

FINAL COPY
Torrance County Board of Commissioners
Regular Commission Meeting
August 14, 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 August 14, 2024, Regular Commission Meeting to order at 9:02 AM.

2. Pledge led by: Ryan Schwebach – County Chairman

Invocation lead by: Kevin McCall– County Vice Chairman

3. Changes to the Agenda:

Janice Barela-Madam County Manager: Defer agenda item 12E, move agenda items 13A and 13B after 11 and 12N after public comment.

4. **PROCLAMATION: None**

5. **CERTIFICATES AND AWARDS: None**

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

7. **PUBLIC COMMENT and COMMUNICATIONS:**

Representative-Elect District 70 - Anita Gonzalez: I'm the current Representative-Elect for House District 70, within Torrance County. It includes Moriarty, Encino, Duran, and the land and area in between. I wanted to come and listen, learn, and introduce myself to the Commissioners and the community members here today. Thank you.

Danette Langdon - Torrance, County Animal Services: I want to announce that Lapdog Rescue New Mexico recently held a fundraiser to benefit our food pantry program, and they presented us with a \$5,100 check yesterday. Lapdog Rescue New Mexico is a 501c3, rescue that has been operating for decades. We work closely with them. They did a fundraiser because our pantry was in bad shape. I wanted to let everybody know that our pantry will be up and running again.

Georgiana Cooper – Resident: I saw a few of you at the Planning and Zoning meeting, and I appreciate the opportunity to speak. I want us to all be aware and please consider our property owners and valley residents. Valley residents are concerned regarding the effects of cannabis across the valley, on our water, agriculture, natural resources, and our health. I hope we continue to support the denial of their application. We don't want this to further spread over the valley and impact our lives. Thank you.

Cayton Gardener – Resident: I think everybody's here for probably one reason, and I'm glad we're discussing the cannabis farms. The zoning meeting was very positive. Let's see if we can get some more positivity going on this because this deal is a complete mess. I keep going in circles because nobody's in charge of enforcement. That's one question I think that needs to be answered today. I called New Mexico Homeland Security today, they said they couldn't do anything. I've called the State Police, and they're irritated. The Sheriff's Office seems

uninterested. We have a mess on our hands, and we need the state to give us direction on who's in charge of enforcement. These weed farms are coming in, marijuana, cannabis, whatever we're supposed to call them. If they're doing illegal activity, even if you want to report it, there's no way to report it and take care of it. This is a big oversight by the state. Colorado did this before us. They had the same mess. They cleaned up their mess better than we have. We should have learned from Colorado. We did it worse in the state of New Mexico and that's very disappointing. Cannabis Control doesn't deal with unlicensed farms. We need to find a way to deal with illegal weed farms. They're growing cannabis without ever getting their license, or they're working through the State Engineer and getting their water done correctly as well. These are two big no-nos. That is a big slip-up by the state, and I think within that, we need to look back at some zoning issues on these.

What concerns me about this is I've talked to Todd Stevens. I'm sure he's tired of me blowing up his email, and talking to him on the phone, but the reality is different than what's getting presented to us. You can talk to them, it's great but we know there's a mess. You can go drive around and there are people here because the reality is different than what they say is happening. I don't want people to lose the fire of what the reality is. I think people can see it. It took us a minute to realize not everything's going to be people who want to go grow pot plants for their medical needs. This is evil, pure evil happening. These aren't Torrance County residents here. There's more than just what Cannabis Control is in charge of. We can all see that we're not a bunch of idiots. We're just country folks. I am concerned that Cannabis Control isn't going to take on this issue as strongly as it can. For example, Todd Stevens says they don't deal with unlicensed farms, so how do we deal with unlicensed farms? That should be Cannabis Control. It's Cannabis Control, and control isn't happening. There's no control.

Chairman Schwebach: I'm assuming a lot of people are here to speak on the same topic. Can I see a show of hands opposing the cannabis farms? Let the record show that 80% of the gallery has raised their hands. Mr. Gardner and I have had many conversations on the phone in the past several months. A lot of you agree with what he's saying. I feel that Mr. Gardner has been involved, we may bring you in at the discussion later, but that's not going to be a town hall meeting. That's going to be an informational meeting. When the rest of you come up with some of your comments, let me know what you think of that. That's what I need to do to conduct this meeting in an orderly fashion.

Lisa Gardner – Resident: Concerning cannabis with another issue, I want to compare how our zoning is doing. As you know, a Fortune 500 company with a billion dollars, was interested in locating in Torrance County. This year, they planned to build an AI data center in Torrance County that would employ 300 workers. They did not need water for this business, which we all know was a big plus, and they had picked out three sites in Torrance County. They met with Planning and Zoning and asked if they could move forward with speed to get a site picked and approved by zoning and the Commissioners so they could start building. The head of zoning showed no interest in working with this company. Zoning never notified the Estancia Valley Economic Development Director of the possibility of a Fortune 500 company coming to Torrance County and bringing 300 jobs, as I understand, the Torrance County Economic Development Company and Planning and Zoning have a memorandum of understanding to work hand in hand to bring economic development and jobs to Torrance County. The Director of Economic Development was notified by one of the landowners and talked to the AI company, assuring that Torrance County wanted to work with them, but the AI company would not reconsider coming to Torrance County after their negative encounter with Planning and Zoning. My question is, what good is Planning and Zoning if they are discouraging a million-dollar high-tech company from coming to Torrance County, but allowing unregulated cannabis farms? These farms are using valuable water resources, not hiring local workers, living on their property in camp trailers operating with no business license, and running off the next generations that do not want to raise their families next to these farms. How is this helping Torrance County? Thank you.

Jason Halton – Resident: I am here also in opposition to the cannabis growing issue. In all of my research for the speech I gave during the Planning and Zoning Board Meeting last week, I ran into something else that's very concerning. The age of the Comprehensive Use Plan. I don't know if anybody's brought that up in the last 11 months because there are no recordings on the website for the last seven months. I wanted to be a voice that urges you to start looking at this. It's 21 years old. The projections on it were for 20 to 25 years maximum, it's aging out. Where is the County planning to go? I feel that the document is helpful. Thank you.

Suzanne Dome – Resident: I live on a ranch on Riley Rd. and Langley, my husband, Jason and I came here for quiet, clean air, clear night sky, a view of the Manzanos, and privacy. People have stayed at our Airbnb and a film crew chose our ranch for those reasons. However, I can smell the greenhouses southeast of me

every time the wind blows. Now, a state entity wants to put 42 plastic hoops and three warehouses just across Riley Road from me. In that Zoning and Planning meeting last week, residents living near Riley Road on the proposed greenhouse sites listed a ton of reasons not to approve these two projects. We have concerns over everything from year-round water consumption, environmental damage, and safety versus the actual financial benefits, and whether or not these out-of-state businesses keep the money here. Will the greenhouse's gross receipts taxes refund those having their wells deepened or who lost business because of proximity? Drying warehouses are a fire hazard. A cannabis farm fire could cause sickness for residents. Will our electrical grid and roads survive the extra use. There needs to be environmental, hydrological, sociological, and financial studies showing benefits currently. Unlicensed greenhouses need to be removed. Please, don't extend our resources without understanding the consequences versus the benefits, because a lot of us aren't seeing the benefits. We ask you to deny any more greenhouses until the above items are studied, published, and understood and the laws can be enforced. Just to remind you that you're here to serve us and listening to your county constituents is the right thing to do. Thank you.

Deanna Lopez – Torrance County DWI Program Coordinator: A couple of updates and a couple of events we're having soon for DWI prevention. On Sunday, August 25th from 5 pm to 7 pm, there will be a teen night at the Estancia Aquatic Center for ages 13 to 19. Admission will be free. We also have ordered foam hands for each of the schools, and we will be distributing them at each of the opening games for the volleyball and football games for middle school and high school. There are flyers on our Facebook page. We will be in Mountainair on August 20th, August 23rd, September 27th, October 4th, and October 17th. We will be in Moriarty on August 20th, August 22nd, August 23rd, September 3rd, September 11th and October 4th. In Estancia, August 22nd, August 23rd, August 29th, September 4th, and October 11th, distributing these to the first 100 attendees at each of the games.

I also want to thank the Torrance County Fair Board for a wonderful fair last week. We had a DWI prevention booth, and 180 people visited us. We also had two bingos, one on Wednesday, August 7th which had 65 attendees, and one on August 8th which had 80 attendees. I want to thank the following donators, Thriving Roots, Mickey's in Moriarty, the Old Mill, Napa, Harts Hardware, Sierra Blanca Brewery, Turquoise Trail Brewery, Sendero Environmental, Opals Ice Cream, Pizza Barn, the Independent News, East Mountain Radio, Moriarty Foods, Guston Hardware, B Street Market, Meds and More, Valley Express, Alpine Alley, North Farms, Thomas Farms, Blackies, Core Civic, Juno Brewery, Cindy Fernandez, Shawna Fernandez, Rustic Wrangler Flowers, and Boutique. Lulu's Kitchen,

Mustang Diner. Angela Redondo, CNM Electric Co-op, AB Honey Farms, and Jesse Walden. Thank you.

*Comment by Zoom

Prado - Director of Civic Engagement for Innovation Law: I'll be playing testimony from Hernandez, who preferred to use just one name for fear of retaliation. As of last week, he was still retained at the Torrance County Detention Facility. My colleague will then read the English translation.

Victor Romero Hernandez - Communications Manager at Innovation Law Lab: I will be reading the translation to the audio that my colleague played. About three months ago when an audit inspection came here to the jail. I worked in the kitchen. When that inspection came here, there was every kind of fruit, milk, meat, and vegetables. It was only when the inspection came, when the inspection was gone it was all over. The best coffee and food was gone. It was so that they could appear to be doing things right. Some things are wrong. There are many things here that have to be fixed in these prisons. What they do with all of us here is inhumane. It's very difficult. It hurts me when my daughter tells me, Dad, I need this, Dad, I need that. I tell her, my love, I know that very soon I go to this place, but I don't know when. Imagine how long my daughter has been deceived. I've been here for seven months now, a month's sentence in prison for being a migrant. My name is Hernandez. Thank you.

Patty Alexander – Resident: A few months ago, I came in front of you asking when the County of Torrance was going to fix their portion of Martinez Rd. I was told June or July the company would be coming out. We're here in August and it is not done. My second comment is that these pot farms and that's exactly what I'm going to call them, are pot farms, plain and simple, are taking up too much water for the residents of Torrance County. That guy that's already kicked out of Sandoval County because he had enslaved his workers in lockdown, was allowed to move over here to Torrance County and is also talking about increasing the size of his farm and, the practice of building more greenhouses. As Torrance County residents, we need to be able to have a say as to what comes into our County and what does not come into our County. Back to my original question, when is Martinez going to get done?

Jessica Martinez - Policy Director at New Mexico Immigrant Law Center, Immigration Attorney, and I serve on the Immigration Law Section Board of Directors of the Immigration Law Section of the State Bar New Mexico: I am

going to read you a translated letter from Torrance that's dated from the 16th of July of 2024 from Luis David Mohamed. The officers ignore us when we ask for hydroponics. The doctors are negligent. I suffer from various pathologies. I am diabetic, I suffer from asthma, and I'm experiencing that. I'm experiencing asthma today and a bout of claustrophobia. More than a month ago, I explained to the doctors, and they have not given me any response. I also suffer from depression, and I have had many problems with my health. Yesterday I had a claustrophobia attack where they did not pay attention to me. My chest hurts, I have a headache, and I have pain in my eyes. I informed the guards in charge, and they did not pay attention to me. For almost two weeks, I've been trying to get a medical consultation, and they will not see me. They just sent me to a psychologist who is more negative about the document than the doctor, then they tell me that it is normal for all that I am going through. I was kidnapped, tortured, and gagged in my country for four days to find the where whereabouts of my dad. My dad was murdered in front of me. After that, I was threatened with death. That is why I fled my country in Mexico, I was once again kidnapped and sexually abused, and for all that, I suffer from depression. Psychologists and psychiatrists say that it is normal to feel this way too. Feels like a very inhumane way to tell me this type of thing, and the only solution that is provided for me is to give me sleeping pills. They want to solve everything that way, with pills, in this inhumane way. I have psychological injuries from the treatment of imprisonment. With all the pills that they give us, I will have problems with my kidneys.

Thank you.

Anne Schropp - Resident: Thank you, Mrs. Sayers, for being at work with us to find resolutions to a statewide problem. Understand upfront that I am not opposed to a well-regulated cannabis industry, but as with any industry, it must be well-regulated. Those offices struggling with the regulations, as written, have had a mess dumped into their laps. Bear that in mind, as people such as Mrs. Sayers, our Planning and Zoning Board, and our Commission work to deal with what's been thrust upon us all, playing the blame game will not fix anything. The rural counties of New Mexico were already struggling under the double burden of crime, largely due to poverty and lack of funds to pay qualified law enforcement to deal with it all. The wild influx of cannabis licenses has completely overwhelmed counties' abilities to cope. Change is happening. It's about the only constant in this life. We must come together and work together, both as citizens within Torrance County and with our sister counties throughout the state who are struggling just as we are. I feel certain that if we, as citizens and as the counties across the state unite, we can legally challenge the problem caused by this new regulated business. Achieving a legal solution is imperative. Legal, being the operative, is the only way to gain

lasting control of the issue. I'm calling on all countries to come together. Our citizens are incredibly diverse and often very divided. That's okay. I'm not saying we have to be best friends or go to prom together. We don't even have to particularly like each other to work together. We will never gain control of the change. Thank you.

Janice Barela – County Manager: I apologize, when I was going through the changes in agenda at that time, Angela Coburn, with PMS, was not here. I didn't know if she would be here in time to do the presentation for PMS. She cannot stay as long as it may take, so at some point, if you have questions for her regarding that, you can fit that into the agenda.

N. GRANTS: Request approval of Operating and Use Agreement between Torrance County and Presbyterian Medical Services for operations of Estancia, Mountainair, and Moriarty Senior Centers for July 2024 through June 30, 2029. (Deferred from 6/26/2024 meeting)

Angie Coburn – Presbyterian Medical Services: I'm here about renewing our Operating Use Agreement for the Senior Centers. I know we had some questions the last time I was here, and I think there was some research that we were doing about double insurance. I don't believe we had any resolution to that. I think the County Attorney agreed we need to keep it as well as the PMS attorney. This Operating Use Agreement with PMS has with the county for the use of the three senior centers. We have an update on the insurance.

Amanda Lujan - Grants Administrator: Our lawyer and I did reach out to New Mexico Counties, and it was clarified that the vehicles will be under the county insurance, and the passengers who are not employees of the county will be under the PMS insurance.

Michael Garcia – County Attorney: I got a slightly different take from Jennifer Ortiz, also with New Mexico Counties. Her take was that we needed the contractor to have insurance. I think that's the safest way to go. I understood that Presbyterian is okay with doing that.

Angie Coburn – Presbyterian Medical Services: Yes, we also carry liability as well. In case there's an issue with home delivery drivers that go into the homes of seniors, we have to cover them from a liability perspective as well.

Ryan Schwebach-County Chairman: All County employees who drive a County vehicle go through some sort of training/certification, or background checks.

Janice Barela-Madam County Manager: The driver's license on every single employee is checked every month. Updating if they get any tickets or if they lose their license, revoked for certain reasons. An individual county employee who drives a county vehicle must go through defensive driving.

Ryan Schwebach-County Chairman: Can we have documentation?

Angie Coburn – Presbyterian Medical Services: We don't have documents. We can get you documentation because they all go through defensive driving, and we do the annual license checks as well. Ours are all background checked because they're in homes and they're dealing with seniors.

