

**FINAL COPY**  
**Torrance County Board of Commissioners**  
**Regular Commission Meeting**  
**May 22, 2024**  
**9:00 AM**

Commissioners Present:

**RYAN SCHWEBACH – COUNTY CHAIRMAN**  
**KEVIN MCCALL – COUNTY VICE CHAIRMAN**  
**SAMUEL SCHROPP – COUNTY COMMISSIONER**

Others Present:

**JANICE BARELA – MADAM COUNTY MANAGER**  
**TRACY SEDILLO – DEPUTY COUNTY MANAGER**  
**MICHAEL GARCIA – COUNTY ATTORNEY**  
**LINDA JARAMILLO – COUNTY CLERK**  
**GENELL MORRIS – ADMINISTRATIVE ASSISTANT I**  
**DONALD GOEN – COUNTY P & Z DIRECTOR**

1. **Call Meeting to order.**

**Ryan Schwebach – County Chairman:** Calls the May 22, 2023, Regular Commission Meeting to order at 9:10 AM.

2. **Pledge led by:** Ryan Schwebach – County Chairman

**Invocation lead by:** Kevin McCall– County Vice Chair

3. **Changes to the Agenda:**

**Janice Barela-Madam County Manager:** I have several requests for changes to the agenda. The first one is item 5A be deferred to the next meeting. Employee of the Quarter, Deputy Alex Schwerdel is attending his child's kindergarten graduation today. The next items 12A and 12B, will be presented by John Ryan,

the Executive Director of New Mexico Southwestern Power Group. Move those items after the adoption of the ordinance, after 10A. We have a public hearing to discuss the Senior Centers Infrastructure Capital Improvement Plan, 13A be placed after 11B. We have a Resolution adopting the Senior Center Infrastructure Capital Improvement Plan. The Sheriff's Office is requesting deferring item 12D.

4. **PROCLAMATION: None**

5. **CERTIFICATES AND AWARDS:**

A. **MANAGER:** Employee of the Quarter - Deputy Alex Schwerdel -Deferred

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

7. **PUBLIC COMMENT and COMMUNICATIONS:**

**Ryan Schwebach-County Chairman:** Item 7, public comment and communications will be limited to two minutes. At the last Commission Meeting, we had several individuals who had recorded statements and then translated them. I'm not going to allow that. They can choose to either translate it or play a recording. I'm not going to give an extra two minutes for the same comments.

**Linda Jaramillo-County Clerk:** I'd like to inform you that the deadline for requesting an Absentee Ballot was yesterday. Anyone who wants to vote can vote here Early in person, at the Civic Center in Moriarty, or on Election Day from 7:00 am to 7:00 pm. The Early voting sites will close on Saturday, June 1, 2024. I encourage everyone to vote.

**Ann Schropp – Resident:** It is no secret that Torrance is a very poor county. This county cannot support itself without financial help from the state and federal governments. Our county revenue alone simply cannot cover basic services, which every single person depends upon. We badly need a new firehouse in the EMS building. Congresswoman Stansberry had offered to procure the funding for one if we could be shovel-ready in 30 days. Our county staff worked hard and made that happen. It was pretty much a sure thing. The majority party in the US House of

Representatives decided to change the rules as to what qualifies as a community project and decided that firehouses and EMS facilities should not be considered community projects any longer. Such facilities had previously been qualified. That's how Congresswoman Stansbury got the money for the Town of Moriarty's new firehouse, but they changed the rules, and our funding went out the window. Why am I telling you this? This is the perfect example of the reason this Commission will be far more cautious with spending for the next fiscal year. Depending on what happens on November 5, 2024, we may not have much support to keep Torrance County afloat. I can tell you that these Commissioners would like to give everyone a good competitive wage. The reality of the financial outlook, this year, simply will not allow it. While economics do not trickle down, chaos does. The chaos in the US House of Representatives has trickled down to Torrance County. This is affecting our county employees, but it is the reality we have to deal with.

**Cheryl Allen-County Sheriff Executive Assistant:** I'm letting you know that this is the last time I will be presenting to the Commission. I am leaving the Sheriff's Office. I wanted to clarify to the Commission, the county staff, and especially members of the public that this has nothing to do with my relationship with the Sheriff or the Sheriff's Office. I love working for the Sheriff and the Sheriff's Office. I have other reasons outside of the Sheriff's Office that compel me to leave. I encourage everyone to continue to support your local Sheriff, he's a good man who deserves support. I also wanted to call out a few names in the Sheriff's Office that deserve recognition including Alex Schwerdel, Ron Saavedra, Lieutenant Ballard, Officer Stocum, and the ladies in the front office. I want everyone to know that it has nothing to do with any ill tidings for the Sheriff or the Sheriff's Office.

\*Comments by ZOOM

**Indica Simpson:** I am the Migrant Assistance Coordinator at United Voices for Newcomer Rights. I am calling for the non-renewal of the ICE contract at the Torrance County Detention Facility. United Voices for Newcomer Rights has received men released from Torrance County at the Albuquerque International Sunport for the last nine months of 2023. I have seen firsthand how Core Civic agents treat people without dignity or due process. I have seen young men with fresh wounds and starving upon release. I have seen them all lose hope and be fearful of seeking asylum even though this is an international human right. Kevin

Ryan and Sam, you'll have the chance to end human suffering in your community by not renewing your contract with ICE and I hope that you do. Thank you.

