

TORRANCE COUNTY
COMMISSION MEETING

November 13, 2024
9:00 A.M.

**For Public View
Do Not Remove**

**Torrance County**

BOARD OF COUNTY COMMISSIONERS (BCC)

Ryan Schwebach, Chair, District 2**Kevin McCall**, Vice Chair, District 1**Samuel D. Schropp**, Member, District 3

J.Jordan Barela County Manager

The meeting will be available via Zoom and the link may be found on the County's website

www.torrancecountynm.org/calendar.

Click on the event to access Zoom Meeting information.

ADMINISTRATIVE MEETING**AGENDA****WEDNESDAY, November 13, 2024 @ 9:00 AM****205 S. Ninth Street, Estancia, NM 87016**

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **CHANGES TO THE AGENDA**
4. **PROCLAMATIONS**
5. **CERTIFICATES AND AWARDS**
6. **BOARD AND COMMITTEE APPOINTMENTS**
7. **A. PUBLIC COMMENT and COMMUNICATIONS (Comments limited to TWO MINUTES)**
B. DEPARTMENT UPDATES AND COMMUNICATIONS: Finance Department (EMWT Project Manager RFP)
8. **APPROVAL OF MINUTES**
A. COMMISSION: Request Approval of Minutes for the October 09, 2024 Regular Meeting of the Board of County Commissioners.
B. COMMISSION: Request Approval of Minutes for the October 23, 2024 Regular Meeting of the Board of County Commissioners.
9. **APPROVAL OF CONSENT AGENDA**
A. FINANCE & PURCHASING: Request Approval of Payables.
10. **ADOPTION OF RESOLUTION**
A. Finance: Request Approval of Resolution No. 2024-___, a Resolution Approving Budget Adjustments to the FY2024-2025 Budget, Including Grants Received and Grant Match Funding.

11. APPROVALS

- A. **Grants:** Request Direction on Final Design for the New Torrance County Administrative Office Based on Design Options Provide by the Project Architect, Wilson and Company.
- B. **Grants:** Request Direction on Final Design for the Torrance County Fairgrounds Based on Design Options Provided by the Project Architect, Studio Southwest Architects.
- C. **Emergency Management :** Request Approval of the FY2024 Emergency Management Performance Grant (EMPG) in the Amount of \$51,058.00 with a Local Match of \$51,058.00. EMPG Reimburses 50% of Salary and Benefits for Emergency Manager and 25% of Salary and Benefits for Emergency Management Specialist.
- D. **Emergency Management:** Request Approval for FY2024 State Homeland Security Grant Program (SHSGP) Funding in the Amount of \$290,300.00 with No Match Requirement.
- E. **Finance:** Request Approval of New Finance Manager Job Position, Job Description, and Approval of Proposed Annual Salary Range (\$56,000.00 to \$60,000.00).
- F. **Finance:** Request Approval of Salary Increase for Assistant Finance Director to \$62,000 Due to Increased Managerial Duties and Salary Compaction, as a Result of the Reorganization of the Torrance County Finance Department.
- G. **Finance:** Request Approval for Payment of an Unauthorized Purchase to Pitney Bowes in the Amount of \$132.78 for Invoice Number 1026197229 for Tape Strips for the Postage Machine.
- H. **Grants:** Request Approval of Grant Agreement from the New Mexico Department of Finance and Administration Local DWI Program in the Amount \$142,393.97, and Approval of Required Match Funding in the Amount of \$15,821.55 for a Total Grant Amount of \$158,215.52, for Education, Outreach, Prevention, and Enforcement of DWI.
- I. **Road Department:** Request Change Order Approval for Purchase Order Number 24-000474 to Melloy Dodge in the Amount of \$4,306.92 for Vehicle Diagnostics and Repairs.
- J. **Finance:** Request Approval for 2025 Payroll/Holiday Calendar.
- K. **Clerk:** Torrance County Board of Commissioners Convene as County Canvassing Board to Review and Certify the Canvass of the 2024 Local Election.
- L. **Planning and Zoning: (PUBLIC HEARING)** Continuation of Appeal of the Decision by the Planning & Zoning Board to deny the Quick Grow, LLC, Application for a Conditional Use : Commercial Greenhouse Operation. The Subject Property is Described as Tract A with in the SW4, Section 32, T.6N., R.8E., NMPM known as 70 Akin Farm Rd N.

12. ADOPTION OF ORDINANCE / AMENDMENT TO COUNTY CODE

- A. **Planning and Zoning: (PUBLIC HEARING)** Request Approval of Ordinance No. 2024-____, An Ordinance Amending Ordinance No. 2020-06, the Torrance County Zoning Ordinance.
- B. **Planning and Zoning: (PUBLIC HEARING)** Request Approval of Ordinance No. 2024-____, the Torrance County Rurals Addressing Ordinance.

13. DISCUSSION

- A. **Manager:** Discussion of the Property Located at 16 E. Willow Lake Road, McIntosh, NM 87032, Also Know as the McIntosh Senior Center.—*Mayor Nathan Dial, Town of Estancia*
- B. **Manager:** Salinas Pueblo Missions National Monument Recognition of the Torrance County Sheriff's Office. – *Kathy Garcia, Salinas Pueblo Missions National Monument*
- C. **Finance:** Discussion to Provide an Update on Remaining Work to be Completed for Manzano Well and Meter Project.
- D. **Finance:** Update Regarding the United States Internal Revenue Service (IRS) Proposed Penalty for the Late Filing of Calendar Year 2022 W-2s.
- E. **MANAGER'S REPORT:** Personnel Updates
- F. **COMMISSIONERS' REPORTS:**
 - 1) Commissioner McCall, District 1
 - 2) Commissioner Schwebach, District 2
 - 3) Commissioner Schropp, District 3

14. EXECUTIVE SESSION

- A. **COMMISSION:** Discussion of the Acquisition of Water Rights Pursuant to NMSA § 1978 10-15-(H)(8).

**15. Announcement of the next Board of County Commissioner's Meeting:
November 25, 2024 9:00 AM****16. SIGNING OF OFFICIAL DOCUMENTS****17. ADJOURN**

*If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter or any other form of auxiliary aid or service to attend or participate in the hearing(s) or meeting(s), please contact the Manager's Office at 505-544-4700 at least one week prior to the meeting or as soon as possible. Public documents, including agenda and minutes, can be provided in various accessible formats. Please contact the Manager's Office at the number listed above if a summary or other type of accessible format is needed.



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item

No. 1



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item

No. 2



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item

No. 3



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item

No. 4



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item

No. 5



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item

No. 6



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item

No. 7 A



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item

No. 7 B



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item

No. 8 A

DRAFT COPY
Torrance County Board of Commissioners
Regular Commission Meeting
October 09, 2024
9:00 AM

Commissioners Present:

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

Others Present:

J. JORDAN BARELA – 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 October 09, 2024, Regular Commission Meeting to order at 9:00 AM.

2. Pledge led by: Ryan Schwebach – County Chairman

Invocation lead by: Kevin McCall– County Vice Chairman

3. **Changes to the Agenda:**

J. Jordan Barela- County Manager: Defer agenda items 5A, 12J and 13A.

4. **PROCLAMATION:** None

5. **CERTIFICATES AND AWARDS:**

A. Presentation of the Employee of the Quarter for the Second Quarter of 2024. - **Deferred**

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

7. **PUBLIC COMMENT and COMMUNICATIONS:**

A. **PUBLIC COMMENT (Comments limited to two minutes.)**

Deanna Lopez-County DWI Program Coordinator: Today is Family Engagement Day at the Moriarty Elementary School where we will have a booth set up. You'll also have a booth set up this Saturday, October 12th, at the Pumpkin Chunkin' which we are also a sponsor of. The gates will open at 8 am and end around 4 pm. Saturday, October 19th, we'll be having a free bingo in Mountainair at the Doctor Saul Community Center from 2 pm to 4 pm. On Friday, November 22nd we will be having a free bingo in Moriarty at the DWI Memorial of Perpetual Tears from 6 pm to 8 pm. We are currently working with Estancia, Mountainair, and Moriarty Schools to plan dates for upcoming events. I will put these flyers in the back if anybody is interested. Thank you.

Debbie Mayberry: I am happy to announce that we have a new Agricultural 4H agent, Angela Hurst.

Angela Hurst - Agricultural 4H agent: I am from Oklahoma, and as Debbie said, I'm the new Agriculture and 4H Extension agent. I'm happy to be here, and I'm happy to get to work with 4H.

Sterling Donner – Boy's Counselor: An update about the Boys' Council and Girls' Council at EVCA. We have about 70 kids in the program. Some of those have been in the program for four years. On the girls' side, it has grown from about six or seven girls to about 50 girls. We've seen an incredible response from the kids. They are creating bonds with each other. On the boys' side, we've got brand-new groups. The boys' Council has been there for a couple of years, and the boys are opening up with each other. They rely on each other, standing up for each other when things are going bad at school. We're seeing a huge positive change in the kids. Hopefully, we can get started programming with the County soon. We've been doing it through FLAME, free of charge, working through donations for

snacks and everything, and at a certain point, we hopefully get into the other schools through Torrance County contracts with CYFD. Thank you.

***Comments by Zoom**

Ian Philabaum – Innovation Law Lab: I'm going to play a recent recording from Spanish)

Tiffany Wong - Innovation Law Lab: The following is a translation of the recording we just heard. Cordial greetings to you. My name is Julio Cesar. I am from the Dominican Republic. I direct this to anyone who may be interested. I am detained in the Torrance County prison. I came to this country to seek asylum, and now they have held me in prison for more than three months without any response about anything. ICE officers arrive at the center. They talk to whomever they please. For the rest of us, when we address them, they speak badly to us, and they respond that they have nothing to talk to us about. At the center, specific officers treat us like animals. They put us to work in the kitchen. One takes the work to distract one's mind because they lock us up every two hours like animals in a room. When you go to the kitchen, the chefs want to exploit you with work. They tell us that we can't sit even for a minute, as if we were slaves. Their threat is that they will return us to our room, and they will make a report against us that will prejudice our process. I'm tired. I am a father of a family, and there are hundreds of people here like me. It is inhumane abuse. I have never set foot inside a prison. I came to this country to ask for asylum, and they put me in prison. I want this to reach the right person. We are tired. This is an abuse of human beings. What do they do to us immigrants? They separated me from my younger brother, released him, and left me in prison without any answers, I would like for this to echo the deportation officers' abuse of power against us immigrants. Thank you very much and blessings to you.

Anne Schropp: The Carter Foundation was formed in the 1980s with several humanitarian goals, such as Habitat for Humanity, and eradication of certain diseases in tropical countries, ironically, things for which ivermectin works. One of the biggest projects has been protecting voting rights in undeveloped and underdeveloped countries. The staff is trained and has learned from experience in

countries like Rwanda, Nigeria, Venezuela, and Brazil, how to keep election workers and voters safe and ensure honest and fair ballots. In short, they are vital to what we Americans distinctly call banana republics. Now they have had to bring what they have been doing in those dangerous places home to the United States of America, Torrance County, due to the addition of voting rights protectors and we got our very own representative from the foundation to observe the certification of our voting machines and help our poll workers try to stay safe. I am ashamed that the American voting process has descended to this level. I and most of you have ancestors who fought in wars for democracy. I'm proud of my ancestors who fought or worked in other ways in World Wars One and Two. My father-in-law was a fighter pilot during the Korean War. I can only imagine their horror at seeing what their America has become. The people who work our elections are our friends, our family, and our neighbors. Anyone in Torrance County who has any concerns about their safety during the election process should be humiliated by every citizen and stay in their lane. Let's not embarrass Torrance County any further. Thank you.

Rick Dean: To speak to the conditional use permit you'll be talking about, I hope that we can continue to keep from issuing these until we can figure out some of the water situations and that the state has time to figure out the cannabis laws, so we can try to regulate some of this. I also have a question about how you give a conditional use permit for one address and how can they go to a different address. I know Mr. Goen and I have spoken about this, and he hasn't had time to properly check it out, but it appears we've had 24 greenhouses go up in less than three days. Those are not on the conditional use permit. We must keep an eye on this stuff, I definitely will, because it's unsightly. If we continue to, especially when it comes to additional cannabis grows in Torrance County, keep holding off on those until the state has a chance to help us out with rewriting the laws. Thank you.

Samuel Schropp-County Commissioner: I'd like to read a statement into the record that pertains to comments. I want to clear something up. None of what we hear in public comments at this meeting, or past meetings is testimony. No one has sworn to tell the truth, and there are no penalties for knowingly or unknowingly making false or misleading statements at a previous meeting during public comment. Jessica Martinez said that one of her clients, quote, "had a bone sticking out of his ankle, and nothing was being done for him." Close quote. At a previous

meeting, three immigration advocates claimed that their clients had, respectively, thyroid cancer that was not being treated, a diagnosed diabetic that was not being provided with medication, and another had a seizure, and the cause remained undiagnosed and untreated. I referred all these claims to Congresswoman Stansbury's staff, but without a HIPAA release, there is no way to investigate these claims. Some of the immigration advocates are attorneys, and I assume they are licensed to practice law in New Mexico, they are remiss in their representation of their clients, and there are sanctions for them. Each one of these immigration advocates should have immediately printed out a New Mexico HIPAA release, made another appointment with their clients, and had them sign for the release of their medical records that would enable the attorneys to appear in Federal Court to petition for a court order for the release of the detainee's medical records. Those records would then be reviewed by a medical expert and an appropriate act taken in Federal Court to obtain a court order for the appropriate treatment. Instead, the people representing those detainees come to these chambers and read statements that should be reviewed by the New Mexico Bar Association for ethics violations and inadequate representation.

I intend to go through the minutes of previous meetings and refer those names to the New Mexico Bar Association for review, to those who were here making public comments regarding the TCDF. You are wasting your time, our time, and, more importantly, the time of your clients. Congress has mandated that there be 36,000 beds available for detainees who meet certain criteria for further vetting, closing the TCDF and the other detention facilities will not change any of the policies which are creating the backlog and resulting suffering of detainees denied habeas corpus or their Fifth and 14th Amendment rights. Forcing the TCDF to close will be a hollow victory, which none of the immigration advocates should be proud of but will look good on fundraising letters. The slogan dignity, not detention is just as foolish a slogan as defunding the police or abolishing ICE. The theory of incarcerating does not apply to asylum seekers if the immigration advocates are serious about making change, then join with the deep pockets of the Southern Poverty Law Center and the American Civil Liberties Union. They gather sworn testimony and medical records and sue the leaders of the House of Representatives, the US Senate, and the Biden administration in federal court to force those parties to reform the immigration system. Thank you.

B. DEPARTMENT UPDATES AND COMMUNICATIONS

8. APPROVAL OF MINUTES

- A. **COMMISSION:** Request approval of minutes of the September 25, 2024, Regular Meeting of the Board of County Commissioners.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve minutes of the September 25, 2024, Regular Meeting of the Board of County Commissioners.

Kevin McCall-County Vice Chair: Seconds the motion.

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

MOTION CARRIED.

9. 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:

- A. **FINANCE:** **(PUBLIC HEARING)** Requesting adoption of Ordinance No. 2024-02, an ordinance Superseding Torrance County Ordinance No. 2020-05, the Torrance County Financial Reserve Ordinance, to amend language in the current ordinance for better clarification, tracking, and calculating of Financial Reserve requirements.

Action Taken:

Ryan Schwebach – County Chairman: Motion to move into public hearing.

Kevin McCall-County Vice Chair: Seconds the motion.

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

9:24 AM

The County Attorney swears in – Misty Witt and Mr. Burpo.

Misty Witt-County Finance Director: This is an ordinance that was adopted in 2020 regarding the finance reserve in correlation with the PILT Funds. We've been working with Mr. Burpo to get this ordinance language clarified. It was very unclear and hard to track. Mr. Burpo is on Zoom as well for specific questions. In your packet, there is a copy of the new suggested reserve ordinance with the changes highlighted in yellow. There are only additions, nothing deleted.

Mr. Burpo – Torrance County Financial Advisor: There are four changes. Two definition changes in the term County reserve. We added the word minimum so that your 2/12 requirement is the minimum that can be in the Reserve Fund. The second thing was to make it a segregated account within the General Fund. Right now, the funds are commingled. They're not set aside. This will allow the Finance Director to create a new line item, those funds will be segregated. In turn, give your accounting treasurer some variable investment options. A little bit longer term so they're not just General Fund override money. The third change we made is in the funding procedures. One thing we said is that if you put money in and it's grown and it's more than 2/12s of your General Fund, you're allowed to do that, and that becomes your new baseline every year. The fourth thing is a new section that allows the County Commission to put additional funds over and above the 2/12s should those funds not be readily available or needed by the Commission.

This ordinance was passed in 2020 before the two big Pattern Industrial Revenue Bonds that have in the past been enacted and are under construction and operation. I thought that would give you some latitude if you wanted to add additional funds to this segregated account. Those are the four basic changes to the order.

Kevin McCall-County Vice Chair: I can appreciate the changes.

Ryan Schwebach-County Chairman: Is there anybody else who wishes to speak on this matter? Is anybody against it? (no response)

Samuel Schropp-County Commissioner: To clarify, the previous wording was ambiguous about what was required of the Commission and required of Finance. This clears that up. The wording is unambiguous and much more transparent in this version of the ordinance.

Ryan Schwebach-County Chairman: By statute, what does the reserve account have to have?

Mr. Burpo – Torrance County Financial Advisor: You are required to have 3/12 of your General Fund in the Reserve Fund and 1/12 of your Road budget in a Reserve Fund. This is separate. What you've done is set up a separate account to take care of your PILT Revenues, and you're segregating them under this newly revised ordinance, you're segregating them outside of the General Fund.

Ryan Schwebach-County Chairman: The purpose of this is to let the public know why we put this in place back in 2020. I remember the County was hurting for money due to various reasons, then the PILT Funds were coming in. The Commission, at the time, chose to create this fund to have extra reserves for the County and the citizens of the County for basic services. It can be removed with a unanimous vote by the Commission, and the funds can be used. That's why this is a public hearing and ordinance. That is the purpose of this so that everybody knows what is in place. I agree with the changes. It makes sense.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve changes to the Ordinance 2024-02, which supersedes Torrance County Ordinance No. 2020-05.

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

Samuel Schropp-County Commissioner: Mr. Burpo and I were talking yesterday, and I relayed to him that it's the Commission's wish that economic development take place in Torrance County. Mr. Burpo said that in Sandoval County he had set up a similar account. Mr. Burpo asked me to bring that up here to bring that to your attention now as we move forward in the future.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve out of public hearing

Kevin McCall-County Vice Chair: Seconds the motion.

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

MOTION CARRIED

9:30 AM

B. FINANCE: Request approval of Ordinance No. 2024-02, an Ordinance Superseding Torrance County Ordinance No. 2020-05, the Torrance County Financial Reserve Ordinance.

Ryan Schwebach-County Chairman: Passed in the public hearing.

11. ADOPTION OF RESOLUTION:

A. GRANTS: Request approval of Resolution 2024-36, entering into a grant agreement with the NM Department of Transportation (NM DOT) for Transportation Project Fund Control No. HW2LP50062, in the amount of \$574,652.85, and approval of the 5% Torrance County grant match totaling \$30,244.89, for a total amount of \$604,898.00 with a termination date of June 30, 2027.

Amanda Lujan - Grants Administrator: This is a request to enter into this grant agreement with the Department of Transportation to fix Appaloosa Road. It's 2.4 miles. It will start at Abrams Road and go to Charlie Breckenridge Road. It would be a three-inch overlay to improve the road. For this grant, it's monetary. Roads always have that extra funding in their budget.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve.

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. FINANCE: Request approval of Resolution 2024-37, FY 2024-25 Budget Adjustments.

Misty Witt-County Finance Director: Schedule B of the Budget Adjustment within your packet, will have a breakdown of what we are adjusting. We received a donation from the Sheriff's Department, so we're adjusting the budget to add that donation so they can spend those funds. That is the first line. The second line is the election grant that we received for 18,000 so we would like to adjust the budget to reflect that. And then all the adjustments within fund 416 are for the new Fire Department position that you created at the last Commission Meeting. You will see that there's a cash transfer down at the bottom of the schedule, transferring that from the general fund into the fire department to cover that in position.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve.

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

C. CLERK: Request approval of Resolution No. 2024-38, amending Resolution No. R-2024-15 to move the polling location in Willard, NM, from the Willard Community Center to the Willard Fire Station due to recommendations from Disability Rights New Mexico.

Linda Jaramillo-County Clerk: On September 17, we were sent a report from Disability Rights of New Mexico on some of our polling places that were not in compliance with accessibility for the disabled. They were the Manzano Community Center, McIntosh Senior Center, Torreon Community Center, Tajique Community Center, and the Willard Community Center. Except for the Willard Community Center, all the rest of them, with the help of the people in these locations, are helping us to bring them back into compliance. But with this one in Willard, it was such short notice to fix all the issues, so they recommended moving it to the Willard Fire Station. I talked to the people in Willard. I talked to the Willard Fire Department and the County Fire Department. It's good to go. We need this resolution because I can't just change polling places without your permission. This resolution will change the current location to the Willard Fire Station. then it'll be published in the paper, and that'll take care of the legalities.

Action Taken:

Ryan Schwebach – County Chairman: Motion to approve.

Kevin McCall-County Vice Chair: Seconds the motion.

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

MOTION CARRIED

12. APPROVAL

A. PLANNING & ZONING: (PUBLIC HEARING) Appeal of the decision by the Planning & Zoning Board to deny the Minyong Chen application for a Conditional Use: Commercial Greenhouse Operation. The subject property is described as Tract A-4-1 within the SE4, T.6n., R7E., NMPM.

Action Taken:

Ryan Schwebach – County Chairman: Motion to move into public hearing.

Kevin McCall-County Vice Chair: Seconds the motion.

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

MOTION CARRIED

County Attorney Swarn in - Chris Lee, Suzanne Dome, Georgiana Cooper, Jason Holton, Clayton Gardner, Haily Love Melcheck, John Humphries, Pat Davis, Johnny Romero, Lucy Lawrance.

Chris Lee – Representative for Minyong Chen: We are appealing the decision made by the previous Zoning Board. Our client, Minyong Chen, and the current property owners, Jeffrey Eckles, and Yinzi Cui. Torrance County Planning and Zoning Board's made the decision to deny a conditional use permit for a commercial greenhouse operation. The applicant cannot start the commercial agriculture operation without this conditional use approval and the ability to pursue their business venture. The decision will also hinder the current owner's ability to sell the land at Riley Road now, and in the future, without the approval to conduct large-scale commercial farming in the designated Agricultural Preservation District. The Planning and Zoning Board has failed to demonstrate how the conditional use approval would hurt existing agricultural operations in the area, making it incompatible with the surrounding properties. This is our reason for the appeal found in number four in the original denial. It was determined that the commercial greenhouse operation at this location would hurt values in the area.

We believe this decision by the Zoning Board is not supported by factual evidence. Land value is higher if you're allowed to legally use your property with unnecessary restrictions on land use and farming community. This endangers the value of all properties. We have a misjudgment by the Zoning Board, and the decision of the Zoning Board was not supported by factual evidence. Another notice of the decision was that the odor and light effects could not be satisfactorily addressed. These issues were addressed in the original application. These were glare, shade cloth covers which will be used over the hoop houses to prevent glare, maintaining a visually unobtrusive presence. He does use an upgraded version that's economically more viable for him, and he doesn't have to do as many repairs as compared to the black plastic cloth that you see in some of the buildings in the County.

Odor: the facility is in the center of the property, and all processing and packaging is completed in the warehouse. The warehouses are sealed, and they do have odor mitigation practices and standard operating procedures to limit air and odors leaving the building. We have attached an odor control plan to this appeal, showing their carbon fans. Due to these findings, we feel that there was a misjudgment by the Zoning Board. We have a couple of examples, Green Leaf Gardens on June 5 of this year, for light pollution, was to install the six-foot opaque fences, which is ruled by the state, and then supplemental light during nighttime operations will just be to cover the greenhouses. Their odor control was that each greenhouse is equipped with fans to exhaust odors and planting Fringe Trees close to the residence to effectively absorb odors. Magnum Opus on May 1, 2023, stated there would be no glares on adjoining properties from our facility. With environmentally friendly cultivation, there will be minimal odor and sound to adjoining properties with the use of carbon filtration systems, which we also stated.

Our compatibility with surrounding land use in proposed cannabis cultivation facility is a commercial agricultural operation. Torrance County Zoning Ordinance, Section Nine, Agricultural Preservation District AP 40 is intended for agriculture and agricultural-related uses. Permissive uses on this land include the cultivation and harvesting of plants and croplands, making the conditional use for commercial greenhouse operations compatible with the current design of the bordering properties and their land uses. In conclusion, the decision by the Torrance County Zoning Board was not supported by factual evidence. We believe the Zoning Board applied a standard of concern instead of demonstrating injury, and due to this misjudgment by the Zoning Board, we request that the denial be reversed.

Samuel Schropp-County Commissioner: Will the carbon filtration systems be on the hoop houses, or solely on the warehouse?

Chris Lee – Representative for Minyong Chen: They will also put these in the hoop houses.

Ryan Schwebach-County Chairman: This is not built now? We're still in the permitting process, correct?

Chris Lee – Representative for Minyong Chen: Yes, there's been no building on the land. We're in the stages of the permitting process to finish the completion of the purchase.

Ryan Schwebach-County Chairman: For the carbon filters and the light coverings, how is that enforceable?

Chris Lee – Representative for Minyong Chen: It is only enforceable after completion. To get licensure, they must attest to these things. Then the state of New Mexico will randomly inspect their facilities. They inspect them before operation and once a year, randomly or anytime there's a complaint about a facility, the state shows up and does an inspection.

Ryan Schwebach-County Chairman: This is within the permitting process, within the state that this is a requirement, both the light pollution and the fencing.

Chris Lee – Representative for Minyong Chen: The fencing or the light pollution is not necessarily a standard. It is just a common practice within the industry. They will upgrade their coverings to limit light pollution.

Ryan Schwebach-County Chairman: There is no enforcement. No statute requires it.

Chris Lee – Representative for Minyong Chen: The rules are that they can't pursue state licensure without approval from the County, a business license, and Zoning approval. They're not even allowed to pursue a state license without the County permit first.

Ryan Schwebach-County Chairman: Again, I ask, how is that enforceable? Is it on our ordinance?

Michael I. Garcia-County Attorney: If it's a conditional use, and I'll defer to Mr. Goen on this as well, my understanding is that if an applicant or an owner or operator violates the conditional use there is a mechanism to enforce the violation on a conditional use permit.

Donald Goen-County P & Z Director: That is correct. Torrance County Board of Commissioners could revoke that conditional use permit.

Ryan Schwebach-County Chairman: Are these within the permit? Are there conditions with the filters and the light screening?

Donald Goen-County P & Z Director: Under the conditional use, it says, the odor effects and light glare. The stated steps are the ones that they intend to take to address those concerns. It does say that they need to be addressed.

Ryan Schwebach-County Chairman: Spelled out within the permit, not just addressed, but with what was just stated here.

Donald Goen-County P & Z Director: It doesn't specifically say this type of cover or air filtration.

Michael I. Garcia-County Attorney: I believe we can make those terms of the conditional use permit.

Samuel Schropp-County Commissioner: That would be enforced at the County level?

Michael I. Garcia-County Attorney: Yes.

Samuel Schropp-County Commissioner: As we've seen, CCD has very poor enforcement powers.

Donald Goen-County P & Z Director: This isn't just a blanket yes or no. One of the options is that either the P & Z Board or the Commission has the option, if you were to decide to approve with conditions. This would give us a little more leeway in what we could do as far as ensuring compliance.

Donald Goen-County P & Z Director: I read the permit application and the findings. They're running the same permit without any conditions of mitigation,

other than their word. The CCD says that it's an honor system, and it's self-policing, which has been ineffective.

Michael I. Garcia-County Attorney: Mr. Lee, is there anybody else that you brought to testify in support of your appeal?

Chris Lee – Representative for Minyong Chen: A question at the previous hearing was, where is the actual applicant? Mr. Chin is here today. We have an interpreter if someone would like to ask him direct questions, but for the most part, with the language barrier, I will handle most of it, unless you would like to speak with him directly.

Michael I. Garcia-County Attorney: Is there anybody who wants to speak in opposition to the appeal?

Donald Goen-County P & Z Director: I have a letter that was handed to me this morning.

Michael I. Garcia-County Attorney: We need to have that he's put in the record because it's not sworn.

Suzanne Dome - Resident: I emailed you ahead of time to give you the sources that I use in the creation of my current document and the light and odor mitigation protocols that are suggested by industry experts. The reason for their appeal states that “unnecessary restrictions on land use in a farming community endanger the value of all the properties in Estancia Valley”. The entire purpose of zoning ordinances is to protect the nature and quality of the land, prevent pollution, and stop large industries from encroaching on residences. The ordinance in question, Section 21D which was last revised on April 23, 2008, was correctly interpreted. The application and appeal contain vague, misleading, or contradictory information and some simple false claims. One such false claim is that the facility will be in the center of the property. That’s 42, 70 x 30-foot hoop houses five feet apart, plus the existing structure, three 50 x 160-foot metal warehouses, parking, and a dumpster. Their diagram, on its own, proves that the buildings will not be centered, as the applicant claims, and the applicant has not indicated they are buying more land than the known parcel. The buildings would be 10 feet away from one property line and 60 feet from another.

Do we know if they plan to purchase more land and expand the business? There's nothing stated in either the application or the appeal. I would even question the

way they intend to fit their buildings into the space based on the sizes and numbers of buildings they're proposing. I also must question their horticulture method; the application only mentions vague technologies. Their representative claimed in the August 7 meeting, which would be in the Zoning meeting recordings, that they came in to talk to Zoning. They described pots over trays so they could recycle the water. Then in the appeal, they're describing suitable agricultural soil, which implies they're putting it in the ground.

That brings back concerns over water quantities, and chemical usage, and raises questions about exactly how they plan to construct the hoop houses. They also attempted to compare their business plan to two others that were previously approved, neither of which are even comparable. One was only five hoop houses, and from what we know, there's nothing else up right now, besides a warehouse. The operation is more comparable to a feedlot with all the inherent problems. In terms of property values, there's plenty of readily searchable data showing the property values drop around industrial sites. Inflation is a larger factor in price increases and most of the positive data concerns businesses inside city limits rather than the land surrounding rural grow sites. The applicant specifically cites their odor and light mitigation as reasons they should not be denied. I have found lots of data to the contrary, and this is what I sent you in my email.

Carbon filtration is not for growing areas. It's only effective with regular maintenance and warehouses and processing facilities in a larger scale system. The system listed in the appeal would not be adequate for greenhouses or hoop houses, and it is advertised specifically for smaller spaces. The proper system for removing volatile organic compounds and odors from greenhouse exhaust is removing it before it goes out. It is a fog system; it uses fog to drag the VOCs out of the air and neutralize them before that air is vented. That's the only way to control that smell. Also, the chemistry of it is not great. They mentioned the Chinese Fringe Trees. Honestly, I had to laugh at that. These are extremely fragrant flowering trees. There's no evidence anywhere that they absorb the smell. They flower briefly from May to June, they're very smelly like a magnolia. There's nothing that says that they absorb anything. Moreover, the application also says they intend to use hoop houses, specifically, which are not suitable for any odor-control systems due to their design, they're just too drafty. You can't seal them; you can't pressurize them.

For light mitigation, they proposed shade cloth and a fence, which is completely inadequate for blocking bright lights, according to experts in light pollution. Only closable curtains that block the light completely from the inside are truly adequate

to stop that nighttime glare from leaving the actual greenhouse. It is well known that light pollution disrupts wildlife, and livestock can also suffer from light pollution and from not having enough nighttime darkness to rest. It stands to reason that any livestock in the area would potentially suffer from having this nightlight across the road. On top of the overall issues with light pollution, the types of bulbs can be hazardous and not necessarily proper for hoop houses, so it should be thoroughly considered which kind of bulbs are involved. High-intensity discharge bulbs are a fire hazard, and LEDs are linked to health issues in humans. Overall, the suggestion that shade cloth and fences could stop light pollution is incorrect. The applicant claims they're losing a stake in a business opportunity, but they have not purchased the plan yet.

In the original zoning meeting, their representatives stated the applicant would not purchase the land if they could not acquire all the permits. They could just find other land. There's no reason they must purchase that land, and it is not high stakes for the applicant, yet all they have paid are some preliminary fees. No land, no construction, and no stakes. Residents, on the other hand, have a huge stake in their established homes and farms. We face the potential for lost business, dry wells, and sickened livestock, and it would be an undue burden on the residents and farms to have to haul water if the hoop houses do deplete the local water table for any length of time. I ask again for a hydrological study. The biggest difference between this application and previous ones is that this time the residents became aware and came forward. We have a comprehensive land use plan, a legally binding document required by the state that directs the County to preserve the nature of the neighborhood, conserve County land, and protect water resources. In previous approvals, it appears almost no one showed up, and perhaps they just didn't know until it was too late. This time the residents have gone out of their way to prove that this project is completely inappropriate for this land parcel, and with the data that I've provided today, I encourage you to preserve the Zoning Board's denial, to protect and conserve our neighborhood as it is.

Samuel Schropp-County Commissioner: Are you an adjoining landholder?

Suzanne Dome - Resident: Yes, I am on Riley and Langley. My ranch is directly across the road.

Samuel Schropp-County Commissioner: If you're not quite familiar, this land is bordered East by Riley Road, bordered on the north by Torrance Heights Road, and then bordered on the south by another residential landholder. There are several residences adjoining this property and domestic wells there as well.

Michael I. Garcia-County Attorney: The witness said she had sent you emails.

Suzanne Dome - Resident: I sent emails to our three Commissioners and Mr. Goen, including the bibliographies, and the sources that I used for the light and odor control.

Michael I. Garcia-County Attorney: For the record. It's okay for the witness to send it to Mr. Goen, but because it's a quasi-judicial proceeding, you all can't be reading it. It's something that a lot of people in the public aren't aware of, how the quasi-judicial process works.

Ryan Schwebach-County Chairman: I am aware of it, and that's why I did not read it. There are a lot of emails I have not opened.

Suzanne Dome - Resident: That's probably something that needs to go up somewhere on the public page.

Samuel Schropp-County Commissioner: Since this is in my district, Mr. Garcia cautioned me about having any contact with the people will be here today.

Georgiana Cooper - Resident: At the last meeting, nothing changed. I have contiguous property boundaries with this Riley Road greenhouse operation that's going in. From their diagram, five to 600 feet from where they will have their porta potties would be the location of my line compared to where they are. Were zoned Rural Residential out where we are, there's nothing compatible with us being an industrial operation, especially one that has the potential of putting out contamination.

We all know that we have a windy valley, and things can be spread around by the wind. Going down 542 I saw black plastic flying in the breeze over the last few days. I find that what each of us has stated before, I feel that there's harm to the corn that grows very close to them. This corn is used to sustain the local cattle population. Cattle give you milk and beef. What they want to put in is not sustainable for any of us. It is federally still illegal, which makes you wonder how they will operate there, considering banks don't deal with illegal entities like this. Are they insured for the harm that they're going to cause to the people that are in the surrounding area into the valley? This reflects on all of us. We have narrow roads, which with the big trucks, if you're going opposite directions, you're very close to each other. To get away from the trucks as you go down the road, of

course, it's been trimmed up a bit. We were hitting sunflowers with a side mirror, so that was unsafe, and I was concerned for my health. I don't think I want my grandchildren or great-grandchildren to come to my house. I'm concerned about my neighbors, they have children. The location they have chosen is very close to residences there, it's dangerous. My main point is that what they are doing is not sustainable for the population, and for our livestock, and it's dangerous.

Jason Holton - Resident: I have some additional information I would like to pass out, (see in packet). Thank you for letting us present this info today regarding the Minyong Chen, commercial greenhouse, conditional use appeal. My wife and I own 480 acres adjacent to this property and will be directly affected by any activity that may happen on this property. The applicant, Minyong Chen, and the current property owners Jeffrey Eckles and Yinzi Cui, feel they have agreed by the Torrance County Planning and Zoning Board's decision to deny their conditional use permit for a commercial greenhouse operation. I believe the applicant has yet to provide sufficient evidence to overturn the Planning and Zoning Board's decision. As a property owner, I feel sorry for the situation Eckles and Cui are in. No one wants to fight to sell their property. However, the county had already set forth guidelines for how all property in the County can be used, and the proposed use for the potential buyer, Minyong Chen, was found by the Torrance County Planning and Zoning Board to not be compatible with the existing use of the surrounding properties. The surrounding properties mostly consist of residential housing, livestock grazing, and one nearby irrigation pivot that has been slowly transitioning to livestock grazing over the last few years.

In the appeal, the applicant says that they had addressed the issues of glare in their original application. For reference findings number five, six, seven and eight all relate to glare from the original application. They said, "glare, shade cloth covers will be used over the hoop houses to prevent glare, maintaining a visually unobtrusive presence." In the appeal, they then added, "The state requires a six-foot opaque fence for the cultivation license approval." While this might address some issues with glare during the daytime, it does not address the issue of light pollution or glare at night. New Mexico is so proud of its beautiful nighttime views. In 1999 a law was passed called the "Night Sky Protection Act," also known as the New Mexico statute, Chapter 74 Article 12, this statute currently only addresses light pollution originating from outdoor lighting fixtures at the time of its writing and adoption, I believe that light originating from indoor sources were not as prevalent as outdoor lighting. However, as lighting technology has improved and more indoor growing operations have arisen, the statute has not been updated to address the fact that indoor lighting that is allowed to exfiltrate the

confines of the building in which they are placed can have a major impact on the night sky. Simply placing shade cloth covers over a hoop house and erecting a six-foot opaque fence will have very little effect on reducing the light pollution or nighttime glare from a hoop greenhouse, as can already be observed from other similar operations in the area. The only way to prevent any nighttime light pollution or glare is to prevent any meaningful light from exiting the structure, be it a completely sealed structure with no windows, light-blocking curtains, or some other similar medium that will not let light pass.

Furthermore, when it comes to odor, the applicant states, "The facility is in the center of our properties, and all processing and packaging will be completed inside the warehouse. This will limit odor drift to neighboring parcels." Then attached a facility odor mitigation policies document with the documentation for the fan infiltration system they plan to use. Others here have already or will be addressing the technology they are proposing to use for the warehouses. I will leave it up to them. As for the statement about the facility being in the center of the properties, the Eckles have three properties for sale, and based on the wording, it would be safe to assume that all three are involved here. The conditional use is only for the centermost property where the grow facility will be located. However, the applicant's documentation shows that the warehouses and greenhouses will be 60 feet from the western property boundary on a square 30-acre lot. Unless the directly adjacent western property, which is currently owned by Stanfill, Andrew, and Mary Trust from Albuquerque, which is also for sale, then the grow and processing facilities are nowhere close to being located at the center of their properties. Stanfield, Andrew, and Mary's trust are not listed in the appeal as an aggrieved party, so it would be logical to assume their property is not involved. I handed out a map showing where the applicant's property is located, labeled all property that are included in the sale to the applicant where the hoop greenhouses and warehouses will be located on the property, as well as marked all houses in the area.

To further add, the applicant never addressed the odor concerning the hoop greenhouses. In the original application or their appeal application, because they have yet to properly address the odor release from the hoop greenhouses, they have still failed to make a valid argument to completely overturn findings number five, six, seven, and eight. Now, why is odor such an important issue? Given the rural location of this property, odor affects our sense of smell and taste. As ranchers who have livestock, we need to be in tune with our surroundings for us to properly care for our animals. We use all our senses to identify when there might be an issue on

our property or surrounding properties, issues that might cause harm or even death to our animals.

Biosecurity is a very important aspect of our daily lives. 24/7 365days. Wildlife can pose a very real danger to the animals we are in charge of in the case of odor, it is very important to be able to identify when a skunk may be in the area and then to gauge where the skunk may be or how close it may be based on the smell alone. Surely, I do not need to explain why skunks are not welcome on the farm, ranch, or near home. Over the last month, as the winds have begun to change, we have noticed the scent of skunk coming through our swamp cooler on an almost nightly basis. We do our due diligence as ranch owners in charge of animals that live outside and search to identify where a skunk might be. We have yet to positively identify the location of a skunk. Over this period, we have set traps to try to catch them when they come up close with no luck. This is such an issue. Just yesterday,

I was talking with my neighbor John Meadows and his sister about the smell of skunks at night. They both stated that they had noticed the odor and had also been setting live traps without catching a single animal in them. They were stumped as to why the traps remained empty and the skunk odor persisted. After explaining that cannabis has a very similar odor as a skunk we came to the most logical conclusion, a commercial cannabis grow operation six miles southeast of us along Highway 542 is the most likely culprit, as that is the direction the wind has shifted to blow from in the evenings. This grow operation has been seen to leave their hoop greenhouse doors open at all times of day and night and has absolutely no filtration on the hoop greenhouse portion of the operation as can clearly be seen from the road. We have this new cannabis grow operation that is already affecting the ability of established local ranchers and properly identify when hazardous wildlife may be on their property, endangering their livestock and pets.

I reiterate that Mr. Chen and his representative have yet to address how they will properly mitigate the odor from the hoop greenhouse structures they plan to erect. If this grow operation is allowed to go in as it currently stands, we will have another source of skunk, like odor, and from another direction, closer than any others, in essence, making it near impossible to properly identify when there may be a skunk on our property throughout most of the year. That is why this applicant has yet to properly address how they will not negatively affect the adjoining property, surrounding area, established homeowners, ranchers, and farmers, who also must abide by the very same zoning ordinances, lest you be reminded whenever the wind blows, so go our affairs.

