

FINAL COPY
Torrance County Board of Commissioners
Regular Commission Meeting
January 08, 2025
9:00 AM

Commissioners Present:

RYAN SCHWEBACH-COUNTY CHAIRMAN
KEVIN MCCALL –COUNTY VICE-CHAIR
LINDA JARAMILLO – COUNTY COMMISSIONER

Others Present:

J. JORDAN BARELA – COUNTY MANAGER
MISTY WITT – DEPUTY COUNTY MANAGER
MICHAEL GARCIA – COUNTY ATTORNEY
SYLVIA CHAVEZ – COUNTY CLERK
GENELL MORRIS – ADMINISTRATIVE ASSISTANT III
DON GOEN – COUNTY P & Z DIRECTOR

1. Call Meeting to order.

Ryan Schwebach-County Chairman: Calls the January 08, 2025, Regular Commission Meeting to order at 9:05 AM.

2. Pledge led by: Ryan Schwebach– County Chairman

Invocation lead by: Kevin McCall – County Vice Commissioner

3. Changes to the Agenda:

J. Jordan Barela- County Manager: Defer agenda items 13B, 14E 14F, and move 15A before public comment.

Ryan Schwebach-County Chairman: I recommend after public comment.

4. ELECTION OF CHAIR AND VICE-CHAIR:

Ryan Schwebach-County Chairman: Election of Chair.

Action Taken:

Kevin McCall-County Vice Chair: Motion to keep Commissioner Schwebach as Chair.

Linda Jaramillo-County Commissioner: Seconds the motion.

Roll Call Vote: Linda Jaramillo – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: - Yes:

MOTION CARRIED

Ryan Schwebach-County Chairman: Election of Vice-Chair.

Action Taken:

Linda Jaramillo-County Commissioner: Motion to elect Commissioner McCall as Vice-Chair.

Ryan Schwebach-County Chairman: Seconds the motion.

Roll Call Vote: Linda Jaramillo – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: - Yes:

MOTION CARRIED

5. PROCLAMATION: None

6. CERTIFICATES AND AWARDS: None

7. BOARD AND COMMITTEE APPOINTMENTS:

A. COMMISSION: Discussion and possible appointment of Torrance County's representative member to the Mid-Region Council of Governments (MRCOG) Executive Board and alternate.

J. Jordan Barela- County Manager: I've been sitting in on both EVSWA and MRCOG, and I don't mind being appointed to those positions, I have some latitude to attend those meetings and provide comments back to the board.

Action Taken:

Ryan Schwebach-County Chairman: Motion to appoint Manager Jordan Barela as representative to the MRCOG Board and Commissioner Jaramillo as alternate.

Kevin McCall-County Commissioner: Seconds the motion.

Roll Call Vote: Linda Jaramillo – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: - Yes:

MOTION CARRIED

B. COMMISSION: Discussion and possible appointment of Torrance County's representative on the Estancia Valley Solid Waste Authority (EVSWA) Board.

Ryan Schwebach-County Chairman: I currently hold the position. Do you want that position on the EVSWA Board Commissioner Jaramillo?

Linda Jaramillo-County Commissioner: Yes.

Kevin McCall-County Commissioner: I hesitate for a bit because I know a lot is going on with the institutional knowledge Commissioner Schwebach has. Is it a violation of the Open Meeting Act for Commissioner Schwebach to speak with Commissioner Jaramillo concerning EVSWA matters?

Michael I. Garcia-County Attorney: I don't think it would violate the Open Meetings Act, as far as talking about Solid Waste if you were talking about a business that was doing much towards the County then it would violate the Open Meeting Act. Because it's the Solid Waste Authority, there's not a quorum.

Ryan Schwebach-County Chairman: I will sit down at the next EVSWA meeting and go over some Solid Waste matters with Commissioner Jaramillo.

Action Taken:

Kevin McCall-County Commissioner: Motion to Nominate Commissioner Schwebach as representative.

Ryan Schwebach-County Chairman: Seconds the motion.

Roll Call Vote: Linda Jaramillo – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: - Yes:

MOTION CARRIED

**8. PUBLIC COMMENT and COMMUNICATIONS:
(Comments limited to two minutes.)**

Chad Hamilton – Resident: I've lived out here for 17 years and have been battling this road. It's just horrible. The paramedics, Fire Department, and rescue can't get out there. It's one mile of road. There are weeds and everything else going through the middle of it. People in that neighborhood are now moving. Torrance County has chased five or six residents out, and by the end of the next year, there's going to be another five or six gone. They're leaving their houses there. They're empty, their shacks falling apart. I think the County can do better. It's one mile of road between Rio Vista and Shondale. In November, you took material off the end of our road and left us a huge hole. Nothing's been done. No material has been brought back. Nothing. If I went to the County yard this weekend and cut the lock and went in there and loaded on my truck, what chance I'd get arrested?

Ryan Schwebach-County Chairman: Very high.

Chad Hamilton – Resident: Exactly. Who's going to get arrested for leaving us this big hole at the end of our road?

Ryan Schwebach-County Chairman: At the end of your private road?

Chad Hamilton – Resident: It's not a private road, sir. It is a County road.

Ryan Schwebach-County Chairman: It's not a County-maintained road.

Chad Hamilton – Resident: It is a County road. The grader slid off the road. He backed up. Nothing's been done about it.

Ryan Schwebach-County Chairman: It has been brought to our Manager's attention; it has been investigated.

Chad Hamilton – Resident: Everybody in Torrance County gets charged \$60 a month for quarterly trash. Charge everybody \$40 extra on their trash for one year? That's 2.5 million the County would have to fix these roads. Enough is enough. Thank you.

Tiffany Wong with Innovation Law Lab: At the December 30th special meeting of the Commission. We were glad to see that former Commissioner Schropp voted against the extension of the ICE contract at TCDF, saying that he could, “no longer support Core Civic and the TCDF in good conscience.” Now amid a three-month extension of the ICE contract at TCDF, my colleagues and I, who work with the people detained at TCDF ask again that the Commission put an end to the Country's engagement with ICE/Core Civic at TCDF. For an example of why we come here again with testimony from an individual detained by ICE regarding the sewage flooding at TCDF. This recording comes from Eric Ramon Elvira on December 12th, after the last Commission meeting where we highlighted similar testimony. I'm going to be playing a recording. “Last night one cell started overflowing. First, it started overflowing with just regular water then started overflowing with raw sewage, it was a profound smell. You cannot cover your face; it gets through the shirt. Whoever was in that immediate pod had to move upstairs for the open cells that were in that pod, and then we had to clean it up.”