**Sophia Genovese:** I am a Managing Attorney at the New Mexico Immigrant Law Center. Two weeks ago you heard the testimony of Benjamin Alonzo. He shared how he suffered a stroke while detained at the Torrance County Detention Facility. When he was finally taken to the hospital, the doctors were concerned about TCDF's slow medical response to his stroke. He could have died. Days after suffering a stroke, Benjamin was subjected to an immigration court hearing by phone. He was on medication and having just suffered a stroke did not possess the mental faculties to participate in a hearing. He received a deportation order despite the law explicitly forbidding actions like this one. Benjamin has requested to speak with a lawyer multiple times. I tried to respond to those requests. Each time Core Civic and ICE interfered with his right to access counsel. I even went to the hospital to speak with Benjamin and was refused access by Core Civic guards. He was then abruptly removed from the hospital, reportedly against the advice of doctors. He was told he was being taken to TCDF. Instead, he was put on another bus to El Paso and told he would be deported. He was then deported to Mexico despite not even being able to walk. He was deported without his passport and identity documents and stranded in Juarez. He had to sell his walker just to afford food. ICE and Core Civic appear to have worked together to try and cover up Benjamin's situation. There were inspectors at TCDF at the time of this incident. It's no surprise that ICE and Core Civic wanted to deport Benjamin as quickly as possible at the expense of his due process rights. Torrance County and this Commission continue to be complicit in this behavior. Complicit in significant medical malfeasance that can be costly to the county. We continue to ask this Commission to not renew the detention contract at TCDF. Thank you.

**Litzy Miranda:** I'm the Spanish-speaking community advocate at United Voices for Newcomer Rights. I'm calling for the non-renewal of the ICE contract at the Torrance County Detention Facility. As a New Mexican, I want our state to live up to its reputation as a welcoming place. ICE detention is not welcome. Instead, ICE detention at Torrance has led to due process violations preventing individuals from accessing the legal system. Last year, United Voices for Newcomer Rights visited the Torrance County Detention Facility where we observed numerous injustices. One notable issue was the presence of blood on the bathroom curtains for which we received no explanation. Additionally, we noticed that many signs throughout the facility including in the doctor's office and library were only in English, even though the majority of the detainees spoke other languages. These individuals are experiencing mental and physical abuse and are not receiving the attention they

deserve. They could be your son, grandfather, uncle, or father. They are fellow human beings who deserve to have their voices heard. I trust that the County Commissioners possess compassion and the ability to enact a meaningful change. Thank you.

**Aurora Arreola:** I am the Policy Manager at the New Mexico Immigrant Law Center. I'll read a statement from a former client emphasizing his experience at the Torrance County Detention Center. We actively worked with him on this statement. My name is Orlando Santos Evangelista, I was born in Santo Domingo Este, in the Dominican Republic. My father and sister participated in political organizing and activism for the Revolutionary Party of the Dominican Republic. I escaped political and ethnic violence in my home country of the Dominican Republic, and subsequently in Panama, where I lived for a short time after fleeing the Dominican Republic. I entered the United States on July 15, 2022, to seek asylum and was detained at the Torrance County Detention Facility in Estancia, New Mexico. I have personally been treated poorly and yelled at by detention officers. Diaz Torres is also extremely cruel to us once he said who's going to die today so I can get him out. There is a woman who works for Core Civic who locked people out of our unit because she said they were late for bedtime. It was 15 minutes before the lights were supposed to go out. Those who seek psychological treatment in the facility are forced to spend three days alone in a cold dark room following their therapy session and treatment providers will only prescribe sleeping pills to us. These conditions led to the death of one of my friends, a young Brazilian man who wanted only to be deported after months in the detention center but was ultimately never able to go home. He was found hanging from his bed sheets in a cell around August 17, 2022, and died shortly after. Around August 29. After I'd spoken with NMILLC lawyers visiting the detention facility on two occasions, I was visited by guards around 10 pm, who informed me Louis Agular, and one other man that we needed to get up and go with them to the medical unit of the facility. I knew that this was a standard procedure preceding deportation. So I refused. Louis Agular was indeed deported.

**Leo Castaneda:** I'm a Policy Advocate with the ACLU of New Mexico. I urge you once the short-term extension is up, not to renew the contract with ICE for civil immigration detention at the Torrance County Detention Facility. As you've heard today, and many times before from many audits and reports that have been conducted at the facility, conditions create tremendous liability for the county. It is only a matter of time before this has serious negative repercussions and another tragic death happens at this facility. We urge you to get out of this, which is risky and results in so much human suffering. Thank you.

**Jennifer Wolf-Williams:** Executive Director of Humanitarian Outreach for Migrant Emotional Health (HOME) a mental health nonprofit serving asylum seekers. Our professionals are licensed under boards of medicine, psychology, professional counseling, and social work. In the last few years, we've provided mental health assessments for 20 migrants detained in Torrance. Our experts also reviewed internal health records created by Core Civic health professionals. This multisource comprehensive process consistently revealed egregious and punitive practices, lapses in health care, and a culture of dehumanization. Migrants detained in Torrance consistently expressed extreme fear of solitary confinement as punishment for suicidal thoughts or for advocating for better treatment. They reported conditions in solitary that included deprivation, humiliation, and extreme cold. Despite the cold their clothing was taken and replaced with a thin gown that was open on both sides and they were given no blankets or bedding. One of our patients reported being assaulted by officers sustaining severe injuries and being left in solitary without medical care for approximately two and a half days. This time was marked by extreme cold continuous bright lighting and unhygienic conditions due to blood from a previously isolated detainee that remained on the walls, sink, and toilet. Two other patients in separate interviews with their home clinicians, both described being placed in solitary for approximately three days as punishment for requesting improved conditions. As mental health professionals our core value is wellbeing for individuals, communities, and society. Yet our observations revealed that the culture of TCDF is harmful and contributes to the suffering and deteriorating health of persons in their custody. It places staff at risk of perpetration-induced traumatic stress, which will in turn harm the larger community. HOME recommends the release of current detainees to safe communities and the closure of the facility to prevent additional harm.