Samuel Schropp-County Commissioner: You said you had spoken with John Meadows. I rode with John Meadows. Are you familiar with the well at Higdon Place?

Jason Holton - Resident: Yes, to my knowledge, they have had at least one, maybe two wells that have dried up in the last year or two. We spoke about their process of trying to drill a new well. This is fairly close to where this operation wants to go. They went down 260 feet. Had very little flow, hit a cavern, and then they were afraid to go any deeper, out of risk of damaging their drill stem.

Samuel Schropp-County Commissioner: Do you recall the Higdon place being for sale? Do you know why the Higman place is no longer for sale?

Jason Holton - Resident: Yes, they pulled it off the market because the livestock wells went dry, and they wanted to rectify the issue before putting it back up for sale.

Clayton Gardner - Resident: I know the State Legislature and Zoning are talking about some of these issues. Mr. Lee, at the Zoning meeting, acknowledged there were lots of issues in Torrance County that need resolving, and he's consulting for Minyong Chen. He acknowledges there are issues. I think denying it will be great. Postpone, indefinitely, is a way to look at this as well, to see what's coming down the line. The zoning we have right now, and we have the power already. It was brought up in our zoning meeting. It's supposed to protect agriculture. Agricultural Preservation is to protect the open character of Torrance County. Multiple hoop houses and a warehouse do not protect the open character of Torrance County. Therefore, they do not protect agriculture. Furthermore, the State Engineer's Office has recognized this as a commercial product, because you need commercial water rights to grow cannabis. I don't need commercial water rights to have a livestock well. I don't need commercial water rights to have an irrigation well for farming, but you do need commercial water rights to grow cannabis. I think within our zoning, that's two big things. I think it should be brought up just because we're going in the unknown. How do we enforce all these things? We've shown already that there's no enforcement. That's a big problem. If it goes through Cannabis Control, we've already given Denae Banali a license to grow here.

It was acknowledged at the zoning meeting that there are lots of Chinese that have the same name. Minyong Chen is indicted by a multi-county grand jury in connection with large-scale illegal marijuana operations. Maybe it's a completely different guy. I'm not saying it is or not, but he has the same name. This guy was

growing way more marijuana than he was supposed to in Oklahoma. I read a news article about it. We must approve this before we know anything about our applicant, that's unfortunate. I think that's a terrible way to go about something.

Samuel Schropp-County Commissioner: A clarification. The OSC website on cannabis water use differentiates between hoop houses and marijuana that grows like your alfalfa or your silage corn. One requires irrigation, and the other requires commercial.

Clayton Gardner - Resident: New Mexico Cannabis Regulation Act defined in sections one through 42, 26-2c- 1 through 26 1-2c- 42 NMSA 1978 was enacted on April 20. 12th, 2021 requiring that an applicant requesting to produce cannabis for sale, demonstrate the legal right to a commercial water supply.

Samuel Schropp-County Commissioner: On the OSC website, they do differentiate between outdoor and indoor grows, and the permits that are required.

Hailey Love Melcheck - Resident: I did have a lot to say today, but a lot of my community members here have already covered it. I want to second some of the opinions that they have and the facts that they've found. I want to bring up the first point that hasn't been raised today. On page 85 of the Planning and Zoning Ordinance meeting, which says about the right of appeal, and it clearly states in Section 25 appeals, item B, the application must be in within 14 days after the decision in which the subject of the appeal shall not be considered by the County Commission. If you look at the dates of the actual notifications and applications, they were passed there to date or 14 days, the 14th day did fall on Labor Day. I don't know what the regulations are then, but I know that if I pay my bill after it's due, then I must make provisions myself to pay before any other dates that are going to prevent the correct date from being logged as counted. Based on that, I'm not sure why this isn't being rejected as an appeal, straight out, because it clearly states that the appeal shall not be considered by the County Commission. Moving forward, I don't know the regulations on that.

Michael I. Garcia-County Attorney: It goes to the day after the holiday.

Hailey Love Melcheck - Resident: I didn't know if it was or not, so I thought I'd raise that because it hadn't been mentioned before. There was a lot of terminology that was unfamiliar to me. I'm not from here. I've chosen to live here. This is my home. My dad is American. My granddad is American. My two children, my husband's American. Even though I'm not, I still feel that my heart is here. I'm

going to be speaking a lot from the heart. The terminologies that are brought up in the documentation for the appeal, which Mr. Lee read today, are all very specific, and they answer the questions that need to be answered in the format that they need to be answered. It's very logistical, but a one-sentence description of how they're going to deal with odor was brought up in the Planning and Zoning Department meeting as concerns from not just the department, but also from the community, and they haven't been addressed yet in this application. In this appeal, much further than they were done in the application. If you look at the wording, already mentioned exactly the statements that have changed, and there's no further information that I have done copious research on and have informed myself. Suzanne's documentation provided gives us all the legislation that is out there that needs to be followed. Minyong Chen's appeal and what Chris Lee presented earlier, don't speak to any of that, any of the information that is out there or any of the concerns that have been raised.

P & Z Ordinance document, which says it shall not approve any conditional use permit unless satisfactory provision has been made concerning the following. It lists six items, the first one being access to the property and property structures, automobile, and pedestrian safety. Even if I stop there, nothing in this appeal, even though it was raised as a concern in the Planning and Zoning, addresses that item. Provision has not been made considering this. I, myself, who lives 5 miles from the exact location of where the site is, would like to know what their plan is for automobile and pedestrian safety. I have two young children and pets; we have already lost one pet on Riley Road. I don't want to lose my children next. It's my responsibility to take care of my children and their safety, but it's also the County's responsibility to take care of pedestrian safety, and this is how they do it, through these policies. This has not even been mentioned in any documentation that has been provided so far by the applicant.

Traffic control has not been addressed in any way, shape, or form. There's no new information that's been given other than suggestions that they would have the trucks run in operational hours, which I assume is 9 to 5 business hours or thereabouts. There are no provisions that have been laid out or provided to the Planning and Zoning Commission Committee about how they will maintain the roads and for safety. The narrow road was already mentioned and the passing of vehicles on that road. As it is right now, it is quite precarious. I drive down that road daily, multiple times, sometimes, and for the safety of my children as these trucks pass, not at the 35 miles per hour speed limit, which is what is zoned for that area. They are going at 50, 60 and 70, I've gaged them. They know they don't go slow. It's a long road. It's a six-mile road. We live halfway down. There's nothing

to slow them down unless they're coming onto the property. The safety of my children and pedestrian safety hasn't been addressed at all.

If we're going to satisfy the Planning and Zoning conditional use permit this has not satisfactorily been addressed or considered in any way, shape, or form. It goes on to talk about emergency access off the street, parking, loading areas, refuse and service areas, the waste in liquid waste facilities, soil limitations, and public health that's been addressed by some others in my community here today, the main thing the economic, noise, glare, odor effects and conditional use on the adjoining properties. It only talks about the Planning and Zoning documents of adjoining properties. I'm not an adjoining property, but I am in the neighborhood, close enough for all these things to affect me. Therefore, I feel like I can stand here today and speak to these things.

The Night Sky Protection Act regulates outdoor lighting fixtures and raised all the concerns that I had there with the policy being 20+ years old. It doesn't address the inside building that is now going to cause of the glare. If anyone here has seen or knows this area, has been on that property, or is close to that property, look around. There are already night issues from the currently grow houses and the large-scale operations that are already out there but that have not addressed. By adding an extra sentence in the application or in the appeal process, saying that they will use these more economical versions of the cover. I don't care if it's economic or not. I want to know if it's doing the job. It is not doing the job, because what's out there is not doing the job already. The conservation of the nighttime life clearly states that it's the County's responsibility to enforce this Nighttime Sky Protection Act, and in doing so, the Zoning ordinances need to step in. That's where it goes straight back to this point that satisfactory provision has not been addressed.

It's not in the appeal and it's not in the application, but it's this state statutes of the fact that we are overrun and oversaturated by marijuana right now, and if we don't take a pause and time to think, at least, which is what I tell my children all the time, take a pause time to think. Everybody needs to think and work on what information we have, which is very limited on this application, yet all of the people in the community here have provided copious concerns and evidence today to support their views. Then how are we knowing that we aren't just opening our doors to more organized crime, more trafficking, which is what we've done so far? Not to anyone's necessary fault, because no provisions were put in place, but because this happened at such a speed, it overran faster than anyone could expect. That's why pausing or taking the time out on making decisions going forward, not just on this parcel of land or the parcel of land that's going to be heard

later, but in general, in anything affecting Torrance County, because we were the ones that were up on the news report last week when it was advertising, what's going on in the County and it looks bad for the County.

My neighbors in the previous Commission meeting mentioned the amendments that need to be considered in the Planning and Zoning documentation. I want to repeat it here today because I think it's important. What John Humphreys has said was that Santa Fe County has an entire chapter devoted to cannabis and its a strategic development plan. We need a strategic development plan. We need to

do that, before letting more businesses and companies come into play now. Doing that before we've even had a chance to develop that and decide what should be done going forward is only going to be detrimental to everyone in the community. Lisa Gardiner also mentioned the document, I wanted to second something that she had said because it was exactly how I felt, which is that if we don't pass an ordinance, we don't approve any more applications until there is an enforcement of cannabis laws at the state level. We need legislation that recognizes federal background checks because currently, as it was just raised, we don't know who this gentleman is and you don't know who your neighbor is going to be when they move in, and there aren't those federal checks.

It goes back to the main issue that I have, which is the safety of my children. If this was any other regular agricultural farming entity, whether small or large, they would not require digital surveillance systems. They would not require security line systems. They would not have armed guards, and that is what you're bringing into the neighborhood. Aside from other things. The questions that I have about the applicants, and they're here today and present, which I feel haven't been addressed, is that they've picked up the Green Leaf Gardens and the Magnum Opus Farms, which were previously granted permission for conditional use. Neither of those two that they quoted has anything to do with this case. They're irrelevant and need to be dismissed, for that matter. They've plucked these passages out and put them into their appeal. Nothing has been addressed because it discusses the Chinese Fringe Plants in those areas. It doesn't tell us if, this was ever done. Was it ever tested? Was it successful? Where's the data to prove this? It doesn't even state that this is what they plan on doing themselves. It just plucks a sentence out, puts it in, and doesn't clarify that they plan on using this system to defer some of the odor which, you're just masking the odor. You're not removing the odor.

The last thing in their appeal, in their conclusion, says the decision was not supported. Actual evidence that we believe that the Zoning Board applied a standard of concern instead of demonstrating injury, and due to this misjudgment, we request the denial of the reversal. Speaking to that point exactly, there are no factual evidential pieces provided in the application, even though that was what was requested at the Planning and Zoning meeting. Further information was requested, and they've had the opportunity in this appeal to provide further information to satisfy the concerns that both the community and the Planning and Zoning Department had, but they've not been demonstrated or used. Also, my legal understanding is that it's not the Planning and Zoning's responsibility to demonstrate the injury. It's the applicant's responsibility to prove their responsibility of taking the provisions. Going back to the earlier 2.1 guidelines, they haven't provided satisfactory provisions for these concerns. Even though they say that it's concerns instead of factual evidence, and it's a misjudgment. I don't see where the misjudgment is when it clearly states all these things haven't been addressed. Thank you.

Samuel Schropp-County Commissioner: When did you buy your property?

Hailey Love Melcheck - Resident: Two years ago, I wasn't around when all the other hoop houses were going up. It was raised in the Planning and Zoning meeting and saying, where were you all when we were making these decisions? Well, I decided to buy my house on this beautiful piece of land, and here we are today.

Samuel Schropp-County Commissioner: In those two years, has that well been used for agricultural purposes?

Hailey Love Melcheck - Resident: It's been dormant the whole time. There has been no use. Others around us have already reported wells drying up. My well is drying up. It dries it up daily. I would take four hours to do a full cycle of washing to allow the water to build up again. That's the situation a half mile down the road. The OSC even specifies this in its documentation. Whatever happens over on that site is going to affect my house. There's no getting out of that, and whatever happens on my property is going to affect others surrounding the area. I may not be adjoining the property, but putting something in that site is going to directly affect my property, eventually, if not quicker and speed up the process of us needing a well, requiring a well, and potentially not even being able to sustain ourselves, and the well not even fixing the problem. Therefore, we must bring in water. We can't afford that. We could barely afford the property that we moved into. We're getting to a position where we're good. One thing I haven't droned on about today was the

land value, and that's what came up, and there's not enough evidence. I've been trolling the internet; I've been doing my research. We need studies to be done on the effects of land value because, yes, it may increase the land value of the price of the land that is being paid, extensionally, more than what it's valued at, but it doesn't. No evidence has been presented in either appeal today to say that land value is increasing in the adjoining and local areas. The only data that's available is out of state, and that takes time to get we've only had this appeal for seven days, and we've not had enough time to delve into that even further. It takes time to get information from the other agencies that we need to speak to. Whether you make the decision to uphold this based on just this one passage alone or if you defer and delay, that's where we need to get the questions answered, but also to make that strategic plan that is required. Thank you.

John Humphries - Resident: Thank you for this opportunity to respond to the appeal application from Minyong Chen. My family has farmed and ranched in Torrance County for more than a century. My wife and I live at 331 Riley Road, one mile south of the proposed facility. The warehouses and hoop houses will be visible from our house. I believe the Planning and Zoning Board's decision to deny the conditional use permit was appropriate and well justified by the provisions of the zoning ordinance. I find the bullying and threatening tone of the applicant's appeal to be annoying and to represent an attempt by the applicant to scare the Commission into overlooking the weaknesses in their arguments and gaps in their application. I want first to address their reference to the two cannabis applications previously approved by the Planning and Zoning Board. The County's past failure to protect some residents from harm does not abrogate or diminish its responsibility to protect other residents. The prior permit approvals are irrelevant to this application.

In the original application, the applicant falsely states the facility will be in the center of the property when the submitted diagram clearly shows that at the western boundary of the property, just about as close as they could get to Georgiana Cooper's House, who has significant health risks from odor and volatile organic chemicals released from cannabis growing and processing. That siding is likely designed to allow future expansion with additional hoop houses and warehouses filling the property, as we have seen with other operations in the County. During the Zoning Board's hearing, the applicant's representative admitted that the applicant could secure multiple cannabis permits for the same property and therefore expand well beyond what's envisioned in this initial proposal. The Agricultural Preservation District zoning is intended to preserve the open character of the area. A provision the applicant conveniently leaves out when citing the

ordinance, a description of a parcel filled with densely packed hoop houses and warehouses can hardly be described as open character.

This is just one reason why commercial greenhouses are conditional and not permitted use. In this appeal, the applicant proudly highlights their odor mitigation policy and practices. It's a nice piece of creative writing. Any of us in this room could have drafted something like it sitting at our kitchen table. The critical question is, are there any real-life examples where something like this is working to prevent the pervasive odor that characterizes every large commercial grow operations already here in the county? The applicant essentially says, "Trust me, it works" without offering any evidence. When the applicant has been indicted in Oklahoma for fraud and operating another cannabis facility. It's not so easy to trust. We all know that soft-sided hoop houses are not airtight. You can't keep odors from escaping them, especially when you throw them together in a couple of days like we've all seen these operations do.

My neighbor, Suzanne Dome, has provided detailed research documenting the shortcomings and inappropriate nature of the proposed filtration system. I won't repeat that, but I will say that if the Commission isn't convinced by Suzanne's critique that the concern about odor is sufficient to deny the conditional use permit, then you should at least postpone any decision until we've had an opportunity to visit this mythical odorless pot farm described by the applicant if such an operation exists. I will also note that the applicant makes contradictory statements about odor. In one instance, they say that the control mechanisms, "will be more than sufficient to mitigate odors." They highlight the placement of the facility at the center of the property will limit odor drift to neighboring parcels. If the filtration system is truly more than sufficient, then you should be able to park your hoop house five feet from my bedroom window without any worry. The applicant complains that the Planning and Zoning Board didn't provide any evidence that having a pot farm next door will reduce the value of your property, and then they make unsubstantiated claims of their own about higher land values. If we need more than the smell test to support the obvious with some sort of data, then postpone deciding on this appeal until we can hire a professional appraiser to conduct a formal assessment of property value surrounding existing and proposed commercial cannabis operations in the County.

At the planning and zoning hearing, I noted that traffic on Riley Road often travels at speeds exceeding 60 miles per hour. The addition of a commercial facility with many vehicles entering and leaving will present a significant hazard. Nothing in the application or the appeal mentioned any plans for widening the road or creating

turnout lanes, etc., or to mitigate this hazard to residents and other existing road users. The guidelines for conditional use permits in Section 21-d it specifically mentions traffic control as a concern that should be considered by the Commission and addressed by the applicant. If the applicant does complete the purchase of this property, it will come with water rights, but it's not clear that the Office of the State Engineer knows that those rights have not been used in many years. The current and previous owners may not have met the requirements for demonstrating beneficial use to maintain those rights. Before making any decision to approve this conditional use permit, the Commission should exercise its authority under Section 23 of the Zoning Ordinance to refer to the Office of State Engineer for a formal review. Finally, I want to respond to the applicant's broad assertion that because "permissive uses on this land include the cultivation and harvesting of plants and croplands that this makes a commercial cannabis operation compatible with surrounding properties." It's not that the proposed facility is incompatible with the agricultural activities on neighboring properties, although some of my neighbors have described ways that it would be incompatible and impair a good rancher and farmers operation. The issue is that the proposed facility, which will likely have onerous odors and armed security guards, is incompatible with a relatively high density and proximity of homes, including those occupied by elderly residents and young children. The two closest homes are 1,000 feet and 1,500 feet from the proposed facility, and both have elderly residents. Two additional homes with multiple young children are located between 2,000 and 2,500 feet from the proposed structures.

Mr. Lee, we are aggrieved by you're wasting our time with fictional claims of being able to make stumps smell like roses. Aggrieved, when you get to go home to the house in Albuquerque at the end of the day. Mrs. Cooper will be faced with the stench outside her door.

Michael I. Garcia-County Attorney: Would you please direct your comments to the chair?

John Humphries - Resident: Okay, Mrs. Cooper faced a home invasion and robbery a few years ago. She will be faced with the worry of having dozens of strangers coming and going daily less than 1,500 feet from her house. Aubrey and Paisley Melcheck will no longer be able to play outside with their dog, Brutus, without concerns for their health and safety. At the Planning and Zoning meeting, Mr. Lee came forward and apologetically spoke about the unfortunate fact that we have bad actors here in the County who are giving cannabis operations a bad name. Now we know that his client has been indicted for fraud in Oklahoma, and he's

helping to try to get Mr. Chen a foothold here in Torrance County. I think, rather than aggrieved, the word that Mr. Lee was looking for when he drafted this appeal was ashamed, but he wasn't honest enough to put it on paper.

Thank you, Commissioners, for this opportunity to speak to the appeal of the Planning and Zoning Board's decision to deny this application was well-founded and supported by provisions of the ordinance. I urge the Commission to either uphold the board's decision and reject the appeal or to postpone indefinitely to allow the Commission to gather more accurate and complete information. Thank you.

Michael I. Garcia-County Attorney: Mr. Lee, did you have any rebuttal?

Chris Lee – Representative for Minyong Chen: Yes, please. Some things were brought up in the appeal not being addressed. The appeal itself is to address the reasons for the denial. Some of these things are already covered. They don't plan on having a large crew. Their farming crew will be small. The large trucks will not exist. They'll do wholesale. There'll be regular-sized trucks for transportation. They do have to fit rules for transportation with cages and locks and things for moving their product legally by state records. The only large trucks that should be going through there during the build-out. Firearms are not allowed on licensed premises. I've heard a lot about armed guards. They're not allowed. The state does not allow firearms on any licensed cannabis premise. We don't plan on doing the Fringe Trees. Those aren't things that we were going to do, or that the client was going to do, those were just pulled up on precedent from previous approvals to show that we had met the conditional use relative to others.

Samuel Schropp-County Commissioner: The trees that you state are effective in mitigating odors are not going to be used.

Chris Lee – Representative for Minyong Chen: I put those in there because a previous person who got approved put that on their application as their way for mitigating, we're not doing that. I was just showing an example of a previous approval that their method of odor reduction would just be the Fringe Trees, showing that our odor reduction techniques will be more technical and wouldn't just be trees on the edge of the property.

Kevin McCall-County Vice Chair: Do you have an example of these carbon filters being on the hoop house?

Chris Lee – Representative for Minyong Chen: We have people run these as part of our compliance program. We are not just here to apply for his conditional use. We are in compliance and licensing consultants for the cannabis industry, and this is one of the methods of compliance that we use. There are ordinances in other municipalities that require that there must be odor reduction. We work mostly out of Albuquerque. This is drawn up and approved by the city as a means of odor reduction within facilities. That is what we currently use. Some people could build out from that and build more extensive setups within their air handling units. This is the standard that we use to reduce odor within these buildings.

Kevin McCall-County Vice Chair: Tell me more about your shade cloth. I know, you need sunlight to make it grow, but you also got to stop the light at night. What percentage of shade cloth can you elaborate a little further?

Chris Lee – Representative for Minyong Chen: I cannot. We were discussing this as an issue that was brought up before with my client. They see them waving in the wind and not covering the facilities. This is a valid argument that the citizens have. Our client says that he will use a better, stronger material that stays on the hoop houses. I can't speak to the exact kind material we just talked about. For him using a better product in the long term is better because it's less maintenance. I cannot elaborate on the exact percentage of light that gets through. If you would like, I could ask him to elaborate on that.

I want to introduce Pat Davis. He's also an agent in our company and the president and founder of the company. If he would like to address these concerns as well.

Pat Davis: I'm here today on behalf of the WEEDS company that works on this. In my history, as a police officer, I sat in hundreds of quasi-judicial zoning hearings as a City Councilor in Albuquerque. In 2019 the Governor appointed me the head of our Legalization Commission to evaluate these issues. We worked with the Association of Counties, the Municipal League, and others to develop that. Our company is a consultant to the state of New Mexico. We've consulted half a dozen counties on their local ordinances. I don't know how many cities and currently consulted the state of Texas and so I think we're well versed in looking at this. I don't mean to cast any aspersions, but Commissioners, I think your question is well-suited and it's appropriate for this. I think the challenge is, as one of the speakers mentioned that Santa Fe County, for example, has a very long and extensive ordinance as it relates to cannabis, but it's because they have their building code, separate from the state CID building code. With all due respect, the

questions you're asking are questions that CID must apply based on the zoning approval this County gives. The applicant has given examples of how they plan to operate. The technical mechanical M1 layers the way mechanical engineers must stamp to meet the standards you set are determined by CID in Torrance County. Ditto for the light control. They have a standard in the International Building Code. There's a cannabis section the state uses.

What the applicant in this case has said is we will use the highest and best standard available based on your approvals. They've made recommendations and tried to pull from prior approvals this Commission made to guide their application, but just like the state cannabis law, the State Engineer can't evaluate water use until the Commission tells them how large of a site they can use, the type of shade clothes, and the type of air handling, which governs humidity. All of those are sort of next in line, I do think, for what it's worth, having done this in a lot of places, and having been a City Councilor who wrote these rules and Elected Officials who've done a lot of these hearings, everybody here is right to be anxious for all the reasons they've raised.

Torrance County adopted the model policy from the Association of Counties three years ago when this was started. A lot has changed, as we know, CCD is struggling with enforcement on their end, and other counties have introduced updates to their ordinances that have given them more authority earlier in this process. Torrance County, because its ordinance is so unrestricted, has become an inviting community for people who want to get into this industry from other places. I think Torrance County probably should look at updating that ordinance with some of the new tools that are available through the cannabis regulation update that was passed last year at the Legislature, and model ordinances from other Counties that have addressed some of these concerns. This applicant applied under the rules, based on the law at the time they applied, which kicks all these technical questions to the state.

Samuel Schropp-County Commissioner: For those of you in the gallery, Torrance County is a designated dark skies area. I spoke with the superintendent of Salinas Mission to find out exactly what that meant. It doesn't carry the force of law, but we are recognized as being a place that is conducive to astronomy. Salinas Mission has about 200 people in attendance for their astronomy and events. I woke up at 12:45 last night thinking about this stuff that we're going to do. I happened to walk outside because I knew the Northern Lights are active right now, and when I looked to the north, I could see the pink glow of the Northern Lights. The dark skies are something that we shouldn't just discount.

Kevin McCall-County Vice Chair: That's why I'm asking about the shade. What is the shade?

Pat Davis: I think, as Mr. Garcia alluded to, and as the Planning Director alluded to, I think this Commission can and should use its authority under the conditional use to compose specific conditions, not just to say an odor control plan, not just to say a covering, I would defer to the attorneys, not my job. I've had lots of municipal attorneys spend lots of money to undo stuff that I did up there. I won't make them do that, but I think you could approve this today with conditions that would let the attorneys craft a technical response to that, meaning it must have X percent of light not visible from so many feet, after sundown. You could, I would believe, craft all those standards, including odor control.

In other jurisdictions. Yes, these technical pieces are used in greenhouses. But again, it goes according to size. It helps the applicant determine how big they can grow. It's mitigated not by how many plants they want, but by how big an odor control is necessary. If you have an odor control standard, for example, that Santa Fe County uses that says odor may not be detected within 500 feet of a property line. For example, it's not whether it's close to somebody's kitchen, but how far away from the applicant's property line they may be able to adjust to that. I think you could do those in the conditions. If you intend to have zero light pollution, you could make that a condition and have the applicant work out through their building permits with CID. That's been my experience with these looser yet less developed ordinances until something could be done better. I think you could do that in your conditions today, and it's my understanding the applicant is willing to do that if you can give them some direction.

Johnny Romero: I'm here to represent Farm Bureau as the President asked me, he had to leave. Even though we can't speak for all the Farm Bureau, we do have roughly 350 members. About 180 are active. We're not here to speak for everyone, but we are speaking for quite a few. I'm going to touch on a few things, because everything's been covered. I sat on the Planning and Zoning Board for seven years. There are words in all these terms, like, may be approved. It doesn't say that you guarantee that they follow everything that they are approved for. The people here that have lived here all their lives, people that invested everything to live here We must protect it. These places come and go. They come in; they leave their problems. I'm not saying that they're particularly going to do it, but you guys have one tool that will help this situation right now because our state decided to approve this thing without putting things in place to control them. Law Enforcement cannot

control these people, not at the state level, not at the County level. They don't have enough manpower to stop what's going on. You have two already that were found guilty in court, and they still can't do anything. We don't need any more of that. Turn it down, because that tool is for your people. Regardless of what the law says you have people here that say we don't want it. Thank you.

Lucy Lawrance – Resident: I'm against this because, as the gentleman before me said we've got to protect who was here and when I came here almost 50 years ago. I could see the Milky Way. I could see things. Now I can't go for a drive. You see all these dots everywhere. It's all these greenhouses, and we're already struggling with water, and now you want to bring in more industry, it just makes no sense to me. Thank you.

Ryan Schwebach-County Chairman: Anybody else that wishes to speak?

Samuel Schropp-County Commissioner: What we are asked to do today is essentially rule from the bench, which, in my 24 years as an expert witness is a very rare thing. Is there a provision in this proceeding for us to deliberate about it, check what facts have been presented to us, and then rule?

Michael I. Garcia-County Attorney: It's not ordinarily how it works. The Commission can affirm, reverse, or modify what the P & Z Board did. You're not bound by their decision in terms of what state law has provided cannot treat cannabis as a different crop than corn, alfalfa, or anything else. Santa Fe did that. In terms of conditions, you can put conditions on things. That ranges anywhere from conditions on light to odor reduction, and I think even to setbacks. We can do that. In terms of deliberating the thing that you must avoid again because it's quasi-judicial. You can't, like, go out and do your internet research on it, you must rely on the evidence that's submitted by the parties. You can defer, if you want to, and ask for specific information from the parties to answer your questions in terms of the specifics such as, how you would mitigate the light, and the specific mechanisms. In terms of deliberating. I think maybe if you wanted to take a week or so, or two, till the next hearing nothing that stops you from doing that. But again, you can't confer with anybody outside of the process.

Samuel Schropp-County Commissioner: We can review the minutes, we can review the evidence presented, and we can defer it this time, review everything that's been presented to us, modify, approve, or do not.

Michael I. Garcia-County Attorney: Yes, to be specific, we could call it a continuance because we're not deferring the actual hearing. We're just continuing the hearing to the next meeting. The caution is to avoid anything that's ex parte.

Samuel Schropp-County Commissioner: For those of you who have a vested interest in this, the County can be accused of taking it if we don't do this right, and that would cause a lot of problems for us. As I said, it's very rare in my experience to rule from the bench. Mr. Garcia said his clerks would bring over, and give a synopsis, and the judge would make his decision based on that. In a matter of this importance, I don't think we should rule on this today.

Ryan Schwebach-County Chairman: We have yet to go to a discussion about it. I still have a few questions. Do all hoop houses go before the Planning and Zoning Board?

Donald Goen-County P & Z Director: For all commercial greenhouse operations. It's the distinction that was made between whether it's to be a hoop house operation, a solid metal building operation or just a commercial greenhouse. The ordinance as it stands now, which, of course, is an item that's further down in our agenda here today, was that the way that it had been addressed in the past was that there were very few areas where it was considered to be a permissive use, and namely, D1 D2, in the commercial zones, there were a few others now that there were also type one and type two subdivisions, which applies to your residential subdivisions where the activity was prohibited. In types three, four, and five subdivisions, the way that it was stated a conditional use may be required. Now I'm not going to sit here and say that I have asked for conditional use 100% of the time when that was the case, but I'd say close to that. For the first, two years plus, it was several inquiries a day, and I couldn't tell you how many I had stopped, because they were either in residential subdivisions or adjacent to. Almost 100% I've asked for conditional use permits.

Ryan Schwebach-County Chairman: In the case of this conditional use, why?

Donald Goen-County P & Z Director: Two main reasons for that was because of the way that the land had been subdivided because it did fall within the types three, four, and five. Also, one of the factors that I take into consideration when I'm evaluating the different locations is the proximity of residential development. Those were the two factors in this instance, were the way that it was in a subdivision and the proximity of residential development.

Ryan Schwebach-County Chairman: By going to the P & Z Board, that is a conditional use, it must go before the P & Z, posted, and advertised, right?

Donald Goen-County P & Z Director: Yes, we post the property at least two weeks prior, and then we also send out letters and notifications to all the adjoining property owners, posting it to the website, posting it out here at the corners of the building, etc.

Ryan Schwebach-County Chairman: Where are we at with the water permit, with this application?

Donald Goen-County P & Z Director: I'd have to look at the packet and see what was included in there, historically, at this site, there were HHR bulk water sales, it was a commercial water permit at that time. Now, as far as how long it's been since that's been active, I don't know that. It would have been included in the original application.

Pat Davis: The applicant doesn't disagree that there is currently commercial water on the property. The State Engineer when it comes to cannabis, because, as you pointed out, there's a special application for cannabis. They won't review the applicability of that or the specific use without a zoning approval that tells them the size. There's a calculation they use. As part of the application process, speaking with the Director, everyone agreed that there was a commercial property that satisfied the standard of the County, so we don't have to present a copy of the application, because the director considered this. We all agree it is there.

Donald Goen-County P & Z Director: In looking at the application, there isn't a specific document in there. As Mr. Davis just stated, that was because it being under the purview of the OSC as far as the specific water rights that would be determined by them. One of the things that I do have to note is that under the current legislation that they have, it is legal for them to haul their water, in which case there would not be water rights established. If any applicants came forward that they intend to haul their water, they're in negotiations with whatever water company pending, the outcome of their conditional use permit. They don't have to show the establishment of water rights before the conditional use is granted.

Samuel Schropp-County Commissioner: In the OSC cannabis use, the OSC allows, but they strongly discourage it long term.

Donald Goen-County P & Z Director: When the CCD does come in, if that is the method that they're using, the licensee must be able to show that they have gotten their water from a vendor that is licensed to sell it for commercial purposes. Otherwise, they're in violation. Then the CC does whatever they do from there.

Kevin McCall-County Vice Chair: I have concerns over what I think the number of employees there is. We are talking about a commercial building, and there are two porta-potties in use. This is concerning. What agency is dictating our porta potties for X number of employees?

Donald Goen-County P & Z Director: That would come into play after the granting of the conditional use permit. As you see, it would be determined by the size and the scope of the operation. That is one of the regulations that OSHA has where, if they're not present, they're insufficient, you would report that to OSHA, and then they would investigate.

Samuel Schropp-County Commissioner: In pulling together different agencies to try and get this under control, the Division of Environmental Quality is under their purview, and the New Mexico OSHA division works sub to the DEQ. There are regulations to cover that, and permits would be needed for any septic systems or any of that stuff.

Michael I. Garcia-County Attorney: I suggest that the applicants probably have to agree with this work. If we continue this for two weeks, applicants could get with Don and me about proposed conditions that they might be willing to agree to, it's not something that you all would have to decide on today, but they and Don could try to address conditions that would also address the concerns for the surrounding residents and people in the public and then bring those conditions back for another public hearing.

Ryan Schwebach-County Chairman: We can overturn the decision of P & Z now, in which case the permit moves forward, or we can uphold the decision of P & Z, and then what is the process?

Michael I. Garcia-County Attorney: If we uphold the decision of the P & Z, then the applicants can appeal to the District Court.

Donald Goen-County P & Z Director: In reference to his suggestion, I won't be here at the next meeting.

Ryan Schwebach-County Chairman: I'm personally not in favor of a continuance for multiple reasons. The purpose of this going to the P & Z is because, and I'll be the first to admit, our ordinance is not as strong as it should be. We were dealing with the situation that has come in here. How many greenhouses have we had in this valley up until the legalization of cannabis?

Donald Goen-County P & Z Director: Before that would have just been Bonnie's and Tagawa's, just the two.

Ryan Schwebach-County Chairman: My point is, is that our ordinance was put up in a situation where we had no idea what was coming and the effects, plus some pros and cons. Is cannabis taxed at the point of production? That's an agricultural product. It probably isn't. It's at the point of sale. I don't need an answer. The point of a P & Z Board is to look at land use. How it's been developed. Our ordinance is not flat out, it takes board interpretation. The question is whether they interpreted that this would have adverse effects, not within what our ordinance was designed to do, in the intent, whether it's explicitly stated or not, what was the intent of the ordinance within the history? That's how I looked at this.

Samuel Schropp-County Commissioner: I agree with that. There is precedent for using that kind of judgment.

Ryan Schwebach-County Chairman: This is the first one that has been appealed that has come before this Commission. I'm struggling with our ordinance, legally, how it's written, along with intent, that's where the P & Z Board comes in.

Samuel Schropp-County Commissioner: The P & Z Board didn't do an adequate job of verbalizing or memorializing. Why they deny the application. We've heard today from all the opponents that the P & Z Board ruled correctly based on the effects on neighbors, the effects on odor, and the effects on the way.

Ryan Schwebach-County Chairman: Would it be prudent if I had a private word with you, Mr. Gacia?

Michael I. Garcia-County Attorney: Yes, that's okay. We can take a recess.

Ryan Schwebach-County Chairman: What were the exact reasons for denial from the P & Z Board?

Donald Goen-County P & Z Director: That's listed in the findings, it calls out the reasons and cites the sections of the ordinance. Item number four, determining a commercial greenhouse operation at this location would have a negative effect on land values in the area. Section Two: purpose, the provisions of this ordinance are designed to promote the health and general welfare of the County, to secure safety from fire, flood, and other dangers, to protect local water use, and water resources to facilitate adequate provisions for transportation, solid waste management, water, and wastewater system, schools, parks, and other community requirements to conserve the value of property. Number five, it was determined a commercial greenhouse operation at this location would have a negative effect on existing agricultural operations in the area. Section nine, Agricultural Preservation district intent. This zoning district is intended to protect and preserve areas of suitable agricultural soil for agricultural and agriculture-related uses. The Standards prescribed for this district are intended to preserve the open character of the area and thereby protect the business of agriculture. Number six, it was determined the application did not satisfy section 9.c.4, conditional uses. 9.c.4, large-scale commercial processing of agricultural products. Seven, it was determined the odor and light effects could not be satisfactorily addressed. Section 21.d.4 the economic noise, glare, and odor effects of the conditional use on adjoining properties. Number eight, it was determined a commercial greenhouse operation at this location was incompatible with surrounding properties. Then section 21.d.5, general compatibility with adjacent properties.

Kevin McCall-County Vice Chair: What point and how do we put conditional uses on them? Is there a meter that'll even detect the smell at 500 feet? I'm going down that road to put some heavy conditions on it. I'm not an expert in that regard, to get to know light pollution and smell pollution.

Michael I. Garcia-County Attorney: I don't know the answers to those things. That would be something for the applicant to provide, at some level of detail, and for the opponents to refute, if they wanted to. I just don't know the answer to those technical questions.

Ryan Schwebach-County Chairman: Looking at the findings, in my opinion, I do not believe that these operations fit into a type three subdivision. I do not believe that the negative effects on land values can be accurately determined, it's an assumption. Based on existing operations, I think it's safe to assume that it's more plausible. I do not believe that a commercial greenhouse falls in line with our Agricultural Personation District. I do think that they have legal water here, and if they don't, it can be hauled so I think that's an issue. I equate this to

permitting confined animal units and agriculture, whether it be a dairy or feedlot. They have very strict guidelines on where they can place it based on existing resident structures, and zoning, and this is within the same as what I'm saying on this map, it is close enough to residential or intended residential development for me to uphold the P & Z decision.

Samuel Schropp-County Commissioner: I agree with that, based on what has been presented to us here today,

Action Taken:

Ryan Schwebach-County Chairman: I make a motion to uphold the P & Z denial.

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

Action Taken:

Ryan Schwebach-County Chairman: Motion to move out of public hearing.

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

11:55 AM

B. PLANNING & ZONING: (PUBLIC HEARING) Appeal of the decision by the Planning & Zoning Board to deny the Quick Grow, LLC, application for a Conditional Use: Commercial Greenhouse Operation. The subject property is described as Tract A within the SW4, Section 32, T.6N., R.8E., NMPM known as 70 Akin Farm Rd N.

Action Taken:

Ryan Schwebach – County Chairman: 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: – Yes: Kevin McCall – County Vice Chairman: - Yes:

MOTION CARRIED

11:56 AM

Samuel Schropp-County Commissioner: Recused himself, due to living near the location.

County Attorney Sworn in – Feng Ping Chen, Chelsie Fukes, Todd Smythe, Haley Love Melcheck, Clayton Gardner, Bryan Melcheck, John Humphries, Johnny Romero, Jason Holtom, Hui Zhon.

Feng Ping Chen: I'm here to explain the appeal. The running appeal applicant is Quick Group LLC, mailing address in the operation address 70 Akin Farm Rd. north Estancia, NM 87016. According to the original P & Z ruling under number four, it was determined a commercial greenhouse operation at this location would have a negative effect on the land value in the area. I believe, without empirical data, this is not true of the Market Report. The local board of users mostly report on the Farm & Ranch CMA, the average value. Before June 29, 2021, it was \$2,191 per acre. Then, after the land was legalized for the recreational use of cannabis, the land value went up to \$5,704 per acre. This is indicative of the land, was not affected by this operation. Finding number six, it was determined the application did not satisfy the conditional use, not being a large-scale commercial processing of agricultural products. That is not our case. In our application, there is to be no commercial processing of agricultural products period. The next item under finding number four, section two, purpose: the provision of the ordinance is designed to promote the general welfare of the County, to ensure safety from fire, flood, and other dangers, to protect livestock, local water resources, to facilitate adequate provision for transportation, solid waste management, water and wastewater system, school, park in the other community requirement to conserve the value of the property.

The application is to ensure the essentials of section two purpose, regarding the water use for this application. The maximum daily use of this application is to be approximately in a maximum amount of 8000 gallons of water per day, 365 days per year. It comes up to 2,920,000 gallons per year. Per acre foot, over 325,851 gallons, is translated into 8.96-acre feet. The right for consumptive, for this application, is 119-acre feet. If you divide it by 8.96-acre feet they come out to be 7.5% which is only using the maximum up to 7.5% of the allocated water rights. It's even less than 10% allocated to this location. The operation with a professional design the water monitoring system and alarm system implemented is so that we will not cause any fire, flood, or other damages. This operation will not create

wastewater. The watering of the plants is done by hand to each part of the plants. The pot sits on a water collection pan on the concrete floor. Therefore, there's no wastewater created.

All spent material will be collected in trucks and dumpsters and shipped outside of treatment. Septic tanks will be installed subject to approval, and the inspection of local and state authorities will be provided. The requirements from schools, parks, and other communities will also be followed since we don't want to do any infrastructure. Development or construction, I believe, has no impact on environmental issues. The operation of the application will not hurt the value of the land. The empirical data already shows the value of land will increase in the future. According to finding number five, it was determined the Commercial Greenhouse operation at this location would harm existing agricultural operations in this area. Section nine, Agricultural Preservation District, (AP-5, AP 10 & AP -40) intent. This zoning district is to protect the preserved areas of suitable agricultural soil for agricultural, agricultural-related uses. The standard prescribed for this district is intended to preserve the open character of the area and then thereby protect the business of agriculture. This application is to operate within indoor cultivation warehouses without windows. The warehouses sit on a concrete floor. The party's plans are to use the potting pressure mixture soil and fertilizer and other related materials from Garden material suppliers such as Walmart, Home Depot, and then other specialized shops. No local soil will be used during the operation order. Spent material will be collected in dumpsters and then towed away by truck, once they are full. The application will use less than two acres of land, although the 160 acres of land have already been purchased, which means we have a reserve of 98.75% of the open space for the open character of the area 158 acres of open space.