Action Taken:

Samuel Schropp-County Commissioner: Motion the approval of Operating and Use Agreement between Torrance County and Presbyterian Medical Services for operations of Estancia, Mountainair, and Moriarty Senior Centers for July 2024 through June 30, 2029.

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

***Continued Public Comment**

Brian Malcolm – Resident: As of March 21 of this year, the state is showing that they've issued 2873 cannabis licenses across New Mexico, which includes 1050 retailers, 878 manufacturers, and 459 micro-producers. As of this year, Oklahoma only has 330 which are on the books. Which is a decrease from just last year alone. Eighty percent of the operations they had in Oklahoma were illicit, Chinese pot

farms. The reason I bring that up is the ones that were asking for approval last week, they've got addresses coming from residential addresses coming from Oklahoma. They've got Notary Public stamps from Massachusetts, which is now becoming a major distribution and shipment hub due to the laws of the surrounding states. They also come from Los Angeles, which is a major hub for smuggling, in particular, Chinese immigrants to come work on these farms. The agent for the one on Riley Road, and the one for the 42-hoop house, three warehouses, etc., was saying that he had approximately 285 clients that he'd gotten licenses from, and only two of them have been shut down. That's two too many. Are we having vetting done for all these people coming from other states trying to have their commercial platforms? In our County, for this past year, Chinese migrants, who were in the one that was shut down on 55 had filed a lawsuit for conditions and labor infractions, and they were also claiming they were smuggled into Torrance County to work in abysmal conditions. Not only is it an increase of the potential crime with, drugs and a myriad of other crimes, as a lot of states before. A major tax on electricity is not the most stable water issue. It's not nice to look at either. I can see it from my living room. I can see that we've got two major areas of light that come up at nighttime which rival the prison. Thank you.

Cindy Sims - Superintendent of Estancia Schools: I wanted to say that the district stands in opposition to this. We see the over-saturation of cannabis in our student population, and to some extent, in our parent population. We feel that we've also had to deal with foreign entities coming onto our campus and posing a security threat. I had to personally go door to door to some of the trailers and hand out literature to make sure they understood when they were allowed to be on campus and when they were not. I'm all about Estancia's development. My heart is here. My hopes are here. I hope that we can find an opportunity for development that doesn't further drain our water resources, which we're all facing. I worry about our school. We were told we couldn't water our fields for a while, and what are we going to do if we didn't have enough water to flush toilets for 580 kids. I worry about the water. Worry about the foreign access to my campus, and I worry about the over-saturation and access to THC vapes and cannabis in our community. I don't think it's a good thing to respond yet, and I appreciate the opportunity just to voice our concerns from the district. Thank you.

Ryan Schwebach-County Chairman: Just to clarify one thing, when you say the district, I'm assuming your board has had these types of conversations we've had.

Cindy Sims - Superintendent of Estancia Schools: Discussions on different occasions on this specific development. We have not discussed but we have the concept of it, yes, because of the increase in problems on our campus, again, with the THC vapes, and foreigners coming onto campus at random times during the day. We have an open campus. It's a community facility. We welcome community members, just not during the school day and not when our kids are out walking to school in the morning. We've had those conversations about security and safety and what we're going to do to continue to limit access to THC and cannabis products on our campus.

Ryan Schwebach-County Chairman: Have you seen an increase in THC vapes since cannabis has been legalized?

Cindy Sims - Superintendent of Estancia Schools: Absolutely, I've seen the detrimental effects on the students and the families on our campus. I'm not attributing all of this to the access to THC and the access to cannabis. We've had over 400% increase in CYFD referrals. We continue to have concerns about absenteeism. I appreciate that the city has started policing the park. The new party place has become the middle school campus. In the evening, they bypass a gate, and we find THC products, and expended gun shells. There's too much access. Not only is it that we're repeatedly pulling these dips and things out of backpacks and sending students home under the influence, but we're also seeing it after hours as people come to our campus and party.

Ryan Schwebach-County Chairman: Within the New Mexico Superintendent Association meetings, in your opinion, is this what other superintendents are seeing also?

Cindy Sims - Superintendent of Estancia Schools: Absolutely. I could tell you, it's been an item of discussion at Superintendent Association Meetings, because in communities where we have proximity to pot farms or cannabis stores, it's hard to keep it off campus, it's an influence from the community, into the campus.

Ryan Schwebach-County Chairman: No doubt in your mind that you saw a change, after legalization?

Cindy Sims - Superintendent of Estancia Schools: Absolutely without exception. My social workers, of which we have four, are writing a letter to address the concerns that they see in the students. They're going to send it to you, specifically the Commission. They couldn't be here today with school in session, but they have seen a tremendous increase to the point that yesterday we had a mental health counselor meeting, and the high school principal stated that in her opinion, because of the increase in substance abuse on the high school campus, there is a need for an additional social worker and counseling to address the mental health issues and the substance abuse. We work hard to keep this off-campus. They're getting it from home, it is based on accessibility, and we're promoting it and authorizing it and endorsing it when we continue to let the farms come and be part of our community. Thank you.

Albert Okis – Resident: I'm here to voice my opposition to the proposed farm on Riley Road. I wanted to add to this discussion one important detail that I know wasn't brought up in the Planning and Zoning Commission. I think it's important to note it was stated that the party behind the farm on Riley Road is from Oklahoma, a man by the name of Min Young Chen, at least he was the first name on the proposal. In my research of the cannabis farming industry and the farms that are being established all across the West, I found out that Oklahoma is the hub of the listed cannabis trade in the United States, and it's all run by Chinese organized crime. Five months ago, an article appeared on the website of KFOR TV from Oklahoma City. The title of this article was Six Individuals Indicted by a multi-county grand jury in connection to large-scale illegal marijuana operations. It goes on to say, that in the first case, jurors indicted four individuals whose names are listed and Min Young Chen for conspiring to defraud the state concerning a November 16, 2023 marijuana seizure in Pottaswamy County. At that time, OCTF agents and the Oklahoma Medical Marijuana Authority were doing a compliance check, and the suite yielded more than 77,000 untraceable and untagged marijuana plants, nearly 2000 pounds of untraceable and untagged marijuana plants, and an assortment of firearms. It goes on to say, that Min is charged with one count of aggregate manufacturing of a controlled dangerous substance, possession of an offensive weapon while in the commission of a felony, as well as submitting false information to the OMMA about the true ownership of cannabis farms. I want to say that at the very minimum, you have to find out if this person is the same person

that's in Oklahoma. If you say yes to this, based on everything I researched. You're saying yes to bringing organized crime into Torrance County. Thank you.

Hayley Malcolm – Resident: I live on the opposite side of the road of the new proposed cannabis site. I want to speak on that because my major concern is with the safety of my children and the safety of the children that are in the county. We have two young girls who play out on the land. I home school so that is their playground, that is their classroom, that is their environment, that they will be surrounded by for the rest of their life. I think we as a community did a good job of voicing our opinions. I could go on about all of the issues, the light pollution, the traffic, the safety, the environmental impact, which is huge on my heart as well, but it's been addressed. The one thing that hasn't been voiced is what that young girl who was here at the planning zone meeting did last time. She came up here and spoke about her safety, of being able to have her window open at night. Would she be safe? Would there be an armed person outside her window trying to get her? My children are much younger than that right now, but I have that concern, I have that safety issue. I am not from around these parts, but this is my home, and this is where I choose to bring up my children. My children are from here. They are born here, and they will live here for the rest of their lives. I want to secure their safety. Thank you.

Leland Riley – Resident: You heard the recurring theme over and over this morning. It's all of our concerns. My greatest concern is for my grandchild. I was fortunate to have my first grandchild a year and four months ago. At four months she was diagnosed with brain cancer. They registered at Cook's hospital and did an emergency surgery. They took a tumor of baseball size from the front lobe of her brain. My concern about these farms is that we have no environmental studies. We know that we do not have any type of physical studies. What will it do in the future? I'm scared for my grandchild to come home. We live a mile and a quarter from this proposed area, and it's tough. We've been through a lot of struggles. As a parent or a grandparent, we strive to help our children in whatever they do. My major concern about these things coming in, and I'm sure it's with everybody is it just makes it difficult to tell my daughter and my son-in-law. "I don't know if you ought to come." It's rough.

Senator Stefanics: I'm here today to offer support for the issues and problems regarding cannabis in your county. I believe that this might be a problem perceived as going through other countries. I have talked with several citizens, specifically farmers in the area. I'm very interested in what the schools have to say. The Commissioners have individually talked to me about this as well. If and when you are ready, forward recommendations to me and Representative Lord and Representative to be Anita Gonzalez. We would work with the county, for example, if you would need a temporary moratorium on grow permits or if you would need a different process for getting water permits out of the office of the State Engineer to ensure that it's not harming the livelihood of others around that production. The Cannabis Control Division has already commented to Legislators that they need some advanced authority, which is what they have. I'm very interested in hearing, after your meeting today, what the Commissioners and the community are recommending in terms of changes. We won't be able to make permanent, lifelong changes, but we can make changes immediately and then fix what we have done. I think that several Legislators are ready to bring up changes. I'm pleased that you're having this public hearing and this presentation, and please stay in touch with me on how I can help.

Representative Lord: I've been in contact with your County Commissioners, and I talked to people. I've been listening very intensely to what you guys are saying. I agree with all of it. The bigger issue that we have is that, unfortunately, that bill was passed, I cannot vote for it, and there are no regulations in it. Now it's time to go back and fix it. The problem is, you're in crisis right now. You have people who come from out of state, out of the country, you have water issues, you have illegal grows that are growing far more than what they're supposed to and there doesn't seem to be a lot of oversight. Seems that there are a lot of people who don't know what to do or how to enforce the issues. What I'm going to do is listen to everything you have to say. I'll be here again for discussion on anything that you need. I am on board with helping you in the long term, we're not going to be back again until January, but we need to do some things now. I talked to Senator Stefanics, I'm not sure if you can do a moratorium. I think you should push the board on some level. There might be some technicality that you can use water issues and land rights issues, but it needs to be addressed right now. For those of you who are in the audience, if some of the people are taking the lead on things, you can reach out to me with info, at lord2020.com. As soon as you come up with

your ideas, I'll do everything I can and reach out to our people here on the other side of the fence too, who maybe might be able to help with some of the issues. I also recommended that you talk to Representative McQueen, even though he's not in that district anymore, he's on the Water and Acequia, and maybe there's some sort of angle that you can use to say it's the water issue, that you may be able to stop it. At least you can put a halt to things for now. We need to deal with the long term, and we need to deal with the crisis. The crisis of right now and the long term is that there's not enough enforcement and ability of enforcement, and we need more stakeholders too, altogether, to hear this issue on a state level, to understand that this is a big deal that needs to be addressed immediately. Thank you.

A. COMMISSION: Request approval of minutes of the July 24, 2024, Regular Meeting of the Board of County Commissioners.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve minutes of the July 24, 2024, Regular Meeting of the Board of County Commissioners.

Samuel Schropp-County Commissioner: Seconds the motion.

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

MOTION CARRIED

9. APPROVAL OF CONSENT AGENDA

A. FINANCE & PURCHASING: Request approval of payables.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve payables.

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

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

11. **ADOPTION OF RESOLUTION:** None

13. **DISCUSSION**

A. COMMISSION: Update/Informal introduction about the Cannabis Control Division, New Mexico Regulation & Licensing Department regarding plans to work on a coordinated strategy of enforcement. (Eden Sayers, Esq.)

Samuel Schropp-County Commissioner: In 2023 at the beginning of my term, I warned that Torrance County was facing a boom that we were not prepared for. Once I took office, I lost sight of the speed with which the boom was overtaking, and I believe that it was the responsibility of various state agencies to enforce the appropriate statutes and regulations applicable to marijuana grow operations. I'm sure the two of you have gotten calls and emails from constituents as I have. I've repeatedly told those people that in the case of the Dineh Benally, marijuana grow operations south of Estancia, federal agencies are taking care of that problem. I've also been very clear with everyone who calls me, whether on this issue or other accusations of misconduct or corruption in our county government. I will act on objective evidence or matters of law that were brought to me. A couple of weeks ago on July 29 Todd Smythe stopped by my house and pointed to what he and I believe were violations of the Cannabis Control Act and Cannabis Control Division Regulations. At that time, Mr. Smythe and another constituent, Clayton Gardener, had told me that in their contacts with the Cannabis Control Division, they had been told that CCD had no enforcement powers and that it was up to local law. As a result, I called the New Mexico Attorney General's Office and spoke with an AG's Chief of Staff to find a way to address the concerns of the people of Torrance County. I asked the AG's Chief of Staff for assistance in helping us with a coordinated plan to use all appropriate state agencies, together with our Sheriff and Planning and Zoning Departments, to work towards strict enforcement of all applicable statutes, ordinances, and regulations. Number one, I spoke with the Governor and asked for help with this problem. She told me she didn't want to get involved in it right now. So the plan, as it stands, is to enlist, along with the New

Mexico AG Office, the Department of Environmental Quality, which, in my view, will address the concerns. One of the things that Mr. Smythe had sent to me was a preliminary study on the byproducts, the organic part of what the plants produce, and what the smell that you smell is. I would like to get the Department of Environmental Quality down here with sniffers to begin a study on what is in the smell that we're all catching. Another of my constituents recommended OSHA. The New Mexico Division of OSHA is under the purview of the Department of Environmental Quality. I'm working to get them down here to start checking job sites. The Office of the State Engineer needs to come out here and start checking water meters and ensure that the water that is permitted is what is being used and not more water, Workforce Solutions to come and check the work permit, and the Cannabis Control Division and Ms. Sayers will address that. I was also invited by the AG Chief of Staff to participate in a conference call with ICE/CBP. That conference call was originally to be about human trafficking, and I would like to have ICE/CBP start moving through the county and doing immigration checks.

I found this out at the Old-Timer celebration when I spoke with Stephanie Lord, our state Representative, and Liz Stefanics our State Senator. Those two officials have agreed to co-sponsor a bill correcting the shortfalls of the Cannabis Control Act in the next legislative session. Last week, I spoke with Eden Sayer, attorney for the Cannabis Control Division, and I'm optimistic about what the CCD, along with other state agencies and Torrance County, can achieve together. I invited her to speak with us today to explain what we can do under the present guidelines. Yesterday, we spoke with Ms. Sayer and her supervisor again. It was a direct and frank conversation in which they explained the limitations of the CCD under current statutes and regulations. I explained our limited resources and our urgent need for help from state agencies. Ms. Sayer assured me that the CCD is ready to help within the structure of the statutes and regulations. Torrance County will be working in cooperation with Ms. Sayer to create a plan that can be a model for other counties as they too address the problems that come with a boom in marijuana grow operations. Ms. Sayers will be taking questions from county officials only.

One of the things that you will catch in Ms. Sayers's presentation is that there are 41 licensed grow operations in Torrance County. I believe that for a county of our size, that's an excessive number. Those things are going to have to be addressed in the legislature. I want to be very clear with all of you, at present time, under the laws and regulations as they stand, we are not going to stop intensive agriculture operations like marijuana growth from operating in Torrance County. We all have a constitutional right to use our property as we see fit within the laws, statutes,

ordinances, and regulations. I say that because I don't want anybody to be expecting immediate relief. We have to coordinate with state agencies, their general counsels, the AG Office, and ICE/CDP. It's going to take a little time, but we are working on that. At present, we can ensure that all applicable statutes, ordinances, and regulations are strictly enforced.