**Ian Philabaum:** I work with an Innovation Law Lab Legal Service Provider who has worked at the Torrance County Detention Facility since 2019. I'm reading an excerpt of a statement written last week by a man who is currently detained in Torrance. Being here for me is torture and psychological harm. I've never been imprisoned in a jail. I have been waiting four weeks without a response. I have family in the US waiting for me. Here there is a lot of human rights. Sometimes they don't even take us out for recess. They treat us badly. Many people have their families, their people, they should release people from this prison and immediately they come here and don't listen to us. For me. It's practically a kidnapping. People have positive fear interviews, but our prisoners have human rights. In this detention center, they violate those rights. It is a deception for us. They put us through this process that we did not know about. They don't respect the customary bedtime, they lock us up at seven, even though the paper on the wall says bedtime

is 10. The time for count should be an hour but it is always an hour and a half or two hours. For psychological problems, they give us a pill to sleep with. Some people have three to four months and have asked for their deportation, but they don't give it to them. Sometimes when we ask for water, we wait for six to seven hours. Sometimes we take ice ourselves and put it in the microwave so that we can drink water. I've been here for one month; I have my son and my wife. I have a family to support. It is torture for me here in this country that they say is free. I especially worry about my friends who have been here for three to four months. Thank you.

**Anna Trillo:** I grew up in District Two of Torrance County, and my family still lives there. I'm currently an Attorney with The New Mexico Immigrant Law Center. I have been to Torrance County Detention Facility many times to visit people who are detained there. First of all, I want to express my disappointment in seeing the extension happen to this contract. I'm going to urge you to please not renew the contract after it expires. I came to the meeting in person back in April and I offered to be willing to speak to any of the Commissioners. I left my statement and my business card with my cell phone number. I never heard back from anyone after hearing that I would get a call from someone to discuss what was going on at Torrance County. With Core Civic one of the things that was discussed with me when I made my public comment was the jobs that it provides. I don't think anyone in Torrance County feels proud of the work they do by working at Core Civic. I think it goes against the values of everyone in our community. We also know that Core Civic is severely understaffed, leading to all these human rights violations that are happening to the people who are being detained. We should instead be focusing on providing jobs that people of Torrance County can be proud of, instead of having to commute out of the area, to find good paying jobs. We need to stop these human rights violations against the people being detained there and consider that our values are being placed at the forefront of the news every single day. This is how you are representing our county by allowing Core Civic to continue in Torrance County and not shutting it down. We continue hearing news of all the bad things that are happening there. At the end of the day, it's you who is being held responsible, and it's you who is making these decisions to continue these contracts. I please urge you not to renew the contract with Core Civic after it expires. Thank you.

**Alondra Reyes:** I am a first-generation Mexican American. I am an asylum Paralegal and Policy Advocate at the New Mexico Immigrant Law Center. I have personally visited the Torrance County Detention Center several times and spoken with detainees. On my first time visit to the facility last year my two colleagues

and I were met with 200 detainees cramped in a room. These men were all fathers, sons, and husbands filled with a daunting desperation. Their voices were shaky, and their eyes were watery as they described the torturous experiences that they were suffering in detention. A man came limping up to me, he lifted his leg to reveal a broken ankle with the bone slightly protruding through the skin. His eyes were red with exhaustion and hopelessness as he described the complete absence of medical care he was experiencing. Others' voices trembled as they spoke of solitary confinement, physical and verbal abuse inflicted by guards, deaths they had witnessed, and the suicides they contemplated. My experiences at Torrance were extremely painful as they forced me to observe firsthand the racial injustices inflicted on black and brown immigrants. By keeping these detentions open, Torrance County is promoting violence as a means of profit. I urge you to listen to your community and discontinue collaborating with ICE's misanthropic policies. We deserve to live in a community that humanizes immigrants, especially living in a state filled with so many immigrants that make up our community. Thank you.

**PJ Podesta:** I'm a nonprofit Legal Services Provider, Raul Rayo who was detained by ICE at TCDF and unable to join the meeting today asked me to share this message with the Commission because it's not being permitted to read the translation of this statement. I'll place it in the chat today. Played audio in Spanish.

**Samuel Schropp-County Commissioner:** I want to clarify what the Chairman said, you can play the recording, or you can read the translation. We wouldn't be doing those back-to-back this time.

**8. APPROVAL OF MINUTES:**

**9. APPROVAL OF CONSENT AGENDA**

**A. FINANCE & PURCHASING:** Request approval of payables.

**Action Taken:**

**Ryan Schwebach – County Chairman:** Motion to approve payables.

**Kevin McCall-County Vice Chair:** Seconds the motion.



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

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

**A. COMMISSION:** Discussion and possible approval of Ordinance No. 2024-01, AN ORDINANCE ADOPTING AN INDUSTRIAL REVENUE BOND POLICY PURSUANT TO THE COUNTY INDUSTRIAL REVENUE BOND ACT, ESTABLISHING APPLICATION REQUIREMENTS AND PROCEDURES, AUTHORIZING THE COUNTY MANAGER TO ENGAGE PROFESSIONALS TO EVALUATE AND ADVISE ON MATTERS RELATED TO THE ISSUANCE OF BONDS AND UNDERLYING LEASE AGREEMENTS WITH PRIVATE COMPANIES, AND ESTABLISHING A FRAMEWORK UNDER WHICH THE BOARD OF COUNTY COMMISSIONERS RECEIVE, CONSIDER AND ACT UPON APPLICATIONS FOR INDUSTRIAL REVENUE BONDS. Public Hearing held on May 8, 2024 (Rob Burpo, First American Financial Advisors, Inc.)