This soil will be kept intact and there's no blockage of the open character of the land. Finding number seven determined the odor, and the light effect could not be satisfactorily addressed. Section 21 defaults, that for the economic noise, glare, or odor effect of the conditional use to adjoining properties would be the light effect from the hoop houses operation; therefore, the application is to be revised to do only, metal warehouses. We will not do hoop houses; hoop house operation is eliminated. This will eliminate the light effect of the operation. The order will be treated with the most advanced air filtration system to ensure the best quality of the air. Since there's no heavy equipment used in this operation, they will not have much noise. There will be no negative effect on the value of the adjoining property due to the nature of the operation. Under finding number eight, it was determined a commercial greenhouse operation at this location was incompatible with the

surrounding properties. The indoor cultivation of greenhouse operations is not incompatible with the surrounding properties. Finally, the application is to benefit the economic development of the community. The application is to employ the local population on a priority basis. Thank you very much.

Michael I. Garcia-County Attorney: Did you want to call anybody else to testify in support?

Feng Ping Chen: I think if anybody has any questions, maybe I can answer.

Michael I. Garcia-County Attorney: I neglected to ask if the board had any questions for the witness.

Kevin McCall-County Vice Chair: If I understand you right here, you are pulling back on the hoop houses.

Feng Ping Chen: It's already eliminated because of the concern about the glare and the odor of those issues. We decided to never use the hoop houses anymore. No processing, only cultivation. The original intent was to have eight metal houses with the dimensions of 60 x 100 x 8, a total of 48,000 square feet per unit, we will stop there. We will not expand more than this scope of operations. What we try to do is try to comply with the environment. We try to conserve very valuable water resources. Not only here, but it's also a worldwide situation. People are supposed to be conscious about water usage. That's why we calculate very carefully, and then we will not create any wastewater situation. We would do a self-contained unit by moving all the stuff and materials to this location. After we do the cultivation, the spent material will be shipped out for treatment. This way we will not have any impact on the soil and the environment, for this location. That's our intent. Everything is closely controlled, and we have put a lot of community consideration into our operation.

Michael I. Garcia-County Attorney: Any other questions from the board?

Ryan Schwebach-County Chairman: Not at the moment.

Chelsie Fukes - Resident: I live at 16 Barnes Road, which is immediately south of the proposed grow facility. We are directly downhill from them. My well is within direct line with our residential well which is within direct line of their facilities. My kid's bedroom windows look out at where these greenhouses are going to be going. I stand before you today as a concerned citizen, urging you to deny the

appeal of the proposed conditional use permit for commercial production. As you stated, this isn't going to be commercial use, but I don't understand how that's possible whenever he's not going to be using this for personal use. Therefore, it has to be commercial use, and if they're already misconstruing from the beginning, how do we have any confidence that they're going to follow the regulations?

While I understand that there are economic benefits, no one can look at land prices and doubt the economic gains of selling land to pot farmers, but I firmly believe the negative consequences are far away from any potential gains. Firstly, our neighborhoods, character, and property values will be compromised. The land is too expensive for anyone outside of the marijuana industry to purchase right now, and potential new farmers are being turned away from the valley because they can't afford to farm anymore. You can't make it work. This is just going to make it worse. We're heading towards a land, that's going up and the bubble's going to pop. The people who bought it aren't going to be able to pay their mortgages, and the people who should be moving into further our wonderful heritage of farming aren't able to make it. The pungent odors, increased traffic, and potential security risks will undoubtedly degrade our quality of life.

Secondly, I worry about public safety. Pot farms are often targets for theft and violence, putting our families and Law Enforcement at risk. During the Planning and Zoning meeting, it was asked if we would be protesting a strawberry farm. Strawberry farmers don't walk around with rifles. My children are concerned about being accidentally shot during a robbery of the production facilities, or our home being an easy additional target while the bad guys are robbing the pot farms outside of their window. Third, New Mexico's regulations of cannabis are not adequate. I would ask the County Commissioners to hold off on approving any more commercial operations until the regulatory enforcement side of the laws has been established and can be enforced. Without the ability to regulate the pot farms, we shouldn't be granting any use conditional or otherwise.

Our community's health and environmental concerns must be prioritized. The water and energy consumption required for marijuana cultivation will strain our resources and potentially harm our ecosystem. These commercial operations are an eyesore day and night and while they may not be emitting light into the sky because they're not in hoop houses, there're still going to be reflective impacts from these massive metal buildings. Additionally, there's no proper fire suppression, as we've learned from Washington. You bail marijuana, much like alfalfa, and even seasoned farmers end up sometimes having fires. We are miles away from the nearest fire response, and if these things go up, it's just going to spread.

I worry about the ventilation from the worker safety's perspective, even if the scrubbers prevent the air from smelling and us having those impacts. What about the workers that are going to be working there, because all that air is going to be trapped inside of those facilities, and I saw nothing about how they were going to be cleaning the facilities for the inside workers only keeping those smells from going out. Organic materials have tendencies to do really bad things, there are a lot of long-term impacts. Lastly, I'd like to mention that, according to the Cannabis Business Times, even the cannabis industry is calling on regulators to pause licensing because of extreme instability. This was issued on July 3, 2023. Across the state, we don't have the funding to regulate. While the CCB may have the rules we've seen in our backyard, they revoke the license, and then nothing can be done because the regulations aren't there. You may make a conditional use, but they violate the conditional use. You pull back the permit, there's no guarantee that they're going to stop growing because we don't have the arm of the law to implement that. I urge you to prioritize the well-being and safety of our community, deny these applications, and protect our county's integrity. Thank you.

Todd Smythe - Resident: I'd like to address this hearing about Quick Grow, LLC's appeal for a conditional use permit for a commercial Greenhouse on 70 Akin Farm Road. I would like to ask that this permit be denied this time until a more thorough investigation by the State Engineer regarding water use at this location can be done because the OSC designated this a critical management area for the valley fill aquifer. The well that will be used has not been a crop-producing well since 2018. This irrigation well is approximately 100 feet higher in elevation than my domestic well that was drilled in 1998 which lost approximately 44 feet of the water table by 2021. A new metered domestic well had to be drilled in 2022 which expelled an average of 8000 gallons annually. I feel that these operations are going to use every resource necessary from this valley to achieve their goals and destroy our livelihoods and our way of living. Their intent calls this in the initial plan to build 10 plastic hoop houses and massive metal buildings that have a cover of 62,400 square feet, or 1.4 acres of land. I quote their approximate usage was 8000 gallons at this time, I understand that these plans have changed and that the grow operation is to exclude any hoop houses, but at this time, the water amount that they were going to be using from a well that has not been producing any water for farming in the last six years, is just unheard of. I've yet to see most of these grow operations abiding by the CCB guidelines set forth, just to mention one of the rules of security title 16. 8.2. 10, the CCB states that it is up to local government and Law Enforcement to enforce your rules after licensing has been granted.

When I presented this in front of the P & Z Board, I made a comment that I have yet to see any outhouse or sanitation-filled facility on Highway 542, single grow operation was 60 plus hoop houses. Mr. Lee addressed that today, and I know you all have already determined on that project, but I do not believe that porta potties are suitable sanitation for a permanent operation, that's going to be lifelong. It's appalling to me that they believe that we are that Redneck and that stupid. It's my belief these companies have no intent on helping our economy or communities. Their cash business is at the expense of our water resources and our civil rights granted to us by the Constitution. I believe that this area should stay only as agricultural land and not be modified to a commercial area, as stated in the P & Z Ordinance, Section Nine Eight, which is the intent. I would also like to refer to the P & Z Ordinance on a subdivision. I understand this is not a subdivision. Subsection D, however, proposes that they're going to build eight warehouse-style buildings on this land. If I were to take the same land and subdivide it with six houses and call it Shady Acres, I would have to buy it by P & Z Ordinance. Section five, Water Authority Assessment, subsection 5.4 says that for a new community wells and water system, the subdivider shall submit a water supply plan for geo hydrological report that meets the following requirements. A geo-hydrological report shall demonstrate that the groundwater is sufficient to meet the maximum annual water requirement for the subdivision and is physically available and be practically recovered to sustain the development for a continuous period of 70 years. This analysis should consider the production of existing wells and shall demonstrate that wells serving the subdivision are proposed as designed and will be capable of producing the full annual demand for at least 70 years. I don't think that well is going to be able to do that.

They talk about the increase in land value since the legalization of cannabis. That might be true for their land, where they put eight warehouses. Of course, that's going to increase the land value now they have coverage. What does that do to the adjacent land value? Is there any study that says that cannabis farms increase land value? We're considered regular farmland now and in the middle of a new commercial type of land. This is an open space area, and now, with all the warehouses being proposed, it has become an industrial-type situation. The applicants claim that they will only use two acres of land for this operation. They are correct for their operation. They will use two acres of land for their license. Two acres of land. What about any other license to get added to that? Because you cannot tell me that on 160 acres, they're only going to use two acres and no more land. They're not saying that they're not going to put any more licenses on this property. The man claims that they're only using 8.96-acre feet of 119-acre feet of

water. You mean to seriously say that they are not going to eventually use the rest of that water right? They're going to use everything they can.

I read about their fire protection plan, and as Mr. Fuchs said, the closest fire hydrant is more than 15 to 20 minutes away. We have a volunteer Fire Department. They're claiming that they're not going to have any fires. They're not going to affect the ground at all. Yet they're building all these buildings on grassland at this point, which can be grazed. How can that not affect anything? As they state, "The operation will not create wastewater. As you read further down," septic tanks, plural, will be installed. If an operation is not creating any wastewater, why do they need septic tanks? In their defense, it sounds to me like they're at least going to put a bathroom and not a porta-potty. They also reference the heavy equipment, and they will not have noise created. Well about halfway on 41 and 542, facilities, there are no electrical grid hookups to these hoop houses. Right now they're running off of gas and diesel generators. If they get their operation going, and in six months they have a falling out with CNMEC, then what are they going to do? They're going to put some gas and diesel generators to pump their stuff through. They're not going to take any of this into consideration yet. This is how we must grow our operation. That's not in any Ordinance. It says that they cannot do that.

These individuals state that there will be no light pollution from this facility, based on CBC guidelines 16. 8.2. 10, Security Section L lighting it states any perimeter entry point of a cannabis-established establishment must have lighting sufficient for observers to see and cameras to record any activity within 20 feet of the gate or entry. Motion detection light systems be employed to light required areas and low light conditions. What they're going to do is they're going to put streetlights up all around this facility, as long as they're playing by the CCB. From what I have seen nobody has done that. If they play by those guidelines, that place is going to be lit up like a prison. The way I look at this, I've been in construction a long time, and you don't just get to build a building with any kind of plan. You don't get to talk about an air filtration system. You don't get to talk about fire suppression. You don't get to talk about any of this stuff without a plan. These are multimillion-dollar businesses, and the best that we can get is a pencil drawing on an overhead picture to insult our intelligence. If they want to say we're going to have clean air, show me that filtration system. I work for a man who used to sandblast lead-based tanks for water tanks all over the country. His air filtration system could have pumped clean air into a daycare. That's how clean that air came out from the lead. These people just think that they're going to have a fan. I saw a picture of their fan. I have that same fan in my big barn. That's an insult to this whole County.

They're using our groundwater, which we no longer have. If they want to put a plant out there and farm like you, you roll the dice with the elements, with the bugs, with everything that comes around. If they get a little Round-up from somebody being sprayed over there, don't know what to say about that. Happens all the time. If they want to do that kind of agriculture, then that's going to happen. It was even admitted by the state officials from the CCB that once a license has been revoked, it no longer is their problem, and they no longer have any control over these facilities. I understand that when I read these proposals from this gentleman, he's sworn to speak the truth, and he says this operation will have professional fire and monitoring watering system so that it will not cause fire, flood, or other damages to those buildings. They're not going to cause any damage. It's what he's saying. There's going to be no watershed off that building. It's causing zero flooding and no damage. If there was a fire in there, it's not going to cause any grass fires at all, is what he's saying. For fire suppression he's using his fire suppression from his irrigation well, that's supposed to be used for irrigating plants. How can you create fire suppression from that system? You can't. Where's his HVAC plans? Where's his heating, his cooling? He talks about throwing the trash in a dumpster and hauling it off. Well, based on the CCB guidelines, disposable waste cannabis and cannabis plants shall be conducted by the optical waste disposal laws, including hazardous waste disposal laws. Hazardous Waste, not trash. He can't just throw this crap with a dumpster and haul it to the landfill. He says, where we're going to an outside treatment. I would like to know where the New Mexico outside treatment plant is for cannabis products. Where's the trash going?

He's not using any ground soil. All he's using is soil that comes in a bag. Where's that trash going to go? It's going to go in a dumpster. Because we get wind in the Estancia Valley. I work for the New Mexico Department of Transportation right now, on 542 all we have is trash on the road from these facilities. That's illegal. They're littering. It blows over the fence. It's on the right of way. There's trash on both sides of the fence. Fences are blowing down. It's a mess called littering and that's illegal. What's this going to do when they don't have the DLT monitoring this, they're going to let it go. They're going to get septic tanks. I still haven't understood what one septic tank for this greenhouse would be. This greenhouse would hurt agriculture operations in this area. You cannot tell me that my house next door to an industrial facility is not going to create a negative impact on my land value. It's not going to increase my land value. Right now, as I look through applications for cannabis licenses, that's going to put one to the south of me, and my neighbor to the north of me, as soon as he gets his license, we will be surrounded by cannabis facilities pending everybody's approval.

Mr. Davis, it's not on our side. We need to control it before it gets approved. I leave it up to our Elected Officials to be able to consider this and make sure that when these things come in, we have control over them immediately. He said, "We're idiots. We're a bunch of idiots." You guys are so laughing at what you're doing to everybody here, I find an insult in that, man. We're not idiots, we're smart farmers. We're people around here who have lived here our whole lives, who have generations of people living here who are going to have to deal with this for years to come. Gentlemen, I thank you for hearing me out on this. I apologize for my passion for the situation, and I know you'll do the right thing for my family, for your family, and for any family that's growing up in this area. Yes, they're not hoop houses, but I'm arguing the fact that I will be next door to a commercial industrial area as my neighbor, I don't live in a zoned commercial area. I live in an agricultural area. There's no zoning out there that says, hey, you can build all this right here. I know you'll make the right decision.

Haley Love Melcheck - Resident: I wanted to make sure that my message was clear because it stands for this same thing. We need to put in place and develop new boards that improve the geographic distribution of these cannabis retailers. Not for this site, but for the other sites. Approving or going forward too soon means that we're not assessing the situation. The other thing I wanted to mention was about the lights and the night sky protection because that's something that I hold dear to me. It only talks about in-house lights, but they still need to have these lights outside the buildings. It goes back to the fact that we as a County that must abide by those rules, and each County has the responsibility for enforcing the NSPA, which is the Night Sky Protection Act. The Zoning Ordinance needs to meet the expectations and requirements for that, currently, they do not. We have a hole in our system that needs to be addressed. Thank you for your time.

Clayton Gardner - Resident: What I thought was interesting, got brought up today. The water, I think everybody realizes the big issue that everybody's scared of, and that's not a new thing in this County. There are lots of problems with water in the state, and in a closed basin like here, we have lots of issues. The Higdon Ranch was brought up, and the original listing was \$1.8 million, and then they lowered the listing to \$1.6 million. It went down in the value of the listing. It never sold because their wells were dry. If a well goes dry, it takes property off the market, it lowers the land value. Inherently, any facilities going in, if they lower our water resources, and they lower land value because of it, we're now getting around to one of the reasons why P & Z turned down these. I thought that was trying to come up with examples, because I researched it, and I found two places

online that showed that land values are going up because of cannabis. One was called 420 Properties. I guess we can say they probably weren't that partial, and then the other one had an icon of the marijuana plant. I guess they're probably not partial either. However, most of the studies still go back to dispensaries, and there are still very few studies on hoop houses and other structures. I think it takes you back to, if you have a commercial facility beside you, is it going to lower your land value? The arguments are very strong. With the Higdon Ranch, this may be a real-world example of how this can lower land value. Thank you.

Bryan Melcheck - Resident: A lot of points have already been made, however, starting with in rebuttal to your statement about how security guards on these premises are against the law. That's not true. That's completely false, as with the code that the gentleman three before me stated, 16.8.2.10, where it says that they are permitted, they're not required. They must comply with all laws about firearms and their weapons. My girls are at the house 24/7, they get homeschooled. It's not just where they live, it's where they learn as well. This ties into my aspect of it. It's been put forth recently with the past couple of weeks, where not just these businesses, but our County in general, has been put in the spotlight for essentially being the black eye of New Mexico because of the lax laws that are on the books, and because of the lack of not just regulations, but the ability to enforce the regulations. The head of the CCD, yes, can issue fines. Two in this County alone had \$1 million fines because they were so out of compliance. He also said we are authorized to give fines. However, we're not authorized to collect them. Those two separates million-dollar fines are still outstanding.

Another massive issue is they've been reporting that the state is completely oversaturated with these types of companies, with these types of enterprises, so much so that some of the more established legal and abiding by the rules and regulations companies are either selling, shut down completely, or minimizing by 20 to 30% because they're just so many here. All marijuana grown in New Mexico is supposed to be within the compounds of the border of the state of New Mexico. When you send it out to other areas, across state lines, that's trafficking, and that's a federal offense. If we're already oversaturated to where places are closing in the magnitude they're closing, then we're, here in Torrance County, talking about whether we should have a massive operation over here, and then another operation over here that has the potential of going with the history of how these have saturated and proliferated in this County alone. It seems reasonable to conclude that this stuff is not going to stay in the state. Senator Cervantes from Las Cruces said I didn't vote for it, but at the same time working with it, but it's horrible. It's not the idea that when this law was passed, they had for the state. Todd Stevens

with the CCD said that it's an actual imminent threat to safety and the public health.

Mr. Glasby who is with the High-Intensity Drug trafficking area, and they've got headquarters all over the country, spoke on the number of large-scale operations where they're packaging up the marijuana shipping across the country, that a lot of them are coming from the People's Republic of China. I'm quoting this from one of the actual news articles, which goes also hand in hand with the actual video interview. They're setting up hoops here. He heads up the federal drug program that provides resources to local Law Enforcement, which we all know. Even if they get the authority to do something, the Sheriff over here doesn't have the manpower to do that. He's barely got the manpower, to function as the Sheriff's Department in the first place. The legalization of marijuana has made it more difficult for our Law Enforcement partners to conduct their investigations and has provided cover for the Mexican drug cartels and the Chinese organized crime to be able to carry out their illegal activities. He also stated that of the eight major operations that we have here in just this County alone, six have direct ties to mainland China. I think we all know where that money comes from. It's been quite apparent, not just by us here in town or this County, but also by, people who are in charge of the Control Canopy Division, who are elected representatives for the state, for areas and federal agents to head up this kind of stuff. Torrance County is where they're trying to come and put a foothold to grow, package narcotics. If we're already oversaturated, it's not going to go anywhere. Thank you all for your time.

John Humphries -Resident: I live at 331 Riley Road, which is at the western end of Langley Road, and I manage a herd of cattle at the eastern end of Langley Road. The pasture where I manage the cattle is a half mile east from the property in question. I travel back and forth on Langley Road regularly, particularly in the winter. I want to point out that the appeal from this applicant did nothing to address the concerns of the Planning and Zoning Board about odor mitigation. They provided no more or new information. "Trust us, there's no odor here." We're not going to believe there's not going to be any odor. I don't find that to be a satisfactory response to address the concerns that caused the denial from P Planning and Zoning. They say that they've taken the hoop houses out of their proposal and that they're only going to be using two acres, as was stated in their application to Planning and Zoning. There's nothing that says that after they get through this hoop, they wouldn't decide to have hoop houses later and use certainly more than two acres. I also take exception to the contention that there will be no processing on-site. They have said that they're going to be growing plants in pots. Does that mean they're going to be selling potted plants, and so when they're ready

to sell the product, they're going to carry the pots out of the warehouses and put them on a truck that way, there must be some kind of processing happening if they're going to sell the product. I think that's distinguishing to say that there would be no processing.

The next thing I want to address is the contention that they calculate water very carefully. Well, I'm surprised. It's almost laughable. They gave us all these water bills as evidence for their claim for 8000 gallons per day. There's no information about the property where those water bills came from. How many plants are there? Maybe that facility where the water bills came from is only growing 100 plants. It's 8000 gallons for 100 plants at this new facility they're going to have, how many, 1000 plants? Similarly, now with their revised proposal, they started with eight warehouses and 10 hoop houses. They're eliminating the hoop houses, but they're still going to use the same amount of water that they have in the original application. That doesn't sound like a careful calculation to me. Then it's also laughable to see their list of properties. Where did this list come from? I purchased both of my properties during the time frame that this list. My property isn't there. There's nothing about the value of my property. There's no indication in this list that any of those properties are located next to an existing cannabis farm. There's no rationale for citing these property values as rebutting the argument that a cannabis operation will reduce property values.

The other thing I want to note, which has not been brought up yet, this operation is two miles from the nearest paved road, which would be 542, and most of the existing operations in the County are adjacent to, or at least very near, a paved road. They've talked about the waste will be hauled away by trucks. There will be traffic coming and going for workers and deliveries and so forth. They will be using our dirt roads, including Langley Road, which I use regularly. The County does an admirable job of maintaining Langley Road and the other roads, but when we get a little bit of rain, those roads are compromised, and we get ruts, and it can be hard to travel as someone who's managing a herd of cattle. If we get a lot of rain in the evening, I can say I'm going to wait until later in the day tomorrow to give the sun time to dry out the road a little bit before I go drive down the road. If you've got workers who are coming to this facility on a work schedule, they're not going to be able to make that change. If you've got deliveries that are coming, they're going to have to manage and get through the roads.

At the Planning and Zoning hearing. I shared that the week before that hearing, Javier Sanchez, one of our neighbors had a quarter inch of rain. Somebody came along with a hay truck and lost a load of hay in Javier Sanchez's field and knocked

over his fence. Part of what's not included in this is any provision addressing the concern about the impact on local roads that will impact the operations of other farmers and ranchers in the area and have a negative impact. It will also increase the demands on the County's budget in terms of road maintenance.

The issue is not so much compatibility with other agricultural uses on adjacent properties. The issue is that the proposed facility is incompatible with the relatively high density and proximity of homes, including those occupied by young children, as we've heard before. With that, thank you for this opportunity to speak to the appeal the Planning and Zoning Board's decision to deny the application was well-founded and supported by the provisions of the ordinance. This applicant has done essentially nothing to respond to the concerns of the Planning and Zoning Board. I urge the commission to uphold the board's decision and reject the appeal, or if you feel necessary, to postpone it indefinitely and allow the Commission to gather more accurate and complete information. Thank you.

Johnny Romero: The President of the Torrance County Farm Bureau asked me to represent them. Every County has one, and we're representing people from Torrance County, not necessarily all of them, but there are quite a few that we're representing. I'm asking you to ask this question. They're enclosing these buildings. How do the plants grow? They must put lights in there, right? Power-wise, one gentleman brought that up, when the power goes out especially when we have bad weather, how many generators are going to need to power this unit? Lights take a lot of power, you're going to have the noise, you're going to have the pollution of that generator. I understand there are a lot of farmers, but most farmers have gone through electricity. They don't use gas engines anymore. How will the County be affected by it? The County has a hard time keeping our roads up. I've lived out here for 50-some years. For my family for over 100 years, roads have always been a problem, and the County is shorthanded. They don't have the funding to keep these roads up.

Law Enforcement couldn't enforce even if you put stipulations in there. Will the water be hauled from somewhere else? Where are they hauling it from? Are those trucks hauling? Say they're hauling 4000 gallons of water. That's a lot of water. That's a lot of weight. I was in the construction business. I know what that stuff is. It's going to weigh on our roads here in the County. Can the County afford to rework these roads? One of the things I fought for heavily in Planning and Zoning is when big companies like this come into the County make them improve the roads and pavement and get them up to par with any roads that they're using before they approve them. For years and years, subdivisions here went wild, and the

County couldn't keep up with it. These people are making money, they can afford it if they can't invest in the community, that way they're not going to be here long. Law Enforcement can't enforce anything if they're following the rules, there's nobody to enforce them. The state of New Mexico has seven inspectors. They haven't even been to facilities in three or four years that have never been inspected. The way to stop this is at this point until things get better, or more ways of making sure that rules and regulations are followed. Look at your community, look at the people you must take care of, the people of your County, their health and wellbeing. Thank you.

Jason Holton - Resident: It has become apparent that you have to make your decision. You can only make your decision based on information given by the public. You can't go and start Googling to help make your decision. I want to provide a little bit of information, expanding on the building code someone had brought up earlier. I appreciate their willingness to address the issue by moving into a warehouse. However, that does not address the odor issue, which I was very vocal about in my original speech. With them being in a warehouse, there are building codes that require them to circulate outside air into their building, which means the air in the building then has to go out. New Mexico has adopted the International Building Code, 2021 as part of that IBC. As part of the IBC, it includes the international mechanical code, which Chapter Four pertains to the ventilation of this mechanical code. This is straight from their website. Chapter Four intends to provide an indoor atmosphere that protects the health and well-being of building occupants, and both mechanical and natural ventilation is addressed. Mechanical ventilation provides what is acceptable indoor air quality. Mechanical ventilation minimizes adverse health effects and provides an atmosphere that generally is not objectionable to occupy. With that said, there is then a table in Section 403.3, that gives a ratio of how much outdoor air has to come in to replace bad indoor air based on square footage, the type of operation, and the occupancy capacity. Even though it's a warehouse, they still have to ventilate it. Now that they hinted that they're going to grow in the warehouses, they still have to vent outdoors. I would urge you to, if things are approved, put in stipulations and conditions, put a condition in that ensure that they are properly filtering out the odor from these warehouses that they're mandated to circulate fresh air in and out.

Feng Ping Chen: Thank you. I appreciate a lot of public feedback at this point. However, some of the concerns is, are we law-abiding citizens? I'm from Taiwan originally, and at that time I was a little bit concerned about a new country, and what the new country was going to do to me. The country gives me a very, very

good impression. This is not a perfect country, but this is the best country in the world. We accept foreign cultures. We adapt to the international trend, and we are the strongest country in the world. Unfortunately, my daughter right now is Associate Director for the Democracy Fund. She's an attorney for the US Justice Department. Talking about law-abiding nature must go through education. You can have a perfect law, but if people don't have the sincerity to follow the law the law is worthless. People must trust each other. We cannot say you are not going to promise me something, and then you going ahead and do it. Impossible way in the future. That's not the way human reaction is supposed to be.

In this case, I'm from Taiwan, and then a lot of my kind are from China, politically, in a governmental sense, we are in a fighting position, but in the United States, we are treated equally. You are a normal citizen. I'm a normal citizen. We don't have any hatred against each other. We have to appreciate your mutual interaction. I was a little bit concerned that some people were saying all those Chinese those are going to be illegals. I see it's not what I'm observing in this country, this country has been very, very open to us. We have had a lot of family problems, through the years, but American people in general, help us out. I'm so applicative to this country. My daughter is a second generation. When I first came to this country, they attended three colleges, and then the question, the first question was where are you from? One day, I asked my two kids, "I say when you grew up, anybody asked you where you from?" No, they treat me like an American, nobody asked me that question. I'm so glad the country has already gone through that stage, and that's, that's how this country is so great.

When it comes to violence, because the permanent business practice is no longer higher bodyguards or night watchmen, they carry weapons instead. We replace it with an insurance policy, like a State Farm, which provides you the business laws, including robbery, theft, fire, and earthquake, you don't equip your own, civilian force that's going to get into a confrontation, somebody going to get hurt. We will not believe in that kind of practice. Instead, we buy business insurance. In this case, unfortunately, at least one insurance company has already talked to State Farm. They say they insure the cannabis operation, under the impact of the property variant. You can take an isolated incident, a certain property was listed for a certain price, and suddenly you cannot sell because of a certain reason. We can only rely on the empirical data, which is a transaction. Then one gentleman said, I'm not empirical data, MS, CMA, my trading was included, this is a free country. You can register your business trading record, or you don't have to register. We can only control our part. We cannot control other people's part. If

they don't register their transaction in the public record, there's no way we can find out. That's a privacy issue.

This is one of, among other things, one of the greatest countries in the world and is called a democracy. Democracy provides privacy for a person talking about contact, engineering, water engineering office, and calculating how much water we will be using. We visited the water engineering officer over six times to make sure the allocated water rights, were there, and then even conversions about consumptive water rights for cannabis cultivation almost down to a science. Therefore, other people say we don't know your empirical data or the water bill. Everything can be provided. We can provide you with the exact data and where that came from. We value our presentation. We don't just grab something from the air. Everything here is empirical data. Everybody is entitled to what they think because that's how science fiction movies were made. It's called Creativity. But if it's your life situation, we have to rely on experience on empirical data. I want to say that the operation may have at a certain period like one month, when we will employ 15 to 20 employees for harvest time, that will be like one month out of every four months, and then the normal time, maybe five to six employees, and then just to make sure everybody has a toilet to use that is why we will need the septic tanks. That's why we are trying to see if we can put enough septic tanks. It's not for operation. It's just for personal use.

It's a very small operation and also goes back to the law-abiding, we promise we're going to use close 60,000 square foot warehouses, and then we're going to stay there. We're not going to expand it because of a lot of consideration about resident opposition. There's always another alternative. We can go to other places, but at this point we have already purchased the property. We already got into the action. We have no way to pick up, we had to work the best to benefit the whole community, and then to make it possible. One voice was saying we're going to, we're going to hold the trash out and then put it on the street and pollute everybody. That's not true. We can draw up a plan where the waste material is going to be sent to a treatment facility. We're going to start a contract. We can propose that for approval, and then we will act accordingly. What I'm saying is, we don't have too much problem with water usage, and then another, suggestion, maybe in the future, you can ask for donations like a water resources fund, when a new company or the existing company is here, you can ask them to contribute a certain amount of money. This fund will be for the future development of water resources or even roads. This is getting political, but it's just a suggestion. Overall, there's only one world we can live in, and we will try our best to benefit each other, we just must trust each other.

Ryan Schwebach-County Chairman: Are you a potential owner-operator?

Feng Ping Chen: No, I am a Real Estate Broker. I found the property and listing. I asked if there was any local opposition or any public hearing where to go to and see if there was no opposition. That's why I recommended the purchase. But right now, I'm in a different arena. I'm a real estate broker, I have nothing to do with their operation in the future. I only help them buy the land.

Ryan Schwebach-County Chairman: Is the owner here?

Feng Ping Chen: Yes. If any, any questions we can answer.

Kevin McCall-County Vice Chair: Your proposal changed to no-hoop houses. What is your reduction in water usage?

Feng Ping Chen: I'm trying to use Murphy's Law. That's why I stay at 8000 gallons, but probably move down to 5000 gallons. I'm an engineer. We always take Murphy's Law. We always take 10% contingency or take the maximum amount of impact. I didn't go to that calculation, but since you brought it up, that's a good point.

Kevin McCall-County Vice Chair: What are you going to do with your waste?

Feng Ping Chen: I already told you. We are going to buy the product from garden material shops, like Walmart, Home Depot, and other specialty cannabis shops. We will use an outside treatment location. We will provide you with the entity after we check into it if we get approved.

Kevin McCall-County Vice Chair: Do you believe this is a commercial grow?

Feng Ping Chen: Is this a commercial grow, Yes. A personal grow only allows six plants. We are trying to stay away from our nearest neighbor by at least 500 feet, because of odor effects. We will not develop the rest of the 150 acres.

Ryan Schwebach-County Chairman: Will you put that in writing?

Feng Ping Chen: Yes, we can do that.

Ryan Schwebach-County Chairman: Will you permanently suspend water rights?

Feng Ping Chen: No, in the water rights calculation we only use about 7.5%, it could be less.

Ryan Schwebach-County Chairman: You had commented on conserving water.

Feng Ping Chen: Not water, odor.

Ryan Schwebach-County Chairman: What are the reasons P & Z denied this?

Donald Goen-County P & Z Director: Virtually identical to the last one. Finding number four, it was determined a commercial greenhouse operation at this location would hurt land values in the area. It cites section two, purpose. This is where it refers to the local water sources and the water and wastewater systems. Number five has a negative impact on existing agricultural operations. Section Nine, the intent behind the AP 510 40 did not satisfy Section 9.9.C.4, which was the large-scale commercial processing in which the odor and light effects could not be satisfactorily addressed in Section 21.D.4, the economic noise, glare, and odor effects. Number Eight was determined that a commercial greenhouse operation was incompatible with the surrounding properties that reference section 21.D.5, which was general compatibility with surrounding properties.

Ryan Schwebach-County Chairman: This is a full 160 acres that we're dealing with.

Donald Goen-County P & Z Director: Yes sir,

Ryan Schwebach-County Chairman: Where's the proposed building site within these 160 acres?

Donald Goen-County P & Z Director: It was up towards the upper left corner if I remember right.

Feng Ping Chen: At this point, it's tentatively, in that area. However, we can stay away from the neighbor. You can still adjust because we are 160 acres in length. We can adjust the location if we have to.

Ryan Schwebach-County Chairman: I'm not confident that the light pollution is addressed in writing. I understand steel buildings, but I feel we need more of a Definition.

Feng Ping Chen: The warehouse has no windows.

Ryan Schwebach-County Chairman: I need something more definitive. How much light is potentially produced within the structure, maybe only 5% can ever escape.

Feng Ping Chen: 0%.

Ryan Schwebach-County Chairman: 0%, I would like that in writing. I see no way of figuring out the smell pollution, or air pollution.

Feng Ping Chen: We can only use the most advanced filtration technology. We still need to do the research.

Ryan Schwebach-County Chairman: That needs to be in the permitting. It appears that the water is a legal right. I think the location is more of a determinant. It's very close to homes. It's been established that this does hurt neighbors.

Feng Ping Chen: I heard that if you are 500 feet from the neighbor, you are okay. Is that right?

Ryan Schwebach-County Chairman: I can't answer that question. I do not know. There's nothing in our Ordinance specifying distance from an existing property line, or anything like that, other than a building structure.

Michael I. Garcia-County Attorney: Mr. Chen, Could you state that the operation building would be located at the farthest possible setback for neighboring properties, center it?

Feng Ping Chen: Yes, we'll try to do that. We have a 160-acre plan, maybe we can adjust accordingly.

Michael I. Garcia-County Attorney: Would you agree to a condition on your permit that stated that?

Feng Ping Chen: Yes, we will agree to it.

Ryan Schwebach-County Chairman: Do you agree to no further expansion on the ground houses on this existing permit also?

Feng Ping Chen: Right now, we don't intend to expand, because it's a reality. We have so much opposition, we would rather go somewhere else. The only reason we try to have this pass is because we already purchased the land. We want to make minimum use of it.

Michael I. Garcia-County Attorney: Mr. Chen, would you agree to a condition that you would not expand the operation beyond the current application?

Feng Ping Chen: Yes, we can agree to that. We are residents. We believed in community, that's our home. We spend a lot of money to try to do this.

Ryan Schwebach-County Chairman: I have concerns about the number of residents. I also have concerns about individual private property rights. I'm not quite sure the best way to handle it. As presented, I'm inclined to deny it. That process means the same application goes through to the District Court. If it's appealed, we deny it, they appeal it. It goes to a District Court, and the Judge makes a decision, correct?

Michael I. Garcia-County Attorney: Correct.

Ryan Schwebach-County Chairman: We're faced with some harsh realities. One that it is legal to grow and its private property. We have an individual who is willing to negotiate and work with it, in lieu of issues we've discovered from previous grows. How do we accomplish that, insure under conditions?

Michael I. Garcia-County Attorney: We can set conditions for their operation as we discussed earlier, setbacks on the grow, light mitigation, odor, and things like that. If the applicant does not object to the conditions and or agrees with them, there are little grounds for appeal on their part.

Ryan Schwebach-County Chairman: Do we do that now? Do we do that later? How does that work?

Michael I. Garcia-County Attorney: It's the pleasure of the Commission. We could take some time to try to work out the conditions with Don, me, and the applicants.

Ryan Schwebach-County Chairman: In which case we would have a continuation of this hearing.

Michael I. Garcia-County Attorney: Yes, sir, which may be beneficial in terms of getting down the technical aspects of which I have to confess, I just don't know the answers.

Kevin McCall - County Vice Chair: Can conditions be put on roads, by bringing them up to certain standards?

Michael I. Garcia-County Attorney: I think you can, but it probably has to be in proportion to the actual operation, and it's pretty difficult to measure that. I don't know what the conditions would be.

Ryan Schwebach-County Chairman: The conditions I'm looking at are essentially a maximum distance away from any existing neighboring residents, a clear definition of the air filtration within the buildings, and a limit to proposed plants and the number of buildings proposed. Which would require a more detailed site plan. It would require specs on the proposed air filtration and proposed buildings themselves. At this time, once permitting is done by the State Engineer for consumptive use, we've been given proof of water use. I go back to if we allow this condition to go forward, and it's a violation of the condition, how is it enforceable?

Michael I. Garcia-County Attorney: As I understand it, we would have to bring an administrative action to the board to revoke the conditional use permit. Then it would be a question of how to enforce it, you can revoke the permit, if you found they were in violation. Then the question would be, how to make the operations cease, then it would be a Law Enforcement issue.

Ryan Schwebach-County Chairman: I would like more explanation of how that looks like within that case. Is this tied to the land and the current owner? Is it continuous if it's sold? How does that work?

Michael I. Garcia-County Attorney: The permit goes with the land. It doesn't follow the owner.

Kevin McCall-County Vice Chair: What are the heights of the buildings?

Feng Ping Chen: 15 feet.

Kevin McCall-County Vice Chair: Why so tall?

Feng Ping Chen: For plant growth.

Ryan Schwebach-County Chairman: I would like a drawing. I'm willing to defer this public hearing.

Feng Ping Chen: We would appreciate a definite requirement, so we can follow the rules. That's all.

Ryan Schwebach-County Chairman: Can you give me a definite filtration system?

Feng Ping Chen: Yes, like I said, we will use the most advanced equipment available. We will submit that to you. We will get the actual equipment for your approval.

Michael I. Garcia-County Attorney: Did you say actual equipment?

Feng Ping Chen: Yes, actual equipment. A filtration system.

Michael I. Garcia-County Attorney: It'd be an example of an actual type of equipment that's in existence.

Feng Ping Chen: Yes. We need to figure it out because we promise you to use the most advanced.

Ryan Schwebach-County Chairman: At this moment, I need stuff in writing and specs. That's why I'm offering to defer this until the next meeting to provide this information. In which case it will be a continuance of this public hearing. At that point, this Commission will decide. Does that make sense?

Feng Ping Chen: Yes.

Ryan Schwebach-County Chairman: With a site plan on exactly where the buildings are going to go, a better definition of the size of the buildings, type of structure, metal, for example, if it's a metal Mueller building with 10-foot eaves and one indoor, the specs on the water filtration, and then also there will be zero light other than when a door is Open.

Feng Ping Chen: It's not water filtration.

Kevin McCall-County Vice Chair: Also, what are you going to do with your waste, and who's going to pick it up?

Feng Ping Chen: Yes. We're going to figure it out.

Ryan Schwebach-County Chairman: I go back to enforcement. The reason we've seen it is the state has no teeth or enforcement on their existing permits. They have forced a County to try to come up with ways to make sure of what is going on. Also, I would like access to Planning and Zoning to inspect the property, on occasion.

Feng Ping Chen: We need an agreement. Because the bottom line is that the County is going to have a direct impact on what we are doing.

Ryan Schwebach-County Chairman: I understand you're making these promises with the County, which is having a direct impact, but with the existing greenhouses that are within the valley, I have yet to see a positive impact.

Action Taken:

Ryan Schwebach-County Chairman: Motion to continue this public hearing till the next Commission meeting. At that time, we will have more answers.

Kevin McCall-County Vice Chair: Seconds the motion.

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

Action Taken:

Ryan Schwebach-County Chairman: Motion to move out of public hearing.

Kevin McCall-County Vice Chair: Seconds the motion.

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

2:13 PM

C. PLANNING & ZONING: (PUBLIC HEARING) Render a decision following Remans from the New Mexico Court of Appeals regarding the

application for Conditional Use: Communication Tower submitted by Gravity Pad Partners, LLC. The subject property is located within projected Sections Eleven (11), and Fourteen (14), Township Six (6) North, Range Six (6) East, NMPM.

Action Taken:

Ryan Schwebach – County Chairman: 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: – Yes: Kevin McCall – County Vice Chairman: - Yes:

MOTION CARRIED

2:14 PM

County Attorney Swarn in – Jessie Hatch, David Benavides, Don Goen, Felicia McElhenney, Andrew Gutierrez, Adam Baca, Byron Padilla, Linda Jaramillo.

Michael I. Garcia-County Attorney: I'll give a brief introduction to the case. We have Jesse Hatch representing the cell tower company and Mr. Benavidez representing Tajique. This case involves an application for a cell tower in Tajique. This has been going on for about four or five years, Originally the Planning and Zoning Board voted to deny it. The Planning and Zoning Board then voted to grant the use, then went up to the District Court, where the District Court affirmed this board, and then it was appealed to the Court of Appeals. After the Court of Appeals processed the case going up to the court, it was noted that our record had incorrectly stated the zone where the cell tower was built as BCP, and it's actually in RCP, which is the Rural Community Preservation District. The Court of Appeals affirmed but noted that the record was incorrect in the actual zoning where it was to occur and sent it back to the District Court and then back to us to enter proper findings and conclusions of law. We're at the place where we tried to address the concerns of the Court of Appeals and enter corrected findings and conclusions. I was going through the case findings and conclusions. In addition to what you have in your packet, paragraph 12 under conclusions of law will be helpful. I've consulted with Mr. Hatch and Mr. Benavidez about it. I think Mr. Hatch agrees with what I've proposed for the conclusion of the law. I haven't given it to you all yet, but I'll read it to you. It would state applicant's application meets the requirements for a telecommunication tower and essential public utility distribution structure in the RCP zone and is hereby granted. That would tighten up the findings and conclusions.

