000.00.

**Commissioner Sanchez** states that it would be nice if the state would have grant funding to help with this documents needed for the complex. But how can the County not include a project that the legislators have already indicated that they are willing to help us with.

**Chairman Schwebach** replies that he is willing to keep it on the ICIP if it is dropped down to a \$30 or 50 thousand for planning only.

**Commissioner Sanchez** states that he has no objections to that.

**Steve Guetschow** states that he has been dealing with the Mescalero dam for the past 4 years since it was passed to him. It's a compliance issue with the OSC, the dam is a public safety issue. According to the OSC studies the dam is retaining up to 75 acre feet of water and has not been maintained. It is not a flood protection dam, it was developed as a reservoir dam to draw people into the Indian Hills subdivision. The development of this dam was done illegally but it is a shovel ready project for the County. All that needs to be done is to have the engineering



study done and then have our road department go in and tear it down and leave a 5 foot dike over it and at that point the County would be in compliance with OSC.

**Cindi Sullivan** states in the 16 almost 17 years that she has been with Animal services she has been trying to get a cat room. Ms. Sullivan gives some stats: 2017 there was 200 cats through the animal shelter with 2 cages, 2018 (when they were not taking cats) there was 143 and 2 cages and so far in 2019 there has been 60 cats and they are still not taking cats. So you can see the type of demand there is for animal services to handle cat calls but there is no room at their facility to handle the cats.

**Commissioner McCall** states that going to back to the Heritage cultural museum being on the list, it tells our legislators that it is a priority of the County's. We just gave that project \$10,000.00 to study it and we are still waiting on the CEDS to go through. Commissioner McCall suggests that at the very least the Heritage project needs to go on next year's ICIP list.

**Chairman Schwebach** agrees that the heritage project is not a priority for the County and can be put on next year's ICIP list in the tune of \$50,000.00 for planning only.

**Belinda Garland** states that she spoke with Mayor Garcia and the Town of Vaughn did not put the Duran water system on their ICIP list.

**County Manager Johnson** states that the Commission needs to worry about the County's priorities so they can move the heritage project back on the timeline for funding.

#### **CALL TO VOTE:**

**MOTION ON THE TABLE-** motion to approve the ICIP list, striking the Heritage Center from the list. 2 in favor, Commissioner Sanchez did not vote.

**Commissioner Sanchez** thanks the Commissioners for leaving the water systems on the list. When the list was being created we all picked projects to be put on the list, you two each picked 3 projects and I only picked 2.

#### **12.) Approvals**

**B.) Manager:** Motion to authorize the County Manager to negotiate and execute agreement with Torrance County and Gallagher Benefit Services Inc., for broker services.

**County Manager Johnson** reminds the Commission that this is an item the County has been working on for a while. The County has had some struggles with our current broker. Open enrollment will be coming up soon before the end of the year. In the County's best interest it would be better for the County and its employees to go with Gallagher Benefit Services Inc. They will offer HR assistance being our broker, we will be leaving our current broker but with good reason.

**Commissioner McCall** asks if there will be any cost to the County for leaving our current broker.

**County Manager Johnson** replies that there will be a small fee but this will be a better move for the County and its employees. It will end up costing the County \$2,700.00 because there will be an overlap month of coverage.

**ACTION TAKEN:** **Commissioner McCall** makes a motion to authorize the County Manager to negotiate and execute agreement with Gallagher Benefit Services Inc. **Chairman Schwebach** seconds the motion. No further discussion, all in favor. **MOTION CARRIED.**

**C.) Emergency Manager:** Approval of Emergency Management Performance Grant (EMPG) **Nick Sedillo, Operations Manager** presents this item for Matt Propp Emergency Manager. This is the EMPG grant which is 50/50 grant match, this grant covers the emergency manager's salary. The County has had this grant for 20-30 years now. This went before the grant committee as well as the County Attorney. **ACTION TAKEN: Commissioner Sanchez** makes a motion to approve the Emergency Management Performance Grant (EMPG). **Chairman Schwebach** seconds the motion. No further discussion, all in favor. **MOTION CARRIED.**

**D.) Purchasing:** Approval of RFP award TC-FY20-01 Southern Torrance County Economic Development Plan.

**Noah Sedillo, Chief Procurement Officer** informs the Commission that an RFP was put out for the Southern Torrance County Economic Development Plan. There were 8 submittals, of the 8 submittals there was one that was nonresponsive and therefore it was not scored. The other submittals were scored by the anonymous evaluation committee their recommendation is Sites Southwest LLC. Mr. Sedillo explains that he has a floor site plan that changes the payment terms with their proposal.