**Rob Burpo - Financial Advisor for the County:** This is the ordinance that we discussed two weeks ago. In short, it provides the county a mechanism to require anyone who wants to come before the County seeking Industrial Revenue Bonds. First filling out an application sets forth all the parameters of the project that they are looking to do within the County and gives the County information that typically you get upfront with the bigger companies, but sometimes the smaller companies don't provide that right away. It also requires the applicant to deposit \$10,000 to the County that will cover the expenses. By law, the County cannot pay out of pocket for the Industrial Revenue Bond project. It would cover your bond counsel, the county attorney's work on an ancestral revenue bond application, financial advisors, and any other out-of-pocket expenses. In short, what it does is it provides the County with a mechanism to evaluate these projects. Everyone coming before you will have the same standards.

**Action Taken:**

**Ryan Schwebach – County Chairman:** Motion to approve Ordinance No. 2024-01.

**Samuel Schropp-County Commissioner:** Seconds the motion.

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

**MOTION CARRIED**

**12A. COMMISSION:** Discussion and possible approval of the Community Benefits Agreement between El Rio Sol Transmission, LLC, and Torrance County. (Rob Burpo, first American Financial Advisors, Inc., and John Ryan, Executive Director, New Mexico, South Western Power Group)

**Rob Burpo - Financial Advisor for the County:** I'm introducing Mr. John Ryan, who was the Executive Director of the company doing this project. This project is similar to the SunZia transmission projects that we did back in 2022. This agreement follows closely to that agreement.

**John Ryan - Executive Director:** We were the original developers of the Sun Zia transmission project, which included two similar transmission lines, both 500 kV transmission lines that shared right of way from Central New Mexico and the eastern terminus in Torrance County and impacted seven different counties in New Mexico and five in Arizona. El Rio Sol is the second line that parallels the SunZia. Our permits and right of way are done. The difference between SunZia and El Rio Sol is that El Rio Sol has alternating current transmission lines. There will be on and off-ramps. We will have Generation in New Mexico that can provide electricity for New Mexico. We are currently planning six substations throughout New Mexico, five substations throughout Arizona that benefit the communities that would-be customers, and the utilities that we would interconnect within New Mexico. It's also important to understand that the El Rio Sol project is a couple of years away from construction. Sun Zia is under construction now; we anticipate that they should be finished by the end of 2026. That's when the El Rio Sol would start our construction on the second line. Our operations would be at the end of 2028. Included in the transmission structure will be broadband opportunities, we'll have two strands of 288 on either side of our poles that would be a middle-mile broadband supplier. We would try to interconnect with as many local telecoms as possible. We want to get to Albuquerque, El Paso, Las Cruces, Tucson, and Phoenix.

We've already employed JSI as our Construction Advisor, we also hired somebody from the broadband office to help us find partners to get to the communities. Our generation is Auga Fria Energy, and Cedarville Wind Farm here in Torrance. We'll also do some solar along the path and allow clean energy generation to go to our communities in New Mexico and Arizona. The community benefit agreement is almost identical to the SunZia agreement in the sense that it is \$1.1 million, \$20,000 a mile of impact in each of the counties in New Mexico. This is an agreement that we present to each of the counties. That would be the same with El Rio Sol. We will have a 2.5% payment within 30 days of the agreement and have another payment of 5% in December of this year, and then two years by the time we get to construction, which should be about 30%. By the time we get to operation, there'll be about 70% of the project. In total, that's about \$1.1 million for Torrance County.

**Rob Burpo - Financial Advisor for the County:** Like the SunZia agreement, there is a provision in this agreement that requires communication with the County's Emergency Management Office during the term of the agreement. The Emergency Management Office will be aware of any activities. They can be pre-prepared and ready to address any issues that could arise. This document is word for word what we did on the SunZia. For the SunZia project to date, the County has received \$491,495 based on the payment schedule which follows closely along with it.

**Action Taken:**

**Ryan Schwebach – County Chairman:** Motion to approve the Community Benefits Agreement between El Rio Sol Transmission, LLC, and Torrance County.

**Kevin McCall-County Vice Chair:** Seconds the motion.

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

**MOTION CARRIED**

**12B.COMMISSION:** Discussion and possible approval of the Road Use Agreement between El Rio Sol Transmission, LLC, and Torrance County.  
(John Ryan, Executive Director, New Mexico, South Western Power Group)

**John Ryan - Executive Director:** I visited with Michael Garcia, your attorney. This is a typical road use agreement, very similar to all the road use agreements that SunZia negotiated with each county. This makes sure we have the right roads and agreements about the use and any damages and repair any damage, we have insurance. It describes each of those intricacies relative to a road use agreement. We're looking to make these road use agreements, even though we're not going to construction for a couple of years. In large part, we want light trucks right now to be doing cultural, biological kinds of things. We want the insurance to cover us if there's an accident. We do want to use the roads fairly soon. If for some reason some of the roads you've identified aren't in the road package, we'd be happy to put them in by the time we get to construction. Typically, what we're doing here is very similar to the other counties that have agreed to allow us to go light trucks for now doing some of these assessments.