Eden Sayers - Cannabis Control Division, New Mexico Regulation &

Licensing Department: I want to say thank you very much for allowing me to come speak with you all today. I've been listening to your public comments. I've heard the frustration and the struggle this community is going through, and I appreciate what everyone has shared here today. I also want to say I commend the County Commissioners for reaching out to the Cannabis Control Division and for really taking such an active approach here. The reason why we're having this discussion today is that your local and state government Representatives are hearing you. The reality is that cannabis is a living breathing plant, and it requires living breathing regulations. That means that our cannabis regulations will need to evolve. They've evolved quite a bit already, since 2021 when the CRA first went into effect. We've had some powerful tools that have been added, but there are some more that we need. I can tell you right now that the CCD is using every tool it has to fight illicit cannabis cultivation in Torrance County and throughout New Mexico. We've filed multiple cases in Torrance County courts to try to get limited injunctions or restraining orders. That takes a while, and the reality is that the CCD does not currently have the legal authority to walk into a cannabis grow and shut it down, even if a licensee has large compliance violations. Licensees are awarded due process and CCD is bound by the Uniform Licensing Act. We have to follow a very strict set of procedures and timelines regarding taking administrative actions against licensees and no licensees.

I need to be clear; the CCD alone does not have sufficient enforcement authority under current regulations to deal with the issues that we're discussing here today. We don't have the resources to fight this war. We do need to have the power to destroy, seize, and embargo illicit cannabis, and our superintendent is working very hard to get this authority. As you've heard, some representatives are working on this as well. We need everyone here who wants to see changes to get behind this bill that will be coming out. I think that will help us kind of solve some of these problems. Businesses that are unlicensed and that have never been licensed are a complex problem. Since we don't have law enforcement authority to go in and stop illegal activity, the strongest mechanism for us to protect communities is to support our local law enforcement, state law enforcement, as well as our other county partners across the state. There are criminal penalties that law enforcement can

charge for unlicensed cannabis activity. The CCD has met with Torrance County, and we are going to work towards building out some ways that we can help support your discussions regarding restricting it within your community.

A little bit of history about the Cannabis Regulatory Agency, and when it got started in April 2021. We've had a few changes already. We had Senate Bill Six, which went into effect July 1. That updated some of the provisions that allow us to review who receives a license. Before Senate Bill Six, there was a very limited amount of items that the CCD, could use to disqualify an applicant for a cannabis license. Which we've all discussed here today is a big issue. Moving forward, we do have a much better framework for what that looks like, as far as denying applications. Previously, under the administrative policies that we have and under the ULA, which is, the body of law that regulates how we provide due process, if you deny an applicant a license, we do have to issue a notice of contemplated action and go through a formal hearing process. While that still will be a requirement for us moving forward, it makes it a little bit of a challenge as far as denying a license. I encourage you all to take a look at our website. There is a very clear process within the website that allows for complaints to be submitted. We follow up on all verified complaints. If you have locations where you have identified illicit activity or violations of the CRA, we encourage you to submit a formal complaint on the CCDs website. Another item, which you can also find on our website, is a list of enforcement actions. You can see actively; that we post these as soon as they're coming out. When we have issues, we engage in enforcement when we revoke licenses. It's a great tool to keep an eye on as far as what's happening in your community.

Ryan Schwebach-County Chairman: We have two different paths that we need to discuss and not discuss, and you'll understand later. The first issue is existing cannabis farms. The next issue is future farms through Planning and Zoning. I would like to start first by asking some questions about the existing farms. Through your permitting process, the farms have to show valid legal water rights. At that point, they go to the State Engineer, they take these permits, and if they have greenhouses, they convert them to consumptive use, or they grow them outside for agricultural use. As far as the County is concerned, we look at a letter signed off by the State Engineer saying that this process is done. However, many of these permits can be still in the permitting process for consumptive use. There's no follow-up from the State engineer. There's no follow-up from the County, other than a letter sent. When I visit with the State Engineer, we have no authority to do anything if their permit is not valid. What authority do you have if the water permitting is not complete yet and they're still operating.

Eden Sayers - Cannabis Control Division, New Mexico Regulation &

Licensing Department: That's a great question, and it is something, that has come up many times. The best place for us to deal with that issue is at the licensing renewal phase. During the licensing renewal phase, we review all of the materials that the applicant is supposed to have to have in operation, and we can suspend a license or choose to not renew it if they are not in compliance with all of those. Whether it's water or any other type of state or local requirements that they need to have to operate whatever business type, whether it's a go-out or a manufacturer, we can do that. We have been doing that. That is new for us. As far as being able to do that in the renewal phase, and I will say, a lot of these additional powers that we received through Senate Bill Six on July 1, are helping us deal with licensees that haven't done all the paperwork the way they were supposed to. That's our first phase is dealing with each of these at the renewal phase and making sure that they have all the documents in order, and if they don't, they're not getting renewed.

Ryan Schwebach-County Chairman: If the permit isn't renewed, you find somebody in violation, you send them a letter saying we are not renewing your permit. Where does a cease-and-desist enforcement come in? Because many farms have received those letters, they're still producing and selling. In my operation, I have to abide by the same water laws and the same water rights. I have to have the same permits, and they have to be in order. The difference is that I also have to have a federal bank for finance, none of these operations have that financial tie to them. They are not tied to a mortgage. They are not tied to a federal lending institution that allows them to continue. That's my deterrent, to make sure my paperwork is in order. They don't need this. What enforcement do we have? Most permits simply lay the groundwork. They can't be financed. They can't sell to somebody who needs finances. We're dealing with a cash customer. What type of enforcement do we have to deal with that?

Eden Sayers - Cannabis Control Division, New Mexico Regulation &

Licensing Department: It depends on what particular item you're looking at. I would say some other agencies can red-tag licensees because they're out of compliance with those particular items. That is something that we try very hard to communicate when those issues are coming up and be open to receiving those communications from OSC or CID or whatever division for which the licensee is bound to be in non-compliance. To be quite frank, a lot of those other agencies have much faster and more well-defined abilities to stop what's going on, versus the CCD, because if they're out of compliance with one of those items we could go through our administrative hearing processes to get to a place where we're able to shut down their bio tracks, which would not allow them to continue to engage in

commercial campus activities in a regulated space. The reality is that doesn't seem to stop them from continuing to grow and sell cannabis. I do think some of these other items that you're bringing up are divisions that would be able to red tag in their process faster. We are open, and we try very hard to support all other state agencies when they have these issues. I would say I've personally gone to inspections of locations that different agencies have identified or they thought were out of compliance because they didn't have some type of permit they were supposed to have. We do try very hard to follow up and support all those other items and state partners.

Ryan Schwebach-County Chairman: Within the OSC they can administer the letters and say no that these are not in compliance, but they cannot shut them down, and the permit grantor can pull a permit. When these permits are not inspected, and not in code, whether it's from the OSC, or P & Z, who is responsible for physically shutting them down and not sending them a letter? What are the consequences?

Eden Sayers - Cannabis Control Division, New Mexico Regulation & Licensing Department: It's a very complex question. The reality is that the CCD cannot physically shut down any licensed or unlicensed location. That is not within our administrative powers. It's a fair question and a good question. It's a question I've asked the courts across New Mexico. I've asked in San Juan County. I've asked in Torrance County. I've asked the courts to enforce the CCDs order. I've requested the courts to empower state and local police to support us in closing these facilities. There's some fear because it's our responsibility as state actors to ensure that we are using and protecting resources wisely. We have to follow certain procedures so ultimately; we're not being sued by individuals after we close down their businesses. I don't have an easy answer for you, as far as who's responsible for the closure. The reality is that we don't have the tools, the resources, or the authority to close them down. I think we're all trying to work towards getting an answer to that question of whose responsibility it is.

Ryan Schwebach-County Chairman: Is it in the court system yet? Do we have judges looking or judges giving an opinion? Are there pending lawsuits to address the law that was put in the book that has yet to be tested in a court of law?

Eden Sayers - Cannabis Control Division, New Mexico Regulation & Licensing Department: I wouldn't say that the lawsuits that are pending are exactly in that line of thinking of what you just mentioned, they are more related to trying to close some of these illusive operators that have had their licenses

revoked. The request for the court to command someone to help us shut these down, and that's open-ended there with the courts.

Samuel Schropp-County Commissioner: Ms. Sayer and I had a heated exchange yesterday afternoon on this very line of questioning and the ability of the CCD to help us. I can assure you from watching your reactions here of the assembled citizens, that she is just as frustrated with the law as it is written, and what she can and cannot do under the law. The New Mexico State Police liaison related to me that Ms. Sayer is very aggressive. I think he used the term the most aggressive attorney he's ever worked with in pursuing this. This is going to have to be a legislative fix, but there are things that we can do in the meantime. One of the questions I know everybody has that Ms. Sayer and I have discussed is, how Dineh Benally got a license to grow after what happened in 2020, in San Juan County, on the Navajo Reservation in which he had unlicensed grows all over the place, and more than what he was entitled to. Then he fled San Juan County and started the same thing up in Oklahoma and has been run out of there. Now he winds up in Torrance County. Ms. Sayer explained to me the procedure of background checks and how that works under the present law. Ms. Sayer, could you give us that little rundown, please?

Eden Sayers - Cannabis Control Division, New Mexico Regulation & Licensing Department: To go back to Benally a little bit and how he was licensed in the past. At the time of licensure, of Benally, the Cannabis Control Division could not deny or revoke a license until the applicant was convicted of an offense that is substantially related to the qualifications of holding a cannabis license. There also are some provisions in the law that protect people with cannabis-specific offenses. At the time, Mr. Benally had not been convicted of any offenses, and therefore, we weren't able to deny him a license. That has been something that has been changed during the last legislative session. We received some additional power under Senate Bill Six and so now, effective July 1, we may refuse to issue, and we may suspend or revoke a license for things like a tax lien related to cannabis activity in New Mexico or another state. We can refuse to issue a license for pending investigations in New Mexico or another state for fraud, deceit, or embezzlement. It has added additional protections where I feel we're not going to see this type of bad actor in the future. It also adds some language that allows us to apply for a federal background check ORI number. Currently, we go through the state police to do our background checks. We did submit an application to the FBI for an ORI number, which will allow us to do federal background checks, which I think will even further ensure that our pool of actual licensees are good faith operators. That process does take a while. It was submitted several months ago, but

the FBI policy can take up to a year to get that number. We do background checks, and we now have some of these additional powers to refuse to issue a license. We intend to use them, and we have been using them. We've held a lot of new license applications. We're going to keep using that moving forward and use every little bit of power that we have to make sure we have good faith operators, and that we're enforcing it to the best of our abilities.

Samuel Schropp-County Commissioner: In Senate Bill Six, Section Five, Sub Part C. I want to make sure that you're aware of this. The division shall deny an application for an initial license or renewal if the applicant does not include information required by the division. The applicant does not meet the requirements of the Cannabis Regulation Act, or promulgated by accord. Reading on down to subpart D, the division may refuse to suspend or revoke a license of any person who does not meet the qualifications for licenses, who is not in compliance with the Cannabis Regulation Act, or rules promulgated by that act, or for whom one or more of the following are substantially related to the qualification functions or duties of the applicant or licensee's business. It then goes down into B, sub one, a tax lien, and I'm not going to read them all in B, sub two, pending investigation, which at the time of the passing of Senate Bill six, was too late, Benally had his license. Subpart Three, subpart four, and subpart five are all applicable. Does the CCD do its background checks?

Eden Sayers - Cannabis Control Division, New Mexico Regulation & Licensing Department: We run our background checks through the State Police. It is not quite as extensive as a Federal fingerprint background check, but we do run a background check on all licensees.

Samuel Schropp-County Commissioner: We need to go to a background check that is at least as extensive as a Federal Firearms License, a concealed carry permit, or a fingerprint check.

Ryan Schwebach-County Chairman: We have an illicit grow on 41 that can't be missed by anyone driving through the County. Where are we in the process with Dineh Benally and his growth on South 41?

Eden Sayers - Cannabis Control Division, New Mexico Regulation & Licensing Department: I believe everyone generally knows about this, but I'll give you a timeline. We issued a notice of contemplated action against Benally due to many violations at his facility in October of 2023, and then we revoked his license in December of 2023 and since then, he's appealed. We've been working

this out through the court system, and it's been a slow process because Benally has not obtained his legal counsel. He's been ordered to obtain legal counsel but has failed to do so. We've filed several different motions in the courts, informing the court, that, this man has had over 190 days to obtain an attorney, and he's failed to do so. You ordered him to get an attorney. Just this week, we received an order from the court that Benally would be required to get an attorney by September 13. Should he not have an attorney by September 13, you better believe by September 14; I'll be filing something in court to make sure that we are getting the case dismissed and moving forward with the next phase of closing down this facility. At that point, he'll have lost his ability to appeal.

While we're in this appeal phase, it is a little bit more of a gray area, as far as closing that business down, we did request a TRO a Temporary Restraining Order from the court to allow this place to be shut down while we're going through the appeals process. Within that TRO, I included evidence and documentation related to some of the items that you've brought up today, including, that OSC has identified that he is illegally using certain water supplies. We've also made certain reports to the State Police regarding our concerns about the employees who are potentially living on the premises within conditions that are not livable. The reality is we do have to abide by the laws, abide by due process. We'll have to wait till September 13, but I am very excited that it's moving forward, and we have at least another date to look forward to when we can keep working on getting this facility closed.

Samuel Schropp-County Commissioner: As a side note, the Native American Church Operation that Benally is running is nationwide. Federal agencies are working in that direction. Ms. Sayer, I believe you have investigators around the state. How many investigators do you have? What is the process for dispatching an investigator and what are their powers?

Eden Sayers - Cannabis Control Division, New Mexico Regulation & Licensing Department: We have 12 Compliance Officers, one Investigator, and one State Police Liaison. Our compliance investigators do routine inspections. They go to inspections of facilities when there's been a complaint identified through our complaint log on our website. There are different processes that they work on, they are trying to get licensees back into compliance if it's minor items by education and compliance improvement plans. Alternatively, if there are items such as they believe would meet the criteria for administrative actions, they will refer them to me for review, for notice of contemplated action. They go to all ranges of different license types. We've done quite a few inspections to date; it's

increasing every year. Right now, between July of 2023 and June of 2024, we've done 2500 inspections. We have a lot of licensees; we are the fifth-largest state in the country. We only have one officer that's not in the Albuquerque/Santa Fe area. We have one officer in Las Cruces, soon to be two. We don't have any regional offices. It is a full-day thing to go to some locations that are far away.

Samuel Schropp-County Commissioner: One of the people in public comment, talked about Mr. Min Young Chen and his legal difficulties in Oklahoma. I certainly hope you will make note of that. I will get with that gentleman and find out what his source is and get that to you in an email.

Eden Sayers - Cannabis Control Division, New Mexico Regulation & Licensing Department: I appreciate any red flags that people send our way. We use and need those. Those are very helpful to us in doing our job. I encourage everyone interested in this talk who cares about this issue to go on the CCD website and start filing complaints and give us the information that we need. We will be out doing inspections and following up on those items, but we do need to go through the formal complaint process as part of our requirements. As far as documentation, meeting due process, and following the ULA. We must verify the complaints.

Kevin McCall-County Vice Chair: What is ULA?

Eden Sayers - Cannabis Control Division, New Mexico Regulation & Licensing Department: ULA is the New Mexico Uniform Licensing Act. It is a body of regulations that the Cannabis Control Division outlines the process for administrative action. It's in Chapter 61, of the New Mexico statutes. It covers a lot of other areas as well, and not specifically for cannabis, many, many chapters cover the processes for pharmacy, liquor, and tobacco. It's an outline when we have to provide notices for different action items. For example, if we issue a notice of contemplated action, we have to have an administrative hearing on that notice of contemplated action within 60 days of when it's received by the licensee.

Samuel Schropp-County Commissioner: What we can do as a county is to be aware. Go to the website use the complaint form, and then handle it through the processes that are mandated by law and regulation.