Samuel Schropp-County Commissioner: Would you remind us of the difference between the VCR and RCP?

Donald Goen-County P & Z Director: VCP is Village Community Preservation, and what that does is that that is the original town site of the land grant, the OTS. RCP, Rural Community Preservation is the remainder of that grant. VCP is the original town site. RCP is the remainder of the grant.

Samuel Schropp-County Commissioner: In which of those two entities is this proposed cell tower?

Donald Goen-County P & Z Director: The location for this proposed communication structure is RCP, which is allowable, upon granting of a conditional use permit, in VCP it's prohibited.

Kevin McCall-County Vice Chair: Why is this the public hearing if you're clearing up verbiage?

Michael I. Garcia-County Attorney: Because it's still part of the land use application, and we're going to be setting forth what the proper zone is for it. I would ask you to adopt the findings and conclusions drafted with the correction. The addition that I just read out.

Jesse Hatch: My client, Gravity Pad Partners LLC, the original applicant, back in 2018 when the application was originally submitted, is in favor of the proposed findings and conclusions because I have lived through some of these appeals. A little bit of background and hopefully some more context to help you. In 2018 the application for a conditional use permit was made by my clients. Planning and Zoning denied it, he appealed to this body, and this body overturned the denial and granted the conditional use permit. Thereafter, the Tajique Land Grant appealed that decision. The District Court affirmed this board's decision, and then it was appealed to the Court of Appeals. During the initial applications, there were misstatements probably initiated by my client, in the identification of the zoning of the parcel as VCP zoning, which is a more restrictive zoning area. It was found by the Court of Appeals that there was no substantial evidence in the record to support that designation as VCP, and the reason for that is that it's not VCP, it is RCP, which is the more permissive zoning designation. The Court of Appeals identified two basic issues on remand that this body is tasked with determining. One is, what is the proper zone? It's RCP, and that's clear. I know that the County Manager can

testify to that. I know it's in your proposed findings. There's no question as to what the proper zoning is.

That determination essentially moots the second question, because the second question was under the ordinance, and the language of the ordinance is if this structure is a communication structure, or is it an essential public utility structure? There's vagueness in the ordinance, neither of those terms is defined in the ordinance itself. There is a reference in the Court of Appeals decision to language in the ordinance that indicates that a cell phone tower such as this one could be either an essential public utility structure, which would be permissible under either zoning designation, or it could be a communication structure which is permissible under the RCP zoning and not the VCP zoning. Because this is an RCP-zoned piece of land, it moots that second question. We have reviewed the proposed findings. We were participants in the appeals at the County, and through Mr. Garcia and his predecessor, briefed these appeal issues to the court. We as an intervening party, as the applicant's party and interest on the original application, also briefed on the issues. We have reviewed the proposed findings. We have no objection to them. We endorse them as accurate, true, and appropriate. We would like them to be approved and entered.

Samuel Schropp-County Commissioner: In reading the memorandum and many other findings of fact. A public utility is required to be on five acres, which I would take to be like an electrical substation. It's a kind of footprint for that kind of facility. There is no requirement for footprint size in a cell phone tower.

Jesse Hatch: Correct, you've identified that sort of language that the Court of Appeals homed in on. This indicates that a cell tower such as this doesn't have the same five-acre designations as other types of essential public utility structures, but it also refers to that as a potential essential public utility structure. I don't think we even need to get to that question, given that this is an RCP rather than a VCP-designated property, it's probably academic.

Michael I. Garcia-County Attorney: Conferring with Mr. Hatch, I drafted the conclusion to capture both possible types of communication towers so there won't be any questions. We need testimony in the record, for substantial evidence, if it doesn't get appealed, that this is RCP properly stated, I was going to ask Don to testify to that.

Donald Goen-County P & Z Director: Yes, this parcel is, without a doubt, within the RCP zone.

David Benavidez – Attorney representing Tajique Land Grant: I agree with about 90% of what was described in terms of how we got here. That was helpful. I want to say that the Court of Appeals certainly did not take any side or position in terms of either of these issues with what the proper zone is and what the proper uses are. They kicked it back down here for that to be laid out to this body. What the Court of Appeals wants is for this body to apply the Zoning Ordinance to this situation correctly in the way that the Zoning Ordinance would require. I have every confidence that this Commission will do that and will adhere to the letter and the intent of the Zoning Ordinance. What I mean by that is that probably one of the most innovative aspects of the Zoning Ordinance is this VCP, Village Community Preservation Zone, which only applies to the vicinity around the central area of the land grants in the County. It's one of the most restrictive zones in terms of the intent of protecting the integrity of the village community, the land grant communities. It is probably the zoning with the least amount of land in the whole County because it was intended to protect land grants in the vicinity of the central area.

I would disagree with the characterization that this is RCP and not VCP. What you should be aware of is that in the 2019 decision by this board, by the full County Commission on appeal from P & Z, there was a finding of fact that the land in question is VCP and that was correct. That was the finding of this body. Given that it's correct, the way to apply the ordinance, and because the ordinance today is different than it was at the time that we were considering this. It's correct to apply the ordinance that was in effect when this application was filed back in 2018. Given that it's VCP zoning and given that this is a communication structure with the combination of the way you apply the chart, the zoning chart that was in effect, requires a denial. There's no discretion. You don't do the things that you would do under a conditional use permit. You don't weigh a bunch of factors or weigh the importance of what's being asked for, it is a straight-up VCP plus communication structure equals denial.

The only scenario I think would give you a different result is if someone tried to convince you the Commissioners that you can get away with approving it under some other technicality. The obvious way to apply the ordinance is if you apply the ordinance in this other way, engaging some assumptions and some technicalities that may not be the correct way to analyze the situation, which could give you a different result. The problem with doing that is that it really can't be done. Approving this without defying the ordinance, without defying the purpose of the VCP zoning that's been adopted into the Zoning Ordinance, and without defying common sense. I'm saying that this project can only be approved under the

ordinance if you say no, this is not VCP, and if you say no, this is not a communication structure, that's the only way that you could approve it. Both of those are correct. The zoning map that was in effect at the time that this came up does not support the idea that this is not VCP. The zoning map that was in effect would indicate that this cell tower is in a VCP zone. Beyond that, I would like us to take more of a commonsense approach.

This proposed cell phone tower is 400 yards or less from the church in the central area of Tajique. This proposed cell phone tower is even less distant from the center of the central area of the land grant. When this County Commission adopted the Zoning Ordinance and adopted the very innovative feature of VCP for the protection of the land grant. Did it adopt that so that people visiting the church and wanting to understand the traditional aspect of the Village of Tajique would walk out of that church and less than 400 yards away, would see an unsightly cell phone tower? Is that really what was intended? I don't think so. You would have to say that this is not a communication structure. If you look at the 100 and some uses that are in the ordinance that was in play, the most obvious one that a cell phone tower fits are under the heading communication structure or facility. Communication structure facility, that's what this is.

I think someone has advanced the argument that it could be considered something else that is a much more generic or general thing, essential, public utility or distribution structure. You can see that that is a general category, and communication structure is a much more specific category within the category of utilities, and in the law, where there's a specific it prevails over the general. I don't think it's credible to say that this is not a communication structure. I do think that a straightforward application of the ordinance that was in effect at the time that this application came forward would require a denial. Unfortunately, it doesn't. It would not allow for discretion. I say unfortunately because I think governing bodies like to have discretion and like to tailor decisions to specific situations. In this case, given how the ordinances were written, it is a straightforward application law without all the factors having to do with conditional use permits. It's a straightforward denial.

I don't want anyone to try to convince you to act contrary to the Zoning Ordinance. I don't think that the Commission would want to set a precedent acting contrary to an ordinance that you all adopted. The Zoning Ordinance is a very important piece of legislation, a very important ordinance, and a very important function of County government. That Zoning Ordinance was lawfully adopted. Not just contrary to the language of the ordinance, but contrary to the intent of having this unique and

special category, VCP. What that means in the context of this particular cell phone tower proposal. To conclude, it's correct. Planning and Zoning voted four to one against this. I would very respectfully urge this body to do what the Court of Appeals asked, apply the ordinance faithfully to the situation, and uphold the Planning and Zoning Commission. Thank you.

Samuel Schropp-County Commissioner: You do not agree with what the judge stated?

David Benavidez – Attorney representing Tajique Land Grant: I do. I believe the opinion did not say whether it's VCP or RCP, and did not say whether it's a communication structure or something else. It said we can't tell, so we're sending it back down so that the County Commission to clarify those issues. I don't know if that's fair, but I believe that's a fair description of the Court of Appeals decision.

Michael I. Garcia-County Attorney: I don't disagree with that, per se, I disagree with Mr. Benavidez about what is RCP and what's not.

Ryan Schwebach-County Chairman: RCP communication structure is allowed, and this is RCP land. How was it zoned at the time?

David Benavidez – Attorney representing Tajique Land Grant: Respectfully, I think if you look at the zoning map in effect at the time, you will have to say that the location of this proposed cell tower is within VCP.

Michael I. Garcia-County Attorney: I'm going to direct the question to Mr. Goen, Mr. Goen, what is the current zoning of this property where the site for the self-powers is proposed?

Donald Goen-County P & Z Director: It is RCP. The OTS was determined per plat and deed to lineate which parcels were OTS and which ones were RCP. If you look at our GIS map, we have a zone layer. It says RCP and if you look at the property profile, that also reflects that it's within the RCP zone.

Samuel Schropp-County Commissioner: The GIS mapping has not moved those boundaries. What you're telling us is that you have a current map. Do those boundaries and that map agree with the time in 2018 this initial appeal?

Donald Goen-County P & Z Director: At that point in time, I don't have that document in front of me, so I cannot definitively say. I'd have to see how it was. I know that at one point in time, it was an arbitrary dot with a radius circle around it.

Samuel Schropp-County Commissioner: It would be a great benefit to go to the GIS mapping and would that be archived? Is that available?

Donald Goen-County P & Z Director: I would have to check with our Rural Addresser to see if he has asked.

Ryan Schwebach-County Chairman: What we're being asked, is to clarify the property and how it was zoned. I'm being told that it's not even in question. It's RCP. You're stating it is in question, why?

David Benavidez – Attorney representing Tajique Land Grant: That's correct. The decision in 2019 as a finding of fact is that the zone is VCP. It was unequivocal. It was a one-sentence statement. There was no question. For example, when this was appealed to the District Court, did the County at the District Court say, that was a mistake? It was not VCP, it was RCP. The County did not take that position on the appeal to the District Court. The County agreed by not objecting to it with the VCP designation that was in the original decision.

Ryan Schwebach-County Chairman: The original decision, the County recognizes as VCP land.

David Benavidez – Attorney representing Tajique Land Grant: That's correct.

Michael I. Garcia-County Attorney: That's not in dispute. In the original appeal process, the County thought that it was VCP.

Ryan Schwebach-County Chairman: Had the County originally thought it was RCP, they probably would have come to the commission to begin with.

Michael I. Garcia-County Attorney: It would have been appealed differently. It would have gone to the District Court without the error. It was found that the VCP designation was an error. We tried to correct that in the course of proceedings before the Court of Appeals. I think what Mr. Benavidez is arguing is that since we represented it as VCP, we can't change our position now, but I think the accurate response to that is we have an obligation to correct errors.

Ryan Schwebach-County Chairman: I was there, and remember the argument was that it was private property, and it fell in line with the zoning. There was talk of essential communication services, was the reasoning behind it. That was the optimal location, within the company and with a willing landowner. I was led to believe that other locations that would fit the tower were had been exhausted.

Samuel Schropp-County Commissioner: I would draw your attention to page six of the Memorandum of Opinion regardless of the appellate court of law, line 16. (not read aloud) Based on that and the testimony of Mr. Goen. I'm not inclined to disagree with the Judge.

Felicia McElhenney: I'm a landowner of the property that the cell tower will be built on, providing that zoning is appropriate. RCP is what the property was zoned as, and due to an error in the court process, it was referred to as VCP. I feel, very strongly, that we need to stand by what it was zoned as to start with. I value my heritage. My grandparents grew up there. They raised their family there. They were teachers at Estancia for 30 years, my family is a part of that community, and I see this as a benefit. It's something that is going to provide communication and access, not only to the immediate community there in Tajique but also to the surrounding communities. When you look at it, here's this land grant, this pristine kind of concept, idea. Nothing stops growing. It is today, 2024, and what was happening in the 1800s when this was being granted to people was for the benefit of those people and their families. I see what this cell tower is going to provide. I would like the zoning to be addressed or acknowledged in the correct way that it was zoned. Thank you.

Andrew Gutierrez: I'm the president of the Tajique Land Grant. I'm here to stand by my people and our heirs of the land grant who are opposing this cell tower right in the middle of town. It's not what we want to get up and look at every morning. We're trying to preserve our land grant and community.

Adam Baca: I own a property right there where the cell phone tower is going to be located, and I'm not for it. It's going to be approximately 400 feet from where I live.

Byron Padilla: I was born and raised here. My family's from here. I have family that's grown up in Tajique. I currently live in Albuquerque, but I do realize the difficulty of living in a rural environment without cell phone towers. I step outside of this building, and I can't use my phone. We need cell phone towers for our youth to be competitive, to not be shorted. There are a lot of kids who are getting all this

information, and they're going to be left behind. We also need to take care of our elderly. We need to have cell phones so that if you get sick, if you're hurt, you can make a call, and somebody can hear you. That's important. Our governor is trying to push real broadband that we need to so let's get this done. I think it'll be for the best. I also can speak on behalf of the family and say we are willing to understand that it's kind of a bit of an eyesore, but we're willing to work with you. If we want to paint it, we can make it look like a big Christmas tree, a big cactus. What do you want? We can work with you guys for the better of everybody.

Linda Jaramillo: I am speaking as a citizen of Torrance County and, more particularly, a resident of Commission District Three, for over 60 years. I have close ties to the people of Tajiue. I lived in Tajiue for five years and was a part of the community. My ex-husband and I bought land in the surrounding area of the Village of Tajiue. We bought the land from the Dow family estate. This was privately owned land. There were protests when we bought the land because we bought the land and subdivided it. The families in Tajiue were able to buy parcels of land where they couldn't before because of our purchasing the property.

All the mountain communities have a rich history that goes back to before New Mexico was a state. They are a traditional people and want to hold on to their way of life. What I see here is that all of this is about money and profit, which is the American way. My ex-husband and I profited. We profited from the sale of our land in Tajiue, but it also gave my friends in the community an opportunity to buy land when before they couldn't. I believe this company could have found another place for their tower, but they got the land that would give them the most profit and found a person who was willing to sell their land for a profit as well. This is within their rights.

I will soon be Commissioner for District Three, and I will have to make the hard decisions as the Commissioners will do today. All I can say to all of you from Tajiue and my friends who are here today is that if my ex-husband and I had been approached by an entity such as the one here today, I would not have allowed it. There were times when I had to tell my husband, these are my friends, we go back a long way, let's work with them. I would like to ask the Commissioners to take into consideration the lifestyle of the residents of the village and how a 90-foot tower in their community would affect them and their way of life and the adverse effects on their well-being. Thank you.

Michael I. Garcia-County Attorney: Mr. Hatch, could you give a little backdrop of the FCC regulations and the approach that is taken by the FCC on these issues?

Jesse Hatch: I can. Before I address that. Let me just address one other issue. It's been great being here since nine this morning to see democracy in action. Thanks to all of you who are here. Thanks to the Commission. I appreciate that. It's been a good day for me. Thank you.

When Mr. Benavidez was speaking to you, he said that he agreed with about 90% of what Mr. Garcia and I had presented. I think that's accurate. There are some things I think bear mentioning, and it's that 10% disagreement that we have with what Mr. Benavidez said. He talked to you about the fact that in the initial board findings and conclusions, were that the zoning was designated VCP, and he wanted to assign purpose and meaning to that. I want to have you think through with me the chain of appeals and the opinion that you have before you. That issue was argued through the appellate process. The Court of Appeals rejected that very issue in the opinion that you have before you. What the Court of Appeals said is, yes, we recognize there is a finding of fact that says this, but we find that there is no substantial evidence to support that finding, and therefore we are remanding back to the board to make the appropriate finding of fact. The appellate opinion doesn't say in plain language, it's because we know there was a mistake made, and so it should be fixed. That's my reading between the lines.

It was argued that the Court of Appeals had the full record before it. It had the benefit of the briefings of all parties. While it didn't make a ruling that said, a mistake is made, the Court of Appeals cannot find facts. It cannot say, these are the facts of the case. It was found correctly that there is no substantial evidence to support the position that the land grant has proposed to say there is a binding finding of fact that precludes all this discussion. Instead, what the Court of Appeals said is there is no substantial evidence to support the determination of zoning. The appropriate body needs to make that determination based on what the law calls substantial evidence. The only substantial evidence that you have received today on that issue is Mr. Goen's testimony. You've also heard the testimony of the landowner about what the zoning is.

To me, it's really that simple, and that's what the Court of Appeals opinion says. It's also instructive to me to note usually, when you appeal something and the Court of Appeal rules in your favor and says, I'm going to reverse what the District Court says, you leave that appeal alone. That's not what the land grant did in this case, because they recognized what the Court of Appeals is inviting you to do is correct the mistake in the zoning designation that's existed since 2018. It wasn't my client. It wasn't Mr. Garcia, on behalf of this board, that sought further review of that

Court of Appeals decision. We understood it, we accepted it, and we knew that it would send us back here to have this discussion and this important determination to find the correct facts about the zoning of this particular parcel. What the Land Grant did, when it received the Court of Appeals decision, ostensibly in their favor, is they read it, they understood what it said. They then sought certiorari from the Supreme Court of New Mexico. They wanted additional review and appellate consideration of this very issue of that finding of fact back in 2018 which precludes all of this.

The Court of Appeals rejected the cert. No and were not taking it. That Court of Appeals decision is now final, and here we are on the remand to make a very simple determination, VCP or RCP. The only substantial evidence on that point is this RCP zone property that precludes the need to even evaluate the second, which is, is this essential public utility structure? Is this a communication structure? I think that it's important for you to understand the full history of this and even the effort to appeal it beyond the Court of Appeals, where the Supreme Court said, we are not taking this appeal further. They denied the cert request, and here we are a mandate sending it back to you to make these findings.

Mr. Garcia, regarding your question about FCC regulations, there's a federal law that essentially precludes Counties from enacting ordinances that will eliminate the ability for cell structures to be erected. We tried to raise that issue in our appellate arguments to the Court of Appeals. What the Court of Appeals said to us is, we don't need to go there and here's why. The first determination that must be made is whether it is an RCP zone property. That's why we're here, and the only evidence that could be designated as substantial evidence is testimony from the County Manager, who has said what this is, it is RCP-zoned land. There's no evidence other than an argument from the council to suggest otherwise. I wanted to clarify those issues.

Samuel Schropp-County Commissioner: In addressing Mr. Baca's concerns, we can't put a number on the blue-sky factor, but these cell phone towers are designed to mitigate lightning strikes. My understanding is that the way towers are built, they will draw the lightning and ground it properly so that there are no problems with surrounding landowners or structures. Am I right in that?

Jesse Hatch: Respectfully, I have to say, I don't know the specifications. I think for purposes of this proceeding, those are questions that have already been determined and answered and were never an issue on appeal and there's no order from any appellate court to reopen those questions that were fully vetted, that were

fully addressed when this body decided to issue that conditional use permit. While I appreciate the question, and I hope the answer to the question is yes, I can't be disingenuous and say that I know.

Samuel Schropp-County Commissioner: You have answered my question that the concerns of the surrounding landowners were addressed in the original process.

Ryan Schwebach-County Chairman: You're asking us to adopt the funding of the court that clarifies that this is RCP land?

Michael I. Garcia-County Attorney: Yes. What we've done is take the findings of facts of law in 2018 and correct them to reflect the proper, accurate state of the zone.

Ryan Schwebach-County Chairman: This is what the Court of Appeals was asking us to do?

Michael I. Garcia-County Attorney: Yes.

Action Taken:

Ryan Schwebach – County Chairman: Motion to accept the corrected findings and conclusions that the land is RCP land.

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

Action Taken:

Ryan Schwebach-County Chairman: Motion to move out of public hearing.

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

3:06 PM

D. EMERGENCY MANAGEMENT: Presentation and Request of approval of 2024 Torrance County Community Wildfire Plan (Presentation by SWCA).

Samantha O'Dell-County Emergency Manager: For the past year and a half, we've been working on that Torrance County Community Wildfire Protection Plan. It's finally completed. We were working with SWCA Environmental Consultants to help facilitate it, and Dr. Cody Stropki is going to give a brief overview of the plan, then we're looking for the Commission to adopt the plan today.

Dr. Cody Stropki - SWCA Environmental Consultant: Before you is a copy of the Torrance County Community Wildfire Protection Plan. This plan was done in concert with the Claunch Pinto Soil and Water Conservation District, which has been the case since 2008 when the two parties entered an agreement in 2008 and developed these documents together, just because of a lot of the overlap within the community. They each have their documents that stand alone. These are kind of long documents. I would encourage you to look at it. Executive summary, page V.

The summary provides an overview of the document. A Community Wildfire Protection Plan is to provide a scale of wildfire risk and protection needs at a county level. It's a collaborative process. I was merely the facilitator. We had over 15 partners participate in the core team meetings, local officials, public members from the Land Grant communities, and our federal agency partners. We had a robust public comment period where we put this document up online for 60 days and allowed the public to provide feedback and comments, and we addressed those comments. After 60 days, we had a public survey that was sent out during this process, and we got 22 responses. That might not sound like a lot of responses, but if you look at our neighbors in Bernalillo County, I believe they only got 40 responses during that plan. I think for the population, getting that participation is pretty good. Lastly, we did put this draft plan, in front of the New Mexico Forest Service, the New Mexico Mineral and Energies, and their Forestry Division. They review CWPPS every September. They review this draft and approve it. If the Board of or the Commission approves, it as well.

This is the second time I've been able to work with the County on this plan. I helped with the 2016 plan, and I'm proud of what Samantha and her team can produce, hopefully, it will help move wildfire mitigation forward in the County. All this plan does is give recommendations to the community on what they can do to build resiliency. What it does is it opens pots of funds that normally aren't

available. If this plan is in place, this goes to everything from helping with firefighter safety to helping with bringing more water into the community, these are the types of projects we listed in this plan.

Ryan Schwebach-County Chairman: Forgive me if I don't read through the whole thing now, I'm getting a thumbs up from our Emergency Management.

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve

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. PLANNING & ZONING: Review of proposed revision of Torrance County Ordinance 2020-06, and request of approval for publication of title and general summary before Public Hearing.

Donald Goen-County P & Z Director: This proposed revision's primary purpose was to remove the permissive uses and also focus on commercial greenhouse operations within Torrance County. Text was added to the definitions and several of the zoning sections throughout the ordinance. I worked closely with County Attorney Mike Garcia on this. I went through it from front to back to make sure that there were no gray areas and no conflicts. I provided you with a separate reference sheet to see the changes. Nancy is working on getting that to where it's in a current viable form to where we could formalize it. Then we will have our public hearing. The black is what we have in place now and the red is the proposed changes. If you look at the actual version of what you have there, it the draft watermark. You'll see that those are struck through showing that that's being removed. This did remove all permissive use. For example, it shows cannabis lounge and retail as being under permissive use. I moved that to conditional and also in D1, which is one of the main areas up and down the 41 corridor. I moved that from permissive to conditional, which also meant that it went into conditional D2 and conditional D3. It's either prohibited or it's a conditional use. This gets us something that addresses immediate issues. We'll have the opportunity later to make other changes. Those other changes are going to require scrutiny and more research before we propose more restrictive changes. The purpose of this right now is to discuss it. I need your authorization to publish it before adoption.

Under General Provisions, operations are centered on 100 acres. One of the main complaints that I was hearing was that they were talking about these big operations. If you make it where they must be centered on 100 acres, who's going to be able to afford that? In my opinion, doing something like that would be creating a privileged class, that makes it to where the mom-and-pop operations could not operate. Section 6L is gone, in place of recreational vehicles, that states plain and simple, full-time living in an RV is not allowed except in RV parks. Part of that is to address these little villages where we were having a pop-up at one point in time when these operations were first coming in. That also addresses the bigger picture where, with my Code Enforcement Officers, they're going after somebody for living full time in an RV and, where does it say that specifically? It didn't, and now it will.

Ryan Schwebach-County Chairman: This will be applied to commercial greenhouses. We have an RV ordinance for somebody building a home.

Donald Goen-County P & Z Director: You can stay in an RV with an affidavit for up to 90 days in a year for vacationing purposes, six months in conjunction with a land development permit while you're developing a home site. Type one covers your major residential subdivisions. The smallest lots are an acre, and then a type two is where they're less than five acres. There's a different number of lots that would cover all the subdivisions like the Ranchettes, Antelope Springs, Rancho En Cantados, and Rancho Grande. That covers all of the major residential subdivisions.

Kevin McCall-County Vice Chair: No commercial greenhouse will be permitted.

Donald Goen-County P & Z Director: Prohibited. The result is that it's either prohibited, or it'll be conditional use, uniformly across the board.

Ryan Schwebach-County Chairman: It goes through P & Z every time?

Donald Goen-County P & Z Director: That's right, there are no may-be-asked-for or permissive uses every single time they'll have to apply for conditional use. That doesn't matter whether if it's in Zone A with the 40-acre minimum, straight agricultural, a conditional use will have to be applied for no matter where it is, or it's prohibited.

Ryan Schwebach-County Chairman: Explain three, four, and five subdivisions.

Donald Goen-County P & Z Director: The number of parcels and the size of the smallest parcels.

Ryan Schwebach-County Chairman: We need to get a little bit more aggressive with this till my attorney tells me differently. I think it needs to be on agricultural land only with water.

Donald Goen-County P & Z Director: The provision in the state statute says that they can haul.

Kevin McCall-County Vice Chair: How are we getting around that on types one and two?

Ryan Schwebach-County Chairman: It needs to be on agricultural land period. If they're calling an agricultural product, it needs to be on agricultural-zoned land. They could do a commercial greenhouse if they can get the water.

Donald Goen-County P & Z Director: They're either going to have their water right, or they're going to have to haul water.

Ryan Schwebach-County Chairman: Everyone needs to go through P & Z. I think we need to put language in there so that P & Z considers the type of structure, the type of filtration, and the location of houses existing, regardless of potential subdivision within a quarter mile, or half a mile. I want to put some guidelines in there that will guide P & Z.

Samuel Schropp-County Commissioner: Let's talk about filtration. You're required, if you run a body shop, to have a filtration system, all the VOCs, all the overspray paint and all the fumes from the body buddy. Can we use the EPA requirements on the filtration system, in greenhouse operations?

Ryan Schwebach-County Chairman: I don't see why not.

Samuel Schropp-County Commissioner: To be fair to people who are going to buy and start a business here, they need to know that this is what we are requiring, not an ambiguous filtration system, but a filtration system that is GPA regulated.

Kevin McCall-County Vice Chair: I'm not arguing. At our county level, we have a level of manpower, when they come in for a permit, all the check marks have already been stated at the state or federal level.

Michael I. Garcia-County Attorney: The difficulty for me is to see how we would enforce an EPA standard, I don't know if we can do that.

Ryan Schwebach-County Chairman: It requires a filtration system that meets these EPA standards, whatever that may be. We can manage what is zoned with the type of building to an extent. Based on what I've been hearing, if you have to have to grow lights in it, it needs to be completely enclosed. If it's completely enclosed, it needs to be filtered air.

Donald Goen-County P & Z Director: No hoop houses?

Ryan Schwebach-County Chairman: If those lights are on at night, then the answer is no, it has to be enclosed.

Samuel Schropp-County Commissioner: Don and I talked about a Dark Skies Ordinance; it would go there. Let's get back to what Mr. Chen was saying. We'll get appropriate filtration. I found in the private sector that industry standards are the best industry custom, and it's vague.

Ryan Schwebach-County Chairman: I think it needs to be defined. I don't know how to define it, because I don't know the system.

Samuel Schropp-County Commissioner: Todd Smythe had given me a study of biological VOCs. It's not just for the odor, but the worker safety as well.

Ryan Schwebach-County Chairman: You need to give them a little lenience if they're in the middle of 1000 acres of agricultural land. With a different volume, we have to have some common sense, otherwise, the court's going to rip it up.

Samuel Schropp-County Commissioner: Adequate ventilation, and then requiring filtration.

Kevin McCall-County Vice Chair: We've been talking about, how we can't control this cannabis issue because the state didn't allow us, local jurisdictions, and governments the ability to zone them. How far can we go?

Ryan Schwebach-County Chairman: We can go as far as we want to, to defend in a court of law. It has to be common sense because essentially, that's what's going to happen. We are changing our zoning within these structures to make it not nearly as economically appealing.

Michael I. Garcia-County Attorney: The approach should be to mitigate the effects and the adverse effects that the roads have on the surrounding properties. If you're going to do that, you have to have your measures related to that goal. You don't want to do anything that the court is going to say is arbitrary or capricious.

Ryan Schwebach-County Chairman: The state has taken this and has looked at cannabis as an agricultural product. If somebody wants to do agriculture, let them roll the dice with Mother Nature and see how that goes. I don't want to affect the existing agriculture. I also don't want to affect existing greenhouses. I think we need to strengthen our existing building code. Can we also go into, within our County, depending on what we have today to start to draw on some land district we're only going to allow X amount of plants?

Samuel Schropp-County Commissioner: Ms. Stefanie and Ms. Lord have been asking for suggestions. One of the things that I suggested was letting the County permit plants rather than facilities, you could keep mom-and-pop shops going and not have these monster grows come in. If you say, we can only have 60 facilities in the County, you could have 100,000 plants. But if you permit plants then we don't have the monster grows.

Michael I. Garcia-County Attorney: I think that it has to be at the state law level. I think if you did that at the County level, you'd be running the risk of being accused of prohibiting grows.

Samuel Schropp-County Commissioner: My suggestion to the Senator was to let the County determine by plants rather than by permit.

Kevin McCall-County Vice Chair: Would it be reasonable to say that you can't have hoop houses, or commercial greenhouses in any type of subdivision?

Michael I. Garcia-County Attorney: I don't know. If you have a greenhouse with poinsettias growing in it, would it be subject to the same restrictions?

Samuel Schropp-County Commissioner: Would we allow a grow in a subdivision period? If we're going to develop water like McIntosh EMWT are we going to develop water throughout the subdivisions? Are we going to allow that rather than commercial greenhouse operations, or we say, no commercial greenhouse operations in the subdivision period?

Ryan Schwebach-County Chairman: Makes no sense to allow.

Samuel Schropp-County Commissioner: To work so hard to get water to the people and then start blowing it through the system and screwing things up again.

Michael I. Garcia-County Attorney: To be clear. We have some subdivisions that have some very large acreage, and so in those cases, I don't know if a total prohibition would be appropriate.

Donald Goen-County P & Z Director: Rural Residential, for example, that is a two-and-a-half-acre minimum. There are parcels that are 40 acres, and 60 acres. We did one at the last meeting, where they were slicing off 120, where they divided it from one parcel into two, that it was a 160 and they went 120 and 40.

Ryan Schwebach-County Chairman: No, residential.

Donald Goen-County P & Z Director: With the time that I had available to me, and looking for a quick response, this is something that we could do right now. That was what I was referring to when I said that this is just a first step. It doesn't mean that we can't take further measures down the line. If we start making this too complicated now, four months from now, nothing's been done. We can always have time for more research, more scrutiny, and decide on our course of action from the Commissioners. If somebody else comes along and wants to do something in D1 under the current ordinance, I can't tell them that they have to have a conditional use, where, if we make this change that's proposed, that makes that a moot point, they will have to have a conditional use. I'm already seeing fewer people asking for it.

Ryan Schwebach-County Chairman: On a conditional use, it has to go before P & Z. If we don't give P & Z some teeth, something to look at the individual conditional uses, then we're going to be here with appeals all the time. We need to consciously say, one, we need to accept that marijuana will be grown here because of our Governor. That's a fact. We need to create it most legally, the most restrictive means possible that still fits within the law.

Donald Goen-County P & Z Director: If I'm going to be the primary author on this. I need a list, what are we going to do? Saying enclosed buildings only, that's easy enough, because then that's part of what the P & Z Board will be looking at is steel buildings, no hoop houses.

Ryan Schwebach-County Chairman: Let's start with the basics. First is zone. How's the land zoned? Can we change it to where it's only on commercial, if we're talking commercial growth, we'll allow it on commercial property. We'll allow it on agricultural property with conditional use. If they don't have one of those two requirements, they're out of the running to begin. Is that legal?

Michael I. Garcia-County Attorney: I think we could try it.

Ryan Schwebach-County Chairman: Let's make a list. You all work it out to bring up at the public hearing.

Samuel Schropp-County Commissioner: Six weeks ago, I called the AG Chief of Staff about what was going on. The AG had contacted Colorado AG, and they asked what they did to get this under control. They said they made it restrictive and enforced every regulation.

Michael I. Garcia-County Attorney: Colorado State law allows local governments to do that. That's what we need from Santa Fe.

Ryan Schwebach-County Chairman: We don't have the ability to regulate marijuana growth, but we have the ability for landfills.

Donald Goen-County P & Z Director: I also have enclosed buildings only.

Ryan Schwebach-County Chairman: If they have to have grow lights at night, it has to be enclosed. Zero light emissions. If you want a hoop house, you can do that. You just can't have lights. I don't want to restrict the grandmother with a greenhouse in her backyard. Let's talk a little bit about what defines a commercial.

Donald Goen-County P & Z Director: What defines commercials? I added that to the definitions. Commercial greenhouses are enclosed spaces used for the growth of plants on a large scale, with the intent of trade.

Ryan Schwebach-County Chairman: On a large scale. I think that means more definition, of what is a large scale. The state requires the conversion of water rights to grow how many plants? There's also the private grow, where you're just growing for your consumption, right? Where are those cutoffs?

Michael I. Garcia-County Attorney: I don't know if the state has a set number.

Donald Goen-County P & Z Director: They have tiers to their licenses.

Ryan Schwebach-County Chairman: Does a private self-consumption need a license?

Samuel Schropp-County Commissioner: No, six plants or less.

Ryan Schwebach-County Chairman: Only if it falls under these guidelines.

Samuel Schropp-County Commissioner: Do poinsettias or tomatoes hydroponically require a license?

Ryan Schwebach-County Chairman: Yes, if it requires a license to go with the state of New Mexico then it falls under these guidelines. We need to pay attention to it to protect our citizens. They don't regulate me on whether or not I put alfalfa or corn because it doesn't have any potential side effects. They do regulate the pesticides I use and how I use them, and I have a license for that. The state classified it as an agricultural product, but it is not a commodity, because the federal feds do not recognize it as an agricultural product. The feds recognize it as if it crosses the state line. It is an illegal substance. I think that's a huge thing because it's no different than looking at a nice-built shop. You don't know what goes on there.

Samuel Schropp-County Commissioner: Let's back up to the lights, because in talking with the Superintendent of the Salinas mission, she explained to me ordinances that are passed around the country and the world protecting that, and it's based on the Dark Skies Organization. We can adopt that as a County Ordinance. Those standards are taken care of when regulating your hoop house if you decide you're going to run lights 24 hours a day. That's a standalone.

Ryan Schwebach-County Chairman: In my opinion, that is a separate ordinance.

Samuel Schropp-County Commissioner: Instead of trying to wad all these into one thing, take it in pieces. Dark skies are going to regulate the lighting and hoop houses. It's going to regulate the lighting everywhere. Nondiscriminatory.

Ryan Schwebach-County Chairman: That's what I want to avoid. What do we do with the prison, because I want good lighting?

Samuel Schropp-County Commissioner: Yes, and they put shields and guards on so that it's contained on the property. There is modern lighting that was shielded to direct the light down and not let it stray light.

Michael I. Garcia-County Attorney: One of the things that's a helpful aspect of conditional use is that you don't have to spell out every possible restriction or condition for every possible operation. You can tailor conditions to a specific operation. For example, if somebody wants to have an indoor pot grow, they're 10 miles from anybody else, nobody can see them, then lighting isn't going to be that much of an issue. You wouldn't necessarily have to put the same condition on it. For somebody that's half a mile or the last from the nearest resident it makes sense to put that condition. That's one of the beauties of having a conditional use requirement, is that you can tailor the conditions to a particular area. At least for present purposes, echoing what Don said, I think this is a good start.

Ryan Schwebach-County Chairman: Your suggestion is, to stay with this and lean on our P & Z.

Michael I. Garcia-County Attorney: Stay with this. Don and I can provide guidance on conditions that they can adopt for a given application. We can also add to this, as things become apparent what will work and what won't. It's very hard to legislate.

Kevin McCall-County Vice Chair: I would like to see no commercial grow in any subdivision.

Ryan Schwebach-County Chairman: I agree.

Samuel Schropp-County Commissioner: I have to agree with that.

Ryan Schwebach-County Chairman: I think we need to leave commercial grow to commercial zone property and agriculture property.

Donald Goen-County P & Z Director: When you're saying agriculture, are you just talking zone A, or you're talking AP five, AP 10, AP 40?

Ryan Schwebach-County Chairman: What is AP?

Donald Goen-County P & Z Director: You have zones that are zoned as agricultural, and those have a 40-acre minimum. Then you have Agricultural Preservation with a five-acre minimum, a 10-acre minimum, and a 40-acre minimum. A is less restrictive than an AP 40.

Ryan Schwebach-County Chairman: I'm looking more at the size of the acreage. It needs to be on a larger acreage.

Donald Goen-County P & Z Director: That's why I was asking for the distinction. If we say, only allowed in zone, AP 40, A or the D zones, then with the commercial with the conditional use. That will knock out the AP fives of the AP 10s because we have had several of them go in those zones.

Samuel Schropp-County Commissioner: Don has proposed some changes as a beginning, and we don't have to rewrite the whole book today.

Ryan Schwebach-County Chairman: I would like, to pull off the residential to commercial.

Kevin McCall-County Vice Chair: I agree.

Linda Gallegos - Torrance County Chief Deputy Assessor: We're talking about regulating parcel size. For instance, if an entity purchased 40 acres that are in the condition use and their grow only sits on five acres, then we would be assessing the commercial rate on the five acres, and then the other 35 may be deemed agricultural or vacant and assessed at those particular rates. Are you suggesting that maybe the whole 40 acres, if that's what they own, and that's what the property sits on, is or should be valued at the commercial rate? That's what I'm seeing is going to be an issue.

Samuel Schropp-County Commissioner: Is the whole footprint of a Walmart Supercenter assessed at the same rate or as the building footprint at one in the parking lots at another?

Linda Gallegos - Torrance County Chief Deputy Assessor: That's what I'm asking. Are we going to use the whole area as commercial or just that area that is producing the so-called crop?

Ryan Schwebach-County Chairman: How would you assess a Walmart building?

Linda Gallegos - Torrance County Chief Deputy Assessor: The building would be assessed as a commercial improvement in the parking lot would be assessed as an extra feature identified as a parking lot and assessed as such. The property itself, as well as the land that it sits on, also has a valuation.

Ryan Schwebach-County Chairman: You have a one-acre building, on two and a half acres, got two and a half acres of land that is assess commercial, the parking lot is assisted a different value than the building itself.

Linda Gallegos - Torrance County Chief Deputy Assessor: Yes, because there's different value in a parking lot versus commercial improvement.

Ryan Schwebach-County Chairman: We have five acres of greenhouses on 40-acre parcels. The entire thing is commercial property.

Linda Gallegos - Torrance County Chief Deputy Assessor: That's what I want to clarify.

Ryan Schwebach-County Chairman: That is how I would zone it and look at it. That would be my intent. It doesn't mean that they can use the entire 40 acres.

Linda Gallegos - Torrance County Chief Deputy Assessor: Therein lies my concern, if they take it to protest and say, I want to protest the classification of my property, because even though it is zoned as commercial, we're only using a portion of that which should be assessed as a commercial rate, where the rest of it, we might throw some cows on there just to get the AG rate, the special method evaluation. That's my concern. I'm thinking that if we're clarifying the ordinance, it has to also sit within the ramifications of the statute that set out for assessment, for our Assessors. I don't want there to be a conflict between what we're doing in-house versus what the state is mandating.

Ryan Schwebach-County Chairman: I hear what you're saying. Details like this can be tweaked before we finalize.

Michael I. Garcia-County Attorney: I think so.

Action Taken:

Ryan Schwebach-County Chairman: Motion for approval.

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

F. PLANNING & ZONING: Review of proposed adoption of the Rural Addressing Ordinance, and request approval for publication of title and general summary before Public Hearing.

Ruben Gastelum - Rural Addressing, GIS Analyst: We've tried to revise the current ordinance by removing some of the language and making it clearer. The procedure is for issuing addresses in conjunction with Planning and Zoning on their permits.

Donald Goen-County P & Z Director: I'll give you an example. They were saying that we needed to address pre-plated lands and then back somewhere else. Number six says that we won't issue an address without a permit, and it says here that the address shall not be issued until after the permit. It's a contradiction. We removed a lot of those contradictions. We have suggested an addressing committee. I've never seen a real addressing committee. Have seen some form by the Commission for certain actions, and that's to eliminate roads from maintenance so they can people to block them off and have other access. It was removing conflicts, removing gray areas.

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve

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. GRANTS: Ratification of Memorandum of Agreement with New Mexico Department of Health to provide primary health care services in underserved areas as part of the Rural Primary Healthcare Act for a total of \$101,124.00 with a termination date of June 20, 2025.