**Samuel Schropp-County Commissioner:** A lot of my constituents call and wonder what the benefit is to Torrance County. We're not getting the electricity and all these other things. If you've been listening here today, you've heard that there will be monetary benefits to the County as well as these roads. If you haven't had a chance run out in District Three and look at the roads these projects are building, which are going to stay in place. There are some good roads. They're doing very good work, and they're spending a lot of money on them. That is a direct benefit to the people of Torrance County.

**Ryan Schwebach-County Chairman:** County Manager, have you heard of any issues with the SunZia roads? I'd like to know if we can rest assured that things are good on that project.

**Janice Barela-Madam County Manager:** I haven't heard anything regarding SunZia. There have been issues regarding construction with the wind farm portion of it, but not SunZia.

**Action Taken:**

**Ryan Schwebach – County Chairman:** Motion to approve the Road Use Agreement between El Rio Sol Transmission, LLC, and Torrance County.

**Kevin McCall-County Vice Chair:** Seconds the motion.

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

**MOTION CARRIED**

## **11. ADOPTION OF RESOLUTION:**

**A. FINANCE:** Discussion and possible approval of Resolution 2024-18, Resolution Authorizing 37.5% Pick-up of PERA Member Contributions.

**Misty Witt-County Finance Director:** This resolution is coming before you. It's an apparent requirement to implement the 37.5 %-member contribution PERA pickup by the County. This follows along with what was approved on the interim budget. PERA has a board meeting on the 24th. We need to have this turned in to them for the 24th meeting by noon. Their board will review and give final approval.

### **Action Taken:**

**Ryan Schwebach – County Chairman:** Motion to approve Resolution 2024-18.

**Kevin McCall-County Vice Chair:** Seconds the motion.

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

**MOTION CARRIED**

**B. FINANCE:** Discussion and possible approval of Resolution 2024-19, Budget Adjustments.

**Misty Witt-County Finance Director:** On Schedule B of this resolution is a breakdown of the budget increase items that we are requesting. We are requesting a total increase in expenses of \$2,843,980. This will be split between several funds. We have some going to the general fund, animal damage, and additional funding that we received. We had some additional donations in the animal shelter, etc. We wanted to make sure we're capturing all these revenues and expenses through this budget increase.

**Ryan Schwebach – County Chairman:** In looking at telecommunications. I'm seeing the two schedules for \$60,000, please explain that.

**Misty Witt-County Finance Director:** The telecommunications comes out of the IT budget currently, that's for all of our departments within the 401 funds. The departments outside of the 401 general fund pay for their telecommunications, which does not come out of the IT line item.

**Ryan Schwebach – County Chairman:** Is that an additional \$60,000?

**Tracy Sedillo-Deputy County Manager:** It's an additional \$60,000. Telecommunications line item not only covers cell phones, desk phones, and fax lines, it also covers our internet service in the admin building. There are some shared internet costs between several of the buildings. Road, animal shelter, and dispatch are on separate Internet services.

**Ryan Schwebach – County Chairman:** What is the difference between Schedule A and Schedule B?

**Misty Witt-County Finance Director:** Schedule A is simply the LGBMS schedule. That's how we report it. The information on both schedules is the same on A and B, it's how it's reported.

**Action Taken:**

**Ryan Schwebach – County Chairman:** Motion to approve Resolution 2024-19.

**Samuel Schropp-County Commissioner:** Seconds the motion.

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

**MOTION CARRIED**

13A. **FINANCE/GRANTS:** Public Hearing – Discuss the Senior Centers' Infrastructure Capital Improvement Plan (ICIP).

**Action Taken:**

**Ryan Schwebach – County Chairman:** Motion to move into Public Hearing.

**Kevin McCall-County Vice Chair:** Seconds the motion.

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

**MOTION CARRIED**

9:57 AM

**Michael I. Garcia-County Attorney:** Do you swear to tell the truth?

**Amanda Lujan - Grants Administrator:** I do. I'm here to review our submission for the 2026 to 2030 Capital Improvement Plan for our Senior Centers. We have a Senior Center in Mountainair, Moriarty, and Estancia. On the first table, this is what we submitted last year, for our ICP. For 2025, in Moriarty, our first item was the new Senior Center, we were funded \$53,000 for plan and design. Our number one project for Estancia was a building upgrade, we did get some funding for that as well. Our priority for Mountainair was continued building upgrades. We wanted to allow for vehicles in the future. We changed the total amount to \$112,000 for building upgrades and included vehicles for the next couple of years.

Table two, is the current Senior Center capital funding that we have received, meaning that we have contracts IGA from State Aging and Long-Term Services. We are working on these projects. For the Mountainair Senior Center, we have \$176,000 most of which has already been spent. We have another \$158,000 that we just received in around January, which we're working on project management, and then we just received another \$76,000. We've done a lot of work in Mountainair but there is still some work to be done. For Moriarty we've received \$60,000 about \$5000 of that has been spent. We received another \$53,000 but that is very specifically for working with one of our on-call contractors to determine a site location for a new center. That's not upgrading the current building. That is the plan and design of a new center in Moriarty. For the Estancia Center, we received about \$161,000. Those are items we're working on. By the time we got the IGA's, and everything granted, we lost our Facilities Director and there's been a lag in some of that project management and seeing the actual movement of that money. We have time. None of these grants expire for another year or two.