**County Manger Johnson** informs the Commission that the change order does not change the amount of the overall cost.

**County Attorney Butrick** informs the Commission of a few changes within the contract, invoices will be sent out on a quarterly basis and on #20 disclaimer and hold harmless-prohibiting assigning the contract. #27 Survival- we added a 3 provision which is to maintain records for 3 years. #28 Succession- the same as the previous change to prohibiting assigning of contract. Also on the scope of work under "B" it was clarification on what minutes they were pertaining to and we got the clarification on that. Contract hereto attached.

**ACTION TAKEN: Chairman Schwebach** makes a motion to award RFP TC-FY20-01 Southern Torrance County Economic Development Plan to Sites Southwest LLC. **Commissioner McCall** seconds the motion.

**Commissioner Sanchez** asks if Sites Southwest LLC was the cheapest of the proposals.

**Noah Sedillo** replies, that no they were not. With the RFP process it goes with the best value for the job, "more bang for the buck" so to speak.

No further discussion, all in favor. **MOTION CARRIED.**

**E.) Planning and Zoning: PUBLIC HEARING,** vacation of Val Verde Estates Subdivision

**Steve Guetschow, P/Z Director** informs the Commission that the applicant has submitted an application to vacate the Val Verde Estates subdivision. Mr. Guetschow lists the exhibits in the packet: Applicant Exhibits- **Exhibit 1** the original application, Staff Exhibits- **S1** public notice letters sent to adjoining property owners regarding August 7, 2019 P&Z meeting, Public Notice Ad appeared in the August 8 and August 23 editions of the Independent and Public notice sign posted at the subject property. **S2** Draft minutes from the August 7, 2019 Planning & Zoning meeting. **S3** written comment from the utility companies regarding utility easements on subject property received prior to August 7 P&Z meeting. **S4** Century Link comment received after August 7 P&Z meeting.

Mr. Guetschow explains that Tim Oden is the agent for the applicant, Gerald Ohlsen but Mr. Oden had to leave early. Mr. Guetschow explains that this is a type 2 subdivision there are 96 5 acre lots. It is surrounded by an AP 5 zone district and in the past has been used as farming

land. There are two irrigation wells that were placed in the right of way easements. In other matters under section 11.5 of the County's zoning regulations commercial agricultural and horticultural activities are prohibited in type 1 and 2 subdivisions regardless of zone district that they are in. This is a PL district which is Pre-plated lands, which means they are pre-plated lands that existed prior to 1973 and that was part of the amendments to the Zoning districts approved in 2016. This subdivision has been used for farming from time to time throughout the years but has been dormant for a number of years. So in order for them to use the land for farming they are vacating the subdivision and thus the wells that are in the public's right of ways will be able to be utilized. Mr. Guetschow explains this will be a benefit to the County because in the PL zone districts they are a subdivision that have nonconforming lot sizes and the goal of the County under the PL zoning was to have those lots consolidated into sizes that were appropriate for the surrounding districts and then to change the zone districts to the appropriate zone and them be enforced. There will be 96 domestic wells that will not be in use and that is a huge benefit to the County. So the recommendation from the Planning and Zoning board is a do pass and this will bring everything into compliance.

*There was no public comment on this issue.*

**ACTION TAKEN:** Commissioner McCall makes a motion to approve the vacation of Val Verde Estates Subdivision. Chairman Schwebach seconds the motion.

Steve Guetschow explains that EMW has a 2' pipe line out there in the easements, so if the owner wanted to maintain the line an easement would need to be granted to EMW for the pipeline on the new survey of the property. However the owner does not want the gas lines out there, he will not be running the irrigation wells off of gas, so he will be removing those. He will keep the CNMEC easements so they will create the easement when the property gets surveyed. CenturyLink does not have any underground service lines out in this subdivision.

No further discussion, all in favor. **MOTION CARRIED.**

**F.) Finance:** Budget Increase

Jeremy Oliver, Finance Director presents the Commission with Resolution 2019-49 for a budget increase. The RPHCA grant came in higher than anticipated, more money came in for spay and neutered for Animal Services and the Sheriff's department received money from insurance on their vehicles that was not budgeted. Resolution hereto attached. **ACTION TAKEN:** Commissioner McCall makes a motion to approve Resolution 2019-49 Budget Increase. Chairman Schwebach seconds the motion. No further discussion, all in favor. **MOTION CARRIED.**

**13.) DISCUSSION**

**A.) Finance:** Approval of the FY20 Budget

Jeremy Oliver, Finance Director informs the Commission that DFA has approved the County's budget for FY19-20. The only correction that needed to be done was the roll over from the LEPF that was in the amount of \$11,548.23 from last year, other than that it was good. The Commission congratulates the finance department on a job well done.