***Comments by Zoom**

Ian Philabaum - Innovation Law Lab: I echo my colleague Tiffany's remarks and want to share a recording from Eric who was held by ICE and Core Civic in the 2020 detention facility on December 12th regarding all the simulations, he spoke up on behalf of others. “They're trying to pick on me because I stand up for the other guys in the unit. They don't speak English. They search me every morning, I make sure everything is neat. They come in toss my bed around, throw everything, leave it on the floor, it's upsetting. It's no longer a random search, when they come every single day, searching the cell. I understand it's their job, but it's only happening to me. I speak out for everybody. I speak out for the people who don't eat, and who are getting mistreated. They make jokes about the other guys, they don't speak the language, they don't speak English, and the other guys don't understand. They tell them it's cold and if they can turn off the air conditioning in the cells. They say why did you come to America if you can't stand the cold.”
Thank you.

Tracey Master: As the Torrance County Sheriff's Office, chaplain. I had to respond to a call this past weekend in which a person had passed away. Today's comment is to praise Torrance County, 911 Dispatcher, Adrian Smith, the person I spoke with at the residence, who talked about Adrian's kindness and compassion.

He said she was caring and patient while he was waiting for responders to arrive, and that she helped him to stay calm. She was his lifeline. He said he could never sufficiently express his gratitude. I have already said something to her supervisor but wanted you to know this, thank you.

15. DISCUSSION

A. MANAGER: Presentation on Special Assessment Districts (SADs)

Jill Sweeney: I wanted to take a few minutes to share some information on what we commonly refer to as Special Assessment Districts, although sometimes referred to as Special Improvement Districts, County Improvement District is the name of the statute. We're here to discuss a method of imposing special assessments to create a public infrastructure that's in already developed areas. Special Assessment Districts can be created by two different methods, one is called the provisional order method, which is what we see regularly, and that is a process that's driven by the County. The Commission would determine public health, safety, and welfare to create a Special Assessment District. The ultimate goal of which is to finance public infrastructure. The other method is a petition method that requires property owners is precisely 66 2/3 of property owners to petition the County to take action and go through the SAP process. In all of my years doing these in various cities and counties around the state, for example, there are 228 in the city of Albuquerque, several dozen in Rio Rancho, and a number in Bernalillo County. I've never seen a petition method. Typically, it's a partnership, SADs are driven by more of an informal discussion, and then the County with the expertise to move a SAD forward using the provisional order method.

We'll focus today on the provisional order method. It requires five resolutions and two ordinances. Part of the reason for that is the community participation element of the statute, two resolutions include public hearings. There's not an election requirement, but there's an opportunity for the public to say, we support SAD, and we're willing and like to be assessed to contribute some to infrastructure needs relating to our property. The resolutions also can be combined. The resolution process is to walk the County through the development process. For example, resolution one describes the land and improvements, prepares the assessment flat, and estimates the cost of those types of things. Resolution two tentatively approves those preliminary plans gives notice to the property owners that the County is

considering creating a Special Improvement District and orders the preliminary assessment. Those two things can be combined. Resolutions three and four also be combined. Resolution three creates the district itself following a hearing, whereas resolution four brings along a tentative assessment role and sets a time and a place for the hearing. It is a list of all the properties and a list of the engineer's estimates of what would be assessed against each property to contribute to the financing of the improvement. Finally, an ordinance is required to impose and establish that assessment role. It's an assessment. It's not a tax, but it does need to be passed by ordinance, as all the other finance matters that the County deals with are required to do. That's the process of forming the district and getting the assessment role in place. As to the financing of the infrastructure itself by the quote, unquote district. There's not a district board; it's not a separate government. This is a government-driven process. You administer that process, along with the Manager and the staff.

Financing under this with this particular tool, under this particular statute that's specific to Counties, is very flexible. For example, we are talking about assessments. Assessing the property. There's also an option to have an election, rather than have assessments and impose a tax. In 30-plus years, I've not seen the tax method. The method used for special assessments can be imposed in a lump sum, or they can be imposed in an install. The improvements can be paid for directly using assessment dollars or bonds can be issued to leverage that money. You can finance the infrastructure 100% through an assessment, or the County can contribute revenue from other sources in its budget. There's a lot of flexibility in how a special improvement district can engage in the financing. The County can be recruited out of those assessments and out of or out of bond proceeds, depending on how the tool was used. An ordinance is required to issue bonds and again, once the preliminary assessment roll is in place, we can start to run that financing concurrently, to try to compress the timeline with all the stops that stop at the Commission even combined, need at least three stops. There are statutes of limitations and notices and of all of that regular process applies. It takes a little bit of time to get through that process. On the short end, four months, and on the long and 18 months. Most of that is driven by the time it takes the engineers to do the development set the costs and identify the property and all of those things.

A wide range of projects can be covered by public infrastructure projects. They don't have to be all contiguous, however, the assessment, when it's produced by the engineer, has to be levied on an equitable basis. Either front footage or area acreage. It doesn't fluctuate, there's not a maximum levy like you might have heard in the public improvement district context, it's set, but it has to be rationally based. If you have a particular district that is noncontiguous. You have to be careful that

the benefit applies equally so that the assessment can be equitably established. Sometimes, communities elect to form more than one, the example that's typically used in an SAD that took forever was the interchange at Comanche and Griegos in the city of Albuquerque. Where owners said, hey, we're happy to pay the assessment. We need this interchange, but others have to contribute as well. How broad of an area? How do you establish the boundaries of the district, such that everybody in the district benefits and their assessment is equally applied?

An SID, a Special Improvement District remains active until the payment improvements are paid off and or the bonds, if bonds are issued, are retired. Typically assessment bonds are limited to a 20-year life. 20 years to correct the assessment and pay off the debt, it can be shorter than that, but that's the statutory maximum. I'm happy to work with you in the process, step by step, on what works for you as you consider various options for financing infrastructure. This is just one tool that can be used independently or in conjunction with other finance, and public financing. I stand for any questions and also visit with you offline and provide further information on this tool and other tools.

J. Jordan Barela- County Manager: The context of this was to give the board some background as to the Special Assessment District process. Roads and infrastructure have been a concern with communities, and as stated, this is one tool in the toolbox. It is a lengthy process, and there are a lot of steps along the way, but we wanted to make her available to address that process with the board and also allow the board to ask any questions regarding this process. From a staff's perspective, if there was some direction from the board to move forward. I think our first step would be to pass an effectuating ordinance that outlines how we process Special Assessment Districts in Torrance County. That would set the groundwork for projects into the future, and then thereafter, we would have to look at individual projects for feasibility in different areas in different districts to see if they're viable or not. This is not something that's been done in Torrance County before, and we wanted to ensure that the board could address any concerns, and ask any questions related to this process.

Jill Sweeney: I'm happy to also visit as we go forward on how to combine the feasibility of using this tool, but also how to Combine this tool with other tools to assist with needed infrastructure.

Ryan Schwebach-County Chairman: What you presented here is a process for one project.

Jill Sweeney: There can be multiple projects in one district, as long as that infrastructure benefits all of the properties.

Ryan Schwebach-County Chairman: The district is defining the property that will be assessed. Let's use the example of this one-mile road. The road needs a lot of material to be brought up. I don't know what that would cost or if the easements are there. If we move forward with this on that road, all the property owners, whether they live there or not would be assessed differently. What kind of time frame? Let's say it costs \$40,000.