Amanda Lujan - Grants Administrator: This is a grant that we've had for several years. It is to provide funding to the Mountainair Health Clinic, and it

funds much of their primary health care as well as some of their diabetes prevention and education programs. It's a three-year grant we renew every year.

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve

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

H. ROAD: Request payment approval of an unauthorized purchase to Inland Kenworth for \$41.77 for a purchase of a hose for the Kenworth Water Truck.

Misty Witt-County Finance Director: This was a purchase that they made without a purchase order in place. It was an emergency, a hose broke on a truck at a job, but they didn't follow the emergency procurement process.

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve

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. EMERGENCY MANAGEMENT: Request payment approval of unauthorized purchase to CINTAS for \$232.41 for the stocking First Aid Cabinet in the CID/Emergency Management Building.

Samantha O'Dell-County Emergency Manager: This is a cabinet that's been in the building since before I started. I'm not sure how long it's been there. It was being paid previously by the Sheriff's Department. There's a communication issue that occurred and this is now an Emergency Management responsibility. I learned this after the invoice, which is why it did not have a PO.

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve

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. EMERGENCY MANAGEMENT: Request acceptance of 2024 State Homeland Security Grant Program (SHSGP) Funding for \$290,300.00 to upgrade Dispatch (\$240,300) and Torrance County Sheriff's Department handheld radios (\$50,000) to be compatible with State 700 Radio System. -
Deferred

K. SHERIFF: Request payment approval of an unauthorized purchase to the New Mexico Department of Public Safety for \$10.00 for an instructor certification fee.

Reecie Eckard – Sheriff's Executive Assistant: This was a miscommunication between DPMS, DPS, and New Mexico County support \$10 fee for training for one of our Deputies.

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve

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

L. SHERIFF: Request payment approval of an unauthorized purchase to Tavenner's Towing in the amount of \$399.50 for a Motor Vehicle Accident that occurred on September 13, 2024.

Reecie Eckard – Sheriff's Executive Assistant: This was regarding a fatal accident that happened, and Taverners needed to tow the vehicle. We now have an open PO to take care of these kinds of things in the future.

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve

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

M. SHERIFF: Request payment approval of an unauthorized purchase to the Radar Shop
Yearly in the amount of \$1,523.00 for the inspection of all Radar and Lidar Units.

Reecie Eckard – Sheriff’s Executive Assistant: We usually have the inspections occur in October, but they moved it up on us. They are out of Kansas, so we had to take it when they they're available for us and we did not have an open PO for them.

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve.

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

N. FINANCE / PROCUREMENT: Request approval of multiple vendor contract award for RFP #TC FY24-25-02, to provide Girls Circle Facilitator Services (Recommendation of the award to Braycon Company LLC & Serena Ortiz)

Misty Witt-County Finance Director: We went out to RFP for the Boy's Council, and Girls Circle from the Juvenile Justice Program. We did get a couple of responses for the girls' circle, which is why we're recommending multi-vendor awards that will also allow us the capability to expand programming in other schools. We have more than one or two girls' contractors.

Lindsay: I've been facilitating girl circles with Torrance County for the last three years, starting in the 2021-2022 school year. I'm looking forward to continuing. I started with seven girls at EVCA, and it's grown to 47 girls. Last year, we had all of these seventh and eighth-grade girls at Estancia Middle School with incredibly

positive feedback, and we were in Moriarty Elementary last year. Fifth grade, is overwhelmingly positive feedback from the girls who wish to continue into middle school, so I hope to follow them into sixth grade at Moriarty Middle School this year. This is a great program. I've seen tremendous growth in the girls. They bond and support each other. They learn how to deal with difficult situations, and how to deal with situations assertively. Stand up for themselves, stand up for others. We talk about body image, how to be safe on social media, relationships in general, conflict management, just a ton of positive social skills, and different self-esteem-type building curricula.

Serena Ortiz: Thank you so much for having me here today. I have previous experience working with youth with the New Mexico Public Health Institute in Las Cruces, New Mexico, doing several programs for youth substance use prevention there. Recently I moved to Torrance County about two years ago and saw this program, which is why I've come here today. I'm excited, from what I've heard, about this program. I'm excited to bring my public health knowledge to support the program and to expand it more. I have a passion for the youth here. I have a lot of family who live in this area. Thank you.

Misty Witt-County Finance Director: We have a split equally amongst the contractors. Those would be reallocated. There's one contractor that could take on more sessions than another. We could reallocate accordingly. Right now, it's an even split between all the contracts.

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve

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

O. FINANCE / PROCUREMENT: Request approval of contract award for RFP #TC FY24-25-005 Boys Council Facilitator (Recommend of an award to Robert Chavez)

Misty Witt-County Finance Director: This is the same program that we're talking about with girls, just on the boys. This contractor has gone through the evaluation process with the RFP evaluation committee and the interview process. He's also recommended for an award. I also want to clarify that all these

contractors have to have approval by CYFD as well. After you approve this, it will go to CYFD for their final approval.

Robert Chavez: Thank you for having me here today. Previous experience working with kids. I worked at EVCA for two years as a disciplinarian there and during my time during a disciplinary, I didn't only just do disciplinary stuff. I also did a lot of coaching and mentoring with the students that are K through 12. I've also helped with Estancia, the town of Estancia, with their summer programs, educating them on gangs and narcotics and that type of situation that we could be faced with. I've helped with Torrance County, the Sheriff's Department, with the junior deputy program. I'm just looking forward to and wanting to work with the kids, passionate about the kids here in this area. I'm from here, born and raised, so thank you.

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve.

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

13. DISCUSSION

A. GRANTS: Presentation by SOURCE, a provider of clean water solutions for rural families without access to water systems, on private wells, hauling water, buying bottled water, or utilizing impaired small water systems. -
Deferred

B. CLERK:

Linda Jaramillo-County Clerk: Early voting is going on here in the building, we had 125 votes and 200 Absentees by Mail. We send out almost 500 ballots to our absentee voters. I will go to the Moriarty City Council meeting tonight to inform them about the number of people that are going to be going through their facility beginning October 19th. Last time we had approximately 2000 voters.

C. MANAGER'S REPORT:

J. Jordan Barela- County Manager: Since our last meeting, there have been two new hires at the County. Antonio Serrano was hired as a lateral Deputy with the Sheriff's Office, as well as Esther Edgel who started with Dispatch. In addition, there are four new hires for dispatch, and they'll be starting shortly. I believe they have accepted, it's a matter of doing the intake. We are moving in a positive direction. In addition, the HR Director position closes Thursday. We have about five applicants, we will be reviewing those applications in their entirety and hopefully scheduling interviews.

New Mexico Counties have reached out to us to request our participation in a hearing that will be held with the Criminal Corrections and Justice Committee. There's going to be a presentation from a law firm, as well as UNM looking at the economic impact of communities with private detention facilities. Since Torrance, Otero, and Cibola County are all in that position, they did request Torrance County's participation. The Criminal Corrections and Justice Committee is a subcommittee of the state legislature. It's a multi-day hearing. The presentation that applied to us is a presentation that's being provided by a law firm and UNM related to the economic impact of these facilities. As one of the impacted communities, New Mexico Counties wanted us present there. It was scheduled for this Friday and was canceled. I informed New Mexico Counties; that we will attend when it is rescheduled.

D.COMMISSIONERS' REPORTS

1) Kevin McCall – County Vice Chairman, District 1

Kevin McCall-County Vice Chair: I'll take my time to get back to the County Manager. I think it's prudent what New Mexico Counties told you about the insurance on Law Enforcement.

J. Jordan Barela- County Manager: I intended to get a little more detailed information from Mexico Counties before bringing it up to the board. We do know that there is going to be a substantial insurance increase for Law Enforcement Officers. New Mexico Counties reached out to us. Due to the number of claims related to Law Enforcement across the state, we should anticipate a relatively substantial insurance premium increase. Now what that number is yet we don't know. They didn't provide that. I was hoping to schedule a meeting with our

liaison for the Insurance Committee with the County Manager for Santa Fe County, myself, and Misty, to get a better determination on what that looks like. Is it 50%, or 100% we don't know right now. All we know is it's going to be an increase. As soon as we get more details, we will bring them to the Commission.

2) Ryan Schwebach - County Chairman, District 2

Ryan Schwebach-County Chairman: None

3) Samuel Schropp – County Commissioner, District 3

Samuel Schropp-County Commissioner: I turned over my files on TCDF, in preparation for CCJ. I had contact with Congresswoman Stansbury's staff and met a lobbyist there, and I put him in contact with Mr. Barela. He will be discussing that with the two of you as we look at alternatives to the TCDF being a detention facility.

14. EXECUTIVE SESSION:

A. COMMISSION: Discussion regarding bargaining strategy, closed pursuant to NMSA 1978, Section 10-15-1(H) (5)

Action Taken:

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

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

05:10 PM

Action Taken:

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

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

06:04 PM

Ryan Schwebach-County Chairman: We will direct our Manager to move forward with adjusting the title, filling the contract to County Deputy County Manager/Finance Director, and forward with executing the contract.

15. **Announcement of the next Board of County Commissioners Meeting:**
October 23, 2024, at 9:00 AM

16. **Signing of Official Documents.**

17. **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 06:05 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)



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item

No. 8 B

DRAFT COPY
Torrance County Board of Commissioners
Regular Commission Meeting
October 23, 2024
9:00 AM

Commissioners Present:

RYAN SCHWEBACH – COUNTY CHAIRMAN - Absent
KEVIN MCCALL – COUNTY VICE CHAIRMAN
SAMUEL SCHROPP – COUNTY COMMISSIONER

Others Present:

J. JORDAN BARELA – COUNTY MANAGER
MISTY WITT – DEPUTY COUNTY MANAGER
MICHAEL GARCIA – COUNTY ATTORNEY
LINDA JARAMILLO – COUNTY CLERK
GENELL MORRIS – ADMINISTRATIVE ASSISTANT I
AMANDA LUJAN – GRANT COORDINATOR

1. **Call Meeting to order.**

Kevin McCall-County Vice Chair: Calls the October 23, 2024, Regular Commission Meeting to order at 9:03 AM.

2. **Pledge led by:** Kevin McCall– County Vice Chairman

Invocation lead by: Samuel Schropp – County Commissioner

3. **Changes to the Agenda:**

J. Jordan Barela- County Manager: Defer items 8A and 13A, were both not ready to be presented.

Action Taken:

Kevin McCall-County Vice Chair: Motion to approve.

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

4. **PROCLAMATION: None**

5. **CERTIFICATES AND AWARDS:**

A. Presentation of the Employee of the Quarter for Q2 2024.

B. Presentation of the Employee of the Quarter for Q3 2024.

J. Jordan Barela- County Manager: We have two employees of the quarter that we wanted to bring to the board's attention and acknowledge. The employee of the second quarter, for 2024, is Shannon Waldorf from the Sheriff's Office. I haven't had an opportunity to work with Shannon directly, but I would like to read the nomination that was provided for her. That nomination is as follows: I would like to nominate Shannon Waldorf for the honor of employee of the quarter. Shannon came into the Sheriff's Office and brought with her a contagious light. Any work Shannon completes is efficient and complete. Shannon also has a way of keeping order among the workloads she possesses and the demands of the deputies and administration. When the Sheriff's Office was short an administrator, Shannon took on many extra duties without complaint. Shannon is a pleasure to work with, professional, and diligent in her duties. I appreciate her attention to detail. She is self-driven, and I believe she's a model employee. We are proud to have her working in the Sheriff's Office. This was from Under Sheriff Reynolds. We also have a certificate and a small gift for you.

The employee of the third quarter is Deborah Romero with the County Manager's Office. I have had an opportunity to work with Deborah, so I will read the nomination that was provided. This was provided by Tracy Sedillo before she vacated her position, she said, "I would like to nominate Deborah Romero. Deborah is very helpful in all areas and is always ready to assist whenever she is needed. Deborah has taken on many duties and responsibilities, and she does an excellent job. She is great with the public and employees. I think she deserves this award because she is a dependable person, and I appreciate the work she does within our office," I can say that I echo those things. Congratulations to both of you.

Kevin McCall-County Vice Chair: I'd like to introduce our new Deputy County Manager, Misty Witt.

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

7. **PUBLIC COMMENT and COMMUNICATIONS:**

A. PUBLIC COMMENT (Comments limited to two minutes.)

Tiffany Wong - Legal services provider with Innovation Law Lab: Today, I will be reading an English translation of a written statement that Antonio Jose Hurtado Rodriguez shared with the Law Lab when staff recently visited him at TCDF. During the visit, he and more than a dozen other members asked that their written statements be shared publicly, including in this venue, my colleague PJ Podesta, who's on Zoom, has the original copy in hand. He's holding it up on Zoom. This is Antonio's statement,

September 10, 2024, I am Antonio Jose Hurtado Rodriguez. I am from Venezuela. I've been here for four months in Torrance, New Mexico. My companions and I have received mistreatment from the staff. They have put us in orange uniforms for three days, locked up with the prisoners, without blankets. They throw us food like we're animals. I want to be with my family. My brother and my mother live here in the United States. My mother is very sick. She suffers knowing that I'm here, I'm also sick. I don't have visibility in my left eye. I have a kidney that doesn't work. My deportation officer doesn't want to let me get out. He says I need to stay here. They don't give me medical attention. I ask for your help so that this can be published. I want to be with my family. Thanks. Have a nice day.

As we stated a month ago, my organization and our partners continue to show up here with the first-and account of what's happening in TCDF because the people we support tell us that because of the impunity from ICE and Core Civic one of the only things that they can do is speak out and try to stop the harm that's continuing from what might come in the future. Data show that since 2017 out of the 41 ICE contract terminations nationwide, it was the local government who chose to end the contract. In 24 of those instances, the Torrance County Commission can and should decide to stop serving as the middleman contracting with ICE and Core Civic to continue cruel and harmful immigration detention. Thank you.

Chad Hamelton – Resident: We're still having difficulty on Ranchito's Road, it is now getting washed out worse. Last week, a paramedic unit went down that road.

It took 15 minutes to go one mile. I've talked to several people about trying to get something done with this road. There are gas lines that are down that road. What's going to happen when they get hit and explode? We have dealt with this for four or five months. I've talked to the Commission here several times. I've been arguing about this road for 15 years. Is anything ever going to be done with this, or is it just going to be until somebody dies? An ambulance gets flipped, and somebody dies? What's going on with this road? I'm just curious. I've been coming to these meetings for three months, and I get told every time, well, we're going to look into it. Well, nobody's looked into it. That's the problem, on the corner if the road is wet you will slip and slide into a ditch. We're not asking to pave it, or for gravel, all we're asking you to do is build it up where it's passable, so paramedic units, EMTs, and a police officer can get back there. You have a school bus backing up into a field with children on it. That should not happen at all. What are the steps we need to take to get something done with this road? It's been 15 years. I keep getting red tape.

Kevin McCall-County Vice Chair: We're going to look into it. I'm not going to speak for Commissioner Schwebach, this is his district, and I know he's been working on it, so I don't have any updates for you today.

Samuel Schropp-County Commissioner: Mr. County Manager, if you check with the chairman, see what progress has been made, and ask him if he wants you to direct Leonard Lujan to look into this and start to repair particular patches that need to be made passable for emergency equipment can get through.

Chad Hamelton – Resident: Thank you.

David Sibley – Resident: I'm backing him up on that, because I've had quadruple bypass surgery, and I like to have an ambulance get to me in time. I am not ready to kick the bucket yet. Kylie, my son's probably worried about his dad too, and he's a state cop. Thank you.

***Comments by Zoom**

David Chavez - volunteer with the New Mexico Immigrant Law Center: I'd like to read a statement from an individual currently detained at the Torrance County Detention Facility. This is a translation from the original Spanish. My

name is Jonathan John Romero Quinn. I am from Venezuela. I've been detained since May 19, and it has been very difficult for me here. I'm being treated as a gangster because I have tattoos and feel this discrimination against me for being a migrant. I'm separated from my family, my wife, and my daughter are going to El Paso Texas. They are alone and need me physically and emotionally. We suffer from being apart, and I ask for help to get reunited. I passed my credible fear interview, but I remain detained solely for having tattoos. The food here is bad, as is the medical attention. I am being treated as a dangerous person, and in fact, I have no criminal record and would previously reveal it. It is very difficult for me. Thank you.

Samuel Schropp-County Commissioner: Are you licensed to practice law in the state of New Mexico?

David Chavez - volunteer with the New Mexico Immigrant Law Center: I am not a lawyer. I am a volunteer with the New Mexico Immigrant Law Center.

Samuel Schropp-County Commissioner: Thank you.

PJ Podesta - Legal Services Provider with Innovation Law Lab: Today I'm reading a series of quotations from a longer set of writings that people detained at Torrance County Detention Facility shared with me just over a year ago. They echo similar comments other men have shared since about harmful health effects and lack of appropriate medical attention, thus demonstrating that ICE and Core Civic contracting with Torrance County have been and continue to be unable and unwilling to address these issues. From retained writer number one, "There isn't the necessary medical attention that one requires." From letter number two, "Doctors don't attend to us when we need them. In emergencies. We have a painful emergency, and first, we have to fill out our information on a form. This is bad because, with illness, we don't know ahead of time when they are going to get sick. I want them to be able to attend to us well and quickly at the moment that we need them." Letter number three described, "Very bad medical attention, because when you were sick and wanted a medicine, you have to fill out a paper and wait till it pleases them to give it to you, or at the same time they give you a pill and nothing else, and we could die waiting for them to attend to us." Mr. Pazmino wrote, "In my experience, medical attention is useless. They don't even want to touch you if you're hurt. I live this firsthand; I opted not to ask for more medical attention

because the pills don't work.” The original handwriting and translations of these and other comments are available online at bit.ly/tcdf723. Thank you all for listening to these accounts from people coming from inside the Torrance County Detention Facility.

Samuel Schropp-County Commissioner: Are you licensed to practice law in the state of New Mexico?

PJ Podesta - Legal Services Provider with Innovation Law Lab: I'm an accredited representative under the Department of Justice supporting immigrants and ICE detention, I'm licensed to practice accordingly.

Samuel Schropp-County Commissioner: Thank you.

Ian Philabaum – Innovation Law Lab: I'll be quoting from individuals who were detained at TCDF and shared testimony in January of this year seeking to reach the eyes and ears of decision-makers with the power to stop this harm. The testimonies resonate with other comments shared before and since that time, demonstrating that ICE and Core Civic contracting with Torrance County have been and continue to be unable and unwilling to address these issues over time. Mr. Macchiavello wrote “Since I got here, it's been a traumatic experience. I don't feel safe in this place. There are racist officers. Is it daily torture? I have split lips from the cold. I have fungus on my feet, which aren't attended to. I've lost a lot of weight. I don't feel good seeing myself in the mirror.” From another writer. “We are abused psychologically, and verbally, and the deportation officers lie to us”. From Daniel Jimenez, “I ask you all for help with human rights because they deprive us of our rights here in this detention center. There's mental, physical, and psychological torture, bad food, medical health that doesn't work. I've gone three months with kidney pain because I have very large kidney stones. I have a fever and labor is painful, and they don't attend to me.” From Emilio Rodriguez, “Please close this place that ends our dreams and mistreats us psychologically.” The original handwriting and translations of these comments from January 2024, as well as many, more, are available online at bit.ly/timelinetcdf which I will also put in the Zoom chat. Thank you,

Samuel Schropp-County Commissioner: Are you licensed to practice around New Mexico?

Ian Philabaum – Innovation Law Lab: I am an accredited representative under the DOJ.

Samuel Schropp-County Commissioner: Thank you.

Cointa Najera - Paralegal for the Asylum and Detention team at the New Mexico Immigrant Law Center: I will read the following anonymous statement. I find myself detained by ICE since June 2024. From that day, my worst nightmare began with bad treatment, injustices, psychological damage, and bad nutrition. I am in Torrance New Mexico. I have been discriminated against for being from another country. Core Civic should be shut down. We are treated like objects. We are just business to them. ICE does not hear our complaints, and they do not come to see us. I am a young adult of 22 years old, born in Venezuela. I have a beautiful baby girl, she is two, her name is Audrey. The person now from Core Civic has me in cell unit 5c of Torrance. I am separated from other migrants, and they dress me in blue, stating I am dangerous when my record is clean. I have never been in prison before. My question is, why am I dangerous? Why am I isolated? Our Deportation Officers do not give us information about our cases. ICE does not care about us. Where are the human rights in this country? The medical personnel here at Core Civic is trash. Pardon the word, but trash is the correct word to describe this facility. I asked for my freedom. I am not listened to. This place is hell on earth. We live in a nightmare, but we are awake. Why is it allowed for facilities like Core Civic to oversee us? How much longer should we suffer here in this space? We are people. We are human. Ask for justice, please help us.

Lauryn Pfrommer–Pease - Asylum and Detention Advocate with the New Mexico Immigrant Law Center: I work to help provide our communities with dignity, justice, and humanity, all of which are being violated at the Torrance County Detention Facility. I will also be reading a statement written by someone who's currently being detained at the facility. My name is Reiner, and I've been here for five months at TCDF Core Civic. They have treated me like a prisoner, not like a migrant. Because I have tattoos, they tell me that I'm a gang member. I want to say that I should be treated justly. The food here is awful. The guards treat you as if you are less than them. ICE doesn't give me any answers at all. They don't say a word. I know nothing about what is going on. I need help as I've been here

for five months. I want my freedom as we all do. Medical treatment is not acceptable. All they do is hand out ibuprofen without any actual medical care.

Alondra Reyes - Policy and Partnerships Manager at the New Mexico

Immigrant Law Center: I'm going to be reading these statements from a detainee in Torrance. I'm reading the original and the translated as well, starting with the translated. I have been detained by ICE for four months, and I have lived in risky situations with very bad treatment by Core Civic here in Torrance, New Mexico. ICE does not inform us of our cases, and they discriminate against us for being immigrants and seeking asylum in this country. I guarantee you all your pets, cats and dogs, are eating better than the detainees held by ICE. Additionally, they keep us from going outside and only let us go to the patio when the officials feel like it. I qualify for asylum, and I have a sponsor who is an American citizen who is willing to take me in, yet ICE has declined my exit, and I'm still detained without reason. I'm reading the Spanish original statement as well. (read in Spanish) Thank you.

B. DEPARTMENT UPDATES AND COMMUNICATIONS

1. Assessor's Office Update

Linda Gallegos-Chief Deputy Assessor: A quick update on what's going on in our office. I think it's important for you all to know what an integral part our office plays. Our tax roll was sent over to the Treasurer on September 27th, she verified that and sent it off to the printer. The tax bills will be mailed next Friday, the 1st. The 1st half of your property tax bills are due and payable through November 10. The second half is due and payable by May 10, 2025. You have 30 days to pay those without penalty of interest. Regarding our protests, we had 165 protests filed this year. Out of 165, we had one formal protest, which took place on October 16th. I'm very proud of our staff, that we were able to assist our taxpayers with their disputes, and only have one person who needed to go to the formal protest board.

We'll have a busy time in November and December, as when the tax bills go out. That's when folks let us know that they're not happy generally with their tax bills and want to know why. It falls back on the Assessor's Office to explain why their valuation is assessed the way it is, and then the tax bills are calculated accordingly. Also in December, we will be sending out our Livestock and Business Personal

Property Forms. The Livestock Forms are the blue forms you have until the last day of February to report or render your livestock and your business personal property. After the last day of February, there is a 5% penalty, non-remission attached to your tax bill if we don't get that. Our Livestock Specialist does a really good and diligent job of trying to remind folks, not only with the first notice but a second notice to keep everyone in compliance and not lose their special method evaluation for livestock.

We will also send out our 65 and older valuation freeze applications for 2025. Those are sent out to folks who are 65 and older or disabled at any age and seek a valuation freeze on their property. If it is requested, we'll send a form out. Then if you are in the first-year, second-year, or third-year process, we continue to contact the property owner to get their application filled out and complete that process.

8. APPROVAL OF MINUTES

- A. COMMISSION:** Request approval of minutes of the October 09, 2024, Regular Meeting of the Board of County Commissioners. – **Deferred**

9. APPROVAL OF CONSENT AGENDA

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

Action Taken:

Kevin McCall-County Vice Chair: Motion to approve payables.

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

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

- 11. ADOPTION OF RESOLUTION:** None

- 12. APPROVAL**

A. CLERK: Request Approval of An Annual Contract with Terralogic Document Systems in the amount of \$846.00 to Provide a Microfilm and Microfiche Scanner and Maintenance Services for the Torrance County Clerk's Office.

Sylvia Chavez-Chief Deputy Clerk: I am here to present the annual contract that we have with Terralogic, also known as PDS in the past, for our scanner. This covers any kind of service calls that we have. They come and they clean the microfilm machine quarterly. This is the annual contract that we've had since 2017 with this particular scanner we have in the office.

Action Taken:

Kevin McCall-County Vice Chair: Motion to approve.

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

B. FINANCE: Request Approval of Contract Award for RFP #TC FY24-25-0027, A Service Agreement Between Torrance County and Bold Planning, LLC in the Amount of \$74,040.00 for Updating the 2017 Hazard Mitigation Plan for Torrance County, the Town of Estancia, the City of Moriarty, the Town of Mountainair, the Village of Willard, the Village of Encino and the Claunch-Pinto Soil Water Conservation District.

Kristin Saavedra- Chief Procurement Officer: This has been recommended by the evaluation committee to approve the award for Bold Planning, which scored a total medium of 995, out of six proposals, they were the highest scoring one.

Action Taken:

Kevin McCall-County Vice Chair: Motion to approve.

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

C. FINANCE: Request Approval to Pay Prior Year Invoice to Iron Mountain in the Amount of \$505.17 for Storage Services Fees and Charges Incurred in Fiscal Year 2023.

Misty Witt- Deputy County Manager: This is a contractual service. The contractual services are paid via finance. This one, for some reason, was missed on the year-end calendar. This is a contract with the Clerk's Office for storage of their microfilm.

Action Taken:

Kevin McCall-County Vice Chair: Motion to approve.

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

D. DWI: Request Approval of a Memorandum of Understanding between the Torrance County DWI Program and the Town of Estancia Police Department for DWI Enforcement Activities.

Deanna Lopez-County DWI Program Coordinator: This is an MOU with the Town of Estancia to conduct DWI enforcement activities such as directed patrols. At locations within the Town of Estancia. It's using our grant funds to pay for overtime, for them to conduct DWI enforcement activities.

Action Taken:

Kevin McCall-County Vice Chair: Motion to approve.

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

E. MANAGER: Request Approval of the Revised Job Description for the Position of the Torrance County Deputy County Manager, and Approval of the Revised Organization Chart for the Torrance County Finance Department.

J. Jordan Barela- County Manager: At the board's previous direction, we did amend the job description for the Deputy County Manager to include the responsibilities of overseeing the Finance Department. Essentially, there were two additions to the job description, indicating that one of the primary responsibilities of the Deputy County Manager would be to coordinate and oversee all functions of the Finance Department. In addition, we added Exhibit A to the job description, which illuminates what oversight of the Finance Department would look like, and a lot of those duties came directly from the previous job description of the Finance Director for the Finance Department. We believe that these changes ensure that all of the responsibilities that will have fallen to the Finance Director are now incorporated as part of the job description of the Deputy County Manager.

In addition, we revised the organizational chart for the Finance Department that has been included, showing the Assistant Finance Director and Chief Procurement Officer reporting directly to the Deputy County Manager. One additional change that we are requesting is to have the Grants Administrator report to the County Manager, and part of that was for overseeing grants and projects. I think a lot of the functions of the grants department overlap and take quite a bit of coordination between other department heads. This will help coordinate projects and grant sources and make sure that things are on pace and getting completed.

Action Taken:

Kevin McCall-County Vice Chair: Motion to approve.

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

F. MANAGER: Request Ratification and Concurrence of an Employment Agreement between Torrance County and Misty Witt for the Position of Deputy County Manager.

J. Jordan Barela- County Manager: At the board's direction, negotiated a contract between Torrance County and Misty Witt that was agreed upon. That contract was executed on October 11, with a start date of October 14. It would be a two-year contract from October 14, 2024 through 2026. We believe that all of the terms of this agreement were in alignment with what was negotiated previously. We are here today to ask for occurrence from the board and ratification of the contract since that was already executed on October 11th.

Samuel Schropp-County Commissioner: Mr. Garcia, have you reviewed this?

Michael I. Garcia-County Attorney: Yes, I did.

Action Taken:

Samuel Schropp-County Commissioner: Motion to approve the ratification and agreement between Torrance County and Misty Witt for the position of Deputy County Manager.

Kevin McCall-County Vice Chair: 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. MANAGER: Discussion of the Property Located at 16 E. Willow Lake Road, McIntosh, NM 87032, Also Known as the McIntosh Senior Center. -
Deferred

B. CLERK: 2024 General Election Update

Linda Jaramillo-County Clerk: Yesterday was the last day to request an absentee ballot. Those people who request an absentee ballot will be sent a letter informing them of the closing of accepting applications. We sent a list of all the polling places and where they can go to vote. We issued 871 absentee ballots. 358 have come back. I want to inform you that while they were processing these ballots, there was a batch of about 140 without return addresses. All those envelopes have the person's name and the county that they belong to. I alerted the Post Office. We were able to recoup about 88 of those, and we still have two more weeks of those coming in. We will keep a close eye on that total.

They implemented permanent absentee again. That means we must drag everybody from the Primary that was permanent into the General and that required that we batch in groups. My Absentee Board is not used to batching, this is new. In the past, each person was processed individually. They were not familiar with batching. When we got calls, we isolated the ballots without addresses. Kevin's

picking up 14 more ballots from Bernalillo. I'm keeping all the envelopes that are coming in without addresses separate from the rest and tracking them. Even if there is an address there will always be ballots that come in slowly because voters delay in sending them in or some don't vote their ballot and don't send them in. I believe the ballots will get back to us with the help of the Post Office and because of the ones that have come in already. The absentee board is keeping a close eye on these ballots.

Kevin McCall-County Vice Chair: Can a person show up to a polling place with an absentee ballot and cast that?

Linda Jaramillo-County Clerk: A lot of people wait and don't mail their ballots. They take them to our polling places. The only way that you can, if you requested an absentee ballot, is you go to the polls and say, I never received my ballot. Mail gets lost. We issue an affidavit of non-receipt, and we keep that affidavit of non-receipt. If that ballot was to come in, it's nullified, and documented. We've had 558 early voters here at our office, and 718 in Moriarty.

Samuel Schropp-County Commissioner: We had a structure fire to the northwest of the building, and the prevailing winds filled this building with smoke. In the interest of safety and health, the County Administration Building was closed down until that could be corrected. That caused problems for the Clerk.

Linda Jaramillo-County Clerk: We had voters here and had to evacuate the building. I was the last one here because I was trying to get everything situated. I called the Secretary of State's office informing them our building was being evacuated. What do we do? What's the plan? They asked me if I could move it to another polling place here in Estancia. I said I couldn't because I couldn't get the equipment out. We had set up in Moriarty on Saturday and asked if it would be possible to move it to the Moriarty Civic Center. They said I could. I called some of the Moriarty precinct workers, Sylvia, myself, and Senaida went to help. We put signs on all the doors here in the building directing voters to the Civic Center. We got a lot of the voters that came here, that went to Moriarty. We processed 150 voters there on Monday. The polling place wasn't supposed to be open, but people showed up. We have four BODs and there was never a big line. We processed them quickly, with lots of booths, so nobody had to wait in line there very long.

Kevin McCall-County Vice Chair: What do you suspect voter turnout?

Linda Jaramillo-County Clerk: Right now, we have a total of 2,169 out of 10,200. I thought we were going to have a lot more absentee by-mail voters because we had 2000 Absentee Ballots for the 2020 election. We are not close to that. At our Early In Person sites, we are getting a lot of voters and it's not over yet. I appreciate everybody's votes. It's our democracy. I want everybody to practice their right to vote. Thank you.

C. MANAGER'S REPORT: Personnel and Administrative Items

J. Jordan Barela- County Manager: The HR Director position is still vacant. That position closed last Thursday, and we will be conducting interviews with two qualified applicants this Thursday. We may have some determination as to where that position goes in the coming week. In addition, our Executive Assistant, Nancy Shriver with the Manager's Office, has notified us that she will be leaving in the middle of November, she has taken employment in the private sector. We do wish her all the best. In anticipation of that, we have already posted for the Executive Assistant position that closes this Thursday. We already have many qualified applicants. The intent with that was to try to identify somebody ready to go before Nancy's departure, so we could potentially do some cross-training before she leaves us.

On the fire side of things, that's moving in a positive direction. I know the Chief is here today, but in the next week, fire will be making four offers of employment to firefighters/EMTs, three of which are PRNs, one of which is a grant-funded position. I believe there will also be an offer for the Division Training Chief in the coming weeks. They've identified a candidate for that position as well. We are filling some of those critical vacancies in public safety.

We received a letter from the IRS in early October. According to this letter, the IRS is proposing a penalty against Torrance County of \$78,300 for W2s that were filed late with the IRS for the calendar year 2022, but the filing did happen in 2023. The filing date for those would have been January 31, 2023. We were able to look into the system, and our Deputy Manager Witt was able to find some information showing that we received the acknowledgment of receipt from the IRS when those were submitted in August of 2023, so that was, in fact, late. I have had some discussions with former Manager Janice Barela, as well as Tracy Sedillo, and we are still doing a little bit of research on that. Both the previous administrations informed me that they were aware in probably late July that there were issues in terms of getting this submitted. What we're trying to determine is what happened

between the end of January and July when Manager Barela was notified that these had not been submitted to the IRS at that time. We are doing a little bit of research right now, and Dominica our Legal Assistant, is helping us with that process to try to determine what communication may have happened between personnel and the IRS because the people directly involved in that are no longer employees with Torrance County.

We have two options, one of which is to accept the penalty, in which case that that would be submitted to the IRS in addition to the payment. The other option would be to grieve it, though it is hard to make a recommendation right now on the grounds for grievance until we can complete that research and determine what communications may or may not have happened through that period. The actual due date for response would be November 20. We are looking to make a secondary presentation to the board once we have those additional details at the first meeting in November and get some guidance from the board in terms of what direction we would like to take, as far as our response to the IRS.

Samuel Schropp-County Commissioner: I would recommend, based on some personal experience, trying to negotiate that \$78,000 down.

J. Jordan Barela- County Manager: We are planning to have that conversation with them this afternoon. Specifically, we want to initiate the conversations to determine, given the fact that this is going to take some research, if there could be an extension on this. Assuming, it was submitted late, and we can't find that ground we would have that discussion with them to try to come up with some type of negotiation.

Kevin McCall-County Vice Chair: Is this just a penalty, or is this interest as well? Did we not pay?

J. Jordan Barela- County Manager: This is just a penalty. The way that the penalty breaks down is, depends on how late the submission is. If it's within 30 days, it's \$50 per W2, if it's within 60 days, it's \$110 per W2, anything after August, it goes up to \$290 and that's what that penalty is. It's \$290 per W2 times all of the W2s for all of Torrance County. November 20th is the date of payment if we do not reach an agreement with the IRS, or should we not submit payment by November 20, at that point, interest will begin to accrue. On the proposed penalty. We are still trying to determine right now, in terms of who's having those communications. My understanding, at least talking to the Former County Manager Barela, is this was housed with the previous Deputy County Manager and

Finance Director. It would have been the responsibility of one of those two positions to get this done. The interesting thing is that we don't know why. My understanding is Tracy who was the Treasurer at the time ended up doing the submission. Once she was notified that it was late because she had access to the IRS database to complete the submission. It wasn't submitted by the Finance Department. We still have more research to do. We don't know all those details right now.

Samuel Schropp-County Commissioner: Hopefully, this was a problem because of our transitions and our turnover. As everybody knows, it's caused this Commission a lot of trouble. It's causing the County Manager, the Deputy Manager, the previous Manager, and the Deputy a lot of problems. Hopefully, we've got some stability coming to settle a bunch of these problems that have been coming to our attention in the last three months or so.

Kevin McCall-County Vice Chair: Employees got their W2s; we did not file with the IRS.

J. Jordan Barela- County Manager: Yes, the E-filing of those documents.

Linda Gallegos-Chief Deputy Assessor: My staff is going to have questions regarding this. Does that affect the employees in any way?

Misty Witt-Deputy County Manager: It's the County at this time. The employees' W2s were correct, there weren't any amendments needed to the W2, and the employees should not be affected by this.

D.COMMISSIONERS' REPORTS

- 1) Kevin McCall – County Vice Chairman, District 1

Kevin McCall- County Vice Chair: None

- 2) Ryan Schwebach - County Chairman, District 2

Ryan Schwebach-County Chairman: Absent

- 3) Samuel Schropp – County Commissioner, District 3

Samuel Schropp-County Commissioner: Last week, I was asked to participate and lecture at the first New Mexico State Parks Marine Enforcement Officer training. These are all folks that have gone through the State Police Academy. In New Mexico, there's not a whole lot of boating knowledge among the Marine Enforcement Officers. It was a lot of fun. I can tell you that that's a much easier job, and it's no wonder we're having a hard time hiring when you have the chance to ride around in a boat and not get shot at versus riding around in a car in Torrance County. It was great to see those eager young people wanting to learn the job. That was a gratifying experience. Thank you.

- 14. **EXECUTIVE SESSION: None**
- 15. **Announcement of the next Board of County Commissioners Meeting:**
November 13, 2024, at 9:00 AM
- 16. **Signing of Official Documents.**
- 17. **Adjourn.**

Action Taken:

Kevin McCall-County Vice Chair: Motion to adjourn.

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

The meeting adjourned at 10:00 AM.

Ryan Schwebach - Chairman

Genell Morris – Admin Assistant

Date

Linda Jaramillo – County Clerk

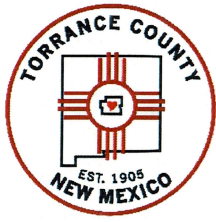
The Video of this meeting can be viewed in its entirety on the Torrance County NM website. (torrancecountynm.org)



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item

No. 9 A



ACCOUNTS PAYABLE CHECK REPORT APPROVAL

Torrance County Commission Approval:

We the undersigned members of the Torrance County Board of County Commissioners met in regular session on **November 13, 2024**, and approved the attached check report as presented against the funds of Torrance County in the amount of **\$1,180,557.74**

Kevin McCall, District 1

Ryan Schwebach, District 2

Samuel D. Schropp, District 3

Attest:

Linda Jaramillo, County Clerk

Torrance County Treasurer Approval:

I, the Torrance County Treasurer, do hereby certify that sufficient funds exist for the payment of the checks listed on the attached check report.