In conversations with Presbyterian Medical Services, Lisa Lujan, and Angie Coburn who are their Regional Director as well as their Senior Services Coordinator. I apologize because I don't know her official title. This is what we put together for this year's Senior Center ICIP. Our number one priority for Moriarty is to get a new center. That will probably continue to be our number one priority for ICIPs for the next several years. The big challenge we're having right now is we want to get that plan and design on the board, so we have a hard number to start at requesting money. We also have building upgrades for the current Moriarty Senior

Center, which is an older building and needs some work to make it accessible for the seniors. In 2027, and 2030. We've also asked for purchasing equipment, and meal delivery vehicles. They are looking at the lifespan of the vehicles that they use to travel and deliver. In 2027 and 2030 they are anticipating new vehicles. For Estancia, we required building upgrades. We included in last year's request \$112,000 for this year for Estancia's building upgrades. What I'm doing now is looking at the application to determine what cost or inflation increases there may be that we still need to cover. For example, when we did this proposal, the parking lot was \$59,000. Then the most recent, what we got was \$80,000. We're trying to compare and make sure we can cover some of that gap in funding with this year's ask. I once again purchased and equipped a meal delivery vehicle. For the current upgrades, we're going to Estancia, mostly exterior parking lot and those types of things. We will eventually need new equipment in the kitchen. That's also included in their long-term planning. In Mountainair, we want to finish the building upgrades project that we're working on right now, they're looking for some kitchen equipment and some renovation for 2026, and 2030, to purchase and equip meal delivery vehicles.

**Kevin McCall-County Vice Chair:** After hearing this, fellow Commissioners, I don't know if you are more confused or less confused after the presentation that PMS gave us, after seeing what we're on the hook for and what they're on the hook for. I'm even more confused about the relationship with PMS. I find it more important that we get a contract with them.

**Ryan Schwebach-County Chairman:** I agree with Commissioner McCall, at the last commission meeting we had a lot of things being brought to light.

**Amanda Lujan - Grants Administrator:** Our operating agreement expires at the end of this fiscal year. That is something I will be presenting to Janice, Tracy, and Michael about where we start with that process, it runs every three to four years.

**Ryan Schwebach-County Chairman:** I would like a little history on how this county came into partnership with PMS in the first place. That's important to understand how we got there, what those agreements are, and the reasoning behind that. It's important to understand why we did that and understand what the scope of work is expected from the employees, people working there actually bringing the services to our seniors, and go from there.



**Kevin McCall-County Vice Chair:** I'm in no way trying to overstep my bounds and kick them out. I want them here. I think there needs to be clarity.

**Ryan Schwebach-County Chairman:** Is there anyone in the gallery or by Zoom who wishes to speak concerning this ICIP? No one's indicated.

**Action Taken:**

**Ryan Schwebach – County Chairman:** Motion to move out of Public Hearing.

**Kevin McCall-County Vice Chair:** Seconds the motion.

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

**MOTION CARRIED**

**10:15 AM**

**C. FINANCE/GRANTS:** Discussion and possible approval of Resolution 2024-20, A Resolution Adopting the FY 2026-2030 Senior Center Infrastructure Capital Improvement Plan (ICIP).

**Action Taken:**

**Ryan Schwebach – County Chairman:** Motion to approve Resolution 2024-20.

**Kevin McCall-County Vice Chair:** Seconds the motion.

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

**MOTION CARRIED**

**12. APPROVAL**

**Items 12A and 12B were heard after 10A.**

**A. COMMISSION:** Discussion and possible approval of the Community Benefits Agreement between El Rio Sol Transmission, LLC, and Torrance County. (Rob Burpo, first American Financial Advisors, Inc., and John Ryan, Executive Director, New Mexico, South Western Power Group)

**B. COMMISSION:** Discussion and possible approval of the Road Use Agreement between El Rio Sol Transmission, LLC, and Torrance County. (John Ryan, Executive Director, New Mexico, South Western Power Group)

**C. SHERIFF:** Request acceptance of the Law Enforcement Protection Fund (LEPF) distribution for FY2025 from the New Mexico Department of Finance & Administration, equaling \$114,500.

**Cheryl Allen-County Sheriff Executive Assistant:** The Law Enforcement Protection Fund distribution has been proposed by DFA and for Torrance County at \$114,500 total. This is the amount that we had requested in the application. The base rate as determined by the size of our county was \$95,000. At the time of application, we had 13 certified law enforcement personnel, which brought an additional \$19,500 for a total of \$114,500. The application we had requested will be granted at \$69,500 which will be used for equipment for the Sheriff's Office, and \$45,000 is for training of Law Enforcement Officers. The training is a requirement for this fund, to keep all of our Law Enforcement Officers certified and equipped with the knowledge they need to function properly within our county.

**Action Taken:**

**Ryan Schwebach – County Chairman:** Motion to approve the Law Enforcement Protection Fund (LEPF) distribution for FY2025 from the New Mexico Department of Finance & Administration, equaling \$114,500.

**Samuel Schropp-County Commissioner:** Seconds the motion.

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

**MOTION CARRIED**

**D. SHERIFF:** Request approval of General Agreement between the National Park Service, an agency of the United States Department of the Interior,

acting through the Superintendent of Salinas Pueblo Missions National Monument, and the Torrance County Sheriff's Office to provide mutual law enforcement assistance and conduct search and rescue operations on lands within the Park's boundaries within Torrance County. **Deferred**

**E. EMERGENCY MANAGEMENT:** Request approval of an updated Memorandum of Agreement between Torrance County Emergency Management and the City of Moriarty for the 2024-2025 Emergency Shelter.