Jill Sweeney: The engineers would participate in a cost-benefit analysis. That is somewhat actuarial, identifying the properties, and then assessing those properties and spreading that \$40,000 out across those various properties based on size or front footage or some consistent method. Then through the preliminary assessment rule, resolution two. The final is resolution five, if resolution five is needed because there are changes, the assessment rule is in place. The assessment is established, and property owners pay that assessment over the life of the district. If the bonds are a maximum of 20 years and/or if it's cash only, until that assessment has paid off that infrastructure. I don't know for \$40,000 frankly, that is a cost-benefit. There's a preliminary analysis.

Ryan Schwebach-County Chairman: In that same subdivision, we're talking about 150 homes or lots, and apply that to that entire place that might be more feasible with this method.

Jill Sweeney: It depends. Every SAD is unique. The facts are unique. Some are for residential.

Ryan Schwebach-County Chairman: Let's say we do that. We're going to take all these secondary roads that should have been built up by contractors and some developers years and years ago, mistakes with zoning the County was supposed to adopt roads once they were built up to county specs, and essentially it was a developer's mistake or scam, however you want to put it. It's never been built up. Is it fair for property owners to get cheaper property with anticipation of building up the roads and expecting the rest of the residents to pay? I don't think so. That's where this comes in now we can fix that potential. What happens? Let's say there are 150 lots. What happens when we come to a public hearing and half of the people say, I don't want to pay a higher assessment? Can we still move forward with it?

Jill Sweeney: Yes, under the provisional order method, there's an opportunity through hearings, to protest and for property owners to come and say, "We don't want to pay" but the Commission is the ultimate arbiter. If people want the roads, they have the opportunity to also come and say, "Please do this for us". Ultimately, under the provisional order method, it's the County's decision.

Ryan Schwebach-County Chairman: How far can we go? Can we double somebody's property taxes?

Jill Sweeney: We have to match the benefit to the infrastructure. With roads, you need to determine what the maximum benefit is, and how that benefit applies to each person. The engineers determine that not the Commission. They say to do this project, here is your assessment goal based on the front footage. This is what the assessment would be on each of the properties in the district to finance this infrastructure. You could say we are going to triple your property tax, or you could say we're going to do a special assessment for X and we're going to finance the remainder in other ways. Could you impose a huge assessment that, as long as it benefits the property Yes. Would you necessarily do that?

Ryan Schwebach-County Chairman: Speaking legal, we could sit there in double property taxes from the assessment, solely on a Commission with public input that we don't necessarily have to listen to?

Jill Sweeney: Correct this used to be done all of the time to get the infrastructure in. There's also the element of what is the right thing. How does the County finance infrastructure? Part of the discussion we had about the various tools in the tool in the toolbox. Is it feasible? How do you listen and work with your community, and all of those other things come into play?

Ryan Schwebach-County Chairman: Is it possible, within our resolution, setting up these districts, that you can put limitations on what a Commission or a future Commission does? It is a big concern.

Jill Sweeney: You could say Torrance County will follow this process. We may use a Special Assessment District, but in no event will a special assessment be greater than, X percent of property taxes on other any particular property. One of the things the ordinance does is take that statutory process and superimpose on it this particular county administration of that process and how you want on how you would want to go forward. Yes, you can state that in your Ordinances.

Linda Gallegos-Chief Deputy Assessor: In my experience, from another County. There was a 150-lot subdivision, the County was not maintaining those roads. Property owners got together and formed a committee to approach the Commission to be the Fiscal Agent for a Special Assessment District. What they decided on was \$60,000 a year for five years, then they would reevaluate it at that point. 2/3 of the property owners had to approve that implementation, the other property owners, if they didn't vote on it still had to pay based on the total evaluation of the subdivision. They decided to distribute it amongst the property owners. We are not talking about property tax because it is an assessment. You will see it on your property tax bill, but it is not imposed by the County. I'm sure the Commission's responsibility is to approve being the Fiscal Agent. It's not raising taxes, it providing a service base.

Jill Sweeney: The petition method is where 66 and two-thirds of members of the property owners in the district come and say, will you do this for us? I'm not seeing that method. I've seen a more informal, where these folks come in and say, we want that. Then the process is driven by the County. Either way, the same process gets you to the same place.

Ryan Schwebach-County Chairman: The assessment that you keep referring to is solely based on how much money is spent on the project and not on the actual value of the land.

Jill Sweeney: Correct.

Kevin McCall-County Vice Chair: Landowners need to know it's an assessment. As soon as that's paid off, it then falls off, and your property tax is the same as it was or would have been to that date. As soon as the assessment is paid or the financial debt has been paid, it then falls off.

Jill Sweeney: Correct and if it's bond issuance, then we have a 20-year maximum. As soon as the infrastructure is paid off, it disappears from your tax bill.

Linda Jaramillo-County Commissioner: Is there a charge for the assessment? Is it included in the overall cost?

Jill Sweeney: Administrative costs can be rolled into the assessment or sometimes is are not.

Ryan Schwebach-County Chairman: Let me see if I can explain this, and I use the same example of El Rancho Grande in McIntosh, the concept with the subdivision to begin with is to have a Homeowners Association to collect induce, build up, and maintain their own, that failed throughout the years. That's not the only subdivision within the County. If we use that as an example. We would become that COA. The County would say we're going to assess, going to come up with a feasible payment structure. We may subsidize it. If it's \$100,000 we may say we're going to donate our administrative time, but \$20,000, once it's paid off, and then maintain the roads.

Linda Jaramillo-County Commissioner: Does this apply to only roads that are County-approved or County accepted?

Ryan Schwebach-County Chairman: That's the next question. A lot of these roads do not have easements for our current county road definition, can we redefine another road, a second residential as the county-maintained road, but not in the sense that we say, and the issue comes up with liability? When we have an issue with the road, we get sued. Why do I want to put the rest of the residents at risk for a subpar road? Can we design one within these easements?

J. Jordan Barela- County Manager: New infrastructure, designing and building out a road that meets these standards through the Special Assessment District processing. Traditionally, there have been other public financing methodologies that I've seen used for new infrastructure, while Special Assessment Districts have been used for existing infrastructure. I don't know from a legal perspective as to whether or not Special Assessment Districts can be used for infrastructure. Can they?

Jill Sweeney: Yes.

J. Jordan Barela- County Manager: It sounds like the ability to do it. There are other public financing mechanisms that address and are used more heavily for public infrastructure. If there's the ability to do that, we can explore that option.

Linda Jaramillo-County Commissioner: You could build up a non-county maintained road like Mr. Hamilton's, build it up with this assessment, and then it would become a county-maintained road, because it would meet the specs, right?

Ryan Schwebach-County Chairman: Right.

Kevin McCall-County Vice Chair: I think it's important to know that it's not just houses, it's every lot.