Kathryn Hernandez, County Treasurer

Check Report Summary:

Check Report Dates:	10/18/2024 to 11/07/2024	Total Payments: 268
Total Checks:	223	Checks: 130529 to 130760
Voided Checks:	6	Checks: 130590, 130593, 130599, 130626, 130661, 130698, (130540, 130541, 130542, 130543, NOT USED)
Bank Drafts:	33	DFT0001002 to DFT0001042 (DFT0001006, DFT0001010, DFT0001011, DFT0001012, DFT0001017, DFT0001026, DFT0001027, DFT0001028, NOT USED)
Electronic Fund Transfers:	6	EFT: 264 TO 269
Total of Payments Issued:	\$1,180,557.74	



Torrance County, NM

Check Report

By Check Number

Date Range: 10/18/2024 - 11/07/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
418	COLUMBUS BANK AND TRUST	10/28/2024	EFT	0.00	519.31	264
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
INVO004078	Invoice	10/24/2024	Flex Plan	0.00	519.31	
	401-000-9001		Payroll Liabilities		519.31	
4832	PRESBYTERIAN HEALTH PLAN	10/28/2024	EFT	0.00	46,297.65	265
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
INVO004090	Invoice	10/24/2024	Presbyterian Health Insurance	0.00	40,828.56	
	401-000-9001		Payroll Liabilities		40,828.56	
INVO004091	Invoice	10/24/2024	Presbyterian Health Insurance	0.00	4,559.09	
	401-000-9001		Payroll Liabilities		4,559.09	
INVO004113	Invoice	10/24/2024	Presbyterian Health Insurance	0.00	910.00	
	401-000-9001		Payroll Liabilities		910.00	
5189	SUNRISE BANK	10/28/2024	EFT	0.00	1,576.63	266
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
INVO004093	Invoice	10/24/2024	Sunrise Loan	0.00	1,576.63	
	401-000-9001		Payroll Liabilities		1,576.63	
418	COLUMBUS BANK AND TRUST	11/06/2024	EFT	0.00	519.31	267
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
INVO004148	Invoice	11/07/2024	Flex Plan	0.00	519.31	
	401-000-9001		Payroll Liabilities		519.31	
4832	PRESBYTERIAN HEALTH PLAN	11/06/2024	EFT	0.00	46,042.76	268
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
INVO004160	Invoice	11/07/2024	Presbyterian Health Insurance	0.00	41,483.67	
	401-000-9001		Payroll Liabilities		41,483.67	
INVO004161	Invoice	11/07/2024	Presbyterian Health Insurance	0.00	4,559.09	
	401-000-9001		Payroll Liabilities		4,559.09	
5189	SUNRISE BANK	11/06/2024	EFT	0.00	1,576.63	269
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
INVO004163	Invoice	11/07/2024	Sunrise Loan	0.00	1,576.63	
	401-000-9001		Payroll Liabilities		1,576.63	
3769	ANAYA, SENaida	10/21/2024	Regular	0.00	51.14	130529
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
CPS ASSESSMENT	Invoice	10/21/2024	RETURN FROM ALBUQUERQUE NM EDGE	0.00	51.14	
	401-020-2205		TRAVEL - EMPLOYEES		51.14	
VEN01228	EISENBERGER, MOLLIE	10/21/2024	Regular	0.00	3,274.28	130530

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Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
TC ANIMAL SALE	Invoice	10/21/2024	TC FAIR ANIMAL SALE #46 AND ADD ONS	0.00	3,274.28	
	412-053-2249		ANIMAL SALES AT COUNT		2,000.00	
	412-053-2249		ANIMAL SALES AT COUNT		COMMISSION 3%	-60.00
	412-053-2249		ANIMAL SALES AT COUNT		ADD ONS	1,375.55
	412-053-2249		ANIMAL SALES AT COUNT		COMMISSION 3%	-41.27
5352	ENCINIAS, ELIA NEA	10/21/2024	Regular	0.00	3,051.18	130531
TC FAIR 2024	Invoice	10/21/2024	TC FAIR SALE 2024 #21	0.00	3,051.18	
	412-053-2249		ANIMAL SALES AT COUNT		TC FAIR SALE 2024 #21	2,500.00
	412-053-2249		ANIMAL SALES AT COUNT		COMMISSION 3%	-75.00
	412-053-2249		ANIMAL SALES AT COUNT		ADD ONS	645.55
	412-053-2249		ANIMAL SALES AT COUNT		COMMISSION 3%	-19.37
5620	GALLEGOS, LINDA L.	10/21/2024	Regular	0.00	299.20	130532
NM ASSESSORS F	Invoice	10/21/2024	TRAVEL TO ALBUQUERQUE NM FALL CON	0.00	299.20	
	401-040-2205		TRAVEL - EMPLOYEES		TRAVEL TO ALBUQUERQUE NM	299.20
VEN01244	HARRAL, AVA	10/21/2024	Regular	0.00	3,017.71	130533
TC FAIR 2024 #54	Invoice	10/21/2024	TC FAIR ANIMAL SALE #2024 #54	0.00	1,697.50	
	412-053-2249		ANIMAL SALES AT COUNT		TC FAIR ANIMAL SALE #2024 #5	1,750.00
	412-053-2249		ANIMAL SALES AT COUNT		COMMISSION 3%	-52.50
TC FAIR SALE #35	Invoice	10/21/2024	TC FAIR ANIMAL SALE AND ADD ONS	0.00	1,320.21	
	412-053-2249		ANIMAL SALES AT COUNT		ADD ONS	195.55
	412-053-2249		ANIMAL SALES AT COUNT		COMMISSION 3%	-5.87
	412-053-2249		ANIMAL SALES AT COUNT		TC FAIR ANIMAL SALE #35	1,165.50
	412-053-2249		ANIMAL SALES AT COUNT		COMMISSION	-34.97
5469	HARRAL, CHLOEJEAN	10/21/2024	Regular	0.00	6,752.00	130534
TC FAIR SALE 202	Invoice	10/21/2024	TC FAIR PARTIAL SALE #3 & ADD ONS PAID	0.00	6,752.00	
	412-053-2249		ANIMAL SALES AT COUNT		TC FAIR PARTIAL SALE #3	6,000.00
	412-053-2249		ANIMAL SALES AT COUNT		COMMISSION 3%	-180.00
	412-053-2249		ANIMAL SALES AT COUNT		ADD ONS	960.82
	412-053-2249		ANIMAL SALES AT COUNT		COMMISSION 3%	-28.82
3700	JONES, HUGH G JR	10/21/2024	Regular	0.00	299.20	130535
NM ASSESSORS F	Invoice	10/21/2024	TRAVEL TO ALBUQUERQUE NM 2024 FALL	0.00	299.20	
	401-040-2205		TRAVEL - EMPLOYEES		TRAVEL TO ALBUQUERQUE NM	299.20
VEN01254	Michael "Miguel" Pacheco	10/21/2024	Regular	0.00	2,862.03	130536
TC FAIR SALE #41	Invoice	10/21/2024	TC FAIR ANIMAL SALE 2024	0.00	2,862.03	
	412-053-2249		ANIMAL SALES AT COUNT		TC FAIR ANIMAL SALE 2024	2,500.00
	412-053-2249		ANIMAL SALES AT COUNT		COMMISSION 3%	-75.00
	412-053-2249		ANIMAL SALES AT COUNT		ADD ONS	450.55
	412-053-2249		ANIMAL SALES AT COUNT		COMMISSION 3%	-13.52
VEN01239	Michael Barela	10/21/2024	Regular	0.00	4,079.38	130537

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Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
TCFAIR 2024 #16	Invoice	10/21/2024	TC FAIR 2024 FAIR ANIMAL SALE AND AD	0.00	4,079.38	
	412-053-2249		ANIMAL SALES AT COUNT TC FAIR ANIMAL SALE #16		4,000.00	
	412-053-2249		ANIMAL SALES AT COUNT COMMISSION 3%		-120.00	
	412-053-2249		ANIMAL SALES AT COUNT ADD ONS		205.55	
	412-053-2249		ANIMAL SALES AT COUNT COMMISSION 3%		-6.17	
5578	RUSSELL, CHAYCE	10/21/2024	Regular	0.00	5,280.24	130538
TC FAIR 2024 #12	Invoice	10/21/2024	TC FAIR ANIMAL SALE AND ADD ONS	0.00	5,280.24	
	412-053-2249		ANIMAL SALES AT COUNT TC FAIR ANIMAL SALE #12		5,000.00	
	412-053-2249		ANIMAL SALES AT COUNT COMMISSION 3%		-150.00	
	412-053-2249		ANIMAL SALES AT COUNT ADD ONS		443.55	
	412-053-2249		ANIMAL SALES AT COUNT COMMISSION 3%		-13.31	
4799	WALDROP, BAILEY	10/21/2024	Regular	0.00	3,395.00	130539
TC FAIR SALE #33	Invoice	10/21/2024	TC FAIR ANIMAL SALE 2024	0.00	3,395.00	
	412-053-2249		ANIMAL SALES AT COUNT TC FAIR ANIMAL SALE 2024		3,500.00	
	412-053-2249		ANIMAL SALES AT COUNT COMMISSION 3%		-105.00	
4799	WALDROP, BAILEY	10/21/2024	Regular	0.00	3,347.03	130540
TC FAIR 2024 SAL	Invoice	10/21/2024	TC FAIR ANIMAL SALE 2024 #25 AND ADD	0.00	3,347.03	
	412-053-2249		ANIMAL SALES AT COUNT ADD ONS		200.55	
	412-053-2249		ANIMAL SALES AT COUNT COMMISSION 3%		-6.02	
	412-053-2249		ANIMAL SALES AT COUNT TC FAIR ANIMAL SALE #25		3,250.00	
	412-053-2249		ANIMAL SALES AT COUNT COMMISSION 3%		-97.50	
5072	SMITH, EMERY	10/22/2024	Regular	0.00	664.00	130544
NM FIRE EXPO	Invoice	10/22/2024	TRAVEL TO SOCORRO NM NM FIRE AND E	0.00	664.00	
	405-091-2205		TRAVEL - EMPLOYEES TRAVEL TO SOCORRO NM NM FI		664.00	
5070	TRAMMELL, MARNA	10/22/2024	Regular	0.00	664.00	130545
NM FIRE EXPO	Invoice	10/22/2024	TRAVEL TO SOCORRO NM NM FIRE AND E	0.00	664.00	
	405-091-2205		TRAVEL - EMPLOYEES TRAVEL TO SOCORRO NM NM FI		664.00	
4990	TRAMMELL, MICHAEL	10/22/2024	Regular	0.00	664.00	130546
NM FIRE MT	Invoice	10/22/2024	TRAVEL TO SOCORRO NM NM FIRE AND E	0.00	664.00	
	405-091-2205		TRAVEL - EMPLOYEES TRAVEL TO SOCORRO NM NM FI		664.00	
419	AFLAC	10/28/2024	Regular	0.00	2,307.80	130547
INV0004024	Invoice	10/10/2024	Aflac	0.00	790.21	
	401-000-9001		Payroll Liabilities		790.21	
INV0004025	Invoice	10/10/2024	Aflac	0.00	363.69	
	401-000-9001		Payroll Liabilities		363.69	
INV0004070	Invoice	10/24/2024	Aflac	0.00	790.21	
	401-000-9001		Payroll Liabilities		790.21	

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Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
INV0004071	Invoice	10/24/2024	Aflac	0.00	344.19	
	401-000-9001		Payroll Liabilities		344.19	
INV0004106	Invoice	10/24/2024	Aflac	0.00	19.50	
	401-000-9001		Payroll Liabilities		19.50	
4270	COLONIAL LIFE	10/28/2024	Regular	0.00	858.80	130548
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number		Account Name		Distribution Amount	
INV0004028	Invoice	10/10/2024	Colonial	0.00	262.21	
	401-000-9001		Payroll Liabilities		262.21	
INV0004029	Invoice	10/10/2024	Colonial Post tax	0.00	167.19	
	401-000-9001		Payroll Liabilities		167.19	
INV0004074	Invoice	10/24/2024	Colonial	0.00	262.21	
	401-000-9001		Payroll Liabilities		262.21	
INV0004075	Invoice	10/24/2024	Colonial Post tax	0.00	167.19	
	401-000-9001		Payroll Liabilities		167.19	
VEN01187	Dearborn Life Insurance Company	10/28/2024	Regular	0.00	875.52	130549
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number		Account Name		Distribution Amount	
INV0004026	Invoice	10/10/2024	VISION INSURANCE	0.00	375.42	
	401-000-9001		Payroll Liabilities		375.42	
INV0004027	Invoice	10/10/2024	VISION POST TAX	0.00	55.98	
	401-000-9001		Payroll Liabilities		55.98	
INV0004057	Invoice	10/10/2024	VISION INSURANCE	0.00	3.15	
	401-000-9001		Payroll Liabilities		3.15	
INV0004072	Invoice	10/24/2024	VISION INSURANCE	0.00	378.69	
	401-000-9001		Payroll Liabilities		378.69	
INV0004073	Invoice	10/24/2024	VISION POST TAX	0.00	55.98	
	401-000-9001		Payroll Liabilities		55.98	
INV0004107	Invoice	10/24/2024	VISION INSURANCE	0.00	6.30	
	401-000-9001		Payroll Liabilities		6.30	
4834	DELTA DENTAL OF NEW MEXICO INC	10/28/2024	Regular	0.00	4,494.90	130550
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number		Account Name		Distribution Amount	
INV0004030	Invoice	10/10/2024	Dental Insurance	0.00	1,855.33	
	401-000-9001		Payroll Liabilities		1,855.33	
INV0004031	Invoice	10/10/2024	Dental Insurance	0.00	357.46	
	401-000-9001		Payroll Liabilities		357.46	
INV0004058	Invoice	10/10/2024	Dental Insurance	0.00	14.55	
	401-000-9001		Payroll Liabilities		14.55	
INV0004076	Invoice	10/24/2024	Dental Insurance	0.00	1,881.00	
	401-000-9001		Payroll Liabilities		1,881.00	
INV0004077	Invoice	10/24/2024	Dental Insurance	0.00	357.46	
	401-000-9001		Payroll Liabilities		357.46	
INV0004108	Invoice	10/24/2024	Dental Insurance	0.00	29.10	
	401-000-9001		Payroll Liabilities		29.10	
5019	GLOBE LIFE & ACCIDENT INSURANCE	10/28/2024	Regular	0.00	326.00	130551
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number		Account Name		Distribution Amount	
INV0004033	Invoice	10/10/2024	Globe Life Insurance	0.00	163.00	
	401-000-9001		Payroll Liabilities		163.00	
INV0004079	Invoice	10/24/2024	Globe Life Insurance	0.00	163.00	

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Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
	401-000-9001	Payroll Liabilities	Globe Life Insurance		163.00	
4339	LIBERTY NATIONAL LIFE INSURANCE	10/28/2024	Regular	0.00	1,380.06	130552
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number		Account Name		Distribution Amount	
INV0004035	Invoice	10/10/2024	Liberty Life Insurance	0.00	303.92	
	401-000-9001		Payroll Liabilities		303.92	
INV0004036	Invoice	10/10/2024	Liberty Life Insurance	0.00	327.07	
	401-000-9001		Payroll Liabilities		327.07	
INV0004037	Invoice	10/10/2024	Liberty Life Insurance	0.00	59.04	
	401-000-9001		Payroll Liabilities		59.04	
INV0004081	Invoice	10/24/2024	Liberty Life Insurance	0.00	285.65	
	401-000-9001		Payroll Liabilities		285.65	
INV0004082	Invoice	10/24/2024	Liberty Life Insurance	0.00	290.84	
	401-000-9001		Payroll Liabilities		290.84	
INV0004083	Invoice	10/24/2024	Liberty Life Insurance	0.00	59.04	
	401-000-9001		Payroll Liabilities		59.04	
INV0004109	Invoice	10/24/2024	Liberty Life Insurance	0.00	18.27	
	401-000-9001		Payroll Liabilities		18.27	
INV0004110	Invoice	10/24/2024	Liberty Life Insurance	0.00	36.23	
	401-000-9001		Payroll Liabilities		36.23	
VEN01183	Metropolitan Life Insurance Company	10/28/2024	Regular	0.00	2,712.86	130553
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number		Account Name		Distribution Amount	
INV0004038	Invoice	10/10/2024	MET LIFE LTD	0.00	752.28	
	401-000-9001		Payroll Liabilities		752.28	
INV0004039	Invoice	10/10/2024	Metlife employer	0.00	552.81	
	401-000-9001		Payroll Liabilities		552.81	
INV0004040	Invoice	10/10/2024	Metropolitan Supplemental Life	0.00	6.36	
	401-000-9001		Payroll Liabilities		6.36	
INV0004059	Invoice	10/10/2024	MET LIFE LTD	0.00	11.02	
	401-000-9001		Payroll Liabilities		11.02	
INV0004060	Invoice	10/10/2024	Metlife employer	0.00	10.88	
	401-000-9001		Payroll Liabilities		10.88	
INV0004084	Invoice	10/24/2024	MET LIFE LTD	0.00	747.60	
	401-000-9001		Payroll Liabilities		747.60	
INV0004085	Invoice	10/24/2024	Metlife employer	0.00	559.35	
	401-000-9001		Payroll Liabilities		559.35	
INV0004086	Invoice	10/24/2024	Metropolitan Supplemental Life	0.00	6.36	
	401-000-9001		Payroll Liabilities		6.36	
INV0004111	Invoice	10/24/2024	MET LIFE LTD	0.00	21.17	
	401-000-9001		Payroll Liabilities		21.17	
INV0004112	Invoice	10/24/2024	Metlife employer	0.00	17.40	
	401-000-9001		Payroll Liabilities		17.40	
INV0004121	Invoice	10/24/2024	MET LIFE LTD	0.00	4.86	
	401-000-9001		Payroll Liabilities		4.86	
INV0004122	Invoice	10/24/2024	Metlife employer	0.00	4.35	
	401-000-9001		Payroll Liabilities		4.35	
INV0004129	Invoice	10/24/2024	MET LIFE LTD	0.00	9.72	
	401-000-9001		Payroll Liabilities		9.72	
INV0004130	Invoice	10/24/2024	Metlife employer	0.00	8.70	
	401-000-9001		Payroll Liabilities		8.70	

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Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
4987	NEW YORK LIFE	10/28/2024	Regular	0.00	304.26	130554
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name	Item Description	Distribution Amount			
INV0004042	Invoice	10/10/2024	New York Life Insurance	0.00	67.17	
401-000-9001	Payroll Liabilities	New York Life Insurance	67.17			
INV0004043	Invoice	10/10/2024	New York Life Insurance	0.00	84.96	
401-000-9001	Payroll Liabilities	New York Life Insurance	84.96			
INV0004088	Invoice	10/24/2024	New York Life Insurance	0.00	67.17	
401-000-9001	Payroll Liabilities	New York Life Insurance	67.17			
INV0004089	Invoice	10/24/2024	New York Life Insurance	0.00	84.96	
401-000-9001	Payroll Liabilities	New York Life Insurance	84.96			
1096	NM RETIREE HEALTH-CARE AUTHORI	10/28/2024	Regular	0.00	6,401.24	130555
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name	Item Description	Distribution Amount			
CM0000185	Credit Memo	10/24/2024	Retiree Health Care	0.00	-6.22	
401-000-9001	Payroll Liabilities	Retiree Health Care	-6.22			
INV0004062	Invoice	10/10/2024	Retiree Health Care	0.00	84.73	
401-000-9001	Payroll Liabilities	Retiree Health Care	84.73			
INV0004092	Invoice	10/24/2024	Retiree Health Care	0.00	5,974.21	
401-000-9001	Payroll Liabilities	Retiree Health Care	5,974.21			
INV0004102	Invoice	10/24/2024	Retiree Health Care	0.00	12.63	
401-000-9001	Payroll Liabilities	Retiree Health Care	12.63			
INV0004114	Invoice	10/24/2024	Retiree Health Care	0.00	197.40	
401-000-9001	Payroll Liabilities	Retiree Health Care	197.40			
INV0004123	Invoice	10/24/2024	Retiree Health Care	0.00	69.23	
401-000-9001	Payroll Liabilities	Retiree Health Care	69.23			
INV0004131	Invoice	10/24/2024	Retiree Health Care	0.00	69.26	
401-000-9001	Payroll Liabilities	Retiree Health Care	69.26			
448	NM TAXATION & REVENUE	10/28/2024	Regular	0.00	634.39	130556
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name	Item Description	Distribution Amount			
INV0004098	Invoice	10/24/2024	LEVY NUMBER: 60573	0.00	634.39	
401-000-9001	Payroll Liabilities	LEVY NUMBER: 60573	634.39			
1385	NM TAXATION & REVENUE	10/28/2024	Regular	0.00	25.80	130557
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name	Item Description	Distribution Amount			
INV0004063	Invoice	10/10/2024	Workers Comp	0.00	4.30	
401-000-9001	Payroll Liabilities	Workers Comp	4.30			
INV0004116	Invoice	10/24/2024	Workers Comp	0.00	17.20	
401-000-9001	Payroll Liabilities	Workers Comp	17.20			
INV0004124	Invoice	10/24/2024	Workers Comp	0.00	4.30	
401-000-9001	Payroll Liabilities	Workers Comp	4.30			
2021	PRE-PAID LEGAL SERVICES, INC	10/28/2024	Regular	0.00	527.01	130558
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name	Item Description	Distribution Amount			
CM0000182	Credit Memo	10/10/2024	Legal Shield	0.00	-24.42	
401-000-9001	Payroll Liabilities	Legal Shield	-24.42			
INV0004034	Invoice	10/10/2024	Legal Shield	0.00	300.14	
401-000-9001	Payroll Liabilities	Legal Shield	300.14			
INV0004080	Invoice	10/24/2024	Legal Shield	0.00	251.29	
401-000-9001	Payroll Liabilities	Legal Shield	251.29			

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Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
1335	TORRANCE COUNTY	10/28/2024	Regular	0.00	81.48	130559
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
INV0004094	Invoice	10/24/2024	Torrance County Property Tax	0.00	81.48	
	401-000-9001		Payroll Liabilities		81.48	
5414	TX CHILD SUPPORT SDU	10/28/2024	Regular	0.00	254.31	130560
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
INV0004099	Invoice	10/24/2024	TX SDU CHILD SUPPORT	0.00	254.31	
	401-000-9001		Payroll Liabilities		254.31	
2787	WASHINGTON NATIONAL INSURANCE CO	10/28/2024	Regular	0.00	37.80	130561
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
INV0004050	Invoice	10/10/2024	Washington National Life	0.00	18.90	
	401-000-9001		Payroll Liabilities		18.90	
INV0004096	Invoice	10/24/2024	Washington National Life	0.00	18.90	
	401-000-9001		Payroll Liabilities		18.90	
5102	ALLEN, MICHAELA	10/28/2024	Regular	0.00	600.00	130562
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
3083	Invoice	10/15/2024	Smart Choice Ride tumblers	0.00	600.00	
	605-013-2221		PRINTING/PUBLISHING/A 3083		600.00	
5450	AMAZON BUSINESS	10/28/2024	Regular	0.00	124.64	130563
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
1F7Y-7HWQ-H1N	Invoice	10/23/2024	1F7Y-7HWQ-H1N1	0.00	124.64	
	401-073-2219		SUPPLIES - GENERAL OFFI		24.65	
	401-073-2219		SUPPLIES - GENERAL OFFI		99.99	
5450	AMAZON BUSINESS	10/28/2024	Regular	0.00	116.94	130564
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
1F1L-JDXG-KXC9	Invoice	10/15/2024	PPE work shoes for Arely	0.00	116.94	
	401-065-2236		SUPPLIES - UNIFORMS		116.94	
5450	AMAZON BUSINESS	10/28/2024	Regular	0.00	134.99	130565
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
1YDN-H3NF-FW6	Invoice	10/15/2024	onit	0.00	134.99	
	401-008-2218		FURN/FIX/EQUIP PURCHA		134.99	
5450	AMAZON BUSINESS	10/28/2024	Regular	0.00	78.98	130566
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
1199-PPHY-F1H3	Invoice	10/15/2024	FD Supplies	0.00	78.98	
	408-091-2248		SUPPLIES - SAFETY		47.99	
	408-091-2248		SUPPLIES - SAFETY		30.99	
3594	AUTOZONE INC.	10/28/2024	Regular	0.00	77.28	130567
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
02248727156	Invoice	10/09/2024	TCFD AutoZone Open PO 7/24-10/24	0.00	77.28	
	408-091-2201		MAINTENANCE & REPAIR		77.28	
3594	AUTOZONE INC.	10/28/2024	Regular	0.00	124.99	130568

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Date Range: 10/13/2024 - 11/07/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
02248710845	Invoice	10/09/2024	TCFD AutoZone Open PO 7/24-10/24 MAINTENANCE & REPAIR AutoZone Open PO District 3	0.00	124.99	
	408-091-2201				124.99	
4979	BRANDON BOE DAVIS	10/28/2024	Regular	0.00	530.00	130569
TCSO 25-00815	Invoice	10/10/2024	Vacuum Pump / New Serpentine Belt MAINTENANCE & REPAIR Vacuum Pump / New Serpentin MAINTENANCE & REPAIR Vacuum Pump / New Serpentin	0.00	530.00	
	401-050-2201				275.00	
	401-050-2201				255.00	
4270	COLONIAL LIFE	10/28/2024	Regular	0.00	60.36	130570
S.CARROLL	Invoice	10/28/2024	OCT POST TAX PAYMENTS 2024 Payroll Liabilities OCT POST TAX PAYMENTS 2024	0.00	60.36	
	401-000-9001				60.36	
2630	CTRL+P	10/28/2024	Regular	0.00	242.15	130571
2024-10274	Invoice	10/24/2024	Ads in The Independent for Smart Choice PRINTING/PUBLISHING/A 2024-10274	0.00	242.15	
	605-022-2221				242.15	
VEN01230	CTRL-P Inc	10/28/2024	Regular	0.00	468.17	130572
2024-11683	Invoice	10/15/2024	Change of Polling Location Resolution PRINTING/PUBLISHING/A Change of Polling Location Resol	0.00	468.17	
	401-021-2221				468.17	
VEN01351	DIVERSE OFFICE SUPPLY	10/28/2024	Regular	0.00	169.23	130573
103715-00	Invoice	10/16/2024	Office Supplies SUPPLIES - GENERAL OFFI EnerGel RTX Liquid Gel Pen - Pu SUPPLIES - GENERAL OFFI Business Legal Pads SUPPLIES - GENERAL OFFI Dry-Erase Board Eraser SUPPLIES - GENERAL OFFI Business Writing Pads SUPPLIES - GENERAL OFFI EnerGel RTX Liquid Gel Pen - Gr SUPPLIES - GENERAL OFFI File Folder 1/3 Tab Cut SUPPLIES - GENERAL OFFI EnerGel RTX Liquid Gel Pen - Bla SUPPLIES - GENERAL OFFI Expo Dry Erase Markers	0.00	169.23	
	401-050-2219				31.98	
	401-050-2219				29.11	
	401-050-2219				1.71	
	401-050-2219				13.11	
	401-050-2219				15.30	
	401-050-2219				39.24	
	401-050-2219				25.71	
	401-050-2219				13.07	
4705	DOUBLE H AUTO	10/28/2024	Regular	0.00	543.34	130574
085295	Invoice	10/03/2024	Repairs and Maintenance for Issued Picku MAINTENANCE & REPAIR Repairs and Maintenance for Iss	0.00	543.34	
	402-060-2201				543.34	
2585	EAST MOUNTAIN AUTO GLASS	10/28/2024	Regular	0.00	45.00	130575
25096	Invoice	10/15/2024	Windshield Repair R 1-3 MAINTENANCE & REPAIR Windshield Repair - Star - Upper	0.00	45.00	
	416-083-2201				45.00	
2585	EAST MOUNTAIN AUTO GLASS	10/28/2024	Regular	0.00	365.00	130576
26083	Invoice	10/15/2024	Windshield Replacement R1-4 MAINTENANCE & REPAIR Green Tint(3rd Visor Frit) (Solar)	0.00	365.00	
	416-083-2201				365.00	

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Date Range: 10/18/2024 - 11/07/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
2555	EVSWA	10/28/2024	Regular	0.00	180.37	130577
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
1163063	Invoice	10/16/2024	Animal disposal	0.00	180.37	
	401-082-2210		UTILITIES - WATER		180.37	
40	EYE ASSOCIATES OF NM	10/28/2024	Regular	0.00	412.00	130578
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
EAONM0913202	Invoice	10/16/2024	HIC Form Williams, Norman 2	0.00	412.00	
	420-070-2173		INMATE MEDICAL		412.00	
40	EYE ASSOCIATES OF NM	10/28/2024	Regular	0.00	75.00	130579
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
EAONM0918202	Invoice	10/16/2024	HIC Form Inmate Williams, Norman 1	0.00	75.00	
	420-070-2173		INMATE MEDICAL		75.00	
VEN01380	FILE CONSTRUCTION, LLC	10/28/2024	Regular	0.00	124,400.30	130580
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Pay Application	Invoice	10/10/2024	Duran Water Project	0.00	124,400.30	
	620-094-2612		CAPITAL OUTLAY - LAND		116,807.80	
	620-094-2512		CAPITAL OUTLAY - LAND		7,592.50	
944	GRAINGER, INC.	10/28/2024	Regular	0.00	676.91	130581
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
9250512770	Invoice	10/16/2024	Surveillance System District 5	0.00	676.91	
	405-091-2248		SUPPLIES - SAFETY		676.91	
214	Hart's Trustworthy Hardware	10/28/2024	Regular	0.00	16.26	130582
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
8566786	Invoice	10/08/2024	Sink Maintenance	0.00	16.26	
	401-082-2215		MAINTENANCE & REPAIR		16.26	
214	Hart's Trustworthy Hardware	10/28/2024	Regular	0.00	44.98	130583
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
B568742	Invoice	10/09/2024	Hart's Open PO July	0.00	44.98	
	408-091-2215		MAINTENANCE & REPAIR		44.98	
129	MORIARTY, CITY OF	10/28/2024	Regular	0.00	480.30	130584
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
9/2/2024 Exhibit	Invoice	10/16/2024	MOU with City of Moriarty PD for DWI en	0.00	480.30	
	605-022-2271		CONTRACT - OTHER SERV		480.30	
VEN01393	NATIONAL TEST SYSTEMS	10/28/2024	Regular	0.00	566.25	130585
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
77634	Invoice	10/17/2024	12 Panel Saliva Screens for Misdemeanor	0.00	566.25	
	401-073-2219		SUPPLIES - GENERAL OFFI		566.25	
317	PRESBYTERIAN KASEMAN HOSPITAL	10/28/2024	Regular	0.00	802.00	130586
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
PRES09042024	Invoice	10/16/2024	Inmate Medical Montoya, Felicia	0.00	802.00	
	420-070-2173		INMATE MEDICAL		802.00	

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Date Range: 10/18/2024 - 11/07/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
3859	PRUDENTIAL OVERALL SUPPLY	10/28/2024	Regular	0.00	110.71	130587
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
450733396	Invoice	10/10/2024	Prudential Custodial Supplies	0.00	110.71	
	Account Number		Account Name		Item Description	Distribution Amount
	401-016-2220		SUPPLIES - CLEANING		9034 Mat 3x4 black	1.89
	401-016-2220		SUPPLIES - CLEANING		9315 PFRM Dust Mop Blue 42' F	6.40
	401-016-2220		SUPPLIES - CLEANING		9314 PRFM Dust Mop Blue 30"	11.43
	401-016-2220		SUPPLIES - CLEANING		9314 PRFM Dust Mop Blue 30"	0.54
	401-016-2220		SUPPLIES - CLEANING		9315 PFRM Dust Mop Blue 42' F	0.54
	401-016-2220		SUPPLIES - CLEANING		Delivery Charge	15.07
	401-016-2220		SUPPLIES - CLEANING		9034 Mat 3x4 black	62.87
	401-016-2220		SUPPLIES - CLEANING		9378 Blue Wet Mop	0.54
	401-016-2220		SUPPLIES - CLEANING		9378 Blue Wet Mop 24 oz	11.43
3859	PRUDENTIAL OVERALL SUPPLY	10/28/2024	Regular	0.00	537.34	130588
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
25-00728	Invoice	10/16/2024	Prudential Custodial Supplies	0.00	537.34	
	Account Number		Account Name		Item Description	Distribution Amount
	401-015-2229		SUPPLIES - PAPER		9988 Antibacterial Foam	291.89
	401-015-2229		SUPPLIES - PAPER		Delivery Charge	16.63
	401-015-2229		SUPPLIES - PAPER		9901 Jumbo Roll Tissue	228.82
3859	PRUDENTIAL OVERALL SUPPLY	10/28/2024	Regular	0.00	104.88	130589
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
25-00733	Invoice	10/16/2024	Uniform for the Maintenace Dept	0.00	104.88	
	Account Number		Account Name		Item Description	Distribution Amount
	401-065-2236		SUPPLIES - UNIFORMS		Men's Grey Mimix Work Shirt	2.70
	401-065-2236		SUPPLIES - UNIFORMS		Men's Grey Mimix Work Shirt	2.70
	401-065-2236		SUPPLIES - UNIFORMS		Pant Black Tech. Pant	6.24
	401-065-2236		SUPPLIES - UNIFORMS		Pant Black Tech. Pant	6.24
	401-065-2236		SUPPLIES - UNIFORMS		Men's Grey Mimix Work Shirt	3.24
	401-065-2236		SUPPLIES - UNIFORMS		Polo Shirt-100% Polytri Navy	2.25
	401-065-2236		SUPPLIES - UNIFORMS		Pant Black Tech. Pant	6.24
	401-065-2236		SUPPLIES - UNIFORMS		Polo Shirt-100% Polytri LT Blue	2.70
	401-065-2236		SUPPLIES - UNIFORMS		Budget Protection Program	28.67
	401-065-2236		SUPPLIES - UNIFORMS		POLO Shirt-100% Polytri Navy	2.25
	401-065-2236		SUPPLIES - UNIFORMS		Men's Classic Denim Work Jeans	4.87
	401-065-2236		SUPPLIES - UNIFORMS		Delivery Charge	15.07
	401-065-2236		SUPPLIES - UNIFORMS		POLO Shirt-100% Polytri LT Blue	2.70
	401-065-2236		SUPPLIES - UNIFORMS		Polo Shirt-100% Polytri LT Blue	2.70
	401-065-2236		SUPPLIES - UNIFORMS		Polo Shirt-100% Polytri Navy	2.25
	401-065-2236		SUPPLIES - UNIFORMS		Pant-65/35 Twill, Tan Cargo PCK	1.02
	401-065-2236		SUPPLIES - UNIFORMS		Pant Black Tech. Pant	6.24
	401-065-2236		SUPPLIES - UNIFORMS		Men's Grey Mimix Work Shirt	3.24
	401-065-2236		SUPPLIES - UNIFORMS		Pant-65/35 Twill, Tan Cargo PCK	0.51
	401-065-2236		SUPPLIES - UNIFORMS		Western Pants 100% Cotton De	3.05
	Void	10/28/2024	Regular	0.00	0.00	130590
3859	PRUDENTIAL OVERALL SUPPLY	10/28/2024	Regular	0.00	157.98	130591
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
25-00727	Invoice	10/16/2024	Prudential Janitorial Supplies	0.00	157.98	
	Account Number		Account Name		Item Description	Distribution Amount
	401-015-2229		SUPPLIES - PAPER		9999 Trash Liners	60.68
	401-015-2229		SUPPLIES - PAPER		9988 Anitbacterial Foam	97.30
3859	PRUDENTIAL OVERALL SUPPLY	10/28/2024	Regular	0.00	104.88	130592

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Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
25-00842	Invoice	10/16/2024	Uniform Rental for Maintenance Dept	0.00	104.88	
	401-065-2236	SUPPLIES - UNIFORMS	Men's Classic Denim Work Jean		4.87	
	401-065-2236	SUPPLIES - UNIFORMS	Western Pant 100% Cotton Deni		3.05	
	401-065-2236	SUPPLIES - UNIFORMS	PANT bLACK tECH. pANT		6.24	
	401-065-2236	SUPPLIES - UNIFORMS	Polo Shirts 100% Polytri LT Blue		2.70	
	401-065-2236	SUPPLIES - UNIFORMS	Polo Shirt 100% Polytri LT Blue		2.70	
	401-065-2236	SUPPLIES - UNIFORMS	Polo Shirt 100% Polytri Navy		2.25	
	401-065-2236	SUPPLIES - UNIFORMS	Pant 65-35 Twill, Tan Cargo PCK		0.51	
	401-065-2236	SUPPLIES - UNIFORMS	Delivery Charges		15.07	
	401-065-2236	SUPPLIES - UNIFORMS	Polo Shirt 100% Polytri Navy		2.25	
	401-065-2236	SUPPLIES - UNIFORMS	Pant Black Tech. Pant		6.24	
	401-065-2236	SUPPLIES - UNIFORMS	Men's Grey Mimix Work Shirt		2.70	
	401-065-2236	SUPPLIES - UNIFORMS	Polo Shirt 100% Polytri LT Blue		2.70	
	401-065-2236	SUPPLIES - UNIFORMS	Men's Grey Mimix Work Shirt		3.24	
	401-065-2236	SUPPLIES - UNIFORMS	Men's Grey Mimix Work Shirt		2.70	
	401-065-2236	SUPPLIES - UNIFORMS	Pant Black Tech. Pant		6.24	
	401-065-2236	SUPPLIES - UNIFORMS	Pant Black Tech. Pant		6.24	
	401-065-2236	SUPPLIES - UNIFORMS	Pant 65-35 Twill, Tan Cargo PCK		1.02	
	401-065-2236	SUPPLIES - UNIFORMS	Budget Protection Program		28.67	
	401-065-2236	SUPPLIES - UNIFORMS	Men's Grey Mimix Work Shirt		3.24	
	401-065-2236	SUPPLIES - UNIFORMS	Polo Shirts 100% Polytri Navy		2.25	
3859	**Void**	10/28/2024	Regular	0.00	0.00	130593
	PRUDENTIAL OVERALL SUPPLY	10/28/2024	Regular	0.00	110.71	130594
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
25-00732	Invoice	10/16/2024	Prudential Custodial Goods	0.00	110.71	
	401-016-2220	SUPPLIES - CLEANING	Delivery Charge		15.07	
	401-016-2220	SUPPLIES - CLEANING	PRFM Dust Mop Blue 42"Frame		6.40	
	401-016-2220	SUPPLIES - CLEANING	PRFM Dust Mop Blue 30"		11.43	
	401-016-2220	SUPPLIES - CLEANING	PRFM Dust Mop Blue 30"		0.54	
	401-016-2220	SUPPLIES - CLEANING	Blue Wet Mop 24 OZ		0.54	
	401-016-2220	SUPPLIES - CLEANING	Mat 3x4 Black		62.87	
	401-016-2220	SUPPLIES - CLEANING	Mat 3x4 Black		1.89	
	401-016-2220	SUPPLIES - CLEANING	PRFM Dust Mop Blue 42"Frame		0.54	
	401-016-2220	SUPPLIES - CLEANING	Blue Wet Mop 24 OZ		11.43	
3859	PRUDENTIAL OVERALL SUPPLY	10/28/2024	Regular	0.00	110.71	130595
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
25-00730	Invoice	10/16/2024	Prudential Custodial Supplies	0.00	110.71	
	401-016-2220	SUPPLIES - CLEANING	Delivery Charge		15.07	
	401-016-2220	SUPPLIES - CLEANING	PRFM Dust Mop Blue 30"		11.43	
	401-016-2220	SUPPLIES - CLEANING	Mat 3x4 Black		1.89	
	401-016-2220	SUPPLIES - CLEANING	Blue Wet Mop 24 oz		0.54	
	401-016-2220	SUPPLIES - CLEANING	MAT 3x4 Black		62.87	
	401-016-2220	SUPPLIES - CLEANING	PRFM Dust Mop Blue 42" Frame		6.40	
	401-016-2220	SUPPLIES - CLEANING	PRFM Dust Mop Blue 30"		0.54	
	401-016-2220	SUPPLIES - CLEANING	PRFM Dust Mop Blue 42" Frame		0.54	
	401-016-2220	SUPPLIES - CLEANING	Blue Wet Mop 24 oz		11.43	
3859	PRUDENTIAL OVERALL SUPPLY	10/28/2024	Regular	0.00	234.04	130596
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
25-00729	Invoice	10/16/2024	Prudential Janitorial Supplies	0.00	234.04	
	401-015-2229	SUPPLIES - PAPER	9443 Hard Roll Paper Towels		234.04	
3859	PRUDENTIAL OVERALL SUPPLY	10/28/2024	Regular	0.00	133.65	130597

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Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
25-0737	Invoice	10/16/2024	Prudential-Custodial Supplies For Admin B	0.00	133.65	
	401-015-2229		SUPPLIES - PAPER		16.63	
	401-015-2229		SUPPLIES - PAPER		117.02	
3859	PRUDENTIAL OVERALL SUPPLY	10/28/2024	Regular	0.00	104.88	130598
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
25-00731	Invoice	10/16/2024	Uniform Rental	0.00	104.88	
	401-065-2236		SUPPLIES - UNIFORMS		3.24	
	401-065-2236		SUPPLIES - UNIFORMS		6.24	
	401-065-2236		SUPPLIES - UNIFORMS		28.67	
	401-065-2236		SUPPLIES - UNIFORMS		3.24	
	401-065-2236		SUPPLIES - UNIFORMS		15.07	
	401-065-2236		SUPPLIES - UNIFORMS		0.51	
	401-065-2236		SUPPLIES - UNIFORMS		2.70	
	401-065-2236		SUPPLIES - UNIFORMS		6.24	
	401-065-2236		SUPPLIES - UNIFORMS		2.25	
	401-065-2236		SUPPLIES - UNIFORMS		2.70	
	401-065-2236		SUPPLIES - UNIFORMS		6.24	
	401-065-2236		SUPPLIES - UNIFORMS		2.70	
	401-065-2236		SUPPLIES - UNIFORMS		2.25	
	401-065-2236		SUPPLIES - UNIFORMS		2.70	
	401-065-2236		SUPPLIES - UNIFORMS		6.24	
	401-065-2236		SUPPLIES - UNIFORMS		3.05	
	401-065-2236		SUPPLIES - UNIFORMS		2.25	
	401-065-2236		SUPPLIES - UNIFORMS		2.70	
	401-065-2236		SUPPLIES - UNIFORMS		1.02	
	401-065-2236		SUPPLIES - UNIFORMS		4.87	
	Void	10/28/2024	Regular	0.00	0.00	130599
VEN01112	QUICK MED CLAIMS LLC	10/28/2024	Regular	0.00	774.33	130600
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
INV38704	Invoice	10/16/2024	QMC Medical Billing Services Open PO FY	0.00	774.33	
	416-083-2271		CONTRACT - OTHER SERV		774.33	
3462	SAMBA HOLDINGS, INC.	10/28/2024	Regular	0.00	273.57	130601
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
INV01632021	Invoice	10/09/2024	Samba Safety Open PO	0.00	273.57	
	413-091-2271		CONTRACT - OTHER SERV		273.57	
VEN01156	SANCHEZ, JAVIER ERNESTO	10/28/2024	Regular	0.00	13.28	130602
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
310576	Invoice	10/09/2024	Shop Supplies	0.00	13.28	
	402-060-2250		SUPPLIES - SHOP		13.28	
5426	SENERGY PETROLEUM, LLC	10/28/2024	Regular	0.00	450.15	130603
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
SEN-899341	Invoice	10/16/2024	DEF Poly Drum Distirct 3	0.00	450.15	
	408-091-2201		MAINTENANCE & REPAIR		19.95	
	408-091-2201		MAINTENANCE & REPAIR		175.00	
	408-091-2201		MAINTENANCE & REPAIR		255.20	
3978	STAPLES BUSINESS ADVANTAGE	10/28/2024	Regular	0.00	504.93	130604