Kevin McCall-County Vice Chair: You commented that different agencies can do things. Please enlighten us on what agencies they are.

Eden Sayers - Cannabis Control Division, New Mexico Regulation &

Licensing Department: It depends on whatever the specific issue is related to, the location in question. For example, let's say they don't have their certificate of occupancy. That would be with the CID. I have a list of every agency that would be impacted, and that would be something that the general public would see daily. There's NMED, which issues some items to certain licensees, like manufacturers. I don't think this fully answers your question, but I can try to pull out the list if that will be helpful. I do think some agencies can red tag, like LP Gas. They might have some other ways that they can support shutting down operators that aren't fully in compliance with all those items.

Kevin McCall-County Vice Chair: What can we do with these, starting before they reach that point? What can we do as a county, as citizens, before we get to the point of the Benally case?

Eden Sayers - Cannabis Control Division, New Mexico Regulation &

Licensing Department: This is something that everyone will be looking into. While we can't ban cannabis operators in cities, towns, and counties, we can have time, place, and matter restrictions. The CCD would provide as much support as possible in the ways that we can relate to this. What time, place, and manner restrictions will work for your community that are going to reduce issues that you're seeing that are bothering everyone? We talked about some of the resources we can share with the county. For example, I'm working on pulling some production reports so you can understand the demand study or do a demand study of how much is being produced and how much may need to be produced in your county. I think that's a really good start, and that's a way we can do things while still ensuring that we're projecting our resources as best as possible, and also getting the ultimate result that you want, which is, having fewer bad operators. It's time to start taking into consideration some of those hyper-local rules. We haven't seen that happen across the state. I'm open to providing any support, education, workshop, and discussions with local regulators on how to do that best for their communities.

Ryan Schwebach-County Chairman: I read that in the consumption in New Mexico, we are producing one and a half times what the consumption is. Is it legal to send this marijuana across state lines?

Eden Sayers - Cannabis Control Division, New Mexico Regulation &

Licensing Department: It's not legal to send marijuana across state lines at this time, and it is still against the law.

Ryan Schwebach-County Chairman: We all know it's happening. We just can't catch it.

Eden Sayers - Cannabis Control Division, New Mexico Regulation & Licensing Department: I would imagine, it does happen, yes. It becomes a very complicated issue once it crosses the state lines.

Ryan Schwebach-County Chairman: Unfortunately, it's an issue that is in our backyard, and that's why we're having this discussion. I appreciate you being here. You mentioned the permitting on CID, a Certificate of Occupancy, I can build a home, I can get my electrical permit, and they'll turn on the electricity and get my gas. I can get my sewer and put my walls up but until I get a final inspection then I'll get a certificate of occupancy, I can still live in that home. I can still maintain it, and there are no consequences to me until, one, I want to leverage a mortgage again against it, or I want to sell it to somebody who has no cash. In my perspective, in all of this permitting, the state has adopted this permitting process similar to everything else, with the assumption that we are dealing with people who are looking for conventional financing. We are not. Most of these operators were growing marijuana illegally in other states, maybe in this state. We made it legal; it attracted them here. It is safe to say that many of them do not have the same scruples that our current business owners have, and that is a vast assumption, but that is the reality of what I'm seeing. I have yet to have any of these producers show me differently. That is the issue I see with the permit, it is tied to finances, and we're dealing with an industry that does not require the same conventional financing. For those of you listening who have authority over the legislative process, please take that into account.

Michael I. Garcia-County Attorney: You had mentioned the demand study. I did a little bit of research on it. I'm wondering if you can point me to any statutory authority that says a demand study, or its results can be the basis for denial or granting a land use application.

Eden Sayers - Cannabis Control Division, New Mexico Regulation & Licensing Department: As far as demand study, that's identifying, how many of a certain license type that you need for your community. I can follow up with where the support for that would come from. As far as having a demand study that's showing X number, and then you being able to, then ultimately say, our community needs 10 producers, and then drafting your rules to align with that. Most of the time, those are flexible, that's revisited at certain times. You usually have it as something that is done maybe every couple of years. That way, if you

demand changes where you need more or need less, you're able to open that up to have additional licensees apply. Yes, I'll follow up with you on where that comes from, and what you would need related to not implementing that.

Michael I. Garcia-County Attorney: Thanks for doing that specifically it would be in the context of land use, that's where the main issue for us as far as Planning and Zoning.

Eden Sayers - Cannabis Control Division, New Mexico Regulation & Licensing Department: To a certain extent, specifically for Zoning and Planning, I don't think you necessarily need to do the demand study to kind of reduce the amount. There are a lot of other restrictions that can be put in place. I'm happy to workshop with you again, and sometime in the future, we can connect and cover some of that. There are a lot of options, as far as what that looks like for local regulators. You can add a zoning area within your zoning framework where you say, we only allow cannabis production in zone C1, or whatever it is that you would like. That still meets the role, where you're not prohibiting it, but you do have some time place, and restrictions.

Michael I. Garcia-County Attorney: Our situation is more the agricultural aspect. We don't have a lot of physical locations where people are going to sell it like they do in Albuquerque. Our situation is going to be more agricultural. If it's agricultural produce, then you're talking about zoning being A1 and if it's an agricultural product, you're going to have to find a way to differentiate that from everything else. I understand what you're saying. You can use the zoning code to make sure that proper activities are occurring in property zones, but if you're talking about an agricultural product, that's the situation we are in. We're vastly more agricultural. We're going to be limited in using the zoning code that way.

Eden Sayers - Cannabis Control Division, New Mexico Regulation & Licensing Department: I hear what you're saying. I'll present you with some very clear examples because I've seen this done in Colorado many times. To give you a little background on myself. I came from the industry and have been in this industry for about five years. I've worked extensively on building out local regulations with cities and towns throughout Colorado. I have looked at every kind of zoning or zoning use plan that you can imagine, and I've seen a lot of creative options where cities towns, and counties have been able to restrict production and manufacturing to the areas where they wanted it to occur and keep it out of other areas. I think it's a small addition you can add something in where you're specifically saying, it's an agricultural zone but you can break it out and say, you

want to have a cannabis-specific agricultural zone and could add some additional restrictions. There's nothing that would necessarily prohibit, having A1 and A2, which is maybe A2 in cannabis and hemp. However, you'd like to have that. I'll provide some examples of what I've seen in the past, that's been effective, then you can present that to the community in the future, as you have an opportunity to discuss it and see what a good fit for you.

Ryan Schwebach-County Chairman: You came from Colorado. These examples, have you seen these on the growing agricultural side implemented in the state of New Mexico?

Eden Sayers - Cannabis Control Division, New Mexico Regulation & Licensing Department: No, I haven't. To be quite frank. Cities, towns, and counties are looking to do this, this is the start of it. I have not seen extensive local regulations. Part of the difference here is that in Colorado, they have allowed local cities and towns to completely ban cannabis in their communities, whereas here it's a bit different, we have the time, place, and matter restrictions. There has been this very different framework that's built out there over time. We'll do our own thing because New Mexico has very different needs and very different interests. It will take time for local communities to start developing some of the regulations that fit their particular needs. I'm happy to do that with what I can pull from the bio track, as far as data. I can guide you with my own experience doing this work for many years. I want to be a tool and a resource for your community to make this look like what you want it to look like.

Ryan Schwebach-County Chairman: I wish I had the same confidence you do. I say that not in offense, but I say that in my research on this. The trouble is the way the wording of the law for legalizing cannabis, and the definitions of cannabis, pot, and hemp, whether it's oil, whether it's recreational, or medical are all focused on the dispensaries and locations. However, because it is an agricultural product, and our existing state laws protect ag production, this becomes a major issue. I do not feel that it was looked at very well with all the training I've gone to, and all of the research I've done. This was coming down the road years ago. Doubt was the issue. We're not dealing with dispensary problems. We're dealing with growing problems. It's very different. You do give me words of encouragement, but up until this point, that is not how it's been explained to me.

Kevin McCall-County Vice Chair: We have legislators online listening, and we have CCD listening. We feel like we're out here navigating this by ourselves. Legislators. Could you give us a liaison to help us navigate some of these zoning

issues? I'm hearing that maybe there's some hope that we can make some changes for possible denials. I ask at the state level, please give us help and if it's a windfall for the state that we hear it is, then there should be 200 inspectors.

Ryan Schwebach-County Chairman: Who is paying for all of this? How is it being paid for? With two inspectors with the amount of money that the state is theoretically getting, how's it being paid for, honestly? Are they paying the FBI to come in on some of this? Or is that just kind of going through all of our federal taxpayer dollars?

Eden Sayers - Cannabis Control Division, New Mexico Regulation & Licensing Department: We don't get any money from the sales of cannabis. All the tax revenue, none of that goes for the CCD. We have a standard agency budget. We do have some revenue from our licensing renewal fees and application fees. As far as some of those other elements. I would say that's not my area of expertise here at the CCD, but I'm happy to look into that and provide you with some more clarity on the funding of the CCD and where that comes from.

Ryan Schwebach-County Chairman: You don't receive funding from the taxation of the sale?

Eden Sayers - Cannabis Control Division, New Mexico Regulation & Licensing Department: We do not receive any funding from the tax revenue that's generated. A small amount of our revenue comes from our licensing fees. We had a fine against a very large retailer recently, that was \$350,000 we collected. That goes into the state's fund. It's not money that goes into our budgets or our revenue. The reality is that we need more resources. We need more officers. We need tools, tanks, trucks, things like that, to do the things that we need to do here. We don't have the funding that we need, and there is money coming in from this, and it would be great to get some more resources so that we could amp up what we can do, across the board, for everyone.

Ryan Schwebach-County Chairman: I appreciate you joining us and shining some light on this topic. Some other individuals were talking about coming out. They chose not to. I want, for the record, to say that this community is very passionate. We are not a violent community. For some of those other individuals that were considered to be here, that's why law enforcement was here. We have a very passionate community, but they're a very well-behaved community. I appreciate that for the record.

Samuel Schropp-County Commissioner: To summarize and wrap up. I didn't go into my conversations with the AG office in any detail, and I'm not particularly going to Taylor Bucha, the Chief of Staff of the Attorney General, Raul Torres, is going to be calling the General Counsel of each of the departments we mentioned earlier. Ms. Sayers said some other agencies and departments may be able to help with sewer permits, park testing, and groundwater pollution are the people who are using the chemicals in these grows, are properly trained. That's under the province of OSHA, which is a division of the DEQ. With Workforce Solutions, does everybody have work permits? Is the paperwork in order, and can they show that they are paying the taxes on their employees? Is the OSC out here to start reading meters? Every one of these grows will be required as a new permit to have a meter. Who is monitoring those meters? I will be working with the AG office to start those things. With ICE/CBP, we're going to be watching for human trafficking and working on immigration checks. There are things we can do in the short term.

I mentioned earlier that I had asked the governor for a moratorium. An executive action for a moratorium through the licensing division on issuance of licenses. I would encourage every one of you and everyone you know to call the Governor's office. Be polite, be short, and be concise. Ask for a moratorium on the issuance of licenses. Go to the website and send an email asking for a moratorium on the issuance of licenses. What the governor related to me was that the politics of this made her not want to become involved. How do you change that opinion? You bring the politics to bear. Every one of us and everyone you know needs to begin politely and concisely conveying your thoughts to the Governor. I'm also reaching out to the Commissioners that I met at the Commissioner's affiliate retreat who were expressing these kinds of same problems. I will be asking their Commissions to bring these issues to the state. As Ms. Sawyer and I discussed yesterday, this is a problem of the state's making. This was Legislation that was passed and signed by the governor, and now it's dumped on all of us, including the CCD, who are underfunded and understaffed for what has happened as a result. We are looking at this problem and taking the actions that we can legally to get this in check. So pay attention. You can use the reporting form on the CCD website.

I spoke at a naturalization ceremony that the National Park Service held over the past weekend, and for all of those new citizens, I quoted Abraham Lincoln from his Gettysburg Address. "We are a government of the people, for the people, and by the people," so as people, we can work together and bring pressure to bear to straighten this thing out. Thank you.

Kevin McCall-County Vice Chair: When a grower applies for a permit, is it an annual permit, or a multi-year permit?

Eden Sayers - Cannabis Control Division, New Mexico Regulation & Licensing Department: It is a yearly permit.

Ryan Schwebach-County Chairman: I think that answers most of my questions. I am frustrated. I'm not looking to shoot the messenger. I'm looking for solutions, and I appreciate the information you brought to us and look forward to continuing to work with you.

Kevin McCall-County Vice Chair: The last two days, I spent a lot of time with Legislators and the Secretary of Agriculture and seeing where they stand and what role they play. I just keep getting finger-pointing with no teeth, and I think that's what we as a Commission, we as a community, want to know, where does the buck stop?

Ryan Schwebach-County Chairman: Agree.

Samuel Schropp-County Commissioner: Once again, I'd say it's up to everyone concerned to correct the passing of the buck, we have to hold them to the fire and tell them we expect not to pass the buck, but suggestions, solutions, and enforcement.

B. GRANTS: Discussion regarding the status of the County Fairgrounds Improvement project.

Amanda Lujan - Grants Administrator: We will be going through with some of the work that's being done on the Torrance County Fairgrounds. Then I'll turn it over to our Architects from Studio Southwest Architects. They will go over the first draft of the master plan of the fairgrounds. We have currently spent about \$95,221.25 on the fairgrounds including new steer barn doors, roof repair, the geotechnical study, a survey by Bohannon Huston, paint for the existing building, as well as the preliminary development and design of the master plan, etc., and we have more funding available that will be used to continue the work on the design and development of the fairgrounds. We have different Capital Appropriations from the state legislature. We have F2920 for \$700,000 which will revert at the end

of this fiscal year. G3049, for \$268,800 which will revert at the end of 2026 H3238 for \$1,050,000 which will be over at the end of 2027, and then I3189 for \$2,910,000 which will revert at the end of 2028. We have approximately \$4,928,800 for the current improvements on the County Fairgrounds. This funding is tied to the ICIP. The Fairground Improvement Project is always on our Infrastructure Capital Improvement Plan. Every year we request funding from the Legislature. The total amount for the fairground improvement in the ICIP is about \$14 million. This is where we are right now, and what we plan to do is go over the master plan and get some ideas from you today about what we want to work on next.

I want to be very clear that this isn't official. This wasn't at a Fair Board meeting where they approved it on the agenda. This was in conversations I had with Marcie, Debbie, and other folks while we were at the County Fair. For example, some of the concerns the Fair Board had were washing and grooming stations. Those include just additional covered areas the upgraded water and electrical systems, as well as cooling in all the buildings and barns. One of their things, which is a lesser cost, is exhibition furniture. In speaking with the Extension Office, they have a lot of programming out there, and right now they have to transport everything from here over there. They're interested in classrooms, storage, offices, a designated teaching kitchen, and electrical upgrades. Based on conversations we've had, what I've identified as the County's priorities are rural development increased year-round use, and the building to be used more as a community resource, community activities, etc. We also have the multi-purpose building, or new arena, which is one of the main things the architects will be talking about today, as well as overall grounds improvement. The water and sewer systems need some upgrading. We need to work on the parking as well as general electrical upgrades. When we went out there, they had a 10X10 tent set up for grooming the goats. Extension cords are going all the way out there. What we need to think about is what we're using it for at different times of the year. Try to address those needs, both for aesthetics, safety, etc.

Kevin McCall-County Vice Chair: Right now we are working on the \$41,070 for the pre-land development design.

Amanda Lujan - Grants Administrator: We are still working on that with the architects, and the \$41,000 is what we've already paid them for a workup to this point, there are still forthcoming items.