Ryan Schwebach-County Chairman: Where the issue comes in is the liability on what we currently have and to take on a road and rebuild it, that creates liability on every other road. What we're trying to do is figure out a way to address these roads equitably within the entire County. It seems like a simple concept, send a blade in there, spend half a day on there, and build it up. I'm not inclined to have a county-wide tax, other than with current property taxes. I'm more inclined to go down this road to assess certain areas. It is not fair to the southern end of the county to fix a residential road on the northern end. This is not an overnight fix. My biggest concern is making sure that within these districts the public is aware and has enough say so that we aren't implementing something that's just ungodly for the success they're not necessarily needed or wanted. I want limitations for future Commissions. It can always be changed and depth, I am not comfortable with the Commission saying we're interpreting up to 1000 bucks a year because we want to build a road. This mechanism is possible and can do that depending on how we set our resolutions. Petition method versus the assessment, same result, same process.

Jill Sweeney: The process is slightly different. The provisional order method is driven by the Commission and the engineering of the petition. The method requires 66 and two-thirds of a property owner to petition you and come up with an application to go through this process.

Ryan Schwebach-County Chairman: The petition method is more democratic, so to speak. You could have landowner input.

Jill Sweeney: You have to have landowner input no matter which method you go with.

Ryan Schwebach-County Chairman: For the assessment method, we don't have to have the 66%.

Jill Sweeney: Correct, with the provisional order method. You need that 66 two-thirds percent, very precisely, upfront.

J. Jordan Barela- County Manager: I get the perspective of the petition method being more democratic in the sense that people, constituents wanting these services are coming to the county. It's also my understanding, from a practical perspective, that there's a lot of know-how that's required to get them to the point where they

meet the statutory requirements of the legal petition with the County, and that's why it isn't used as frequently because a lot of people can't navigate the legalities.

Jill Sweeney: Not only the legalities but also the engineering requirement.

Ryan Schwebach-County Chairman: My understanding is when we go into a district and I say, we want to improve these roads. At that point, the county flips the bill for the engineer. That's what we risk financially, we get that number back too high, and the engineering expenses are thrown away.

Kevin McCall-County Vice Chair: With that scenario, that engineering feed is assessed on that assessment, so the county is being paid.

Jill Sweeney: Yes, but I think that's the risk to the county. That's why you have to get through all of these steps. That's why it's broken out, even though we can consolidate something, that's why it's broken out into five resolutions and then the final ordinance, because it gives you escape patches. If, as we're going through the planning, the engineering, the assessment, determining the assessment, we want to call that analysis and all those things, we come to a point where it's not feasible, where there's an escape patch, you have one because you're not going to pave a road to anywhere, but you may incur costs along the way. That's one of the reasons that resolution one starts with working with a certified engineer.

Ryan Schwebach-County Chairman: When you're residential property, do you take into account the condition of the revenue and assess the value? We build these roads assessing property owners' cases where we take over maintenance because the roads are outside of the property.

Linda Gallegos-Chief Deputy Assessor: We don't assess the roads they are outside the property line.

Ryan Schwebach-County Chairman: What happens if those roads don't have an easement?

Donald Goen-County P & Z Director: When you're saying easement, that's a term that gets used in a lot of different contexts. Now, if you're talking about a formal residential subdivision, those public rights of ways have been established when it was laid out. That's the thing that we often encounter, with a dirt road. We all live out in the country, they kind of go to the left, they kind of go to the right.

Sometimes they take on a different path because people are driving down the line of least resistance to where the track that's being driven isn't anywhere near where the actual legal access is.

Ryan Schwebach-County Chairman: What we'd be looking at in these developed areas is that we're trying to improve the roads. There's going to be property lines, fence lines that sort of thing. That's going to be the guiding factor.

Donald Goen-County P & Z Director: We see a lot of times that they would have to be established via survey. This is where the road is. This is where the road's supposed to be, as opposed to where it is. In a lot of cases.

Ryan Schwebach-County Chairman: In which case, if the road is not where it's supposed to be, on the easement lines that are mapped out by a previous surveyor. That needs to be corrected.

Donald Goen-County P & Z Director: That is correct.

Linda Jaramillo-County Commissioner: I went out with Mr. Hamilton yesterday to look at this road, and it's atrocious. It's terrible, but I know that we can't do anything about roads in our county that are not County-maintained. I called Leonard after I spoke with Mr. Hamilton, and there's a mile length of that road that is in horrible shape. I asked Leonard how much that would cost to build that up. He said it was about \$70,000 to build up a mile of road. That's a lot of money, to have to spend on roads. The rest of that road wasn't that bad. I know we can't accept or maintain it but sometimes it comes down to a humane issue. Where we have five people in that little area who are elderly, some are veterans and disabled. At what point do we go from it's not a County-maintained road, to the human part of this?

Kevin McCall-County Vice Chair: There's a mobile home park north of my farm, around 50 to 100 people, and they don't even drive on what they think is the road because it's the least resistant. We cannot open that Pandora's box the minute we put that County blade on that road, we will have problems as a County. I understand what you're saying, but what we do for this person, we have to do for that person. When it comes to financing, I'm talking more administratively. Can we pull those funds wherever the county chooses, or do we have to go down this bond route? Where can the funds come from?

Jill Sweeney: You have two choices. You can do pay-as-you-go, where you use the assessment dollars to pay directly for the infrastructure. Or you can bond

against that. That gives you leverage. It gives you a pot of money upfront that then is paid overtime from the assessments. You can include land for a portion and then combine revenue from different buckets to pay for that road. If you're going to have a Special Assessment District, then you're using those assessments, either as cash to pay directly for the or as cash to pay debt service over time. You can also combine with an assessment fund that you budget for the road or dedication of a PILT or, other things that we can talk about to create different buckets..

Kevin McCall-County Vice Chair: It's at the discretion of the Board of County Commission what funds that assessment? If it's too big, we can go get it a bond. If we have the money internally, we can finance the project.

Jill Sweeney: Yes, however, Let's be clear that the revenue from the assessment, comes from the property owners. You're not going to borrow against that asset, It's going to be collected, it's going to go into its pot.

Ryan Schwebach-County Chairman: Concept number one, we have identified the issues primarily in the secondary subdivision roads. Logically speaking, we want to direct admin to move forward and give us all the tools.

Leonard Lujan-County Road Superintendent: One thing we're going to look at is, if we start looking at using county funds to fund these projects, what are the people going to say that we're fixing roads that we maintain right now with County funds? We use some money because you guys have given us money we've been working on, but if there's that much money out there to work on roads, why aren't we working on more on roads we maintain? We're going to start working on roads that are not ours. The bonding situation would be the route to go and let the property owners if they want their road fixed, let them pay for this project. I see it becoming more of a problem if the County starts using county funds to fix roads, not ours.