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Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
7002090971	Invoice	10/07/2024	Supplies	0.00	504.93	
	413-091-2219		SUPPLIES - GENERAL OFFI		479.99	
	413-091-2219		SUPPLIES - GENERAL OFFI		24.94	
3978	STAPLES BUSINESS ADVANTAGE	10/28/2024	Regular	0.00	43.30	130605
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
6013765808	Invoice	10/10/2024	Copy Paper	0.00	43.30	
	604-083-2219		SUPPLIES - GENERAL OFFI		43.30	
4887	SUPPLY CACHE INC	10/28/2024	Regular	0.00	4,660.16	130606
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
333085A	Invoice	10/15/2024	Class A Foam District 3	0.00	4,660.16	
	408-091-2248		SUPPLIES - SAFETY		4,660.16	
VEN01332	Tablet Command Inc	10/28/2024	Regular	0.00	2,995.00	130607
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
INV-1208	Invoice	10/15/2024	Tablet Command Fire Dept	0.00	2,995.00	
	413-091-2271		CONTRACT - OTHER SERV		2,995.00	
1	WAGNER EQUIPMENT CO.	10/28/2024	Regular	0.00	9,143.35	130608
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
S10W0924487	Invoice	10/09/2024	Service Contract for Cat Equipment	0.00	1,179.20	
	402-060-2244		MAINTENANCE & REPAIR		1,179.20	
S10W0924488	Invoice	10/09/2024	Service Contract for Cat Equipment	0.00	5,889.23	
	402-060-2244		MAINTENANCE & REPAIR		5,889.23	
S10W0924489	Invoice	10/09/2024	Service Contract for Cat Equipment	0.00	2,074.92	
	402-060-2244		MAINTENANCE & REPAIR		2,074.92	
5541	WATT-EVER ELECTRIC	10/28/2024	Regular	0.00	1,209.63	130609
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
INV0568	Invoice	10/15/2024	Wire In SCBA System District 2	0.00	1,209.63	
	406-091-2248		SUPPLIES - SAFETY		535.00	
	406-091-2248		SUPPLIES - SAFETY		674.63	
3498	WESTERN TRAILS VETERINARY INC.	10/28/2024	Regular	0.00	3,848.93	130610
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
220859	Invoice	10/09/2024	Medical care through grant program	0.00	3,848.93	
	431-082-2272		CONTRACT - PROFESSION		3,848.93	
5450	AMAZON BUSINESS	10/29/2024	Regular	0.00	564.72	130611
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
1TK1-QQMW-GC	Invoice	10/22/2024	Camera System District 3	0.00	564.72	
	408-091-2248		SUPPLIES - SAFETY		99.98	
	408-091-2248		SUPPLIES - SAFETY		14.80	
	408-091-2248		SUPPLIES - SAFETY		449.94	
VEN01397	AURELLEIA G. CHAVEZ	10/29/2024	Regular	0.00	7,876.93	130612

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Date Range: 10/18/2024 - 11/07/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
TC FAIR 2024 SAL	Invoice	10/29/2024	TC FAIR ANIMAL SALE 2024 ANIMAL #9 PA	0.00	7,876.93	
	412-053-2249		ANIMAL SALES AT COUNT		7,500.00	
	412-053-2249		ANIMAL SALES AT COUNT		-225.00	
	412-053-2249		ANIMAL SALES AT COUNT		620.55	
	412-053-2249		ANIMAL SALES AT COUNT		-18.62	
5408	BANK OF AMERICA	10/29/2024	Regular	0.00	613.61	130613
tylerchecks9.5.24	Invoice	10/29/2024	CHECKS FOR PAYROLL AND PAYABLES	0.00	613.61	
	401-055-2219		SUPPLIES - GENERAL OFFI		613.61	
5612	BLUE SKY UPFITTING, LLC	10/29/2024	Regular	0.00	54,328.15	130614
INV-0173	Invoice	10/17/2024	2024 Ford Expedition Upfitting	0.00	54,328.15	
	401-050-2618		CAPITAL OUTLAY- VEHICL		4,225.14	
	410-050-2617		CAPITAL OUTLAY - EQUIP		37,289.09	
	836-045-2813		3 - SHERIFF'S DEPT VEHIC		12,813.92	
5538	BOHANNAN HUSTON, INC.	10/29/2024	Regular	0.00	2,709.37	130615
000131198	Invoice	10/17/2024	G2438 Duran Water System	0.00	2,084.14	
	803-059-2710		G2438 DURAN WATER SY		2,084.14	
000131202	Invoice	10/17/2024	Water rights evaluation	0.00	625.23	
	836-045-2272		CONTRACT - PROFESSION		625.23	
4979	BRANDON BOE DAVIS	10/29/2024	Regular	0.00	4,950.00	130616
TCSO 25-00819	Invoice	10/21/2024	Transmission	0.00	4,950.00	
	401-050-2201		MAINTENANCE & REPAIR		4,950.00	
VEN01406	DARRELL WAYNE FIXLER JR.	10/29/2024	Regular	0.00	51.78	130617
42248	Invoice	10/29/2024	COMMISSION APPROVED PURCHASE NOZ	0.00	51.78	
	413-091-2248		SUPPLIES - SAFETY		29.99	
	413-091-2248		SUPPLIES - SAFETY		21.79	
1862	GALLS LLC	10/29/2024	Regular	0.00	306.99	130618
3736744	Invoice	10/16/2024	Uniform Pants	0.00	306.99	
	401-050-2236		SUPPLIES - UNIFORMS		18.99	
	401-050-2236		SUPPLIES - UNIFORMS		288.00	
4910	HIGHER STANDARDS AUTOMOTIVE	10/29/2024	Regular	0.00	207.63	130619
4745	Invoice	10/21/2024	Battery for 2006 Van	0.00	207.63	
	401-082-2201		MAINTENANCE & REPAIR		207.63	
4892	INTELLICHOICE, INC	10/29/2024	Regular	0.00	1,996.00	130620

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Date Range: 10/18/2024 - 11/07/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
1233674	Invoice	10/22/2024	EFORCE Mobile Application License	0.00	1,996.00	
	416-083-2271		CONTRACT - OTHER SERV		1,996.00	
4464	NM APPARATUS LLC	10/29/2024	Regular	0.00	1,778.83	130621
2047	Invoice	10/21/2024	Repair Rescue 3	0.00	1,778.83	
	408-091-2201		MAINTENANCE & REPAIR		1,181.07	
	408-091-2201		MAINTENANCE & REPAIR		75.08	
	408-091-2201		MAINTENANCE & REPAIR		522.68	
4464	NM APPARATUS LLC	10/29/2024	Regular	0.00	2,096.13	130622
2046	Invoice	10/21/2024	PM Service FD1	0.00	2,096.13	
	405-091-2201		MAINTENANCE & REPAIR		1,438.55	
	405-091-2201		MAINTENANCE & REPAIR		34.65	
	405-091-2201		MAINTENANCE & REPAIR		622.93	
4464	NM APPARATUS LLC	10/29/2024	Regular	0.00	410.33	130623
2048	Invoice	10/21/2024	Repair Tender 2-1 District 2	0.00	410.33	
	406-091-2201		MAINTENANCE & REPAIR		23.10	
	406-091-2201		MAINTENANCE & REPAIR		32.19	
	406-091-2201		MAINTENANCE & REPAIR		355.04	
3859	PRUDENTIAL OVERALL SUPPLY	10/29/2024	Regular	0.00	110.71	130624
25-00772	Invoice	10/22/2024	Prudential Supplies for Judicial Complex	0.00	110.71	
	401-015-2220		SUPPLIES - CLEANING		6.40	
	401-016-2220		SUPPLIES - CLEANING		0.54	
	401-016-2220		SUPPLIES - CLEANING		62.87	
	401-016-2220		SUPPLIES - CLEANING		11.43	
	401-016-2220		SUPPLIES - CLEANING		0.54	
	401-016-2220		SUPPLIES - CLEANING		15.07	
	401-016-2220		SUPPLIES - CLEANING		1.89	
	401-016-2220		SUPPLIES - CLEANING		11.43	
	401-016-2220		SUPPLIES - CLEANING		0.54	
3859	PRUDENTIAL OVERALL SUPPLY	10/29/2024	Regular	0.00	104.88	130625

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Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
25-00650	Invoice	10/22/2024	Prudential Supply TC Employee Uniforms	0.00	104.88	
	401-065-2236		SUPPLIES - UNIFORMS 78442799 Bob grey shirt		3.24	
	401-065-2236		SUPPLIES - UNIFORMS 733A08N3 Richard pant black		6.24	
	401-065-2236		SUPPLIES - UNIFORMS 777544PA Arely polo navy		2.25	
	401-065-2236		SUPPLIES - UNIFORMS 777544PA Arely polo navy		2.70	
	401-065-2236		SUPPLIES - UNIFORMS Budget Protection Program		28.67	
	401-065-2236		SUPPLIES - UNIFORMS 78442799 Domico grey work s		3.24	
	401-065-2236		SUPPLIES - UNIFORMS 7348717Q Arely cargo tan		0.51	
	401-065-2236		SUPPLIES - UNIFORMS 733A08N3 Brina pant black		6.24	
	401-065-2236		SUPPLIES - UNIFORMS 723311 Richard polo navy		2.70	
	401-065-2236		SUPPLIES - UNIFORMS 78442799 Bob grey shirt		2.70	
	401-065-2236		SUPPLIES - UNIFORMS 723311 Richard polo navy		2.25	
	401-065-2236		SUPPLIES - UNIFORMS 777544PA Brina polo navy		2.25	
	401-065-2236		SUPPLIES - UNIFORMS 733A08N3 Bob pantt black		6.24	
	401-065-2236		SUPPLIES - UNIFORMS 733A08N3 Arely pant black		6.24	
	401-065-2236		SUPPLIES - UNIFORMS 777544PA Brina polo navy		2.70	
	401-065-2236		SUPPLIES - UNIFORMS 78442799 Domico grey work s		2.70	
	401-065-2236		SUPPLIES - UNIFORMS 7348717Q Arely cargo tan		1.02	
	401-065-2236		SUPPLIES - UNIFORMS 752113 Domico pant denim		4.87	
	401-065-2236		SUPPLIES - UNIFORMS 723311 Richard pant denim		3.05	
	401-065-2236		SUPPLIES - UNIFORMS Delivery charge		15.07	
5279	**Void**	10/29/2024	Regular	0.00	0.00	130626
	SANTA FE COUNTY	10/29/2024	Regular	0.00	1,746.00	130627
TOR 9-2024	Invoice	10/22/2024	Santa Fe County Housing of Inmates	0.00	1,746.00	
	420-070-2172		CARE OF INMATES Santa Fe County Housing of Inm		1,746.00	
5041	TimeClock Plus, LLC	10/29/2024	Regular	0.00	1,278.00	130628
INV00365621	Invoice	10/19/2024	Schedule Anywhere Annual License	0.00	1,278.00	
	911-080-2228		SOFTWARE Schedule Anywhere Annual Lice		1,278.00	
4840	TWO GUNZ CUSTOMZ & HYDROGRAPHICS	10/29/2024	Regular	0.00	2,284.72	130629
2464	Invoice	10/16/2024	Decked Box Fire Admin	0.00	2,284.72	
	413-091-2201		MAINTENANCE & REPAIR Parts Decked Box		1,799.00	
	413-091-2201		MAINTENANCE & REPAIR Labor Install		485.72	
VEN01116	US Corrections, LLC	10/29/2024	Regular	0.00	3,087.00	130630
238592	Invoice	10/16/2024	Inmate Transport from Colorado	0.00	3,087.00	
	401-050-2272		CONTRACT - PROFESSION Inmate Transport from Colorado		3,087.00	
423	ADVANCED COMMUNICATIONS &	10/30/2024	Regular	0.00	7,394.00	130631
21650-00	Invoice	10/23/2024	Portable Radio & Equipment	0.00	7,394.00	
	413-091-2248		SUPPLIES - SAFETY Portable Radio & Equipment		394.00	
	427-028-2655		WIPP FUNDING Portable Radio & Equipment		7,000.00	
5450	AMAZON BUSINESS	10/30/2024	Regular	0.00	197.76	130632

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Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
17HG-M6WY-CP1	Invoice	10/23/2024	Clerk's Election Supplies	0.00	197.76	
	401-021-2219		SUPPLIES - GENERAL OFFI		197.76	
5450	AMAZON BUSINESS	10/30/2024	Regular	0.00	54.77	130633
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name	Item Description	Distribution Amount			
1TTK-HML3-63T	Invoice	10/23/2024	Clerk's Election Supplies	0.00	54.77	
	401-021-2219		SUPPLIES - GENERAL OFFI		54.77	
5450	AMAZON BUSINESS	10/30/2024	Regular	0.00	479.26	130634
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name	Item Description	Distribution Amount			
1XXL-G1HW-GXM	Invoice	10/23/2024	Camera and Tires District 3	0.00	479.26	
	408-091-2248		SUPPLIES - SAFETY		25.73	
	408-091-2248		SUPPLIES - SAFETY		0.99	
	408-091-2248		SUPPLIES - SAFETY		415.49	
	413-091-2248		SUPPLIES - SAFETY		37.05	
3043	AWARDS ETC.	10/30/2024	Regular	0.00	86.50	130635
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name	Item Description	Distribution Amount			
0266878	Invoice	10/23/2024	Retirement Plaque	0.00	86.50	
	401-055-2221		PRINTING/PUBLISHING/A		86.50	
4979	BRANDON BOE DAVIS	10/30/2024	Regular	0.00	560.00	130636
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name	Item Description	Distribution Amount			
TCSO 25-00887	Invoice	10/23/2024	Radiator for Unit #08909G	0.00	560.00	
	401-050-2201		MAINTENANCE & REPAIR		75.00	
	401-050-2201		MAINTENANCE & REPAIR		260.00	
	401-050-2201		MAINTENANCE & REPAIR		225.00	
1802	DESIGN SILK SCREEN PRINTERS	10/30/2024	Regular	0.00	1,100.00	130637
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name	Item Description	Distribution Amount			
36736	Invoice	10/23/2024	Command Emergency Striping District 2	0.00	1,100.00	
	406-091-2248		SUPPLIES - SAFETY		1,100.00	
4705	DOUBLE H AUTO	10/30/2024	Regular	0.00	65.75	130638
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name	Item Description	Distribution Amount			
086230	Invoice	10/23/2024	Headlights and Knife Switch	0.00	65.75	
	401-008-2201		MAINTENANCE & REPAIR		32.99	
	401-008-2201		MAINTENANCE & REPAIR		31.34	
	401-008-2222		SUPPLIES - FIELD SUPPLIE		1.42	
51	ESTANCIA, TOWN OF	10/30/2024	Regular	0.00	213.81	130639
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name	Item Description	Distribution Amount			
09.2027.727	Invoice	10/24/2024	Monthly Water Bill- Fair Grounds	0.00	161.95	
	401-053-2210		UTILITIES - WATER		161.95	
	401-053-2210		UTILITIES - WATER		51.86	
	401-053-2210		UTILITIES - WATER		51.86	
VEN01403	EZEKIEL BARELA	10/30/2024	Regular	0.00	5,049.38	130640

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Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
1862	GALLS LLC	10/30/2024	Regular	0.00	432.00	130641
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name	Item Description	Distribution Amount			
TC FAIR SALE 202	Invoice	10/30/2024	TC FAIR SALE #2 PAID IN FULL	0.00	5,049.38	
412-053-2249			ANIMAL SALES AT COUNT		205.55	
412-053-2249			ANIMAL SALES AT COUNT		-6.17	
412-053-2249			ANIMAL SALES AT COUNT		5,000.00	
412-053-2249			ANIMAL SALES AT COUNT		-150.00	
4717	GSD - ADMIN SERVICES DIVISION	10/30/2024	Regular	0.00	18,575.49	130642
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name	Item Description	Distribution Amount			
GSD-115844	Invoice	10/24/2024	RMD/LPB UNEMPLOYMENT COMP	0.00	18,575.49	
401-005-2108			UNEMPLOYMENT COMPE		18,575.49	
4102	INLAND KENWORTH US	10/30/2024	Regular	0.00	41.77	130643
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name	Item Description	Distribution Amount			
120765ALP	Invoice	10/30/2024	COMMISSION APPROVE PURCHASE 10.9.2	0.00	41.77	
402-060-2244			MAINTENANCE & REPAIR		41.77	
1139	MOUNTAINAIR, TOWN OF	10/30/2024	Regular	0.00	230.09	130644
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name	Item Description	Distribution Amount			
09.2024	Invoice	10/24/2024	Utilities- Water/Gas	0.00	230.09	
401-027-2209			UTILITIES - NATURAL GAS		103.78	
401-027-2210			UTILITIES - WATER		126.31	
25	NM COUNTY INSURANCE AUTHORITY	10/30/2024	Regular	0.00	536.36	130645
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name	Item Description	Distribution Amount			
LE-00054	Invoice	10/23/2024	LAW ENFORCEMENT LIABILITY INSURANC	0.00	536.36	
401-050-2212			OTHER INSURANCE PREM		536.36	
25	NM COUNTY INSURANCE AUTHORITY	10/30/2024	Regular	0.00	13,969.10	130646
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name	Item Description	Distribution Amount			
LE-00058	Invoice	10/23/2024	LAW ENFORCEMENT LIABILITY INSURANC	0.00	13,969.10	
401-050-2212			OTHER INSURANCE PREM		13,969.10	
2231	NM DEPARTMENT OF PUBLIC SAFETY	10/30/2024	Regular	0.00	10.00	130647
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name	Item Description	Distribution Amount			
2025-A122	Invoice	10/30/2024	COMMISSION APPROVED INSTRUCTOR CE	0.00	10.00	
401-050-2266			EMPLOYEE TRAINING		10.00	
1334	PITNEY BOWES BANK INC PURCHASE POWER	10/30/2024	Regular	0.00	1,009.75	130648
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name	Item Description	Distribution Amount			
09.2024	Invoice	10/29/2024	POSTAGE FOR MAIL MACHINE	0.00	1,009.75	
401-010-2206			POSTAGE		1,009.75	
5100	PRESBYTERIAN MEDICAL SERVICES	10/30/2024	Regular	0.00	833.33	130649

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Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
1-Oct-24	Invoice	10/24/2024	Senior Center cleaning services	0.00	833.33	
	631-057-2271	CONTRACT - OTHER SERV	October Cleaning Services		833.33	
107	QWEST CORPORATION	10/30/2024	Regular	0.00	306.40	130650
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name	Item Description	Distribution Amount			
09.2024 8566	Invoice	10/24/2024	Monthly charges Estancia SC	0.00	306.40	
	401-036-2207	TELECOMMUNICATIONS	September		306.40	
107	QWEST CORPORATION	10/30/2024	Regular	0.00	74.13	130651
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name	Item Description	Distribution Amount			
10.2024 2763	Invoice	10/24/2024	Monthly phone charges- Clerk	0.00	74.13	
	401-096-2207	TELECOMMUNICATIONS	October		74.13	
107	QWEST CORPORATION	10/30/2024	Regular	0.00	186.93	130652
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name	Item Description	Distribution Amount			
09.2024 7571	Invoice	10/24/2024	Monthly charges Moriarty SC	0.00	186.93	
	401-037-2207	TELECOMMUNICATIONS	September		186.93	
107	QWEST CORPORATION	10/30/2024	Regular	0.00	146.44	130653
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name	Item Description	Distribution Amount			
09.2024 2762	Invoice	10/24/2024	Monthly phone charges- Road	0.00	146.44	
	401-096-2207	TELECOMMUNICATIONS	September		146.44	
2821	RADAR SHOP	10/30/2024	Regular	0.00	1,523.00	130654
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name	Item Description	Distribution Amount			
25699	Invoice	10/30/2024	COMMISSION APPROVED PURCHASE 10.9	0.00	1,523.00	
	401-050-2222	SUPPLIES - FIELD SUPPLIE	RECERTIFIED LIDAR UNITS		330.00	
	401-050-2222	SUPPLIES - FIELD SUPPLIE	RECERTIFIED RADAR UNITS		1,001.00	
	401-050-2222	SUPPLIES - FIELD SUPPLIE	TUNING FORKS		192.00	
5426	SENERGY PETROLEUM, LLC	10/30/2024	Regular	0.00	334.73	130655
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name	Item Description	Distribution Amount			
414954150-B	Invoice	10/23/2024	DEF Pump District 2	0.00	334.73	
	406-091-2248	SUPPLIES - SAFETY	DEF BLUE PUMP 12V / 120V Dru		334.73	
5323	SOUTHWEST COPY SYSTEMS	10/30/2024	Regular	0.00	1,276.35	130656
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name	Item Description	Distribution Amount			
551470	Invoice	10/24/2024	Copy/Print charges - September	0.00	1,276.35	
	401-008-2221	PRINTING/PUBLISHING/A	September copy/print charges P		127.98	
	401-010-2221	PRINTING/PUBLISHING/A	September copy/print chargea-		442.94	
	401-021-2221	PRINTING/PUBLISHING/A	September Copy/print charges-		263.00	
	401-050-2221	PRINTING/PUBLISHING/A	September copy/print charges-		207.56	
	401-055-2221	PRINTING/PUBLISHING/A	September copy/print charges-F		107.68	
	401-073-2271	CONTRACT - OTHER SERV	Sep copy/print charges- Court C		50.65	
	402-060-2221	PRINTING/PUBLISHING/A	September copy/print charges-		25.89	
	605-013-2221	PRINTING/PUBLISHING/A	September copy/print charges-		50.65	
1868	TAVENNER'S TOWING & RECOVERY	10/30/2024	Regular	0.00	399.50	130657

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Date Range: 10/18/2024 - 11/07/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
23753	Invoice	10/30/2024	COMMISSION APPROVED 10.9.2024	0.00	399.50	
	401-050-2267	SERVICES - TOWING	MILEAGE		59.50	
	401-050-2267	SERVICES - TOWING	CLASS A HOOK UP		115.00	
	401-050-2267	SERVICES - TOWING	TOWED MILEAGE		125.00	
	401-050-2267	SERVICES - TOWING	WRECKER LABOR		100.00	
5450	AMAZON BUSINESS	10/31/2024	Regular	0.00	462.90	130658
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
1G6G-CH6X-H6KX	Invoice	10/24/2024	Cat litter	0.00	462.90	
	401-082-2223	SUPPLIES - KENNEL	Cat litter		462.90	
5450	AMAZON BUSINESS	10/31/2024	Regular	0.00	299.97	130659
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
1FG4-DJVJ-131M	Invoice	10/24/2024	Hand Tool Kit District 3	0.00	299.97	
	408-091-2248	SUPPLIES - SAFETY	DEKOPRO 192 Piece Mechanics		299.97	
4964	AT & T MOBILITY LLC	10/31/2024	Regular	0.00	5,937.48	130660
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
287289566455A	Invoice	10/31/2024	ANIMAL SERVICES CELL PHONE USAGE	0.00	357.56	
	401-096-2207	TELECOMMUNICATIONS	ANIMAL SERVICES CELL PHONE		357.56	
287289566455AS	Invoice	10/31/2024	CELL PHONE USAGE ASSESSOR	0.00	561.88	
	401-096-2207	TELECOMMUNICATIONS	CELL PHONE USAGE ASSESSOR S		561.88	
287289566455CL	Invoice	10/31/2024	CELL PHONE USAGE CLERK	0.00	406.38	
	401-096-2207	TELECOMMUNICATIONS	CELL PHONE USAGE CLERK SEPT		406.38	
287289566455C	Invoice	10/31/2024	COMMUNITY MONITOR	0.00	51.08	
	401-096-2207	TELECOMMUNICATIONS	COMMUNITY MONITOR SEPT 20		51.08	
287289566455C	Invoice	10/31/2024	CELL PHONE USAGE COMMISSION	0.00	153.24	
	401-096-2207	TELECOMMUNICATIONS	CELL PHONE USAGE COMMISSI		153.24	
287289566455DI	Invoice	10/31/2024	DISPATCH	0.00	250.34	
	911-080-2207	TELECOMMUNICATIONS	DISPATCH SEPT 2024		250.34	
287289566455D	Invoice	10/31/2024	DWI CELL PHONE USAGE	0.00	144.61	
	401-096-2207	TELECOMMUNICATIONS	DWI CELL PHONE USAGE SEPT 2		144.61	
287289566455E	Invoice	10/31/2024	CELL PHONE USAGE EMERGENCY MANAG	0.00	158.06	
	604-083-2207	TELECOMMUNICATIONS	CELL PHONE USAGE EMERGENC		158.06	
287289566455E	Invoice	10/31/2024	EMT/FF	0.00	561.88	
	416-083-2207	TELECOMMUNICATIONS/I	EMT/FF		561.88	
287289566455FI	Invoice	10/31/2024	FINANCE CELL PHONE USAGE	0.00	357.56	
	401-096-2207	TELECOMMUNICATIONS	FINANCE CELL PHONE USAGE SE		357.56	
287289566455FI	Invoice	10/31/2024	CELL PHONE USAGE FIRE DEPARTMENT	0.00	620.89	
	407-091-2207	TELECOMMUNICATIONS	CELL PHONE USAGE DIST 1 SEPT		53.49	
	408-091-2207	TELECOMMUNICATIONS	CELL PHONE USAGE DIST 3 SEPT		40.04	
	413-091-2207	TELECOMMUNICATIONS	CELL PHONE USAGE FIRE DEPAR		527.36	
287289566455M	Invoice	10/31/2024	CELL PHONE USAGE MANAGER	0.00	306.38	
	401-096-2207	TELECOMMUNICATIONS	CELL PHONE USAGE MANAGER		306.38	
287289566455PR	Invoice	10/31/2024	PROBATE CELL PHONE USAGE	0.00	51.08	
	401-096-2207	TELECOMMUNICATIONS	PROBATE CELL PHONE USAGE S		51.08	
287289566455PZ	Invoice	10/31/2024	PLANNING AND ZONING CELL PHONE USA	0.00	424.76	
	401-096-2207	TELECOMMUNICATIONS	PLANNING AND ZONING CELL P		424.76	
287289566455R	Invoice	10/31/2024	ROAD DEPARTMENT CELL PHONE USAGE	0.00	1,034.96	
	401-096-2207	TELECOMMUNICATIONS	ROAD DEPARTMENT CELL PHON		1,034.96	
287289566455TR	Invoice	10/31/2024	TREASURER CELL PHONE USAGE	0.00	496.82	

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Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
	401-096-2207	TELECOMMUNICATIONS	TREASURER CELL PHONE USAGE		496.82	
3594	**Void**	10/31/2024	Regular	0.00	0.00	130661
	AUTOZONE INC.	10/31/2024	Regular	0.00	74.46	130662
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
02248734290	Account Number	Account Name	Item Description	Distribution Amount		
	Invoice	10/24/2024	TCFD AutoZone Open PO 7/24-10/24	0.00	74.46	
	413-091-2201		MAINTENANCE & REPAIR AutoZone Open PO Fire Admin		74.46	
4979	BRANDON BOE DAVIS	10/31/2024	Regular	0.00	700.00	130663
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
TCSO 25-00875	Account Number	Account Name	Item Description	Distribution Amount		
	Invoice	10/25/2024	U-Joints: Rear Brake Line	0.00	700.00	
	401-050-2201		MAINTENANCE & REPAIR U-Joints: Rear Brake Line		450.00	
	401-050-2201		MAINTENANCE & REPAIR Labor		250.00	
3391	CINTAS CORPORATION NO. 2	10/31/2024	Regular	0.00	232.41	130664
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
5228513341	Account Number	Account Name	Item Description	Distribution Amount		
	Invoice	10/31/2024	COMMISSION APPROVED PAYMENT 10.9.	0.00	232.41	
	604-083-2248		SUPPLIES - SAFETY MEDICINE CABINET FILL		213.06	
	604-083-2248		SUPPLIES - SAFETY SERVICE CHARGE		19.35	
4178	DOCUMENT SOLUTIONS INC	10/31/2024	Regular	0.00	139.94	130665
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
319604	Account Number	Account Name	Item Description	Distribution Amount		
	Invoice	10/26/2024	Copier overages	0.00	69.97	
	911-080-2221		PRINTING/PUBLISHING/A May Copier overage		69.97	
323158	Invoice	10/26/2024	Copier overages	0.00	69.97	
	911-080-2221		PRINTING/PUBLISHING/A PRIOR YEAR June copier fee		69.97	
1862	GALLS LLC	10/31/2024	Regular	0.00	65.60	130666
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
028770596	Account Number	Account Name	Item Description	Distribution Amount		
	Invoice	10/24/2024	Deputy Uniform Pants	0.00	65.60	
	401-050-2236		SUPPLIES - UNIFORMS 5.11 Tactical Icon Pant - 34x30		65.60	
1862	GALLS LLC	10/31/2024	Regular	0.00	650.00	130667
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
029170195	Account Number	Account Name	Item Description	Distribution Amount		
	Invoice	10/24/2024	Deputy Uniform Pants	0.00	650.00	
	401-050-2236		SUPPLIES - UNIFORMS 5.11 Tactical Icon Pant - 32X36		130.00	
	401-050-2236		SUPPLIES - UNIFORMS 5.11 Tactical Icon Pant - 34x32		65.00	
	401-050-2236		SUPPLIES - UNIFORMS 5.11 Tactical Icon Pant - 36x30		260.00	
	401-050-2236		SUPPLIES - UNIFORMS 5.11 Tactical Icon Pant - 34x30		195.00	
1756	GOSERCO INC.	10/31/2024	Regular	0.00	4,545.12	130668
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
12630	Account Number	Account Name	Item Description	Distribution Amount		
	Invoice	10/26/2024	Extended Warranty Plan for Voice Record	0.00	4,545.12	
	911-080-2271		CONTRACTS OTHER SERVI Annual software update subscri		810.90	
	911-080-2271		CONTRACTS OTHER SERVI Annual EWP: Remote & on-site		3,803.66	
	911-080-2271		CONTRACTS OTHER SERVI EWP credit for on-time EWP pay		-69.44	
177	NEW MEXICO COUNTIES	10/31/2024	Regular	0.00	150.00	130669

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Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
911.FY25	Invoice	10/26/2024	New Mexico Counties	0.00	150.00	
	911-080-2269		SUBSCRIPTIONS & DUES		12.50	
	911-080-2269		SUBSCRIPTIONS & DUES		12.50	
	911-080-2269		SUBSCRIPTIONS & DUES		12.50	
	911-080-2269		SUBSCRIPTIONS & DUES		12.50	
	911-080-2269		SUBSCRIPTIONS & DUES		12.50	
	911-080-2269		SUBSCRIPTIONS & DUES		12.50	
	911-080-2269		SUBSCRIPTIONS & DUES		12.50	
	911-080-2269		SUBSCRIPTIONS & DUES		12.50	
	911-080-2269		SUBSCRIPTIONS & DUES		12.50	
	911-080-2269		SUBSCRIPTIONS & DUES		12.50	
	911-080-2269		SUBSCRIPTIONS & DUES		12.50	
	911-080-2269		SUBSCRIPTIONS & DUES		12.50	
	911-080-2269		SUBSCRIPTIONS & DUES		12.50	
853	NM MUNICIPAL LEAGUE	10/31/2024	Regular	0.00	600.00	130670
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
12070	Invoice	10/24/2024	NM Infrastructure and Finance Conferenc	0.00	300.00	
	401-010-2266		EMPLOYEE TRAINING		300.00	
12071	Invoice	10/24/2024	NM Infrastructure and Finance Conferenc	0.00	300.00	
	401-055-2266		EMPLOYEE TRAINING		300.00	
3859	PRUDENTIAL OVERALL SUPPLY	10/31/2024	Regular	0.00	283.69	130671
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
450737892	Invoice	10/28/2024	Uniforms for Road Crew	0.00	283.69	
	402-060-2236		SUPPLIES - UNIFORMS		283.69	
5599	SIMPLY DIEGO'S	10/31/2024	Regular	0.00	1,250.00	130672
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
257557	Invoice	10/24/2024	Dry dog food for shelter animals	0.00	1,250.00	
	401-082-2216		SUPPLIES - ANIMAL FOOD		625.00	
	401-082-2216		SUPPLIES - ANIMAL FOOD		625.00	
178	U.S. POSTMASTER	10/31/2024	Regular	0.00	21,000.00	130673
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
FY2025 POSTAGE	Invoice	10/31/2024	Permit 12 Postage FY25	0.00	21,000.00	
	401-010-2206		POSTAGE		21,000.00	
VEN01253	WILSON & COMPANY, INC	10/31/2024	Regular	0.00	36,705.80	130674
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
130180	Invoice	10/24/2024	Architectural & Engineering Design Serv-A	0.00	36,705.80	
	803-059-2703		F2919 TORRANCE CO AD		36,705.80	
3207	AIRGAS USA LLC	11/06/2024	Regular	0.00	1,268.64	130675
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
5511352534	Invoice	10/29/2024	Fire Dept Airgas Rental Open PO District 3	0.00	1,268.64	
	408-091-2230		SUPPLIES - MEDICAL		1,268.64	
3207	AIRGAS USA LLC	11/06/2024	Regular	0.00	266.14	130676

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Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
5511272731	Invoice	10/29/2024	Fire Dept Airgas Rental Open PO District 5	0.00	266.14	
	405-091-2230		SUPPLIES - MEDICAL		266.14	
3207	AIRGAS USA LLC	11/06/2024	Regular	0.00	682.44	130677
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
9154305313	Invoice	10/28/2024	Fire Dept Airgas District 3 Open PO	0.00	682.44	
	408-091-2230		SUPPLIES - MEDICAL		682.44	
VEN01336	AKC PLUMBING, LLC	11/06/2024	Regular	0.00	8,744.80	130678
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
516	Invoice	11/06/2024	AKC-Diagnose the AC Uniton the Admin b	0.00	582.86	
	401-015-2215		MAINTENANCE & REPAIR		582.86	
Invoice Number 0	Invoice	10/02/2024	Emergency Repair Call Out-Akc Plumbing	0.00	8,161.94	
	401-015-2215		MAINTENANCE & REPAIR		2,700.00	
	401-015-2215		MAINTENANCE & REPAIR		4,600.00	
	401-015-2215		MAINTENANCE & REPAIR		861.94	
5450	AMAZON BUSINESS	11/06/2024	Regular	0.00	200.57	130679
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
1P3Q-KFYC-1KGO	Invoice	10/30/2024	Office Supplies	0.00	200.57	
	401-055-2219		SUPPLIES - GENERAL OFFI		8.59	
	401-055-2219		SUPPLIES - GENERAL OFFI		6.99	
	401-055-2219		SUPPLIES - GENERAL OFFI		21.42	
	401-055-2219		SUPPLIES - GENERAL OFFI		7.18	
	401-055-2219		SUPPLIES - GENERAL OFFI		22.99	
	401-055-2219		SUPPLIES - GENERAL OFFI		9.98	
	401-055-2219		SUPPLIES - GENERAL OFFI		16.04	
	401-055-2219		SUPPLIES - GENERAL OFFI		6.48	
	401-055-2219		SUPPLIES - GENERAL OFFI		33.12	
	401-055-2219		SUPPLIES - GENERAL OFFI		67.78	
5450	AMAZON BUSINESS	11/06/2024	Regular	0.00	33.07	130680
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
1WQF-M3K1-3JKJ	Invoice	10/30/2024	Office Supplies	0.00	33.07	
	401-055-2219		SUPPLIES - GENERAL OFFI		9.99	
	401-055-2219		SUPPLIES - GENERAL OFFI		23.08	
5450	AMAZON BUSINESS	11/06/2024	Regular	0.00	74.86	130681
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
1H19-6N3V-3M6	Invoice	11/05/2024	OFFICE SUPPLIES	0.00	74.86	
	401-040-2219		SUPPLIES-OFFICE		19.90	
	401-040-2219		SUPPLIES-OFFICE		54.96	
5450	AMAZON BUSINESS	11/06/2024	Regular	0.00	48.97	130682
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
1R4M-WMW1-14	Invoice	11/04/2024	Office Items	0.00	48.97	
	604-083-2219		SUPPLIES - GENERAL OFFI		10.99	
	604-083-2219		SUPPLIES - GENERAL OFFI		13.99	
	604-083-2219		SUPPLIES - GENERAL OFFI		23.99	
5450	AMAZON BUSINESS	11/06/2024	Regular	0.00	340.04	130683

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Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
1C4C-RWGV-PCG	Invoice	10/30/2024	HP Toner and Key Box	0.00	340.04	
	401-010-2219		SUPPLIES - GENERAL OFFI		335.85	
	401-010-2219		SUPPLIES - GENERAL OFFI		4.19	
5450	AMAZON BUSINESS	11/06/2024	Regular	0.00	1,999.00	130684
1NTE-XQQY-KRW	Invoice	10/30/2024	Generator District 2	0.00	1,999.00	
	406-091-2248		SUPPLIES - SAFETY		1,999.00	
			GENMAX Portable Generator, 9			
5450	AMAZON BUSINESS	11/06/2024	Regular	0.00	99.99	130685
1RWL-C96X-GCVF	Invoice	11/04/2024	Compressor and Whiteboard	0.00	99.99	
	413-091-2219		SUPPLIES - GENERAL OFFI		-299.98	
	413-091-2219		SUPPLIES - GENERAL OFFI		99.99	
	413-091-2219		SUPPLIES - GENERAL OFFI		299.98	
	413-091-2248		SUPPLIES - SAFETY		399.40	
	413-091-2248		SUPPLIES - SAFETY		-399.40	
5450	AMAZON BUSINESS	11/06/2024	Regular	0.00	27.50	130686
1Q93-FHLX-FMYK	Invoice	11/06/2024	Supplies for Road shop	0.00	27.50	
	402-060-2219		SUPPLIES - GENERAL OFFI		27.50	
			Cork board			
5450	AMAZON BUSINESS	11/06/2024	Regular	0.00	70.45	130687
1TTK-HML3-3RK	Invoice	11/06/2024	3 Ring Binder Dividers	0.00	70.45	
	604-083-2219		SUPPLIES - GENERAL OFFI		70.45	
			3 Ring Binder Dividers			
5450	AMAZON BUSINESS	11/06/2024	Regular	0.00	53.86	130688
1N4V-MXKK-1PN	Invoice	11/06/2024	Supplies for Road shop	0.00	53.86	
	402-060-2219		SUPPLIES - GENERAL OFFI		16.58	
	402-060-2219		SUPPLIES - GENERAL OFFI		24.00	
	402-060-2219		SUPPLIES - GENERAL OFFI		13.28	
			Cork board Pins			
5450	AMAZON BUSINESS	11/06/2024	Regular	0.00	162.69	130689
1V1H-4JH6-3JFY	Invoice	10/30/2024	Office Supplies Fire Dept	0.00	162.69	
	408-091-2219		SUPPLIES - GENERAL OFFI		112.75	
	413-091-2219		SUPPLIES - GENERAL OFFI		37.45	
	413-091-2220		SUPPLIES - CLEANING		12.49	
			Clorox Disinfecting Wipes			
4818	AMBITIONS TECHNOLOGY GROUP LLC	11/06/2024	Regular	0.00	415.00	130690
12954	Invoice	10/30/2024	RECURRING NETWORK SERVICE	0.00	415.00	
	401-096-2213		CONTRACT - IT SERVICES		415.00	
			AWS STORAGE GATEWAY			
4818	AMBITIONS TECHNOLOGY GROUP LLC	11/06/2024	Regular	0.00	8,370.13	130691

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Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
5237106804	Invoice	10/29/2024	SAFETY SUPPLIES FOR ROAD CABINET	0.00	263.99	
	402-060-2248		SUPPLIES - SAFETY		263.99	
766	COBURN AUTOMOTIVE & DIESEL	11/06/2024	Regular	0.00	107.20	130700
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
905186	Invoice	10/29/2024	OIL CHANGE FOR ELECTION VAN AND TIR	0.00	107.20	
	401-020-2201		VEHICLE MAINTENANCE		107.20	
3770	COOPERATIVE EDUCATIONAL SERVICES	11/06/2024	Regular	0.00	147,032.03	130701
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
24-151563	Invoice	10/30/2024	Chip Seal Sp Road Project	0.00	11,106.22	
	402-064-2405		SP MATCHING		11,106.22	
24-151564	Invoice	10/30/2024	SP cold mix	0.00	22,805.79	
	402-064-2408		ROADWAYS/BRIDGES - SP		22,805.79	
24-151565	Invoice	10/30/2024	Cold Mix Road Department	0.00	22,805.79	
	402-060-2253		MAINTENANCE & REPAIR		22,805.79	
24-151566	Invoice	10/30/2024	CAP Project Cold mix	0.00	22,805.79	
	402-062-2406		CAP-5-18(542)		22,805.79	
24-151836	Invoice	10/31/2024	Aggregate Chips CAP Project	0.00	67,508.44	
	402-062-2403		CAP MATCHING		67,508.44	
5561	CULLIGAN ABQ LLC	11/06/2024	Regular	0.00	24.03	130702
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
303534	Invoice	11/01/2024	Water Delivery	0.00	24.03	
	401-050-2271		OTHER SERVICES		20.70	
	401-050-2271		OTHER SERVICES		3.33	
4383	DE LAGE LANDEN FINANCIAL SERVICE	11/06/2024	Regular	0.00	1,887.19	130703
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
588516623	Invoice	10/28/2024	Copy Machine Lease - October	0.00	1,887.19	
	401-008-2284		LEASE EQUIPMENT		264.30	
	401-010-2284		EQUIPMENT LEASES		311.50	
	401-050-2284		EQUIPMENT LEASES		264.30	
	401-055-2284		EQUIPMENT LEASES		88.10	
	401-055-2284		EQUIPMENT LEASES		311.50	
	401-073-2271		CONTRACT - OTHER SERV		88.10	
	401-073-2271		CONTRACT - OTHER SERV		88.10	
	402-060-2284		LEASE EQUIPMENT		206.99	
	612-020-2284		CONTRACT - EQUIPMENT		264.30	
1802	DESIGN SILK SCREEN PRINTERS	11/06/2024	Regular	0.00	3,100.00	130704
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
36741	Invoice	10/28/2024	Chief's Command Emergency Striping	0.00	3,100.00	
	413-091-2248		SUPPLIES - SAFETY		3,100.00	
VEN01351	DIVERSE OFFICE SUPPLY	11/06/2024	Regular	0.00	161.49	130705
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
103750-00	Invoice	10/30/2024	Supplies for Crime Scene & Evidence	0.00	161.49	
	401-050-2222		SUPPLIES - FIELD SUPPLIE		133.86	
	401-050-2222		SUPPLIES - FIELD SUPPLIE		27.63	