Kevin McCall-County Vice Chair: This map is nothing like what this Commission talked about. I'm a little frustrated. What is our time worth by going out to that facility, this doesn't even resemble anything of the Commission's design.

Amanda Lujan - Grants Administrator: We are here to get your feedback, thank you for sharing that.

Kevin McCall-County Vice Chair: The buildings are different? The positioning is different. This is bad.

Amanda Lujan - Grants Administrator: Based on my understanding, our main focus was where we were going to put the new arena, and then we wanted them to redo the master plan for everything else. The idea behind this was to make everything more accessible, so everything is more centrally located and can be kind of one large activity area.

Ryan Schwebach-County Chairman: This is nowhere close to the conversation we had out there at the fairgrounds a year ago.

Janice Barela-Madam County Manager: When you're looking at the design of this map, what you all discussed when you went out there was 2 and 2A. In looking at that, that does appear to match what the Commission has stated, in having an L-shaped design. That's the multi-purpose building that we're talking about. The rest of it is developing ideas for what else can occur on the property.

Ryan Schwebach-County Chairman: It's going in the wrong direction? It was from the alleyway to the east not to the west, not tearing down any buildings.

Amanda Lujan - Grants Administrator: To clarify, one of the areas where it was changed is that we went from a 22,000-square-foot building to a 70X70-square-foot building because that's all the funding we have.

Ryan Schwebach-County Chairman: How did we arrive at a 70X70 building at \$2 million?

Janice Barela-Madam County Manager: Whenever we initially talked with Studio Southwest, we didn't have the appropriation of the \$2 million. It was scaled back significantly based on the appropriations that the county had at the time. They recently found out that we have the additional money that was given to us. When they were making the design, they were basing it on what could be built with the

funding we had at the time, when they were coming up with the programming and the design phase. I hear your frustration. Her hands were tight because she's also having to do it within a certain budget.

Laurie Anderson - Studio Southwest Architects: Thank you for having us here today. This is a draft. We wanted to be able to present this and have some further discussion about what we come up with, and what we can do moving forward. The reason is that this has not advanced beyond this, we have been waiting for surveys and geotechnical reports. Those just got finished, last week. We waited for approximately two or three months. We didn't have any control over that, I apologize. I understand the disappointment. I'm equally frustrated. Realistically, we had to work with what we had. We've been going for about two or three months based on the information that we got from the Fair Board and talking to you a few months ago. What we would like to do is continue to work on this, and it wouldn't be an extra charge. We still want to complete the schematic design under the \$41,000 already provided. It's a group of Studio Southwest, the Civil Engineer Bohannon Huston, our mechanical, electrical, and plumbing engineers, Maxum Engineering as well as the landscape architects, they haven't had a chance to put their overlay onto this.

Ryan Schwebach-County Chairman: Because we were waiting on?

Laurie Anderson - Studio Southwest Architects: A survey and the geotechnical report. We now know where the utility lines are located. We have a report from Geo-Technical that this area does get flooded. These are things that we would like to address.

Kevin McCall-County Vice Chair: If you have a survey, it says there's a hog barn. There is no hog barn. Is that a proposed building?

Laurie Anderson - Studio Southwest Architects: Item B is the hog barn. In this plan, where we're proposing this arena, would be replacing the open-air hog barn. We heard concerns while we were on the site that the water was working there, and it was also too hot of a condition for the hogs.

Kevin McCall-County Vice Chair: I question the accuracy of your survey. You have a hog barn that's not there. It's non-existent.

Laurie Anderson - Studio Southwest Architects: We can start drawing over this to get closer to what you were expecting.

Ryan Schwebach-County Chairman: I feel the three of us were clear the day we were out there. I don't see any reason why we can't start drawing on this to get something back in a short amount of time. Where did we come up with \$2 million for a 7,200-square-foot building?

Laurie Anderson - Studio Southwest Architects: We spoke to contractors to get the price per square foot for a 70X70 building. I'm going to round up to 5000 square feet at the low end \$350 square feet. That would be about 1.5 million. A lot of contractors are even quoting \$500 a square foot.

Ryan Schwebach-County Chairman: What is the contractor's scope of work for a building like this? What kind of building are we talking about?

Laurie Anderson - Studio Southwest Architects: It's the industry right now, unfortunately. The building is a concrete slab with insulated metal panel walls, overhead doors, a metal frame roof and metal roof, windows, and mechanical electrical and plumbing systems.

Kevin McCall-County Vice Chair: That's my frustration. We all went out there. A quorum was posted. We had a Clerk walking around with us making sure that minutes were taken, and then what I saw was nothing like what was discussed. I'm not blaming you; it sounds like there's a communication breakdown.

Laurie Anderson - Studio Southwest Architects: I do know that we had subsequent meetings from the program that we received from you all, and that influenced the overall program.

Samuel Schropp-County Commissioner: There's no doubt that this would be a great fairground, but we can't do this. I know this is a master plan, a plan you are building towards that, but when this Commission laid out with paint cans and tape measures last year it was affordable for the County. What we're looking at here is way beyond what any of us envisioned or think we can afford.

Ryan Schwebach-County Chairman: In that conversation, we were talking about a lot more money. We were having the conversation in phases, overall plan on what could fit there. I think it was up to 22,000 square feet, this plan does not accommodate any of what we discussed. We were acutely aware that it would be phased because not all that money was available, but we wanted to plan with the concept that would be available to add on in the future in phases.

Samuel Schropp-County Commissioner: GIS recorded marks based on what this Commission had laid out on the ground so that information is available to the architects.

Laurie Anderson - Studio Southwest Architects: As I mentioned, we did receive more information from the Fair Board.

Ryan Schwebach-County Chairman: How much influence has that information had on this plan?

Laurie Anderson - Studio Southwest Architects: We put the majority of what we had heard from both groups.

Kevin McCall-County Vice Chair: I strongly disagree. I don't think the Commission had any influence. This is a pretty nice little fairground, but we have been selling this to Legislators and community members that this is a multi-purpose facility building, for parties, car shows, and reunion parties. This is very segmented, with a future chicken and rabbit barn, and steer barns there. This is nothing in the idea of what this Commission or these Legislators were told this was going to be.

Ryan Schwebach-County Chairman: How do we proceed?

Laurie Anderson - Studio Southwest Architects: We would like to know what your highest priorities are, to best use the funding that you have available. I would recommend it because it does sound like there may be differences between what those priorities are from the Commission and the Fair Board.

Ryan Schwebach-County Chairman: Let me make it clear, the Fair Board has no say so in this at the moment. They have committed to giving us advice to make this decision. I don't want to go down this road anymore, the Fair Board is not the decision-making policy here.

Laurie Anderson - Studio Southwest Architects: That is very useful to know. Thank you.

Ryan Schwebach-County Chairman: I'm sorry you weren't informed of that before.

Samuel Schropp-County Commissioner: My suggestion, would be to go to GIS and get the marks that they recorded on the day of our forum and our meeting out there, and revisit that layout.

Laurie Anderson - Studio Southwest Architects: We would be happy to do that. We want to work with you and provide you with what you are asking for.

Kevin McCall-County Vice Chair: I apologize if it's coming off that we're angry, it's frustrating because we're getting questioned. It has been a slow-moving project. You as a professional tell us, what do we need to do?

Laurie Anderson - Studio Southwest Architects: I do appreciate your feedback. I'm embarrassed that we've missed the mark.

Ryan Schwebach-County Chairman: I apologize, I am extremely frustrated, and I'm not going to blame anyone, but what we need to do is move forward and try to correct this in a very timely fashion. I am hearing that your company is prepared to do that.

Laurie Anderson - Studio Southwest Architects: Yes, we are now that we have the survey and the information that is needed.

Ryan Schwebach-County Chairman: Within that, there was some miscommunication, so let's clear that up. This is a Commission's decision, and the people that influence this will be either the Commission or appointed by the Commission and no other, period. If somebody has influenced this, they can come to the Commission and go through us to put this in.

Samuel Schropp-County Commissioner: I referred to the GIS map, we now have the site plan and the dirt survey. It would be relatively quick to go to a cad and lay that out and then the Clerk's Office will provide the recordings that were made on that day as we were discussing what our intents were.

Ryan Schwebach-County Chairman: I think that's valuable down the road. I think we need to start sketching on this so you can go home with something to give to your engineer.

Samuel Schropp-County Commissioner: When I say the GIS marks, that's the GPS plot of the site, the footprint that we expected on that day. I don't know if stretching out and making our intensity known in this format would be valuable.

Let's start scratching some things. Over at P, D, and E, up in the corner, that's all-future development, other than a gravel parking lot. D1, B1, A1, all future. The restrooms stay. 1A future showing that was never even discussed, that is off the list. The steer barn remains an existing structure. B and C, hot barn, future hot barn those are existing barns and nothing else. Part of this is the discretion of the Fair Board of how they use these buildings for fair. This is just an animal barn. Let's leave 1 and 4 there. Let's go back to 2 and 2A. We have an existing building there. We just redid the kitchen.

Laurie Anderson - Studio Southwest Architects: 2 would read, 2A as an expansion.

Ryan Schwebach-County Chairman: We're not looking at 2A with existing funding.

Laurie Anderson - Studio Southwest Architects: Everything that's shown here is all future expansion.

Ryan Schwebach-County Chairman: I would like its future expansion, to when we get down to funding this. We know what we're funding. The future expansion is simply for future Commissions to figure out what they want to do with this. The purpose of that was the existing building that we could upgrade and maintain. In that building, we put a kitchen. The only talks we had about that existing building were because of the kitchen, to make sure we have pathways to the new building where we can facilitate the kitchen and not have to rebuild a new commercial kitchen. 2 is covering an existing structure. There was a question on that existing structure in whether it should be torn down and removed, or whether it should be incorporated. There are several questions on that, and this is the overhang where the existing shilling is. That structure was in question as to how safe it would be tying into it or using it. That whole structure was in question on whether or not we were going to remove it for the space. We're not talking about the enclosed building; we're talking about the overhang and the hot barn.

1 and 4 will be the East-West design of the L shape. Then if you go over to the west side of 1, right at the corner of what is labeled B, you start coming south. That was the proposed L shape. That's the structure you don't have in there that's covering up what I believe to be a path.

Samuel Schropp-County Commissioner: We left an alleyway between 1 and 4 and B was going to extend to the south.

Ryan Schwebach-County Chairman: 1 and 4 that was the proposed multi-use building. I think we're pushing 15,000 square feet. I envisioned that was what we were going to be shown today. Is that within this building, within the square footage, and costs? We're not talking about an entire building that is fully heated and cooled. We have the dirt parking lot there. This would be the main entrance for non-participants within the fair, the general public. In 4, we have an entryway, possibly a small office. There are some other conversations within what we're going to do and that was a budgetary concern. Possibly housing the Extension services, those were all conversations. We wanted a building that could be expanded or put into office-type space at that entryway, and this parking over on the east side of the fairgrounds would be the main entrance. That would be when it's non-fair time, the Extension service there, this is where you're only going to have 5-10 cars. You have overflow parking for events, and stuff like that. During the fair time, when you come back over here on RVP, P, 6, area, that's where your participants could bring the animals in between B and F. The same place they do now is by the steer barn. That's where they have their entries. That's your control. They can park and set up their campers. In the meantime, there's a controlled separation between the public ask access and the participative access, not mandatory, but an option. It also allowed us to close off the rest of these grounds when only the facility is being used for a dance, which would be up in your 1 and 4 areas, to where we don't have to worry as much about security and vandalism on our existing buildings. That was a conversation.

Kevin McCall-County Vice Chair: The one thing that I think you missed is very accurate in his discussion, and I appreciate that. By 4, if you look east, there was talk about additional funding for the Extension Office to be put on the front of that building for our County Extension to be housed. As you drive in that gate you're greeted by the County Extension Office. The ceiling is lower. It's built-out cubicles or whatever they need and behind, to the west starts the multi-use building. The ceiling goes up, and at that point, we're talking insulated concrete building. The L shape comes in because I'm hesitant to tear down any buildings that are out there. Let's try to work around what is there. Draining water could be a problem, but I think it can be done.

Ryan Schwebach-County Chairman: The east side of 2 is probably the most dysfunctional and unsafe building there. They're very functional, now. They serve a purpose, but we're talking about replacing their purpose now. What is the best use for that space? We're talking about taking part of the building off and relocating the wash rack which is an issue. We are not necessarily talking about a

fully insulated building. It could go either way, that went back to the budget, went back to how much money was available, but that was the overall design.

Regardless of what we did with all of these concepts in this building, this one building is the main focus for the majority of the money. It's all expandable. The question is, how much is seated in the type of heating cooling system in different areas because of the proposed functions? The other concept was where the doors were going to be, how many doors? Because that does add a ventilation. One of the talks was, how many animals are going to want to be housed in here? Well, if you're only housing animals during fair time, what are you doing with the building for the rest of the time? Those were all budgetary concerns, and we couldn't get to those details until we had a concept of what this was going to cost. No offense to any contractor, but I'm not buying the \$500 square foot price.

Laurie Anderson - Studio Southwest Architects: On the Extension Office, I heard that they would be where the number 4 is, that would be the entrance.

Ryan Schwebach-County Chairman: East of the 4, east of an in-addition. Not necessarily in this time frame, but the building design could potentially accommodate it. All I want is a box marked off, saying it has the potential to be added to it, and I want a building that can be added to it. Do you have enough direction to move forward in two weeks for the next Commission meeting?

Laurie Anderson - Studio Southwest Architects: I believe so. I would like to provide a sketch sooner than two weeks, making sure that I have understood what you say today, and I will have that by the end of this week.

12. APPROVAL

A. CLERK: Discussion and possible action regarding Liquor License Application submitted by Ray's One Stop, LLC located at 8572 NM 55, Tajique, New Mexico 87016; Administrative Meeting Agenda AUGUST 14, 2024 Torrance County Page 2 Alcoholic Beverage Control Division requires a public hearing to be held for the approval or disapproval of the Liquor License Application. **Public Hearing**

Action Taken:

Kevin McCall-County Vice Chair: Motion to move into Public Hearing.

Samuel Schropp-County Commissioner: Seconds the motion.

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

MOTION CARRIED

11:45 AM

Michael I. Garcia-County Attorney: Swore in Linda Jaramillo, Erika Ayon

Linda Jaramillo-County Clerk: The New Mexico Regulation and Licensing Department sent a letter to me on June 20, 2024, informing me of a transfer dispenser-type liquor application for Ray's One Stop in New Mexico. The owner of Ray's One Stop is Mr. Alessandro Ayon and the applicant for the transfer of ownership of the dispenser liquor license number 10192. I assume that this was sent to me because it is the Clerk's Office that issues Business Licenses to the two establishments that dispense liquor. That would be Ray's One Stop in Tajique and the VFW and McIntosh. This is the first time in my 25 years as County Clerk that I have been asked to coordinate a public hearing for the transfer of a liquor license.

I was on vacation when the letter came in, and Sylvia Chavez, Chief Deputy Clerk did what an excellent deputy does, and she took the initiative and started the process that the letter instructed us to do. The Director of the Alcohol Beverage Control Division, Mr. Philip A Sanchez, reviewed the application and granted preliminary approval. The application was forwarded to me for the local option district approval or disapproval. That would be the Commission with instructions given, which included a public hearing to be held by the governing body. Our County Commission. Notice of the public hearing was to be published twice during the 30 days before the hearing in our local paper, which we did before this hearing. In addition to these publications, a notice was published on our website as required. There was a conflict between the requirement of publication of the 30-day notice and the 45-day notice hearing requirement due to the publication date with the Independent. There was an option given to request from the ABC Alcohol Beverage Control Division, an extension of time past 40 days, and it was given by the Director, Mr. Philip A Sanchez, all requirements were met. I have all the documents. A certified letter was sent to Mr. Alessandro Ayon informing him of the meeting. We called him yesterday, and he said he would come. He could be in the meeting via Zoom, and he is. I didn't know if it was a requirement that he'd be in attendance. I consulted with our Attorney, Michael Garcia, and his colleague,

Mr. Kidd, on procedures, and they assured me that all was in order. The transfer of the dispenser license and the liquor application is in your packet. A public hearing will be conducted, which will allow the public to be in favor of the transfer of the ownership of the dispenser license or against it, then it is the Commission who will approve or disapprove the application, according to what was said. There's a place on the application where Chairman Schwebach, will sign and then we will send that back to the ABC, and then the owners of Ray's One Stop and can continue as usual.