Ryan Schwebach-County Chairman: You're not wrong. In my opinion, the key is redefining roads, how the County maintains and builds, and how often. The secondary roads you have the initial fixing of it. Many of these roads weren't built to specs with the right base, to begin with, they deteriorated.

Leonard Lujan-County Road Superintendent: Who's going to decide on what road is going to be accepted for us to turn into a new road? We can drive straight north of King Farm Ranch. We have 500/600 people living on it, and they've been

trying for 15-20 years to get that accepted. We keep telling them, no. Now we're going to try and do this for four people that live on this road. We have roads up in the Edgewood area that are the same way there's 300 people that come out of these roads that we do not touch. Who's going to decide saying only this road or only that road?

Ryan Schwebach-County Chairman: That's where the Special District comes in. What we're saying is this area, we define as a Commission, these residents are accepting that we want the County to build up our roads and we are willing to pay for it. I think what you're thinking is the maintenance afterward.

Leonard Lujan-County Road Superintendent: Well, that, of course, also the funding to build the road.

Ryan Schwebach-County Chairman: The funding to build the road has to be within the assessment.

Leonard Lujan-County Road Superintendent: Kevin was saying, "Where can we get the money fund?" If the County has money, and we use that money, and then we're going to special assess it, and they're going to pay us back. We can use that money to do our roads, not a road that's not ours. If we do a bond, they pay for it, that's different.

Kevin McCall-County Vice Chair: I hear exactly what you're saying, Leonard, from my perspective, I could say it's a one-time fee kind of thing, as opposed to a reoccurring budget for you and your Road Department, I think you're correct.

Jill Sweeney: Would you like us to work with the administration to put together a draft ordinance that includes some of the guardrails and maybe some of where you have to be in the subdivisions? Would that be helpful for the next meeting? I know you need to have other discussions about Planning and Zoning and easements and acceptance of roads and sort of outside of that, but that might help facilitate that.

Ryan Schwebach-County Chairman: I would appreciate that. I know that doing the status quo isn't going to change anything. We have to go down this road until the Commission says we can't do this.

Kevin McCall-County Vice Chair: I think that's very important to have this document. When citizens come forward, we can give them that resolution, and they have something to help. I had a constituent stop me the other day on that road I'm

talking about, and once I explained it to him a light bulb went on, but until then, I don't think you understand.

9. DEPARTMENT UPDATES AND COMMUNICATIONS:

A. EMERGENCY MANAGEMENT: Hazard Mitigation Plan Update.

Samantha O'Dell-County Emergency Manager: I wanted to make the Commission, the staff, the public, and all stakeholders aware that we're going to be holding our first Hazard Mitigation Plan kickoff meeting on Tuesday, January 21st. It's going to be at one o'clock here in the Commission chambers. We're also offering a Zoom option for this meeting. It's to explain what the process is going to be to update this plan, as well as take input on concerns of hazards, any community concerns with that, and potential projects that can be included in the plan. I also have flyers, if anybody would like them. Thank you.

10. APPROVAL OF MINUTES

A. COMMISSION: Request approval of minutes of the December 11, 2024, Regular Meeting of the Board of County Commissioners.

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve minutes.

Kevin McCall-County Vice Chair: Seconds the motion.

Roll Call Vote: Linda Jaramillo – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: - Yes:

MOTION CARRIED

11. APPROVAL OF CONSENT AGENDA

A. FINANCE & PURCHASING: Request approval of payables.

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve payables.

Kevin McCall-County Vice Chair: Seconds the motion.

Roll Call Vote: Linda Jaramillo – County Commissioner: - Yes: Ryan Schwebach
– County Chairman: – Yes: Kevin McCall – County Vice Chairman: - Yes:
MOTION CARRIED

12. ADOPTION OF ORDINANCE/AMENDMENT TO COUNTY CODE:
None

13. ADOPTION OF RESOLUTION:

- A. FINANCE:** Request Approval of Resolution 2025-01, Authorizing budget adjustment to the FY2024-2025 budget.

Misty Witt-Deputy County Manager: This budget adjustment is to account for the EMS allotment funding that we received. I want to be transparent, this is funding we received, generally in the past, for Superior Ambulance Power, but no longer servicing the County. Superior pulled out of the County, and we then received a surprise deposit for Fire, and EMS allotment monies from the state. I believe Superior applied for this funding when it came to the County. The County was paying it out. I've reached out to the state to see what happens with this funding, now that Superior is no longer here. I wanted you to be aware we may be sending it back to the state.

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve Resolution 2025-01, Authorizing budget adjustment to the FY2024-2025 budget.

Kevin McCall-County Vice Chair: Seconds the motion.

Roll Call Vote: Linda Jaramillo – County Commissioner: - Yes: Ryan Schwebach
– County Chairman: – Yes: Kevin McCall – County Vice Chairman: - Yes:
MOTION CARRIED

- B. GRANTS:** Request approval of Resolution 2025-__, A Resolution authorizing the assignment of authorized officer(s) and Agent(s) for project Number SAP 24-12477-GF with the New Mexico Environment Department. - **Deferred**

- C. **MANAGER:** Request approval of Resolution 2025-02, A resolution confirming Torrance County's Open Meetings Act compliance for 2025.

J. Jordan Barela- County Manager: As this board is aware, this is a standard resolution that's required to be approved by the board in regards to the Open Meetings Act, much of the language in this resolution, as far as policy mirrors the last year. It has been reviewed by the council for compliance with the Open Meetings Act. In section I in my review of previous resolutions, there was not a provision specifically spelling out remote attendance for these meetings from elected officials. We included section I, which outlines these. In emergency or mitigating circumstances and allows members of the Commission to attend remotely.

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve Resolution 2025-02, A resolution confirming Torrance County's Open Meetings Act compliance for 2025.

Kevin McCall-County Vice Chair: Seconds the motion.

Roll Call Vote: Linda Jaramillo – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: - Yes:

MOTION CARRIED

- D. **MANAGER:** Request approval of Resolution 2025-03, A resolution adopting the regular meeting schedule of the Board of County Commissioners of Torrance County for 2025.

J. Jordan Barela- County Manager: This item goes along with the Open Speeding Act Resolution. As far as public transparency, I don't know if the board has adopted the meeting scheduled via resolution in the past. They adopt the calendar item to the start of the year including the Commission meetings as an employee calendar.

Ryan Schwebach-County Chairman: Why is there only one meeting in December?

J. Jordan Barela- County Manager: It landed on the holiday.

Action Taken:

Kevin McCall-County Vice Chair: Motion to approve Resolution 2025-03, A resolution adopting the regular meeting schedule of the Board of County Commissioners of Torrance County for 2025.

Linda Jaramillo - County Commissioner: Seconds the motion.

Roll Call Vote: Linda Jaramillo – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: - Yes:

MOTION CARRIED

E. MANAGER: Request approval of Resolution 2025-04, A resolution supporting a bill related to cannabis, allowing counties to petition the Cannabis Control Division and the Office of the State Engineer for a temporary moratorium on new cannabis producer licenses and associated water use permit or purchase arrangements.