**Samantha O'Dell-County Emergency Manager:** A similar agreement was brought to you in October, at that time, the agreement was for winter sheltering only, for the winter of 2023 to 2024. The reasoning for that was Mayor Hart had requested that we do something just to cover for the winter but did not want to commit the oncoming Mayor to something without them reviewing it. So Mayor Webb and I have reviewed this and have changed it from a winter shelter only to an emergency shelter. That would cover winter, but it would also cover fire, or any other shelter needs at that time. In this, there were also some minor changes as far as the wording for being shelter instead of winter shelter. He asked that we meet annually, this agreement is for one year.

**Kevin McCall-County Vice Chair:** Has legal reviewed this?

**Michael I. Garcia-County Attorney:** Yes, I'm reviewing it and don't have any issues. It would be nice to have a few little tort claims understood in it, but I think it's probably something that we can address down the road. I'm okay with it.

**Action Taken:**

**Kevin McCall-County Vice Chair:** Motion to approve the updated Memorandum of Agreement between Torrance County Emergency Management and City of Moriarty for 2024-2025 Emergency Shelter.

**Ryan Schwebach-County Chairman:** Seconds the motion.

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

**MOTION CARRIED**

**F. EMERGENCY MANAGEMENT:** Request ratification of 2023-2024 Wildfire Risk Reduction Grant Program Funding Request for \$20,000 through New Mexico Counties for Education and Outreach.

**Samantha O’Dell-County Emergency Manager:** We brought this to you in February for permission to submit a grant for the 2024-2025 fiscal year. After it was submitted New Mexico Counties contacted me and said that they had so many people apply, we were not going to be getting it. However, they had \$20,000 they wanted to give us for this fiscal year. It’s the same grant but for FY 23-24 with a short turnaround. This is for the go bags that we had discussed. Talking with New Mexico Counties, we need to purchase the items and submit everything before June 30. Then we can hold the workshops. This had a 10% match of \$2,000 which can be done by In-kind.

**Action Taken:**

**Ryan Schwebach – County Chairman:** Motion to approve the ratification of the 2023-2024 Wildfire Risk Reduction Grant Program Funding Request for \$20,000 through New Mexico Counties for Education and Outreach.

**Samuel Schropp-County Commissioner:** Seconds the motion.

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

**MOTION CARRIED**

**G. EMERGENCY MANAGEMENT:** Request approval to accept the Letter of Award presented by NM Counties for Education and Outreach Activities for \$20,000 for FY24. (\$2,000 County in-kind match provided through Emergency Management salaries)

**Samantha O’Dell-County Emergency Manager:** This is the award letter that we received for the ratification of the grant that you just approved.

**Action Taken:**

**Ryan Schwebach – County Chairman:** Motion to approve the Letter of Award presented by NM Counties for Education and Outreach Activities for \$20,000 for FY24. (\$2,000 County in-kind match provided through Emergency Management salaries)

**Samuel Schropp-County Commissioner:** Seconds the motion.

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

**MOTION CARRIED**

**H. ANIMAL SERVICES:** Request approval of Grant Agreement between Carroll Petrie Foundation and Torrance County for \$50,000 to be used exclusively by Torrance County Animal Services for emergency veterinary care and spay/neuter.

**Amanda Lujan - Grants Administrator:** This is a grant we requested from the Carroll Petrie Foundation \$50,000, for the SNIPPIT and REACH programs. This will provide emergency medical care and pay for spaying and neutering. This has made a huge difference in animal services and getting animals reclaimed and into homes.

**Action Taken:**

**Ryan Schwebach – County Chairman:** Motion to approve the Grant Agreement between Carroll Petrie Foundation and Torrance County for \$50,000 to be used exclusively by Torrance County Animal Services for emergency veterinary care and spay/neuter.

**Kevin McCall-County Vice Chair:** Seconds the motion.

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

**MOTION CARRIED**

## **13. DISCUSSION**

**A. FINANCE/GRANTS:** Public Hearing – Discuss the Senior Centers' Infrastructure Capital Improvement Plan (ICIP).

Item heard after 11B.

## **B. MANAGER'S REPORT:**

**Janice Barela-Madam County Manager:** I want to announce the job openings that we have here in Torrance County. We have a Senior Zoning Enforcement Officer position; this is a new position that the Commissioner approved at the last Commission meeting. 911 Emergency Communications Specialist Supervisor position, Animal Control Officer, Patrol Sergeant, Executive Secretary to the Sheriff, Equipment Operator, 911 Dispatcher, Sheriff's Deputy, clerical float, and the Summer Enrichment Internship program. For more information on those positions, please go to our website.

## **C. COMMISSIONERS' REPORTS**

1) Kevin McCall – County Vice Chairman, District 1

**Kevin McCall-County Vice Chair:** Janice and I did ride around with Cabinet Secretary Serna with DOT last Thursday in the rain. It was a great ride around. I told him a lot of our concerns. We went from Moriarty west to the county line on Old 66, back to Moriarity, and went south of Willard. We looked at the re-pavement from Willard out towards Corona. He took lots of notes, it's too early to assume what may or may not happen. I don't comment on Facebook posts often, but I thought it was the neatest post for the signing day of two students at Moriarty High School who signed up for Year Out Mechanical for their union job and apprenticeship.