**B.) Commission: Land Grant Advisory Board (Commissioner Sanchez)**

**Commissioner Sanchez** states that he has been in discussion with the County Manager and the Land Grants as well. Torrance County has 4 different land grants that are heavily active. These land grants should have regular interface with the County. The land grants for a long time did not have any official organized structure which was more than likely due to the economy. The land grants are taking the steps they need to be recognized by the state as a functioning land grant. Commissioner Sanchez has spoken with the land grants about having meetings with them so that there is interface with them and the Commission. To open the lines of communication and keep them informed of things going on in the County. There could be discussion on solid waste issues, law enforcement issues and water issues through EMWT. This board would serve as a good line of communication between the Land Grants and the Commission. The board could meet on a quarterly basis. If the Commission is in favor of this, the County Manager could draw up a resolution of rules and regulations to govern the board.

**Chairman Schwebach** states that he would be in favor of the advisory board.

**County Manager Johnson** states that the resolution will be easy to draw up, his only suggestion would be to have the land grants appointees approved by the Commission. Essentially, county board appointees are the County's responsibility and the County wants to be ok with the members that are on these types of boards. So all board members should be approved by the Commission.

**Chairman Schwebach** asks for clarification on the process of the board members, so the land grants would pick their members and the Commission would then approve those members?

**Commissioner Sanchez** states that the advisory board would be comprised of a member or members of each land grant and Commission. Which then would become a County board, so once the County Manager puts together the regulations to govern the board it will then be an appointment by concurrence. Which means the Commission would then approve their appointee or appointees to the committee.

**County Manager Johnson** agrees with what Commissioner Sanchez just mentioned, the need for conformation is rare but when it is needed it is necessary. The Commission needs to have the ability to not approve a member to a board if they feel there would be a conflict with an appointee.

**Chairman Schwebach** asks how the advisory board will be comprised, how will this board be any different than the current land grant boards.

**Commissioner Sanchez** replies that each land grant will make their appointment to the advisory board then the Commission would then approve the appointment(s). The board would then met on a quarterly basis with someone from the manager's office to attend the meeting.

**Commissioner McCall** asks how many members will be on the board.

**Commissioner Sanchez** replies that it needs to be the 4 land grants but to also include, Punta de Agua and Abo. Punta de Agua is part of the Manzano land grant but they are two distinct communities. Just to give everyone the chance to be at the table to have open discussions.

**Commissioner McCall** asks if Commissioner Sanchez foresees any non-agreement with those board members. Will this cause a wedge between the land grants?

**Commissioner Sanchez** replies, no it won't this will heighten the understanding and provide a forum for discussion or debate but understanding amongst all the land grants and the Commission. An open dialogue so to speak for their concerns to be addressed by the Commission and Vis versa.

**Chairman Schwebach** states that this would be more of a formal communication between the land grants and the Commission. Chairman Schwebach is in favor of this.

*Public Comment:*

**Johnny Romero** states that this would benefit the Commission because the land grants often feel like they are left out when it comes to issues within the County that concern them and will have an impact in their communities. The land grants often feel like they are not represented by the Commission and they do not have a voice. Mr. Romero reminds the Commission that the land grants have a lot influence with the legislators, so that is something to keep in mind. He feels that this is a good thing for the land grants as well as the Commission.

**Commissioner Sanchez** asks for clarification, he and the County Manager will work on a resolution to get this moving forward, correct?

**Chairman Schwebach** replies, yes he is good with that.

**14.) EXECUTIVE SESSION**

There was no executive session

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


Next meeting to be held on September 11, 2019 in the Torrance County Administrative Chambers at 9am.

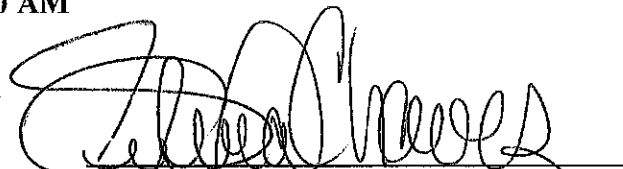
**16.) Signing of Official Documents**

**\*ADJOURN**

**ACTION TAKEN:** **Chairman Schwebach** makes a motion to adjourn the August 28, 2019 Commission Meeting. **Commissioner Sanchez** seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

**MEETING ADJOURNED AT 11:20 AM**

  
Chairman Ryan Schwebach

  
Sylvia Chavez-Administrative Assistant

9/11/19  
Date

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