J. Jordan Barela- County Manager: Based on the previous direction provided by the board; I put this resolution together to support a bill that is being proposed in this Legislative session. This bill would, if it passed, allow a County Commission to petition the Cannabis Control Division Office of the State Engineer to approve a moratorium. At which point, the Cannabis Control division would stop issuing new licenses based on that petition for two years. They've defined the dates explicitly in the statute, which would be July 1, 2025, through June 30, 2027, which would be the moratorium period. Anyone operating new licenses or cultivating the production of cannabis. There are also criminal penalties associated with that that is happening during the period of the moratorium. Based on these discussions, there needs to be a more comprehensive look at the state. This is one of those bills that will function as a stock measure to allow local governments to get some control over this process while the regulatory side of this works itself out. This resolution would just be supporting that piece of legislation.

Action Taken:

Kevin McCall-County Vice Chair: Motion to approve Resolution 2025-04, A resolution supporting a bill related to cannabis, allowing counties to petition the Cannabis Control Division and the Office of the State Engineer for a temporary moratorium on new cannabis producer licenses and associated water use permit or purchase arrangements.

Ryan Schwebach-County Chairman: Seconds the motion.

Roll Call Vote: Linda Jaramillo – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: - Yes:

MOTION CARRIED

14. APPROVAL

- A. FINANCE:** Request direction on the solicitation for Project Management Services for the Estancia, Moriarty, Willard, and Torrance Regional Water Association (EMWT).

Misty Witt-Deputy County Manager: We are requesting direction for the RFP process that we're going out to for Project Managers specifically EMWT. We have gone through the RFP process twice now. The first time we did not receive any responses. The second time we received one response that was not a qualified contractor. We need direction from the Commission on whether you want us to keep going out for RFP, for this Project Manager, or pull it back.

Ryan Schwebach-County Chairman: I would like to pull it back. EMWT is moving forward, and they need services that can come to us. I can assure you what we're doing here does not affect the project. Do you need a motion?

Misty Witt-Deputy County Manager: No

- B. ASSESSOR:** Request approval of payment for the unauthorized purchase in the amount of \$410.00 to the International Association of Assessing Office for training course 400.

Misty Witt-Deputy County Manager: This was for a person who says a training from the Assessor's Office. They did have a requisition in place that was not approved, and they went to the training. We do owe the money that the training was completed.

Action Taken:

Kevin McCall-County Vice Chair: Motion to approve.

Ryan Schwebach-County Chairman: Seconds the motion.

Roll Call Vote: Linda Jaramillo – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: - Yes:

MOTION CARRIED

- C. SHERIFF:** Request approval of payment for an unauthorized purchase of \$92.02 for a drug screening test for the new Sheriff's Deputy.

Reecie Eckard-County Sheriff Executive Assistant: We asked one of our new Deputies to get a drug screening. I asked him, because of not having an HR person, I encouraged him to go.

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve

Kevin McCall-County Vice Chair: Seconds the motion.

Roll Call Vote: Linda Jaramillo – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: - Yes:

MOTION CARRIED

D. DWI/GRANT: Request approval of a Memorandum of Understanding between Torrance County DWI Prevention Program and Waves Behavioral Health for substance abuse treatment services.

Amanda Lujan - Grants Administrator: This is as it states, a MOU between Torrance County and Waves with Behavioral Health to offer treatment and substance abuse counseling for the DWI program. What happens is that once they go through the court system, they're referred to the DWI program for probation and monitoring. We do an assessment, and it determines what type of counseling or support they need to complete their probation. This is to provide those treatment services that are required. This comes from our state, DWI grant. One of the components is treatment.

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve

Linda Jaramillo-County Commissioner: Seconds the motion.

Roll Call Vote: Linda Jaramillo – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: - Yes:

MOTION CARRIED

E. DWI/GRANT: Request approval for a Memorandum of Understanding between Torrance County DWI Prevention Program and Pinwheel Healing Center, LLC for substance abuse treatment services. - **Deferred**

F. GRANTS: Request approval of Grant Agreement SAP 24-12477 between Torrance County and the New Mexico Environment Department in the amount of \$600,000.00 to plan, design, and construct water infrastructure improvements and/or for the acquisition of water rights for the Estancia, Moriarty, Willard and Torrance Regional Water Association (EMWT). - **Deferred**

G. GRANTS: Request approval of payment for a prior year invoice to Studio Southwest Architects in the amount of \$1,322.51 for programming services.

Amanda Lujan - Grants Administrator: We are requesting approval for this payment to Studio Southwest Architects, this is for their work on the fairgrounds, and there were several invoices we were trying to get paid so we could use Capital Appropriations. There needed to be corrections on some of them. This one was missed.

Action Taken:

Kevin McCall-County Vice Chair: Motion to approve

Linda Jaramillo -County Commissioner: Seconds the motion.

Roll Call Vote: Linda Jaramillo – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: - Yes:

MOTION CARRIED

H. GRANTS: Request approval of payment for an unauthorized purchase in the amount of \$196.80 to Tillery Chevrolet for an oil change and filter.

Amanda Lujan - Grants Administrator: Our Domestic Violence providers needed an oil change. We scheduled it. Created the requisition, and the PO. The morning of the oil change, the air filter light went on, and because I felt it would be an undue burden on them to have to reschedule, wait another month, and go back to get a new filter, I authorized them to also get a filter in one visit. We need to increase the PO to cover the cost of that filter.

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve.

Linda Jaramillo -County Commissioner: Seconds the motion.

Roll Call Vote: Linda Jaramillo – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: - Yes:

MOTION CARRIED

15. DISCUSSION

A.MANAGER: Presentation on Special Assessment Districts (SADs) - Heard after public comment.

B. MANGER’S REPORT:

Jordan Barela- County Manager: New Mexico County's 2025 Legislative priorities are brought forth to New Mexico Counties to consolidate a single legislative priority list for New Mexico Counties as an organization. New Mexico Counties reached out to me and wanted to see if the county would be willing to support, similar to what we just did with cannabis if we would have a resolution supporting their Legislative priorities for 2025. I want to provide this to the board and have a discussion. It does not have to be an all-or-nothing. Some of the items in the legislative priorities aren't necessarily applicable to Torrance County. One of the items was a detention reimbursement fund, appropriation of an additional \$3.2 million. We do not operate a detention facility, and this may not apply to us. They are requesting additional courthouse funding. My understanding of this is, that as the Court expands, there have been capital projects that have been done to support the court staff. There's not always funding available from the county perspective, who manages those facilities to address those modifications. This would allocate additional funding, this request is roughly \$22 million, and requests to allocate funding to make those adjustments to court facilities to account for staff.