2) Ryan Schwebach - County Chairman, District 2

**Ryan Schwebach-County Chairman:** I met with Stansbury's Office who wanted to visit about the prison. They have some concerns about the quality of the prison, health care, and access to detainees within the prison if something happens. I had to bring up that if that is a concern for inmates' immigration, then it should be a

concern for taxpaying citizens. I've heavily discussed that this is an issue. A central hospital or an urgent care center, local would be a game changer. I don't think that has any relevance to whether or not this person needs to be in detention. I felt I was well received, and I respected what they had to say. We're going to continue discussions. I made it very clear that I have no intention of not moving forward with Core Civic.

To anyone who's listening. No matter how you look at the issue of immigration in this country it is outside of this country's hands. We also have to admit that detention facilities are necessary within this county. This detention facility is above and beyond many public detention facilities that I have visited throughout the state and other states. This Commission has no authority over immigration. We have no authority over what happens. We have a very safe, sound detention facility, that's run by a private contractor who has a contract with the federal government to hold these immigrants and asylum seekers. That's outside of our control. I'm confident that they are in good condition, would it be ideal? No. You know what would be ideal is that when these true asylum seekers come onto our borders, they're vetted. They are deemed safe to go through the asylum process and become part of the citizens of this country. We don't have control over that. In the meantime, it is necessary we vet potential threats. Regardless of what you're told, or what you think, there are very real threats coming over that border, like it or not. So we must, in my opinion, maintain as much of that safety as we can, and I will continue to do so. Depending upon Stanbury's office positions, I feel that they are listening to it. But again, they're under the pressure of our political, federal government. What one individual can say in front of you isn't necessarily what happens when you get into the mass mob, because this is a movement going far beyond one individual. While many people are asking this Commission to close that prison, that's the easy way out for them, because they feel we can close it. The reality is, this Commission is one of the last blocks for them to destroy a safety mechanism we have within this country.

### 3) Samuel Schropp – County Commissioner, District 3

**Samuel Schropp-County Commissioner:** I also spoke with Congresswoman Stansbury's staff about prison. I received a document written by sociologists from Leonardo Castaneda about decarceration, which is a theory that we have prisons, so we must fill them. In reading that, I was reminded of 2019/2020 defund the police and abolish the police. I gave that about as much credence as I did defund

the police. I had a hard time in that meeting. There were a lot of frustrations that came out, the frustrations that everyone in this building felt, as we were called racist, inhumane, and heartless. That came out in my discussion with John Moore, Deputy District Manager for Congresswoman Stanbury's office, who is a proponent of dignity, not detention. He and I had a very frank and blunt conversation about what I've learned in the prison. I've learned over the past year from Customs and Border Patrol, in reading ICE and spending time with the Venezuelan family and in the prison. I can tell you that our voices were heard.

As you've all heard, the funding for the new Fire Station/EMS facility fell through. That was due to a change of leadership in Congress, and a rewriting of the House rules. Kevin McCarthy's rules were different than Speaker Johnson's rules. Under speaker Johnson's rules, firehouses no longer qualify as a community funding project. I explained to Congresswoman Stanbury's staff, that in this building are the people who are trying to deal with the dysfunction in Congress. This money trickles down, the rules are changed, and the money goes away. There we are standing in this building trying to figure out what's going on. So now, you may have a better understanding of why this Commission has been very cautious with the budget this year and why I agreed to the things that I have agreed to. In particular, no monetary raise, but an enhancement to your benefits package.

I can tell you that we did not miss out on this money because we were not prepared. I got a call from Jacob Trujillo. with an offer of this money. I contacted Mrs. Sedillo and Mrs. Barela, and they jumped right in the middle of it and worked hard to prepare for this. This was not only a disappointment for a million of the Fire and EMS people, but this was a disappointment for everybody in this building who put so much of themselves and so many hours into preparing and putting it together. I commend them for that. When we talked about this Commission directing the County Manager to apply for the big-ticket item, I said that we also had to be prepared to move the base runners. Madam County Manager and I will be meeting on the phone with Senator Stefanics tomorrow to find out how we can do small projects that will support Fire and EMS.

**14. EXECUTIVE SESSION:**

**15. Announcement of the next Board of County Commissioners Meeting:  
June 12, 2024, at 9:00 AM**



16. **Signing of Official Documents.**

17. **Adjourn.**

**Action Taken:**

**Ryan Schwebach – County Chairman:** Motion to adjourn.

**Samuel Schropp-County Commissioner:** Seconds the motion.

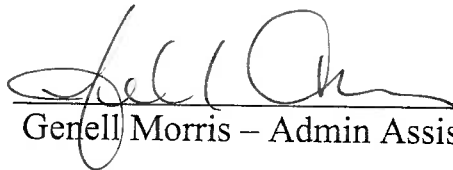
**Roll Call Vote:** Samuel Schropp – County Commissioner: - Yes: Ryan Schwebach  
– County Chairman: – Yes: Kevin McCall – County Vice Chairman: - Yes:

**MOTION CARRIED**

**The meeting adjourned at 11:52 AM**

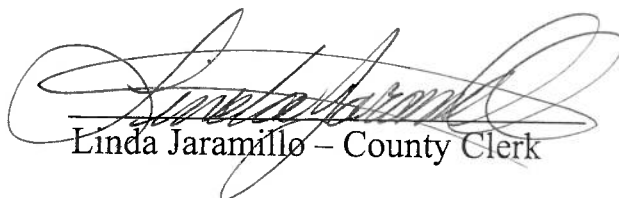


Ryan Schwebach - Chairman



Genell Morris – Admin Assistant

6/12/2024  
Date



Linda Jaramillo – County Clerk

The Video of this meeting can be viewed in its entirety on the  
Torrance County NM website. ([torrancecountynm.org](http://torrancecountynm.org))