Erika Ayon – Ray's One Stop owner: Normally, the liquor license doesn't go through the Commissioner's Office unless it's a new application. This is an already established license, we want to make sure that we will continue to operate as we have been for the past few years. It is only a family transfer, but it's the same process that we've been having to go through as a regular transfer. It's being changed to a different owner in the family.

Michael I. Garcia-County Attorney: Do you have anybody else that you would like to call to testify on your behalf?

Erika Ayon – Ray's One Stop owner: No.

Michael I. Garcia-County Attorney: If there's anybody either in the audience or on Zoom that would like to testify in opposition to the transfer, that would be the time to be heard. No response.

Linda Jaramillo-County Clerk: I want to say that Ray's One-Stops has been established for a very long time, probably 50 years. Very reputable business. I agree that they should continue.

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve Liquor License Application submitted by Ray's One Stop, LLC.

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

Ryan Schwebach-County Chairman: Motion to Move into Regular Session.

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

12:06 AM

B. DISPATCH/MANAGER: Request approval to increase 911 Operator/Communications Specialist salary for uncertified from \$17.00/hour to \$19.00/hour and certified from \$19.00/hour to \$21.00/hour.

Janice Barela-Madam County Manager: I've been working in conjunction with 911 Communications Director, Selena Carroll. This is something that's been on the forefront as we have lost dispatchers and are now at a critical state that we need to get these positions filled, and hopefully retain some of those who are starting to look for other positions that pay higher. This is something that their budget can maintain and take care of. It's not that it would not be asking for any additional funds to be transferred into their budget to accomplish the salary increase. We did not do this as part of a regular budget cycle because we didn't foresee there being a significant loss of employees due to salaries, as others around us have been increasing their salaries, which are high-stress positions and they do start looking at it and saying, "Is this how much I'm getting paid." To do this, I could get paid more someplace else and wouldn't have as much stress. Selena has turned things around. As far as building the morale out there. They have a good team. There's a good atmosphere. I believe this is the next step to give her the tools to be able to fill these positions.

Selena Carroll-County 911 Communications Director: I completely agree with everything that you're saying. I'm hoping, if you agree to this, that this will fix the problem because it's a really big problem. We're below critical stuff at this point. Everyone is doing multiple jobs. Everyone is exhausted. I'm hoping that you agree.

Samuel Schropp-County Commissioner: I've had an opportunity to spend some time out in McIntosh at our Fire Department and our Dispatch is teetering. They need the support of this Commission to pull them back from the brink. I think this is the first step.

Kevin McCall-County Vice Chair: Explain to me a little more about your budget and overtime.

Ryan Schwebach-County Chairman: What is the overall fiscal impact of the county versus the budget we have?

Selena Carroll-County 911 Communications Director: It depends on how many people I can get to work. Right now, everyone's working overtime every single week,

Janice Barela-Madam County Manager: In your packet is a salary showing the total budget increase if this is approved, and this is assuming that every position is filled. It would be \$58,409; they do rollover balances every fiscal year. This is something that is within their budget. This is something that we won't have to transfer additional money in to take care of it, even with overtime. We're hoping it will reduce overtime.

Ryan Schwebach-County Chairman: Is that because we've had so much rollover? However, next year, if you get them we are looking at a \$60,000 increase.

Janice Barela-Madam County Manager: The Commissioners did a great job two budget cycles ago trying to raise the starting salary for Dispatchers. That was a good start. At that time, there was a discussion, I think it had gone to \$4 an hour at that point, and now we're asking for an additional two. One of the questions that I asked Selena was when the Commission previously approved an increase in salaries for starting pay, there was an issue with those that were in higher levels also not receiving pay increases. My question is, is this going to cause a problem like it did the last time this Commission followed a member's will, my response that I have is there's still a big enough gap there. We have one or two of our Dispatchers who are currently at a salary of \$19 an hour.

Selena Carroll-County 911 Communications Director: There's only one Dispatcher, which is Adrian, who would be at that \$21 an hour, I've already asked her, and she's completely fine with it.

Janice Barela-Madam County Manager: There won't be other issues within the department because of this increase as there have been in the past. I wanted to

make sure to go on record that this was a discussion that was had, and this appears to be a good attempt to try to remedy this problem. We have a severe vacancy rate. **Samuel Schropp-County Commissioner:** The Chief loaned me a radio so that I could listen to the calls and see how much traffic was going through Dispatch. They're busy people. They're not just there slacking. This is a high-volume, high-stress job.

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve the increase 911 Operator/Communications Specialist salary for uncertified from \$17.00/hour to \$19.00/hour and certified from \$19.00/hour to \$21.00/hour.

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

B. DISPATCH/FIRE/EMS: Request approval for title change from Administrative Assistant to Administrative Assistant II to include salary increase from \$17.75 to \$19.75, commensurate with current duties and additional duties assisting the Torrance County Dispatch Center.

Janice Barela-Madam County Manager: Whenever Selena took over as the 911 Director, I asked her to evaluate her department. With all the extra responsibilities that she has, she is currently taking care of all the budget issues, procurement, requisition requests, and accounts payable, there are times when she is on the floor dispatching. This is one area that we can free up and provide additional assistance as far as the paperwork with your budget and purchases. Making sure accounts payable, and everything is taken care of. Whenever I was looking at this, the two positions that we have administratively are the Administrative Assistant, which we have in the Fire Department, Planning and Zoning and Clerks Office. Then we have an Executive Assistant in the Manager's Office and one in the Road Department. I thought with a position like this, we could maybe create another step in our Administrative Assistant area and put in an Administrative Assistant II because this individual would be taking care of two separate departments and assisting administratively in that way. Currently, the Administrative Assistant is at \$17.75 an hour, and the Executive Assistant is at \$21.25. I thought the good range

would be to start this position at \$19.75. The individual who currently holds this position is agreeable to take on these additional responsibilities. She already works well with Dispatch, and this would just provide additional assistance. In speaking with the Fire Chief and Deputy Fire Chief Sanchez she does have the capacity to be able to take on this additional responsibility.

Samuel Schropp-County Commissioner: We talked last week about lagging in collections on ambulance calls through the federal government, those payments that come to us. This position also administers that paperwork and those claims.

Jim Winham - County Fire Chief: Not so much, that lagging is because we have open calls back from April that our EMS reports are not being filled out in time.

Samuel Schropp-County Commissioner: This Administrative Assistant is the person who assists in us collecting those monies.

Jim Winham - County Fire Chief: She does some of that, but that's not the problem that we're facing.

Hanna Sanchez-Deputy Fire Chief: She does not assist with pushing forward the billing and image trend that's on the Lieutenants and me. We have open charts that haven't been completed, that's why we're lagging.

Ryan Schwebach-County Chairman: This is an existing position under the Fire Department and they're going to facilitate Dispatch also?

Hanna Sanchez-Deputy Fire Chief: Yes, She would assist in bills, purchases, orders, ordering, and any other additional duties that would fall under the clerical staff.

Ryan Schwebach-County Chairman: Existing position with more responsibilities. This follows through two departments, whereas previously one.

Kevin McCall-County Vice Chair: What is the current position of this one that we want to move to the current position?

Hanna Sanchez-Deputy Fire Chief: She's the current Administrative Assistant to the Fire Department. She does all the ordering, purchase order requests, bills, and all of that for the Fire Department. She's so efficient that by the end of the week, she's waiting on Purchase Order processes. Once it's there, she slows down. If she

can assist Ms. Carroll in other duties with dispatch, I think that would manage her time and get more things done across both departments.

Ryan Schwebach-County Chairman: Is this because we have an efficient employee or because that's just what the job demands?

Hanna Sanchez-Deputy Fire Chief: I believe it's because she's efficient. What happens if she chooses to leave?

Hanna Sanchez-Deputy Fire Chief: Ms. Carroll and I will be taking those duties on again.

Ryan Schwebach-County Chairman: I'm not opposed to it. I'm just trying to think things through.

Janice Barela-Madam County Manager: In your packet, you will see that there's a breakdown of what the total impact to the budget would be if, in a fiscal year, it would be \$5,221 and that's coming out of the budget proposed. The discussion I had with Misty our Finance Director, is that there would need to be a line-item transfer, from one fund to the other. This amounts to go into the Fire Fund, where she gets paid.

Ryan Schwebach-County Chairman: How did we derive this salary versus what she's currently being paid?

Janice Barela-Madam County Manager: It was a step between the Administrative Assistant and Executive Assistant. I picked a middle-of-the-road type salary between the two current salaries. We don't currently have an Administrative Assistant II. In any of our positions in the County, we're not proposing adding this to any other departments. I've been informed that the Clerk's Office has an Admin II. The Deputy County Manager said she is looking at our salaries to see what the titles are. I thought it was clerks one, two, and three, not Admin.

Ryan Schwebach-County Chairman: I agree with utilizing resources and compensating accordingly. It seems like every time we do it in a matter of two months, we have another department screaming at us. I want to prevent that this time.

Janice Barela-Madam County Manager: If this Commission does decide that you want to wait till the next budget cycle, that's fine. We would need to find ways to help Dispatch with some of these additional duties.

Kevin McCall-County Vice Chair: Is this because you are short-staffed in Dispatch?

Selena Carroll-County 911 Communications Director: Yes, I have too much to do, and I can't keep up.

Ryan Schwebach-County Chairman: If you get fully staffed, it may not be needed.

Selena Carroll-County 911 Communications Director: It's been years. We've only lost more. At this point, I've been doing all these jobs since February, and I can't keep going at this rate.

Ryan Schwebach-County Chairman: I can't argue that, and that's why I'm saying is it a permanent position or temporary? We just funded you more in Dispatch, in hopes of filling those positions. We start filling those. We may find that this position is more needed over at EMS. I'm not opposed to them; I don't know how it should be structured.

Samuel Schropp-County Commissioner: You just said that if the Department grows, there may be a need for that position there. Administrator II would have a greater workload if the Fire Department grows. This would be commensurate with that increase in workload on that side.

Ryan Schwebach-County Chairman: In light of the situation we're in today, we do an annual position change, then restructure the next budget cycle for a more permanent one, which would involve restructuring both departments in this position. That's my proposal.

Samuel Schropp-County Commissioner: We ran into all these slightly different positions two years ago, and we decided we weren't going to do that anymore. A little bit of definition and direction on how long it will last and what's expected.

Selena Carroll-County 911 Communications Director: Until the next fiscal year?

Ryan Schwebach-County Chairman: No, do it now and if it works, we define it more next year. You have to understand it too. I understand the frustrations, but this kind of thing causes major problems down the road that are not thought out properly, and that's why I'm vetting it. What happens when Hannah gets overwhelmed, and that time is going over to dispatch, and you don't have that position that you're funding in your department, or vice versa? You see, where's the potential problem? I mean, right now it works. Six months down the road, it may not. Then you are getting called because you're not keeping up. That's what I'm trying to avoid. I'm proposing to send it through the year. Approve it as presented. I analyze it very closely because you may discover more things that a position that is not a dispatcher can do, in which case we change your department and add a different position and the same within the Fire Department. Think about it, we're in a stressful situation. You are overwhelmed. Whenever we decide in a stressful situation, we don't see all the possible outcomes. That's why I want it to be designed in a way that can be changed. I'm not denying any of it, I'm saying think it through.

Michael I. Garcia-County Attorney: Do you want to create a position, and have it just last for a year?

Ryan Schwebach-County Chairman: The argument that has been brought to us is that we're adding more duties to this position that is working well because we have a good employee who can do more work, but more stuff upon this employee requires more pay. Don't have a problem with that. The question is, can we do it as a temporary justification? What happens if we discover maybe Dispatch needs a full-time? A full-time position at a lower pay than a dispatcher to cover someone. These are unknowns.

Michael I. Garcia-County Attorney: I think we can for the short term. I'm just trying to think of how to state it so one year down the road. We want some form of documentation that shows that it's temporary and ends in one year.

Ryan Schwebach-County Chairman: If we move forward with the one, this employee is accepting the responsibilities with that, but this employee is not arguing the existing responsibilities with the existing pay. Where the problem comes in whether it's temporary or not. The majority of this is coming out of the EMT budget. If it's not defined more of what budget it is coming out of, she goes back it doesn't do anything for dispatch with a higher pay.

Samuel Schropp-County Commissioner: Can't we place a caveat that the position will be re-evaluated based on workload, at the next budget cycle?

Michael I. Garcia-County Attorney: I think we can, I'm trying to think of how to document it because, I'm remembering problems where things have changed and payroll, and people didn't know why they got changed, or how they got changed. Maybe we could put it in the job description, an HR function where the job description expires on, say, August 13, 2025?

Ryan Schwebach-County Chairman: Unless the Commission makes it permanent. Too often we've done this, and it's a very common-sense solution, which I appreciate. The government has no common sense when you get to the details, and that's what I'm trying to prevent.

Janice Barela-Madam County Manager: I also make the recommendation that this be tabled today to allow us to get more information on exactly how we can do this without having the intended consequences. As far as dealing with an individual's property rights in her position, and then speaking with Deputy County Manager Sedillo, she's willing to take this up in the next Commission, meeting with you as well.

Ryan Schwebach-County Chairman: I would feel more comfortable doing this where we do it right because of what I'm hearing.

Samuel Schropp-County Commissioner: What we want to avoid is at the beginning of my term, we had an Administrative Assistant. We've had different people doing the same things, and it turned into a mess, and we were trying to straighten it out so that everybody knew what the pay grade was. We need to get this parsed out and the wording correct.

Kevin McCall-County Vice Chair: It's frustrating to me. We're in August, we just did July budgets, and here we are. In the prior motion, we did something, hopefully, to help. I'm not denying that, just like everybody else, you're overworked, but I too am concerned about creating something that has unintended consequences today, because we see a need.

Jim Winham - County Fire Chief: I'd like to address your last comment. The Fire Department did submit that for the budget for this year. We chose, collectively, to not pursue that with the budget as it went forward. I understand your frustrations about that and rightfully so.

Janice Barela-Madam County Manager: Also, the reason that you see both of these on the agenda today is that we didn't take for granted that this Commission would pass the first one. So if you would not have approved the previous one, this was on here to provide Selena with some relief, if anything, to take care of helping in any way possible. I appreciate the fact that you all approved the previous one, but please understand that the intent was not to overwhelm you with these requests. The intent was to try to provide solutions for a department that's currently floundering but under great management, and doing the best job she possibly can along with her supervisor. That's the only reason that you see both of these on here today at the same time.

Selena Carroll-County 911 Communications Director: With the amount of work that I'm trying to do it is almost impossible for me to train any new people. Right now, I have a new girl who's been there for two months, and she's not even close to getting the training that she needs to be a dispatcher or even go to the academy. I have another person who's going to start on Sunday. I have to start from ground zero. I can't make these Dispatchers into decent Dispatchers if I can't train them.

Ryan Schwebach-County Chairman: Have we looked at temporary services to facilitate? Is that a possibility? I understand this is clerical work, not necessarily a trained Dispatcher, correct?