Detention Recruitment Fund, this is a request for appropriations for recruiting Detention Officers due to operating a facility that's not necessarily applicable to us. Firefighters, and EMS recruitment fund, this is something we have taken advantage of. This is 10 positions and would be another round of appropriations for Torrance County to receive an award. I think there were quite a few localities that have put into the initial round of funding that didn't get any funding for new positions. They're asking for the funding to accommodate those. Additional 6 million for the 700 radio system. That's something that we are currently working on to make some money available to finish that process for all of our public safety agencies. Some

additional appropriations from the EMS funding, a \$11 million request. The repeal of TDR administrative fees. I would have to look at this a little more, but my general understanding is through Senate Bill 148, there is a fee that's applied by the Tax Revenue Department, specific for the collection and distribution of gross receipts tax. Removing that fee will create more of that tax revenue available.

Equitable Disclosure, there are questions on that, the Assessor is here to provide additional background. My general understanding of it is that, a residential property when it gets sold, the sales price and the new owner's information have to be disclosed to the Assessor. For anyone who has property taxes, it's fixed at no more than 3% per year. Once the home is sold, now is the new market value. For nonresidential properties, that information is not required to be disclosed. There's an issue in terms of determining the actual market value and the amount of information that we get when nonresidential properties are disclosed. One item on here is the inspection of public records/improvements, this would apply to us and all other counties. I don't know, per se, based on information that's been provided, how they would write the language to address the same statute, but what it's trying to do is look at the intent of the law, which is providing transparency and accountability for local government. Not all requests that come in are used for that purpose. I would say more times than not, a lot of them aren't necessarily intended for that purpose, and so they're trying to evaluate the HIPAA statute to decide on how some of those requests can be embedded and validated before issuing those responses to the IPRA's. For some counties near the southern part of the state. They are requesting additional financial support for border-related and humanitarian crime efforts, specifically in the counties of Luna, Dona Ana, and Otero. The US/Mexico border. I wanted to share this with the board and see if there was a design to support this in part or its entirety, through a resolution at our next meeting that we could send to New Mexico Counties.

Kevin McCall-County Vice Chair: I don't see one in here that I have a problem with. There are a few that don't pertain to Torrance County.

Ryan Schwebach-County Chairman: I question the Equitable Disclosure. The way this is presented here, they are concerned about the two-veteran balance, which would then have a lesser tax base on a veteran-owned property, in which case, if that goes through, we're going to be short-funded. Our answer is to make sure we get it from commercial.

Linda Gallegos-Chief Deputy Assessor: Not necessarily. The premise behind doing equitable disclosure is for all these years the residential property owners

have had to report sales price information to the Assessor's office. Which helps us have a better value assessment for residential. What's come about with this particular push is to have nonresidential properties also share their information so that the Assessor's Office has better information so that we can also accurately value nonresidential properties.

Ryan Schwebach-County Chairman: How is it valued now?

Linda Gallegos-Chief Deputy Assessor: With whatever information we can get at the time. Most of the time we don't get information. What we're having to do is value properties based on cost. What's the cost of the building, not the income necessarily?

Ryan Schwebach-County Chairman: This would go into the income part of a commercial business.

Linda Gallegos-Chief Deputy Assessor: This would encompass all costs, income, and sales.

Ryan Schwebach-County Chairman: I will not support that.

Linda Gallegos-Chief Deputy Assessor: I would like to read a little bit of what we're pushing for.

Ryan Schwebach-County Chairman: I'm willing to listen, but if we are looking at I'm hoping to listen we're talking about overall cash flow in a business, I will not support that.

Linda Gallegos-Chief Deputy Assessor: That's all taken into consideration when we assess properties. Income-producing properties should be based on income. We don't get that information because we receive pushback, such as what you're doing right now. That's okay, you're protecting your interests, but we don't have that information, to value equitably across the board for all nonresidential properties, and that's what this bill is pushing.

Ryan Schwebach-County Chairman: My argument is that you value property and it's valued, not necessarily monetary income coming from. Are you going to start evaluating home businesses that are residential properties, if they're getting income coming in from, whether it's online sales? Does that open the door for that also? All of that income is already taxed through our state and our federal and our

sales tax. Why should we encourage somebody who has a business to make money? Why should we say you have to pay more? Walk me through a little bit. Tell me why I'm wrong.

Jesse Lucero-County Assessor: I don't want to go into a whole class on appraisal, but there are three approaches to appraisal. You have the income approach, mass appraisal, and then you have costless depreciation. Those are the three approaches to appraisal. I'm not going to specifically talk about your business, but let's talk about the cannabis industry. This is why you asked. "Why should I support it?" For commercial protest of property, you as the protestant, refused to give us the income. We'll have one or two ways to go about this. We agree on what you think the value is, or I direct my staff to raise that value until I see you in court. Through full disclosure, disclosing what you paid for your property allows us to assess commercial businesses the same way we do residential.

Ryan Schwebach-County Chairman: The difference that I've seen with the commercial properties is, that we not only put our buildings and land value, but it's also all of our equipment and everything else that is tied to that. Do you go into a residential house and assess the furniture?

Jesse Lucero-County Assessor: No.

Ryan Schwebach-County Chairman: There is a difference.

Jesse Lucero-County Assessor: On the business, you have two components when it comes to the appraisal of a commercial property. Business and personal property, and then you have everything else. Everything else would be your land value, your parking lots, and improvements. What this legislation is talking about is getting the law passed for full disclosure for businesses. Let's say you were ready to sell your business, and I wanted to buy your business. We entered an agreement, and I purchased your business. Today I don't have to tell the Assessor's Office what I paid for it. That was our business.

Ryan Schwebach-County Chairman: That's right, our business.

Jesse Lucero-County Assessor: When you purchase your residential home, you have to disclose that value to the Assessor's Office. That is in state statute. If I purchased your home from you, I have to disclose that through a sales affidavit. That is time to keep house. There are other reasons for that disclosure.

Jesse Lucero-County Assessor: It's kind of the same way in commercial properties, because here's an example. A couple of years ago, I gave you all an annual report, and we appraised the Moriarty businesses. Some of the businesses have not been touched in 20 years. The land values, the structures, at no time in that appraisal process, did anybody produce income? Those discussions come about if you choose to protest. For example, Let's say Commissioner McCall added a new structure this year, but we didn't get around to doing anything this year or maybe next year. Maybe we just have some vacancies. We haven't had the manpower to get out there. Then we get out there and we realize, haven't done this. Nowhere in that discussion was I saying to Commissioner McCall, I'm going to bring your valuation. Let's say his valuation is five times higher than it is now. Nowhere in that discussion did I ask him to disclose his income. Now let's talk about the cannabis farms. I've already given the directive that we're increasing all the values on the cannabis farms because they wouldn't even let us guess past the gate to look and see what kind of business personal property they have. We have to enter into some sort of discussion. By not continuing to go down the road of nondisclosure through commercial, you can always have that disparity. I'm not asking you to tell me how much money you made. That is one approach to appraisal, but if I did that, just as you said earlier on the roads, I'd have to do that to every farm in this county.

Ryan Schwebach-County Chairman: Would this give you the ability to do it?

Jesse Lucero-County Assessor: This doesn't give you the ability. This is saying that if you sold your business to me, I, by law, have to say what I paid for it. Not how much profit margin you made. That has nothing to do with what this particular piece of legislation is attempting to do.

Ryan Schwebach-County Chairman: I need to think about that. The driving force for me to be opposed to this is face value has the potential to raise taxes on business. Correct?

Jesse Lucero-County Assessor: It brings your business up to market value.

Ryan Schwebach-County Chairman: For New Mexico and our fellow states, and the other obstacles businesses are up against when it comes to conducting business in the state of New Mexico, I cannot behind anything that will tamper business operations to taxes. I'm not saying right or wrong, I'm saying these are the conditions that we're in today.

Jesse Lucero-County Assessor: The bill for full disclosure is not to figure out a way to tax business more than it's being taxed. I'm starting from a business owner and the Assessor's role.

Ryan Schwebach-County Chairman: I'm not going to make a decision today, as of right now I'm against it, not because it's not the right thing to do. This is because there are so many other things within the state of New Mexico that allow this to be mishandled. For example, an Assessor not being able to get to all the properties in a timely fashion.

Jesse Lucero-County Assessor: From the position of the Assessor and the former Vice Chair of the affiliate, full disclosure for residential land laws would just be a tool for the Assessor's Office to value everybody equally and equitably.

Jordan Barela- County Manager: The second item I want to discuss with the board is the Investment Committee for Torrance. Misty and I, with the Treasurer, have some discussions about potentially putting together an investment strategy for the county, specifically as PILT revenue is coming and increasing over time. Through that research we learned in 2019, a resolution was passed enacting this board as the board of finance for Torrance County, and that's a statutory requirement. In conjunction with that, an investment committee was put together. It was a five-member committee, the Manager, the Treasurer, the Deputy Treasurer, and two members of the public. It's my understanding that committee reports to the board of finance haven't been happening regularly. We want to revive that and get that started. The intent is to bring that resolution back to the board, to make an adjustment on the makeup of the committee to improve finance, but also for those member positions. Put some baseline qualification criteria as the current resolution does not cover any of that. What are we looking for in terms of community members' position? It also doesn't discuss appointments. What does the term look like? How do the appointments occur for community members on that committee? The intent is to get that committee re-established and go back through the process of having discussions with the Treasurer's Office regarding county investments and then bringing that to this board. The BCC reconvenes as work finance to make some recommendations about how much revenue is coming in, and what would be available for investments. Do we bring on an external portfolio Investment Manager to pay the county through this process? That was more of a bigger-picture vision. The mechanism to do that is through the Investment Committee and the BCC as the board of finance. We do want to start that process and get that committee reestablished.

Kevin McCall-County Vice Chair: As the three of us sit up here and make very tough decisions about finances. I do not feel like I have a good sense of the barometer of the feeling of the well-being of the county financially to make these decisions, and I would encourage anything we can do to increase that level of knowledge for me. I'm speaking for myself when you make those hard decisions of increases or decreases. From the standpoint of a professional investment person. I have an investment advisor personally. The County is no different with a much larger pot of money. I think we're crazy not to get the professional help that knows the way the wind is blowing and what's an investment.

Jordan Barela- County Manager: Statutorily as a government entity, there are certain restrictions in terms of what we can and cannot invest in having somebody monitor that, having that background, I think that is providing guidance.

The last item is an update on the audit. We went through the exit conference; we finalized that with the auditors. In the interim, the auditors have made an additional request for information regarding tax disbursements, and mill levy disbursements to the Soil Water Conservation District. That did happen. For background, when the conversion happened to Tyler, all of the mill levy distributions at the time went to a single Conservation District. That correction was made, and it was readjusted. The question becomes, after that adjustment, how are those balances calculated, and where everybody ended up once that correction was made? That's the information we're working with Tyler/Eagle to get the operators right now. That would be the last step. We are hoping to have this hammered out by the third week of January and submitted to the State Auditor's office. This did happen in 2003.

C. COMMISSIONERS' REPORTS

1. Kevin McCall – County Vice Chairman, District 1

Kevin McCall- County Vice Chair: Happy New Year to everybody. Welcome Commissioner Jaramillo. I want to say Jordan is doing an amazing job. Jordan sent me, some goals for this upcoming year for the County. I appreciate that.

2. Ryan Schwebach- County Chairman, District 2

Ryan Schwebach-County Chairman: Happy New Year to everyone and

Welcome, Commissioner Jaramillo. We've been up here for six years, at any time you feel aggression or don't understand, stop us, and we will explain. What I want is a solid decision, how your district perceives it, to where you can make an honest decision, don't be shy.

I heard a comment in the public session about Schropp's last vote concerning the extension of ICE, which is a three-month extension that was done during a special meeting. I find it interesting that the Commissioner changed his point of view after long-standing support of the prison, and he changed up at to last minute. That's his prerogative. He needs to do whatever helps him sleep at night. For me, I do not look at it as who the President is. I look at how the President was running and the evidence presented. Keep in mind, that evidence is not always truthful, I still support that prison. I will continue to support the prison. Commissioner Jaramillo will have to make her own decision concerning it.

3. Linda Jaramillo – County Commissioner, District 3

Linda Jaramillo-County Commissioner: Happy New Year to everybody. I'm a bit overwhelmed. Once I got my packet I went over the finances, but I'll learn it. I'll ask for your advice.

I wanted to thank Kathryn Hernandez, who organized our Swearing In ceremony. It was packed with family and friends who were here to support us in our new endeavors. I want to say it was beautiful. Thank You.

16. EXECUTIVE SESSION: None

17. Announcement of the next Board of County Commissioners Meeting:
January 22, 2025, at 9:00 AM.

18. Signing of Official Documents.

19. Adjourn.

Action Taken:


Ryan Schwebach-County Chairman: Motion to adjourn.

Kevin McCall-County Vice Chair: Seconds the motion.


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

MOTION CARRIED

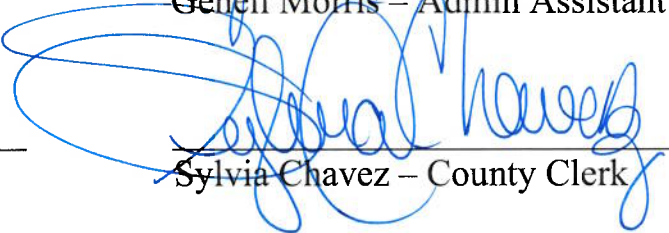
The meeting adjourned at 12:06 PM.



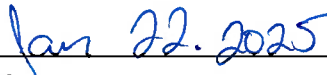
Ryan Schwebach – Chairman



Genell Morris – Admin Assistant



Sylvia Chavez – County Clerk



Date

The video and audio of this meeting are available in its entirety upon request.