Janice Barela-Madam County Manager: We haven't looked at temporary work. We do have Float Clerks, but they're usually not trained in as great a detail as what we have with the requisitions, they would have to have certain access within systems. We have not done that in the past, we can look at that as an option too, to see if we do have anybody, but we are looking at that point at paying the benefits.

Ryan Schwebach-County Chairman: I'm seeing six vacant positions in dispatch, and when I keep hearing over and over about the dispatch positions because of the stress involved, and the training, not everybody is cut out for that. Increasing pay to attract those individuals who can't handle it. This particular position can take a load off, not just you, but other Dispatchers. I'm not talking about a part-time position, I'm talking more of a full-time position clerical that does not deal with dispatching directly, that deals with alleviating your load, and other Dispatchers on the clear is that a possibility?

Selena Carroll-County 911 Communications Director: It is a possibility. Wouldn't it be financially better to just pay an extra \$2 to an existing person?

Ryan Schwebach-County Chairman: For just a day or two a week? I don't know. I'm allowing you to expand that concept, to think outside of the box, because this is a conversation we are having. The only conversation we have had is about more Dispatchers and more pay, and we have not fixed that problem. What else can we look at? This is the first time it's come to my attention that other needs do not require a Dispatcher within that department, has that been fully vetted?

Janice Barela-Madam County Manager: No, it hasn't. If this is deferred to the next meeting, the plan can be put in place as well as vetting that now as part of the initial options that are available, and what each one of those looks like financially. As far as the impact on the budget.

Kevin McCall-County Vice Chair: I understand, but I also saw the Under Sheriff today who put in 100-plus hours and she's exhausted. If she was in here, she'd be saying, I need some relief. We got to buckle down, give us a few weeks, and let us figure it out.

Samuel Schropp-County Commissioner: That is the least empathetic statement I've ever heard from around here. Just bear with it, continue to sacrifice your health and your family life for the cause. What a load of crap.

Ryan Schwebach-County Chairman: I'm sorry about this. I am empathetic. The reality is we are in a position where we have to make sound decisions instead of band-aids.

Samuel Schropp-County Commissioner: I said before, and as your County Attorney says, we can work out this band-aid so it can be torn off in the future.

Ryan Schwebach-County Chairman: That's not what I just heard.

Samuel Schropp-County Commissioner: That was the conversation we had a few minutes ago with the County Attorney, there is a way to set this up with a time limit, as you were speaking earlier, for a reevaluation in the next budget cycle.

Michael I. Garcia-County Attorney: I think that we can do it. I've never tried to do it before like this, and I'm not sure what the proper paperwork is to do it. I don't think there's anything illegal about it, so it's just a question, of making sure that, you document it in some way so that in one year, people remember what we did today. Speaking of band-aids, my suggestion was maybe to put it into the job

description that, this arrangement ends after a year. I'm not saying it's an elegant solution, but it's a solution.

Action Taken:

Kevin McCall-County Vice Chair: Motion to defer to the next meeting.

Ryan Schwebach-County Chairman: Seconds the motion.

Roll Call Vote: Samuel Schropp – County Commissioner: - No: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: - Yes:

MOTION CARRIED

D. DISPATCH: Requesting approval to pay Personnel Evaluation Inc. invoice # 51955 dated 6/30/2024 in the amount of \$50.00 for services performed in the prior fiscal year.

Selena Carroll-County 911 Dispatch Director: This is for two of the PDP tests that I give to new applicants, \$25 each. They were given in June and were closed.

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve payment to Personnel Evaluation Inc. invoice # 51955 dated 6/30/2024 in the amount of \$50.00 for services performed in the prior fiscal year.

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

E. FIRE/EMS/DISPATCH: Request approval to utilize Tablet Command services for the Fire Department to include mobile software that increases awareness, incident response, and incident management and improves firefighter accountability; agreement is yearly for \$2,995.00 for three end users.

Deferred

F. DWI: Request approval to submit an application proposal for 2025 Community DWI (CDWI) Funding in the amount of \$75.00; funds will be used on public information activities. (Grant Committee approved)

Deanna Lopez-County DWI Program Coordinator: The Community CDWI awarded the Torrance County DWI program, \$75. Granted us an extension to get the application submitted, and I'm here to seek approval for the application and propose to spend the money on activities aimed at driving.

Action Taken:

Ryan Schwebach-County Chairman: Motion the approval to submit an application proposal for 2025 Community DWI (CDWI) Funding in the amount of \$75.00; funds will be used on public information activities.

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. DWI: Request approval to submit a special application for additional Local DWI Grant (LDWI) funds.

Deanna Lopez-County DWI Program Coordinator: Every year you can submit a special application for additional funding from the Local DWI. I'm here to request for this application to be approved for additional funding for FY25 for enforcement, treatment, and prevention.

Action Taken:

Ryan Schwebach-County Chairman: Motion the approval to submit a special application for additional Local DWI Grant (LDWI) funds.

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. DWI: Request approval of Memorandum of Understanding (MOU) between the 7th Judicial District Magistrate Court and Torrance County DWI Prevention Coordinator for the Torrance County DWI Court Program to establish the expectations of the parties working with the Court's Torrance County DWI Court Program.

Deanna Lopez-County DWI Program Coordinator: This MOU is for the DWI Prevention Coordinator, which is for me to fulfill the role of a Support Officer on the multidisciplinary team for the Torrance County DWI Court Program. On page five of the packet. The Support Officers further the accountability of participants by monitoring compliance with the orders of the court and program expectations in a supportive instructor, structured way. They use a skills-based and motivational approach following the core correctional practices and motivational interviewing models. They may be responsible for conducting intakes and administering risk-need tools, performing drug and alcohol testing, conducting home or appointment contacts, and monitoring curfew or travel restrictions. The caseload will not exceed 30 participants, and part of that was the Ohio Risk Assessment System. I will get certified. There are also certifications I have to get. This is to approve this MOU to continue our role in the DWI court.

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve the Memorandum of Understanding (MOU) between the 7th Judicial District Magistrate Court and Torrance County DWI Prevention Coordinator for the Torrance County DWI Court Program to establish the expectations of the parties working with the Court's Torrance County DWI Court Program.

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

I. DWI: Request approval of Memorandum of Understanding (MOU) between the 7th Judicial District Magistrate Court and Torrance County DWI Prevention Program to establish the expectations of the parties working with the Court's Torrance County DWI Court Program.

Deanna Lopez-County DWI Program Coordinator: The previous MOU is for me as the program coordinator. This MOU is for the actual Torrance County DWI Prevention Program, and it just talks about our expectations, on pages two to three. The Torrance County DWI Prevention Program expects to, 1. Designate a staff member who shall be present at all treatment court sessions to report on participants, progress, compliance, etc., and ensure the assigned individuals are assigned a team member MOU. 2. Assign a full or part-time Torrance County, Mr. Wiener Compliance Officer to the Torrance County DWI Court Program for a minimum of two years when feasible, to ensure stability and continuity of day-to-day operations and to strengthen collaborative relationships between the key professionals. 3. If funding is available to assign staff and alternates to be designated to the treatment court based personal interest, to the treatment court, interpersonal skills, and motivation and professional abilities within their job description. 4. Encourage assigned team members to engage in onboarding ongoing cross-training and interdisciplinary education. 5. Support the quality engagement initiatives such as the certification and peer review that measure and promote alignment with the standards.

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve the Memorandum of Understanding (MOU) between the 7th Judicial District Magistrate Court and Torrance County DWI Prevention Program to establish the expectations of the parties working with the Court's Torrance County DWI Court Program.

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

J. DWI: Request approval to pay Waves Behavioral Health invoice # 0000037 dated 5/15/2024 in the amount of \$1,440 and invoice # 0000038 dated 6/1/2024 in the amount of \$1,440 for services provided in the prior fiscal year.

Deanna Lopez-County DWI Program Coordinator: During the transition from one administration to another in the DWI program, two POs were created in fiscal

year 24. On May 15, I received invoices number 37 and 38 and assumed the payments had been sent to Waves. On July 18, I received an email from Wave stating they hadn't received the payments for invoices 37 and 38. I contacted the Finance Department to find out that one of the POs for Waves was closed on May 4, which is why the payments were not made. I'm here to request approval to pay those invoices.

Action Taken:

Kevin McCall-County Vice Chair: Motion to approve payment to Waves Behavioral Health invoice # 0000037 dated 5/15/2024 in the amount of \$1,440 and invoice # 0000038 dated 6/1/2024 in the amount of \$1,440 for services provided in the prior fiscal year.

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

K. DWI: Request approval to pay Staples invoice # 7001321285 dated 7/10/2024 in the amount of \$51.29 for a purchase made in the prior fiscal year.

Deanna Lopez-County DWI Program Coordinator: This invoice is from Staples. I did not receive the invoice until after the end of the fiscal year 24. I received the invoice on July 18, which is why I'm requesting approval.

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve the payment to Staples invoice # 7001321285 dated 7/10/2024 in the amount of 51.29 for a purchase made in the prior fiscal year.

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: - Stepped out:

MOTION CARRIED

L. DWI: Request approval of the Torrance County DWI Planning Council By-Laws.

Deanna Lopez-County DWI Program Coordinator: I request approval from Torrance County DWI Planning Council to file with the Department of Finance Administration. The state of New Mexico requires that every DWI program and state review and update its DWI Planning Council bylaws every year. These bylaws were already reviewed and approved by the DWI Planning Council on July 31. I'm here to request your approval on them.

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve the Torrance County DWI Planning Council By-Laws.

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: - Stepped out:

MOTION CARRIED

M. DWI: Request approval of Voting Members of the DWI Planning Council.

Deanna Lopez-County DWI Program Coordinator: With the by-laws that were just passed. The DWI Council should consist of five to 11 members appointed by the Torrance County Commission. At the DWI Planning Council meeting on July 31, seven members were nominated and approved to replace members who have either left their positions or have not attended three consecutive council meetings without notifying the council chair, or DWI Coordinator. Unfortunately, one of the members that were nominated, Jason May is no longer able to fill that role. His workload has increased, and he won't be able to serve on the Council. I'm requesting approval for six members. Current Council member, Gail Falconer, Member at Large, will be replaced by Matthew Reyes. Current Council member Terry Morgan Moriarty at large, member would be replaced by Cheryl Parker. Current council member Cheryl Allen Torrance County, Sheriff's Office, well she was previously with them, will be replaced by Sergeant Jordan Duran, current council member, Don Apodaca, who was the previous Mountainair Public Schools

Superintendent, will be replaced by the new Mountainair Superintendent, Dr Pedro Vallejo, current vice chair, Melissa Nandino with Take Action Counseling has resigned from the Council, and we are nominating a new member, Todd Brogowski, Editor in Chief of the Mountainair Dispatch, Mateo Matt Page, Senior Trial Attorney, with the District Attorney's Office. We have the new six members, plus the current four. They are an authority in the DWI program, updates, and guidance.

Action Taken:

Kevin McCall-County Vice Chair: Motion to approve Voting Members of the DWI Planning Council.

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

N. GRANTS: Request approval of Operating and Use Agreement between Torrance County and Presbyterian Medical Services for operations of Estancia, Mountainair, and Moriarty Senior Centers for July 2024 through June 30, 2029. (Deferred from 6/26/2024 meeting)

*Heard in between public comments

O. GRANTS: Request approval of Road Project Agreement between Torrance County and United States Department of Agriculture (USDA), Forest Service, Cibola National Forest & National Grasslands for surface blading and related ditch maintenance of National Forest Service Road 321 and 55, five times a year for a total of \$1,120.00 and granting County Manager signatory authority.

Amanda Lujan - Grants Administrator: This is an agreement that we've had with USDA and the Forest Service Since 2021 and every year it comes back for renewal of the agreement.

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve the Road Project Agreement between Torrance County and United States Department of Agriculture (USDA), Forest Service, Cibola National Forest & National Grasslands for surface blading and related ditch maintenance of National Forest Service Road 321 and 55, five times a year for a total of \$1,120.00 and granting County Manager signatory authority.

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

P. GRANTS: Request approval of Subgrantee Agreement 23-JAG-TCSO-SFY25 and assurances with the NM Department of Public Safety for the 2023 Edward Byrne Memorial Justice Assistance Grant (JAG) Award for a total of \$12,874.00.

Amanda Lujan - Grants Administrator: This is approval of the Justice Assistance Grant. It's a federal pass-through grant that we get from the Department of Public Safety. It's for \$12,874 and it pays for overtime related to various specific outcomes that the Sheriff's Office has identified. Over time with increased policing observations, as well as some community outreach and community policing,

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve the Subgrantee Agreement 23-JAG-TCSO-SFY25 and assurances with the NM Department of Public Safety for the 2023 Edward Byrne Memorial Justice Assistance Grant (JAG) Award for a total of \$12,874.00.

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

Q. FINANCE: Request approval of Work and Financial Plan between Torrance County and the United States Department of Agriculture (USDA), Animals and Plant Health Inspection Service Wildlife Services (APHIS-WS) as approved in the FY25 Interim and Final Budgets and granting County Manager signatory authority.

Janice Barela-Madam County Manager: This is a follow-up to another agreement that you signed at the last Commission meeting. It is still for the same budget that you approved to give to USDA. This is another part that's talking about the work and financial plan for that money that you have approved. It's putting everything in writing, letting you know exactly where the money is going, and more transparency. We appreciate their efforts in doing this. We're asking for approval of this plan.

Action Taken:

Kevin McCall-County Vice Chair: Motion to approve the Work and Financial Plan between Torrance County and the United States Department of Agriculture (USDA), Animals and Plant Health Inspection Service Wildlife Services (APHIS-WS) as approved in the FY25 Interim and Final Budgets and granting County Manager signatory authority.

Samuel Schropp-County Commissioner: Seconds the motion.

Roll Call Vote: Samuel Schropp – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – No: Kevin McCall – County Vice Chairman: - Yes:

MOTION CARRIED

R. ANIMAL SERVICES: Request approval to pay AmerisourceBergen MWI Animal Health invoice # 54426499 dated 5/15/2024 in the amount of 181.80 from the prior fiscal year.

Danette Langdon-Animal Shelter Director: A delivery of an order was not reported properly. I notified the company that we did not receive it. They sent out a replacement order. The replacement order was received and paid for, but the original one did not get paid. There was a lot of confusion on the company's part and our part. The invoice disappeared on their end, and then they finally relocated it and figured things out.

Action Taken:

Kevin McCall-County Vice Chair: Motion to approve payment to AmerisourceBergen MWI Animal Health invoice # 54426499 dated 5/15/2024 in the amount of 181.80 from the prior fiscal year.

Samuel Schropp-County Commissioner: Seconds the motion.

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

S. EMERGENCY MANAGEMENT: Request approval of Purchase Order to Claunch-Pinto SWCD in the amount of \$19,500 for Community Wildfire Protection Plan, as outlined in Resolution 2023-12 and Memorandum of Understanding with Claunch Pinto SWCD dated 6/28/2023.

Samantha O’Dell-County Emergency Manager: When we received our grant for the Community Wildfire Protection Plan update, we did not have a line-item number to create a PO. I was advised by the Finance Director at that time that because it was a reimbursement with a grant, we didn't need to request the PO in advance. We have almost completed the plan. The draft plan is up for community input and will be completed in the next few weeks. To comply with the grant requirements, we needed to submit all of our payment reports by June 30. The reason that this is to Claunch Pinto is we did have an MOU with Claunch Pinto to create the plan. They were contracted then with the SWCA Environmental. We've worked with both of them throughout the entire plan. We do have a resolution that the Commission approved, and they also approved the MOU, When we received the invoice from Claunch Pinto, there were some issues because it was not following the finance policies because it had not been approved before starting the plan, which is why we're coming to you with this. Due to the grant time constraints, we had a tentative approval of this so that we could report everything to New Mexico Counties for a grant to meet the requirements. We did receive the reimbursement for this payment today.

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve Purchase Order to Claunch-Pinto SWCD in the amount of \$19,500 for Community Wildfire

Protection Plan, as outlined in Resolution 2023-12 and Memorandum of Understanding with Claunch Pinto SWCD dated 6/28/2023.

Samuel Schropp-County Commissioner: Seconds the motion.

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

MOTION CARRIED

13. DISCUSSION

A. COMMISSION: Update/Informal introduction about the Cannabis Control Division, New Mexico Regulation & Licensing Department regarding plans to work on a coordinated strategy of enforcement. (Eden Sayers, Esq.)

* Heard after agenda item 11

B. GRANTS: Discussion regarding the status of the County Fairgrounds Improvement project.

* Heard after agenda item 11

C. MANAGER'S REPORT:

Janice Barela-Madam County Manager: Something very important to me is how to work with the Department Heads and the Elected Officials that keep this County running. I'd like to quickly say something about each one of them. Selena Carroll, I appreciate the great strides that she made since she took on her position, she has been amazing to go above and beyond in every single way that she could think of recruiting. She is tireless at trying to find new ways to get people to apply for positions, and I appreciate the work that she's done. Danette, I appreciate that I get to tell her to her face, I told her, I hope she doesn't think that I don't care about Animal Services. She does just a phenomenal job as Director. I'm proud of you for

the work that you've done out there, the services that you provide to our community are so important, and you continue to find ways to get food out to people and the animals, and that's incredible. I wish you the best as you continue your services for the County.

County Assessor, Jesse Lucero, I worked with him for many years back when I was working in the Treasurer's Office. We've always had a good working relationship, and I appreciate him for that. Chief Deputy Assessor, Linda Gallegos, the same, and I know that she'll continue working things in that office for as long as she's able to. County Clerk and Commissioner-Elect many years of service with you when I was in the Treasurer's Office when you were the Clerk and Deputy Clerk, and then now coming back as the Clerk again. Thank you for being willing to come back and for putting in the hat to be the Commissioner. I'm sad that I won't be able to work with you as you come in, but I wish you the very best in all that you do. It's been an honor and privilege to work with you all these years. Thank you, Election Workers. They're not here, and they're not considered part of our staff, but they are rock stars. I appreciate all of them. I learned so much during the primary election audit that I conducted about how important those roles are, we have some amazing ladies and gentlemen who work, and I just hope you'll pass that on to them, that I appreciate everything that they do for every election that we have. Chief Deputy Clerk and County Clerk Elect, Sylvia Chavez, she and I were in the trenches together when we were going through that primary election audit and also dealing with all the issues we had in the Clerk's Office previously. She was another one who went above and beyond and tirelessly worked to get the job done in that election cycle. To go through all that and still win an election by herself. She was amazing, and I am so proud of her. I know she'll do an amazing job as a Clerk.

DWI Prevention Coordinator, Deanna Lopez. She came in not having experience in this role, but we trust her with it, and she has just run with it. I love seeing how much she's out in the community and trying her best to do an amazing job in this position. I wish her the best. The Extension Office, Debbie Mayberry, Thank you, Debbie, for including the Commission and me and everything that you have going on over there. Thank you for the service that you provide to the community. It's not just the kids that have animals, but you found a lot of ways to reach out to the other kids that have other interests in the county, and also adults. I've learned more about the adult services that you all provide, and I appreciate that. Thank you for your work there. Fair Board, Marcy Wallin is tireless in how she's conducting everything, and we've been having standing meetings, at 8:30 in the morning on Tuesdays for quite a while. There have been great strides that have been made to

improve the Fair Board and how the transparency is now there. I can tell you that I just had my last meeting with her yesterday, and I said we're setting up the agenda for the special meeting that's coming up later this month. I said I like to go back and look at previous agendas just to make sure we're not missing something. Let's look at your agenda from last August and both of us, but still laughing, because all it said was Torrance County Fair, that's all that they had on their agenda they were going to talk about. She said I realize now the difference between what we're doing and being transparent. It is so rewarding to have somebody willing to sit down with me and learn this and just run with it.

Emergency Manager, Samantha O'dell would tell me, I only want to talk to you for one minute. That's how she got in the door. Her one minute was always very important. I remember when she interviewed for the job, we decided we were going to take a chance on this lady. She's a go-getter, and she has proven us to be right. Thank you for everything that you do, for keeping us current on things that we've been so far behind on and pushing and pushing and pushing and not giving up. Please continue to do that. We don't think about emergencies until we're in the middle of it. Thank you for thinking about it ahead of time and preparing us for those times. I expect to continue to see all of the great things that you're doing. She's also my neighbor, so I'm sure I'll see her. Finance Director, Misty Witt came in and she just attacked. She was like a sponge, picking up everything that Tracy used to do. The Deputy County Manager taught her. She's made such great strides in the Finance Department, and I appreciate the work that she's done. Same with Kristen Saavedra, Chief Procurement Officer, keeping us safe, making sure that she says no when she needs to say no to department heads, and then helping them to know what to do so she can say yes.

Grants Administrator, Amanda went above and beyond when it came to trying to get our info done and helping with all the notice of obligations, helping with making sure our grants comply, having those meetings to make sure that they're reviewed before the commission meeting, and pushing for projects. Thank you for all that you do. I know it's a lot of work, especially right now, as you're in that smaller department by yourself, because we stole away your Grants Assistant, but hopefully, we'll get that position filled soon. Chief Winham, I've only worked with you for a short time. I think he stepped out already. I look forward to seeing the way the Fire Department, EMS, volunteers, and all that evolves and gets better with the help. Deputy Fire Chief Hanna Sanchez, I appreciate all that she's done for the county all these years that she's been with us. She's another one who works 100 miles an hour every day and night. Facilities Director, Richard Lesperance has come in, joined the Torrance County team, and he is learning a lot about our

buildings, and I'm glad he hasn't given up on us. I know this is something that is a challenge, our heating or our air conditioning is a challenge, but he's on top of it. Lots of work to be done, but he's doing an excellent job.

Our HR Director, I can tell you, is overwhelmed right now, because we have a lot of vacancies, a lot of interviews, and a lot of positions to fill, and she's going after that 100 miles an hour, and I can't say enough about the next one. Dominica Garcia is kind of in the background, but I can tell you that she is holding one of the most important positions as the legal assistant and records custodian. There is not one request that comes in that she doesn't 100% do her very best to fill requests as quickly and as thoroughly as possible, I can tell you, that she is amazing at her job, and I wish her the best in everything she does after this too. Don Goen, Planning and Zoning Director. He's in one of those thankless jobs, and he gets the heat for a lot of things. I can tell you that since he came in, he's told a lot of people, no, I think people don't understand how many times he does say no, and he does it in such a way that a lot of them will even thank him afterward. I don't know how you do that, but he helps them also get to a place where this is what you need to do to continue development. So thank you for that and the hard work that you do in there. You've improved that department significantly, and it's your leadership that's made the difference.

Leonard, I can talk about you. I thank you Commissioners for giving the Road Department more material. If we talk about the complaints that come in, it doesn't do any good if you don't have material to fill in holes and improve roads, and that's made the world of difference. Thank you to you and your department for everything that you guys have done to try to get on top of the issues and also quickly respond. When we do get complaints, they don't hold off and wait or just think right now, they generally do go out as often as they can to take care of these issues. Leonard can't do all things without Charmin, so please pass on to Charmin how much I appreciate the work that she does too. Sheriff Frazee, we have had our ups and downs, our disagreements from time to time, probably pretty close from the moment he came into office, but I do have respect for him and for his position, and I wish him the very best. Under Sheriff Reynolds, she's been amazing, and very responsive anytime I needed anything. She's been very good to communicate with and assist us as much as possible. Kent Ballard key staple in the Sheriff's Office, somebody who is constant and consistent and level-headed and has a wealth of knowledge, and I appreciate the work that he does daily. I'd like to thank also Katherine Hernandez for stepping into the role and seeking out and getting the appointment for the County Treasurer position. She's also the Treasurer-elect and

she's going to be going into her term of January 1. I wish her the best, along with her Chief Deputy Treasurer, Francesca Archuleta.

Legal counsel, Mike Garcia, has had the unfortunate opportunity to work with me very closely the last time that, this time that he's been here, I have my speed dial. I call him for anything and everything, and I appreciate the guidance, the advice that you've given me all this time, given me the opportunity to bounce things off of you, make sure that we're handling things properly, and I appreciate the wisdom, the professionalism which you conduct yourself, the great counsel you've given me through the years. Tracy Sedillo, Deputy County Manager. I stole her away twice, and she was kind enough to join me both times. I was appointed as the County Treasurer, and she was the Comptroller, which was similar to a Finance Director back then, she accepted a position as Chief Deputy Treasurer when I was County Treasurer. I was excited that she came over and joined me at that point, and she just thrived in that role and went on to be the County Treasurer and am incredibly proud of the work that she's done. Then whenever a vacancy came up for a Deputy County Manager position, I was glad to see her name that she had applied. Happy to have her written here again, and I'm sorry that I'm leaving you. I feel bad about that, but it has been an honor and a privilege to work with you all these years. I am proud whenever I look at all the things that you've accomplished, and I'm glad that I could be a part of that by working with you so closely.

Commissioners, I can't even thank you enough for the opportunity that you gave me when you knew I didn't have all the qualifications you were looking for in this position, but you trusted me to learn it, to do my best to be a person of integrity and to hold people accountable in local government. I did the very best job that I could every day that I was here, during all the calls that I took after hours. I will miss working closely with each of you. I learned from each of you in different ways, I'm a better person today because of all three of you, and I'm definitely counting my time here at the county, particularly in the County Manager position, as some of my best years of my career, and so thank you very much for that opportunity, and I will miss all of you.

One last, final thing, we did have someone from the public talk about Martinez Road and how that project had been promised to be done in June and July, and still hasn't been done. I talked with Leonard and wanted to let her know, and I did let her know before she left, that projects are delayed because of weather, and our contractor has his schedules or have their schedule set up, and they still are following their schedule, we're still going through their list with Green Road on Martinez Road to Lexco Road included.

D. COMMISSIONERS' REPORTS

1) Kevin McCall – County Vice Chairman, District 1

Kevin McCall- County Vice Chair: I want the public to know that there was a lot of great information this morning that I think maybe the Commissioners can give me some guidance on what direction to go about this cannabis growing. I learned a lot. I hope the public does more. I also attended the Junior Livestock sale at the County Fair last Friday night. Thank you to the buyer who showed up and for their support yesterday. Two Legislators, Senators, and Representative Lord joined us in the cutting of the ribbon at the Road Department Building. So excited to see that finally come through. I think it's been five to six years since one of my very first purchases of County property. The building looks very good. Shout out to BNR Construction, the contractor on that, and it was, of course, we followed procurement, but at the same time, I thought it was very important that the local contractor be and then we keep the money local. Good job doing our construction.

This is a sad, sad day for me. I've been stressed over this for a while, and I'm sure I will continue to be stressed over this for a little while, but I have enjoyed my time with you. I know that we took a chance on you. She called me last, to tell me she was leaving. I said, Why am I last, and she said, Well, you're the one that could probably talk me out of it, and in an hour, I didn't talk her out of it. I'm proud of you. Happy that it's what you hope it is, but we have made great strides in this County.

2) Ryan Schwebach - County Chairman, District 2

Ryan Schwebach-County Chairman: I do want to reiterate the conversation we had concerning the growth, it's a lot of good information, not making any promises, but I see some potential pass forward, but all of those paths require citizens to comment to our elected officials at the state level. All of this is coming from state law, and it needs to be fixed with state law. We need to keep that in mind. The County Commission is the most accessible political government you're ever going to find. Unfortunately, our hands are tied on many things we can do, but ultimately it also takes the public contacting their elected officials at the state level.

Janice, I'm not surprised that people approached you. You have a lot of professionalism, your dedication to the job and to be able to stay within your lane and keep everybody else in your lane is probably the most important outstanding God-given trait. I have seen an individual that you expressed in this position every single day that makes a difference. That truly does. This is not just for you, but this is for other individuals who are applying for all of the managers and high-level positions, those are the traits you carry. I appreciate that. I look forward to our conversations in the future. If there's anything you need in your endeavor.

3) Samuel Schropp – County Commissioner, District 3

Samuel Schropp-County Commissioner: Because of the timing of the Governor's appointment, I came into office having missed the January Commissioners training put on by New Mexico and I knew nothing. I've been a political junkie for years, but I knew nothing about how it works. I and James Madison, Secretary of Defense and Marine Corps General, when he was with the Marine Corps, his call sign was chaos. Colonel has another operational strategy suggestion. I would come into Ms. Barela's office and feel kind of bad because the Commissioner has another operational suggestion. Usually, she was very diplomatic about it, and we toned it down and guided her in a direction that would work within this system. I have enjoyed this experience. I've learned a tremendous amount. It's a great life experience that I'll cherish forever, and Ms. Barela is at the center. Thank you.

14. EXECUTIVE SESSION:

A. COMMISSION: Litigation related to Brian Sanchez v. Torrance County, closed pursuant to NMSA 1978, Section 10-15-1(H)(3).

B. COMMISSION: Discussion regarding the purchase, acquisition, or disposal of real property, closed pursuant to NMSA 1978, Section 10-15-1(H)(8).

C. COMMISSION: Discussion regarding the purchase, acquisition, or disposal of real property, closed pursuant to NMSA 1978, Section 10-15-1(H)(8).

D. COMMISSION: Discussion regarding limited personnel matters, closed pursuant to NMSA 1978, Section 10-15-1(H)(2), filling the County Manager position.

Action Taken:

Ryan Schwebach-County Chairman: Motion to move into Executive Session.

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

12:40 PM

Action Taken:

Ryan Schwebach-County Chairman: Motion to move into Regular Session.

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

2:46 PM

15. DISCUSSION AND ACTION ON CLOSED SESSION ITEMS ABOVE

A. COMMISSION: Discussion and possible action regarding Executive Session Item 14.A. related to litigation, Brian Sanchez v. Torrance County.

Ryan Schwebach – County Chairman: The County Attorney will proceed as directed.

B. COMMISSION: Discussion and possible action regarding Executive Session Item 14.B. regarding purchase, acquisition, or disposal of real property.

Ryan Schwebach – County Chairman: No Action

C. COMMISSION: Discussion and possible action regarding Executive Session Item 14.C. regarding purchase, acquisition, or disposal of real property.

Ryan Schwebach – County Chairman: No Action

D. COMMISSION: Discussion and possible action regarding Executive Session Item 14.D. regarding filling the County Manager position.

Ryan Schwebach – County Chairman: We will review all applications and encourage anyone interested to apply.

16. Announcement of the next Board of County Commissioners Meeting:
August 28, 2024, at 9:00 AM

17. Signing of Official Documents.

18. Adjourn.

Action Taken:


Ryan Schwebach – County Chairman: Motion to adjourn.

Kevin McCall-County Vice Chair: Seconds the motion.

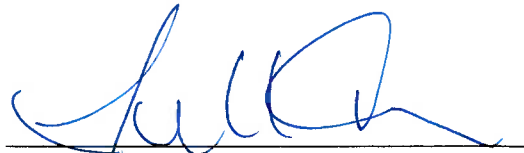
Roll Call Vote: Samuel Schropp – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: - Yes:

MOTION CARRIED

The meeting adjourned at 02:50 PM.



Ryan Schwebach - Chairman



Genell Morris – Admin Assistant



Date



Linda Jaramillo – County Clerk

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