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Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
4705	DOUBLE H AUTO	11/06/2024	Regular	0.00	301.83	130706
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
086498	Invoice	11/05/2024	Repair and supplies for Issued Pickup truc	0.00	95.76	
	402-060-2201		MAINTENANCE & REPAIR		95.76	
600538	Invoice	11/04/2024	Parts for repair on Road equipment and	0.00	118.68	
	402-060-2244		MAINTENANCE & REPAIR		118.68	
600562	Invoice	11/05/2024	Repair and supplies for Issued Pickup truc	0.00	87.39	
	402-060-2201		MAINTENANCE & REPAIR		87.39	
4957	ESO Solutions Inc	11/06/2024	Regular	0.00	17,766.98	130707
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
ESO-151061	Invoice	10/30/2024	ESO Fire and EMS Package	0.00	17,766.98	
	405-091-2271		CONTRACT - OTHER SERV		2,538.14	
	406-091-2271		CONTRACT - OTHER SERV		2,538.14	
	407-091-2271		CONTRACT - OTHER SERV		2,538.14	
	408-091-2271		CONTRACT - OTHER SERV		2,538.14	
	409-091-2271		CONTRACT - OTHER SERV		2,538.14	
	413-091-2271		CONTRACT - OTHER SERV		2,538.14	
	418-091-2271		CONTRACT - OTHER SERV		2,538.14	
2555	EWSWA	11/06/2024	Regular	0.00	13,747.16	130708
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
4832	Invoice	10/29/2024	TIPPING FEES	0.00	13,747.16	
	419-005-2292		EWSWA TIPPING FEES		13,747.16	
40	EYE ASSOCIATES OF NM	11/06/2024	Regular	0.00	378.00	130709
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
INV0004136	Invoice	10/30/2024	HIC Form Williams, Norman	0.00	378.00	
	420-070-2173		INMATE MEDICAL		378.00	
1862	GALLS LLC	11/06/2024	Regular	0.00	113.90	130710
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
028892531	Invoice	10/24/2024	Deputy Uniform Pants	0.00	113.90	
	401-050-2236		SUPPLIES - UNIFORMS		113.90	
1862	GALLS LLC	11/06/2024	Regular	0.00	72.00	130711
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
028719018	Invoice	10/24/2024	Deputy Uniform Pants	0.00	72.00	
	401-050-2236		SUPPLIES - UNIFORMS		72.00	
1862	GALLS LLC	11/06/2024	Regular	0.00	196.80	130712
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
028677217	Invoice	10/24/2024	Deputy Uniform Pants	0.00	196.80	
	401-050-2236		SUPPLIES - UNIFORMS		196.80	
1862	GALLS LLC	11/06/2024	Regular	0.00	72.00	130713
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
028665538	Invoice	10/24/2024	Deputy Uniform Pants	0.00	72.00	
	401-050-2236		SUPPLIES - UNIFORMS		72.00	
5019	GLOBE LIFE & ACCIDENT INSURANCE	11/06/2024	Regular	0.00	163.00	130714

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Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
INV0004149	Invoice	11/07/2024	Globe Life Insurance	0.00	163.00	
	401-000-9001	Payroll Liabilities	Globe Life Insurance		163.00	
214	Hart's Trustworthy Hardware	11/06/2024	Regular	0.00	34.77	130715
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name	Item Description	Distribution Amount			
8571406	Invoice	10/31/2024	Hart's Open PO July	0.00	34.77	
	408-091-2248	SUPPLIES - SAFETY	District 3- Supplies		34.77	
3929	HENRY SCHEIN MATRX MEDICAL	11/06/2024	Regular	0.00	416.84	130716
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name	Item Description	Distribution Amount			
20066809	Invoice	10/29/2024	EMS Supplies/Equipment/Medications Op	0.00	416.84	
	416-083-2230	SUPPLIES - MEDICAL	EMS Supplies/Equipment/Medi		416.84	
VEN01359	HOLCOMB LAW OFFICE	11/06/2024	Regular	0.00	5,815.73	130717
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name	Item Description	Distribution Amount			
4422	Invoice	10/30/2024	Legal Services for Employment and Labor	0.00	5,815.73	
	401-005-2272	CONTRACT - PROFESSION	Legal Services for Employment a		5,815.73	
2203	HOLLYFRONTIER REFINING &	11/06/2024	Regular	0.00	67,248.85	130718
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name	Item Description	Distribution Amount			
205026440	Invoice	11/06/2024	Asphalt Emulsions SB	0.00	15,461.84	
	402-063-2407	ROADWAYS/BRIDGES - SB	Asphalt Emulsions SB		15,461.84	
205026441	Invoice	11/06/2024	Asphalt Emulsions SB	0.00	15,412.75	
	402-063-2407	ROADWAYS/BRIDGES - SB	Asphalt Emulsions SB		15,412.75	
205026442	Invoice	11/06/2024	Asphalt Emulsions SB	0.00	18,236.55	
	402-063-2407	ROADWAYS/BRIDGES - SB	Asphalt Emulsions SB		18,236.55	
205031602	Invoice	11/06/2024	Asphalt Emulsions SB	0.00	18,137.71	
	402-063-2407	ROADWAYS/BRIDGES - SB	Asphalt Emulsions SB		18,137.71	
3587	HOMESTEAD WATER CO.	11/06/2024	Regular	0.00	75.40	130719
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name	Item Description	Distribution Amount			
09.2024	Invoice	10/30/2024	Monthly water bill district 5	0.00	75.40	
	405-091-2210	UTILITIES - WATER	September		75.40	
4892	INTELLICHOICE, INC	11/06/2024	Regular	0.00	2,691.00	130720
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name	Item Description	Distribution Amount			
1233575	Invoice	10/30/2024	AVL Licenses Fire Dept	0.00	2,691.00	
	416-083-2271	CONTRACT - OTHER SERV	AVL Mobile Licenses Fire Dept		2,691.00	
129	MORIARTY, CITY OF	11/06/2024	Regular	0.00	217.32	130721
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name	Item Description	Distribution Amount			
Exhibit I 10-4-24	Invoice	10/30/2024	MOU with City of Moriarty PD for DWI en	0.00	217.32	
	605-022-2271	CONTRACT - OTHER SERV	Exhibit I 10-4-24		217.32	
129	MORIARTY, CITY OF	11/06/2024	Regular	0.00	108.66	130722
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name	Item Description	Distribution Amount			
Exhibit I 10-1-24	Invoice	10/30/2024	MOU with City of Moriarty PD for DWI en	0.00	108.66	
	605-022-2271	CONTRACT - OTHER SERV	Exhibit I 10-1-24		108.66	
VEN01278	MOSER TRAINING SOLUTIONS LLC	11/06/2024	Regular	0.00	650.00	130723

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Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
1632	Invoice 401-050-2266	10/28/2024	FTO Training for Robert Mitchell EMPLOYEE TRAINING	0.00	650.00	
5299	NEW MEXICO CORRECTIONS DEPT	11/06/2024	Regular	0.00	6,611.40	130724
3 A-25TorCDC	Invoice 420-070-2172 420-070-2173	10/30/2024	NMDOC Inmate Housing/Medical CARE OF INMATES INMATE MEDICAL	0.00	6,611.40	
					5,507.40	
					1,104.00	
5267	NEW MEXICO SALT AND MINERALS, INC	11/06/2024	Regular	0.00	4,732.36	130725
1783632	Invoice 402-060-2253	10/30/2024	Rock Salt MAINTENANCE & REPAIR	0.00	2,373.29	
					2,373.29	
1789679	Invoice 402-060-2253	10/30/2024	Rock Salt MAINTENANCE & REPAIR	0.00	2,359.07	
					2,359.07	
1096	NM RETIREE HEALTH-CARE AUTHORI	11/06/2024	Regular	0.00	6,051.67	130726
INV0004162	Invoice 401-000-9001	11/07/2024	Retiree Health Care Payroll Liabilities	0.00	6,042.07	
					6,042.07	
INV0004172	Invoice 401-000-9001	11/07/2024	Retiree Health Care Payroll Liabilities	0.00	9.60	
					9.60	
448	NM TAXATION & REVENUE	11/06/2024	Regular	0.00	634.39	130727
INV0004168	Invoice 401-000-9001	11/07/2024	LEVY NUMBER: 60573 Payroll Liabilities	0.00	634.39	
					634.39	
5106	ORTIZ, ADRIAN	11/06/2024	Regular	0.00	4,000.00	130728
FY25-04	Invoice 605-022-2271	11/06/2024	Teen Court and Certified Prevention Speci CONTRACT - OTHER SERV	0.00	4,000.00	
					4,000.00	
5514	PERSONNEL EVALUATION INC.	11/06/2024	Regular	0.00	200.00	130729
52798	Invoice 911-080-2272	10/29/2024	Personnel Eval Profiles (PEP) CONTRACT - PROFESSION	0.00	25.00	
					25.00	
52832	Invoice 911-080-2272	10/29/2024	Personnel Eval Profiles (PEP) CONTRACT - PROFESSION	0.00	25.00	
					25.00	
52833	Invoice 911-080-2272	10/29/2024	Personnel Eval Profiles (PEP) CONTRACT - PROFESSION	0.00	25.00	
					25.00	
52834	Invoice 911-080-2272	10/29/2024	Personnel Eval Profiles (PEP) CONTRACT - PROFESSION	0.00	25.00	
					25.00	
52835	Invoice 911-080-2272	10/29/2024	Personnel Eval Profiles (PEP) CONTRACT - PROFESSION	0.00	25.00	
					25.00	
52836	Invoice 911-080-2272	10/29/2024	Personnel Eval Profiles (PEP) CONTRACT - PROFESSION	0.00	25.00	
					25.00	
52837	Invoice 911-080-2272	10/29/2024	Personnel Eval Profiles (PEP) CONTRACT - PROFESSION	0.00	25.00	
					25.00	
52839	Invoice	10/29/2024	Personnel Eval Profiles (PEP)	0.00	25.00	

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Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
	911-080-2272	CONTRACT - PROFESSION	Personnel Eval Profiles (PEP)		25.00	
5603	PFEIFER VETERINARY SERVICES, LLC	11/06/2024	Regular	0.00	415.00	130730
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
2219816	Invoice	10/30/2024	Sterilizations through grant program	0.00	415.00	
	431-082-2272	CONTRACT - PROFESSION	Sterilizations through grant prog		415.00	
681	PICTOMETRY INTERNATIONAL CORP	11/06/2024	Regular	0.00	35,565.89	130731
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
US445231	Invoice	11/04/2024	PICTOMETRY INTERNATIONAL CORP	0.00	35,565.89	
	610-040-2271	CONTRACT - OTHER SERV	PICTOMETRY INTERNATIONAL C		35,565.89	
2015	PLATEAU WIRELESS	11/06/2024	Regular	0.00	127.46	130732
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
10.2024.1365	Invoice	10/30/2024	Internet & wireless services	0.00	127.46	
	407-091-2207	TELECOMMUNICATIONS	October- Internet & wireless ser		127.46	
1711	POSITIVE PROMOTIONS	11/06/2024	Regular	0.00	1,228.12	130733
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
07470897	Invoice	10/30/2024	Outreach materials for upcoming events	0.00	1,228.12	
	605-013-2257	SUPPLIES - OUTREACH	Mobile Cell Phone Wallet		460.00	
	608-035-2219	SUPPLIES - GENERAL OFFI	Bookmark - Celebrate Red Ribb		56.85	
	608-035-2219	SUPPLIES - GENERAL OFFI	Celebrate Red Ribbon Week Ban		49.95	
	608-035-2219	SUPPLIES - GENERAL OFFI	Fees for personalization for Sma		110.00	
	608-035-2219	SUPPLIES - GENERAL OFFI	3/4 Two Color Breakaway Lanya		551.32	
317	PRESBYTERIAN KASEMAN HOSPITAL	11/06/2024	Regular	0.00	15,514.00	130734
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
PRES08222024	Invoice	10/16/2024	Inmate Medical Gonzalez, Eduardo	0.00	15,514.00	
	420-070-2173	INMATE MEDICAL	Inmate Medical		15,514.00	
3859	PRUDENTIAL OVERALL SUPPLY	11/06/2024	Regular	0.00	283.69	130735
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
450739360	Invoice	10/29/2024	Uniforms for Road Crew	0.00	283.69	
	402-060-2236	SUPPLIES - UNIFORMS	Uniforms Oct-5		283.69	
3859	PRUDENTIAL OVERALL SUPPLY	11/06/2024	Regular	0.00	280.20	130736
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
450740093	Invoice	11/05/2024	Uniforms for Road Crew	0.00	280.20	
	402-060-2236	SUPPLIES - UNIFORMS	Uniforms Nov-1		280.20	
3859	PRUDENTIAL OVERALL SUPPLY	11/06/2024	Regular	0.00	283.69	130737
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
450738625	Invoice	10/28/2024	Uniforms for Road Crew	0.00	283.69	
	402-060-2236	SUPPLIES - UNIFORMS	Uniforms Oct-4		283.69	
107	QWEST CORPORATION	11/06/2024	Regular	0.00	74.13	130738
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
09.2024.8623	Invoice	10/28/2024	Monthly phone charges- Assessor	0.00	74.13	
	401-096-2207	TELECOMMUNICATIONS	September		74.13	
107	QWEST CORPORATION	11/06/2024	Regular	0.00	45.75	130739

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Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
09.2024 7944	Invoice 401-096-2207	10/28/2024	Monthly phone charges- Sheriff TELECOMMUNICATIONS September	0.00	45.75	
107	QWEST CORPORATION	11/06/2024	Regular	0.00	140.29	130740
09.2024 4021	Invoice 401-096-2207	10/28/2024	Monthly phone charges- Sheriff TELECOMMUNICATIONS September	0.00	140.29	
107	QWEST CORPORATION	11/06/2024	Regular	0.00	220.39	130741
09.2024 7556	Invoice 401-096-2207	10/30/2024	Monthly phone charges- Animal Services TELECOMMUNICATIONS September	0.00	220.39	
107	QWEST CORPORATION	11/06/2024	Regular	0.00	130.00	130742
09.2024 4146	Invoice 401-096-2207	10/30/2024	Monthly phone charges- Road TELECOMMUNICATIONS September	0.00	130.00	
107	QWEST CORPORATION	11/06/2024	Regular	0.00	74.13	130743
09.2024 2736	Invoice 401-096-2207	10/28/2024	Monthly phone charges-Treasurer TELECOMMUNICATIONS September	0.00	74.13	
107	QWEST CORPORATION	11/06/2024	Regular	0.00	70.80	130744
09.2024 0726	Invoice 401-027-2207	10/30/2024	Monthly charges Mountainair SC TELECOMMUNICATIONS September	0.00	70.80	
107	QWEST CORPORATION	11/06/2024	Regular	0.00	152.42	130745
09.2024 7094	Invoice 401-096-2207	10/30/2024	Monthly phone charge- Manager TELECOMMUNICATIONS September	0.00	152.42	
215	RICH FORD SALES	11/06/2024	Regular	0.00	95.70	130746
2050853	Invoice 401-008-2201 401-008-2201 401-008-2201 401-008-2201 401-008-2201	10/31/2024	PZ 4 August 2024 oil change MAINTENANCE & REPAIR oil MAINTENANCE & REPAIR shop supplies MAINTENANCE & REPAIR oil filter MAINTENANCE & REPAIR Document storage fee MAINTENANCE & REPAIR House tech	0.00	95.70	
3462	SAMBA HOLDINGS, INC.	11/06/2024	Regular	0.00	542.37	130747
INVO1600025	Invoice 401-014-2271	10/29/2024	Samba Safety DL Check CONTRACT-OTHER SERVI AUG 2024 Samba Safety DL Che	0.00	257.68	
INVO1631684	Invoice 401-014-2271	10/29/2024	Samba Safety DL Check CONTRACT-OTHER SERVI SEP 2024 Samba Safety DL Chec	0.00	284.69	
3462	SAMBA HOLDINGS, INC.	11/06/2024	Regular	0.00	267.18	130748

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Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
INV01662121	Invoice	11/05/2024	Samba Safety Open PO	0.00	267.18	
	413-091-2271	CONTRACT - OTHER SERV	Samba Safety Open PO Oct 202		267.18	
VEN01156	SANCHEZ, JAVIER ERNESTO	11/06/2024	Regular	0.00	35.89	130749
310837	Invoice	11/06/2024	DOOR KNOB SET	0.00	35.89	
	401-040-2218	MAINTENANCE & REPAIR	DOOR KNOB SET		35.89	
5426	SENERGY PETROLEUM, LLC	11/06/2024	Regular	0.00	8,742.66	130750
SEN-916958	Invoice	10/28/2024	Bulk Fuel and Oil	0.00	6,268.54	
	402-060-2202	SUPPLIES - VEHICLE FUEL	Bulk Fuel and Oil		6,268.54	
SEN-924272	Invoice	11/05/2024	Bulk Fuel and Oil	0.00	2,474.12	
	402-060-2202	SUPPLIES - VEHICLE FUEL	Bulk Fuel and Oil		2,474.12	
2562	SIRCHIE FINGERPRINT LABORATORIES	11/06/2024	Regular	0.00	402.64	130751
0668927-IN	Invoice	10/28/2024	Forensic Supplies	0.00	402.64	
	401-050-2222	SUPPLIES - FIELD SUPPLIE	Bluestar Forensic Tablets/8		133.65	
	401-050-2222	SUPPLIES - FIELD SUPPLIE	CAP Shure Sterile Swabs, 100/p		250.74	
	401-050-2222	SUPPLIES - FIELD SUPPLIE	Shipping & Handling Costs		18.25	
5323	SOUTHWEST COPY SYSTEMS	11/06/2024	Regular	0.00	698.15	130752
553629	Invoice	10/30/2024	Copy/Print charges - October	0.00	698.15	
	401-008-2221	PRINTING/PUBLISHING/A	October copy/print charges P&Z		118.46	
	401-010-2221	PRINTING/PUBLISHING/A	October copy/print chargea- M		130.44	
	401-021-2221	PRINTING/PUBLISHING/A	October Copy/print charges-Cle		120.95	
	401-050-2221	PRINTING/PUBLISHING/A	October copy/print charges- SH		136.60	
	401-055-2221	PRINTING/PUBLISHING/A	October copy/print charges-FIN		89.82	
	401-073-2271	CONTRACT - OTHER SERV	Oct copy/print charges- Court C		46.52	
	402-060-2221	PRINTING/PUBLISHING/A	October copy/print charges- RO		8.84	
	605-013-2221	PRINTING/PUBLISHING/A	October copy/print charges- D		46.52	
3331	SOUTHWEST PROPANE LLC	11/06/2024	Regular	0.00	209.22	130753
G469481400163	Invoice	11/04/2024	Southwest Propane Utility for District 2 O	0.00	209.22	
	406-091-2209	UTILITIES - NATURAL GAS	Southwest Propane Utility for Di		209.22	
3915	STERICYCLE, INC.	11/06/2024	Regular	0.00	48.21	130754
8008817048	Invoice	10/29/2024	Monthly Service Stericycle Open PO	0.00	48.21	
	416-083-2230	SUPPLIES - MEDICAL	Monthly Service Stericycle Open		48.21	
1335	TORRANCE COUNTY	11/06/2024	Regular	0.00	81.48	130755
INV0004164	Invoice	11/07/2024	Torrance County Property Tax	0.00	81.48	
	401-000-9001	Payroll Liabilities	Torrance County Property Tax		81.48	
5414	TX CHILD SUPPORT SDU	11/06/2024	Regular	0.00	254.31	130756

Check Report

Date Range: 10/18/2024 - 11/07/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
INV0004169	Invoice	11/07/2024	TX SDU CHILD SUPPORT	0.00	254.31	
	401-000-9001	Payroll Liabilities	TX SDU CHILD SUPPORT		254.31	
5193	UNIVERSAL BACKGROUND SCREENING	11/06/2024	Regular	0.00	1,904.83	130757
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
202408013415	Invoice	10/28/2024	Background & drug testing scenings	0.00	857.52	
	401-014-2271	CONTRACT-OTHER SERVI	August- HR		739.68	
	406-091-2271	CONTRACT - OTHER SERV	August- Fire		117.84	
202409013415	Invoice	10/28/2024	Background & drug testing scenings	0.00	1,047.31	
	401-014-2271	CONTRACT-OTHER SERVI	September- HR		557.34	
	406-091-2271	CONTRACT - OTHER SERV	September- Fire		489.97	
VEN01270	Valencia Shelter Services	11/06/2024	Regular	0.00	21,426.29	130758
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Q1 July - Septem	Invoice	10/31/2024	Valencia Shelter Services MOA DV Service	0.00	21,426.29	
	690-009-2271	CONTRACT - OTHER SERV	October 2024		5,070.03	
	690-009-2271	CONTRACT - OTHER SERV	September 2024		6,247.08	
	690-009-2271	CONTRACT - OTHER SERV	August 2024		5,000.00	
	690-009-2271	CONTRACT - OTHER SERV	July 2024		5,109.18	
4376	WAGWORKS	11/06/2024	Regular	0.00	187.50	130759
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
INV7112306	Invoice	10/28/2024	HealthBenefits	0.00	187.50	
	401-014-2272	CONTRACT - PROFESSION	HealthBenefits October 2024		187.50	
1	WAGNER EQUIPMENT CO.	11/06/2024	Regular	0.00	4,861.26	130760
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
P10C0903127	Invoice	10/28/2024	Service Contract for Cat Equipment	0.00	290.61	
	402-060-2244	MAINTENANCE & REPAIR	Service Contract for Cat Equipm		290.61	
S10W0924714	Invoice	10/28/2024	Service Contract for Cat Equipment	0.00	3,414.26	
	402-060-2244	MAINTENANCE & REPAIR	Service Contract for Cat Equipm		3,414.26	
S10W0925258	Invoice	10/29/2024	Service Contract for Cat Equipment	0.00	1,156.39	
	402-060-2244	MAINTENANCE & REPAIR	Service Contract for Cat Equipm		1,156.39	
5380	VOYA HOLDINGS, INC.	10/24/2024	Bank Draft	0.00	1,250.55	DFT0001002
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
INV0004095	Invoice	10/24/2024	Voya	0.00	1,250.55	
	401-000-9001	Payroll Liabilities	Voya		1,250.55	
233	PUBLIC EMPLOYEES RETIREMENT	10/24/2024	Bank Draft	0.00	52,650.22	DFT0001003
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
INV0004097	Invoice	10/24/2024	PERA Retirement	0.00	52,650.22	
	401-000-9001	Payroll Liabilities	PERA PICKUP		7,643.32	
	401-000-9001	Payroll Liabilities	PERA PICKUP LAW		2,418.35	
	401-000-9001	Payroll Liabilities	PERA Retirement		10,925.98	
	401-000-9001	Payroll Liabilities	PERA Retirement		31,662.57	
448	NM TAXATION & REVENUE	10/24/2024	Bank Draft	0.00	8,345.77	DFT0001004

Check Report

Date Range: 10/18/2024 - 11/07/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
INV0004100	Invoice	10/24/2024	State Tax	0.00	8,345.77	
	401-000-9001	Payroll Liabilities	State Tax		8,345.77	
1656	INTERNAL REVENUE SERVICE	10/24/2024	Bank Draft	0.00	53,646.11	DFT0001005
INV0004101	Invoice	10/24/2024	Federal Tax	0.00	53,646.11	
	401-000-9001	Payroll Liabilities	Federal Tax		19,283.71	
	401-000-9001	Payroll Liabilities	Medicare Taxes		7,382.78	
	401-000-9001	Payroll Liabilities	FICA Tax		26,979.62	
233	PUBLIC EMPLOYEES RETIREMENT	10/24/2024	Bank Draft	0.00	98.68	DFT0001007
INV0004103	Invoice	10/24/2024	PERA Retirement	0.00	98.68	
	401-000-9001	Payroll Liabilities	PERA Retirement		79.49	
	401-000-9001	Payroll Liabilities	PERA PICKUP		19.19	
448	NM TAXATION & REVENUE	10/24/2024	Bank Draft	0.00	20.62	DFT0001008
INV0004104	Invoice	10/24/2024	State Tax	0.00	20.62	
	401-000-9001	Payroll Liabilities	State Tax		20.62	
1656	INTERNAL REVENUE SERVICE	10/24/2024	Bank Draft	0.00	92.77	DFT0001009
INV0004105	Invoice	10/24/2024	Federal Tax	0.00	92.77	
	401-000-9001	Payroll Liabilities	FICA Tax		52.18	
	401-000-9001	Payroll Liabilities	Federal Tax		28.39	
	401-000-9001	Payroll Liabilities	Medicare Taxes		12.20	
5380	VOYA HOLDINGS, INC.	10/24/2024	Bank Draft	0.00	75.00	DFT0001013
INV0004115	Invoice	10/24/2024	Voya	0.00	75.00	
	401-000-9001	Payroll Liabilities	Voya		75.00	
233	PUBLIC EMPLOYEES RETIREMENT	10/24/2024	Bank Draft	0.00	1,543.01	DFT0001014
INV0004117	Invoice	10/24/2024	PERA Retirement	0.00	1,543.01	
	401-000-9001	Payroll Liabilities	PERA Retirement		1,242.97	
	401-000-9001	Payroll Liabilities	PERA PICKUP		300.04	
448	NM TAXATION & REVENUE	10/24/2024	Bank Draft	0.00	138.75	DFT0001015
INV0004118	Invoice	10/24/2024	State Tax	0.00	138.75	
	401-000-9001	Payroll Liabilities	State Tax		138.75	
1656	INTERNAL REVENUE SERVICE	10/24/2024	Bank Draft	0.00	1,041.62	DFT0001016
INV0004119	Invoice	10/24/2024	Federal Tax	0.00	1,041.62	
	401-000-9001	Payroll Liabilities	Medicare Taxes		186.60	
	401-000-9001	Payroll Liabilities	Federal Tax		57.20	
	401-000-9001	Payroll Liabilities	FICA Tax		797.82	

Check Report

Date Range: 10/18/2024 - 11/07/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
233	PUBLIC EMPLOYEES RETIREMENT	10/24/2024	Bank Draft	0.00	-48.67	DFT0001018
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
CM0000186	Credit Memo	10/24/2024	PERA Retirement	0.00	-48.67	
	401-000-9001		Payroll Liabilities		-9.47	
	401-000-9001		Payroll Liabilities		-39.20	
1656	INTERNAL REVENUE SERVICE	10/24/2024	Bank Draft	0.00	47.72	DFT0001019
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
INV0004120	Invoice	10/24/2024	Federal Tax	0.00	47.72	
	401-000-9001		Payroll Liabilities		9.04	
	401-000-9001		Payroll Liabilities		38.68	
233	PUBLIC EMPLOYEES RETIREMENT	10/24/2024	Bank Draft	0.00	541.15	DFT0001020
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
INV0004125	Invoice	10/24/2024	PERA Retirement	0.00	541.15	
	401-000-9001		Payroll Liabilities		105.23	
	401-000-9001		Payroll Liabilities		435.92	
448	NM TAXATION & REVENUE	10/24/2024	Bank Draft	0.00	69.87	DFT0001021
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
INV0004126	Invoice	10/24/2024	State Tax	0.00	69.87	
	401-000-9001		Payroll Liabilities		69.87	
1656	INTERNAL REVENUE SERVICE	10/24/2024	Bank Draft	0.00	477.39	DFT0001022
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
INV0004127	Invoice	10/24/2024	Federal Tax	0.00	477.39	
	401-000-9001		Payroll Liabilities		286.16	
	401-000-9001		Payroll Liabilities		66.92	
	401-000-9001		Payroll Liabilities		124.31	
233	PUBLIC EMPLOYEES RETIREMENT	10/24/2024	Bank Draft	0.00	541.42	DFT0001023
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
INV0004132	Invoice	10/24/2024	PERA Retirement	0.00	541.42	
	401-000-9001		Payroll Liabilities		436.14	
	401-000-9001		Payroll Liabilities		105.28	
448	NM TAXATION & REVENUE	10/24/2024	Bank Draft	0.00	54.40	DFT0001024
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
INV0004133	Invoice	10/24/2024	State Tax	0.00	54.40	
	401-000-9001		Payroll Liabilities		54.40	
1656	INTERNAL REVENUE SERVICE	10/24/2024	Bank Draft	0.00	621.50	DFT0001025
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
INV0004134	Invoice	10/24/2024	Federal Tax	0.00	621.50	
	401-000-9001		Payroll Liabilities		408.92	
	401-000-9001		Payroll Liabilities		116.94	
	401-000-9001		Payroll Liabilities		95.64	
448	NM TAXATION & REVENUE	10/31/2024	Bank Draft	0.00	88.73	DFT0001029

Check Report

Date Range: 10/18/2024 - 11/07/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
	Account Number	Account Name	Item Description	Distribution Amount		
INV0004138	Invoice	10/31/2024	State Tax	0.00	88.73	
	401-000-9001	Payroll Liabilities	State Tax		88.73	
1656	INTERNAL REVENUE SERVICE	10/31/2024	Bank Draft	0.00	1,800.55	DFT0001030
INV0004139	Invoice	10/31/2024	Federal Tax	0.00	1,800.55	
	401-000-9001	Payroll Liabilities	FICA Tax		1,271.00	
	401-000-9001	Payroll Liabilities	Federal Tax		232.19	
	401-000-9001	Payroll Liabilities	Medicare Taxes		297.36	
INV0004165	Invoice	11/07/2024	Voya	0.00	1,300.55	
	401-000-9001	Payroll Liabilities	Voya		1,300.55	
5380	VOYA HOLDINGS, INC.	11/07/2024	Bank Draft	0.00	1,300.55	DFT0001031
INV0004167	Invoice	11/07/2024	PERA Retirement	0.00	53,697.00	
	401-000-9001	Payroll Liabilities	PERA PICKUP LAW		2,587.59	
	401-000-9001	Payroll Liabilities	PERA Retirement		11,690.64	
	401-000-9001	Payroll Liabilities	PERA Retirement		31,753.51	
	401-000-9001	Payroll Liabilities	PERA PICKUP		7,665.26	
233	PUBLIC EMPLOYEES RETIREMENT	11/07/2024	Bank Draft	0.00	53,697.00	DFT0001032
INV0004170	Invoice	11/07/2024	State Tax	0.00	8,370.71	
	401-000-9001	Payroll Liabilities	State Tax		8,370.71	
448	NM TAXATION & REVENUE	11/07/2024	Bank Draft	0.00	8,370.71	DFT0001033
INV0004171	Invoice	11/07/2024	Federal Tax	0.00	53,891.32	
	401-000-9001	Payroll Liabilities	Medicare Taxes		7,505.80	
	401-000-9001	Payroll Liabilities	Federal Tax		18,660.20	
	401-000-9001	Payroll Liabilities	FICA Tax		27,725.32	
1656	INTERNAL REVENUE SERVICE	11/07/2024	Bank Draft	0.00	53,891.32	DFT0001034
INV0004173	Invoice	11/07/2024	PERA Retirement	0.00	75.09	
	401-000-9001	Payroll Liabilities	PERA Retirement		60.49	
	401-000-9001	Payroll Liabilities	PERA PICKUP		14.60	
233	PUBLIC EMPLOYEES RETIREMENT	11/07/2024	Bank Draft	0.00	75.09	DFT0001035
INV0004174	Invoice	11/07/2024	State Tax	0.00	34.31	
	401-000-9001	Payroll Liabilities	State Tax		34.31	
448	NM TAXATION & REVENUE	11/07/2024	Bank Draft	0.00	34.31	DFT0001036
1656	INTERNAL REVENUE SERVICE	11/07/2024	Bank Draft	0.00	215.23	DFT0001037

Check Report

Date Range: 10/18/2024 - 11/07/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Account Number	Account Name	Item Description	Distribution Amount			
INV0004175	Invoice	11/07/2024	Federal Tax	0.00	215.23	
401-000-9001	Payroll Liabilities	Federal Tax			108.09	
401-000-9001	Payroll Liabilities	Medicare Taxes			20.32	
401-000-9001	Payroll Liabilities	FICA Tax			86.82	
448	NM TAXATION & REVENUE	11/05/2024	Bank Draft	0.00	87.40	DFT0001038
INV0004176	Invoice	11/05/2024	State Tax	0.00	87.40	
401-000-9001	Payroll Liabilities	State Tax			87.40	
1656	INTERNAL REVENUE SERVICE	11/05/2024	Bank Draft	0.00	1,526.55	DFT0001039
INV0004177	Invoice	11/05/2024	Federal Tax	0.00	1,526.55	
401-000-9001	Payroll Liabilities	Medicare Taxes			253.86	
401-000-9001	Payroll Liabilities	Federal Tax			187.69	
401-000-9001	Payroll Liabilities	FICA Tax			1,085.00	
233	PUBLIC EMPLOYEES RETIREMENT	11/07/2024	Bank Draft	0.00	1,082.31	DFT0001040
INV0004182	Invoice	11/07/2024	PERA Retirement	0.00	1,082.31	
401-000-9001	Payroll Liabilities	PERA Retirement			871.85	
401-000-9001	Payroll Liabilities	PERA PICKUP			210.46	
448	NM TAXATION & REVENUE	11/07/2024	Bank Draft	0.00	182.95	DFT0001041
INV0004183	Invoice	11/07/2024	State Tax	0.00	182.95	
401-000-9001	Payroll Liabilities	State Tax			182.95	
1656	INTERNAL REVENUE SERVICE	11/07/2024	Bank Draft	0.00	1,107.37	DFT0001042
INV0004184	Invoice	11/07/2024	Federal Tax	0.00	1,107.37	
401-000-9001	Payroll Liabilities	Medicare Taxes			133.84	
401-000-9001	Payroll Liabilities	Federal Tax			401.23	
401-000-9001	Payroll Liabilities	FICA Tax			572.30	

Bank Code Main Checking Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	321	223	0.00	839,357.50
Manual Checks	0	0	0.00	0.00
Voided Checks	0	6	0.00	0.00
Bank Drafts	33	33	0.00	244,667.95
EFT's	9	6	0.00	96,532.29
	363	268	0.00	1,180,557.74

All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	321	223	0.00	839,357.50
Manual Checks	0	0	0.00	0.00
Voided Checks	0	6	0.00	0.00
Bank Drafts	33	33	0.00	244,667.95
EFT's	9	6	0.00	96,532.29
	363	268	0.00	1,180,557.74

Fund Summary

Fund	Name	Period	Amount
999	Pooled Cash	10/2024	602,060.97
999	Pooled Cash	11/2024	578,496.77
			1,180,557.74



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 10 A



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**TORRANCE COUNTY
BOARD OF COUNTY COMMISSIONERS
RESOLUTION NO. 2024-**

Budget Adjustments

WHEREAS, the Torrance County Commission in regular session on Wednesday, November 13, 2024, did authorize budget adjustments to the FY2024-2025 budget; and

WHEREAS, budget adjustments require approval from the Department of Finance and Administration; and

WHEREAS, Torrance County requests approval for the budget adjustments set forth in the attached *Schedule A and Schedule B*.

NOW, THEREFORE, BE IT RESOLVED that the Torrance County Board of County Commissioners authorizes the attached budget adjustments in *Schedule A and Schedule B* and respectfully requests approval from the Local Government Division of the Department of Finance and Administration.

AUTHORIZED this 13th day of November 2024.

APPROVED AS TO FORM ONLY: TORRANCE COUNTY BOARD OF COMMISSIONERS

County Attorney

Ryan Schwebach, Chair, District 2

Kevin McCall, Vice Chair, District 1

Samuel D. Schropp, Member, District 3

ATTEST:

Linda Jaramillo, Torrance County Clerk



Torrance County

Resolution 2024-

Budget Adjustment

Schedule A

Budget Increase

Torrance County FY2024 Budget (LGBMS line item structure)

Fund	Department	Account	Adjustment
21800 Intergovernmental Grants	0001 No Department	47499 Other State Grants	864,953.00
21800 Intergovernmental Grants	2002 General Administration	57999 Other Operating Costs	604,898.00
22300 DWI Fund	0001 No Department	47170 State - Traffic Safety Grant (DOT)	75
22300 DWI Fund	0001 No Department	47071 State - DWI Local Grant (DFA)	58,216.00
22300 DWI Fund	3006 DWI Prevention	57090 Printing/Publishing/Advertising	8,000.00
22300 DWI Fund	3006 DWI Prevention	57050 Employee Training	5,000.00
22300 DWI Fund	3006 DWI Prevention	56020 Supplies - General Office	75
21800 Intergovernmental Grants	2002 General Administration	58020 Equipment & Machinery	290,300.00
22300 DWI Fund	3006 DWI Prevention	53030 Travel - Employees	5,000.00
22300 DWI Fund	3006 DWI Prevention	55030 Contract - Professional Services	23,216.00
22300 DWI Fund	3006 DWI Prevention	55999 Contract - Other Services	22,800.00
			1,882,533.00



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item

No. 11 A

A-101

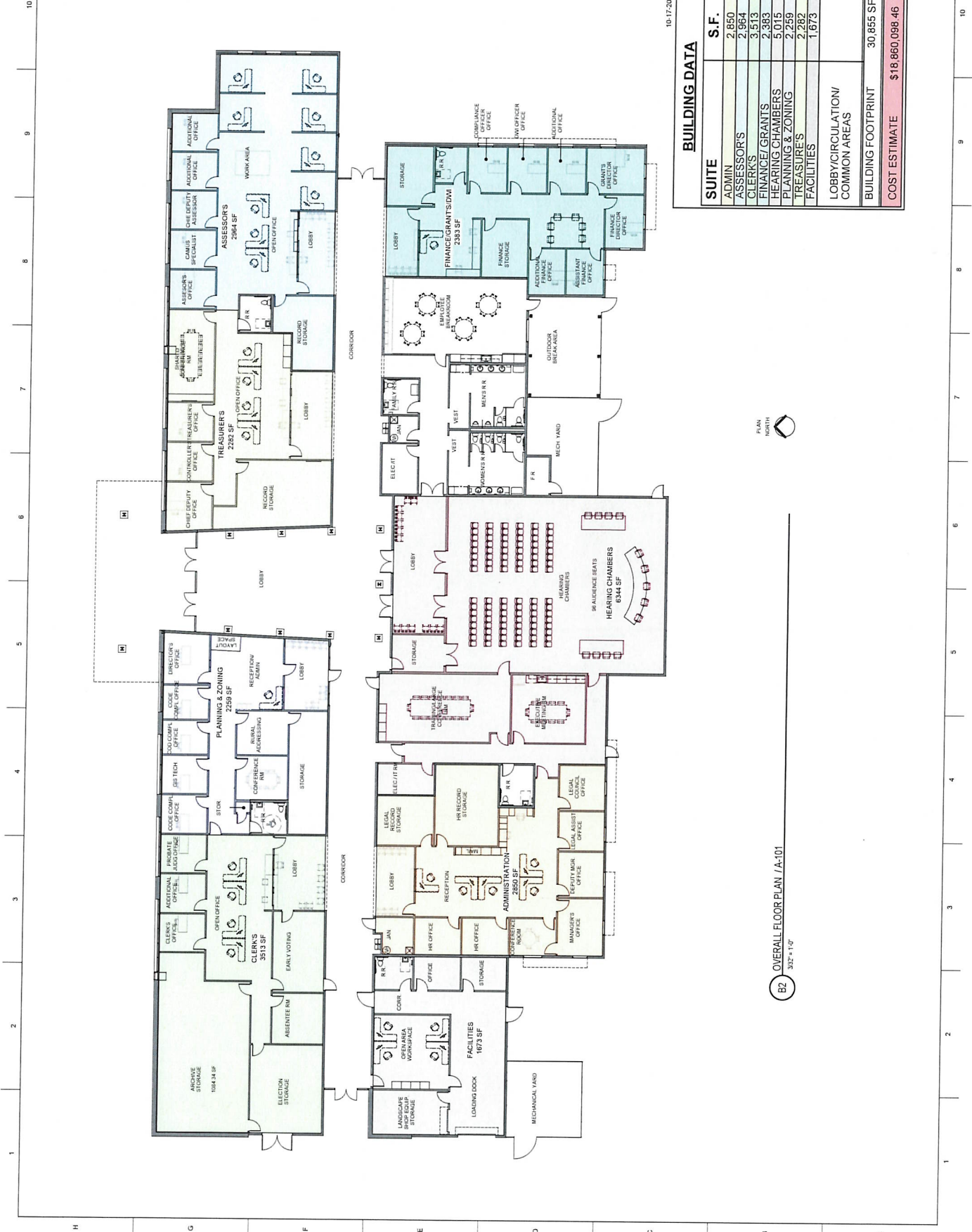
WILSON & COMPANY
 410 N 47TH STREET SUITE 400
 PHOENIX, AZ 85008
 PHONE: (602) 263-2701

PROJECT NAME: TORANCE COUNTY ADMINISTRATION BUILDING

MARK	DATE	DESCRIPTION

PROJECT NO: 226004803
 DRAWN BY: [Blank]
 CHECKED BY: [Blank]
 SHEET TITLE: FLOOR PLAN A101

A-101
 SHEET OF



10-17-2024

SUITE	S.F.
ADMIN	2,850
ASSESSORS	2,984
CLERK'S	3,513
FINANCE/GRANTS	2,383
HEARING CHAMBERS	5,015
PLANNING & ZONING	2,259
TREASURERS	2,282
FACILITIES	1,673
LOBBY/CIRCULATION/COMMON AREAS	
BUILDING FOOTPRINT	30,855 SF
COST ESTIMATE	\$18,860,098.46



B2 OVERALL FLOOR PLAN /A-101
 3/32" = 1'-0"

A101

Cost Estimate

10/17/2024

Torrance County 30,855 s.f. Plan (Original)

Item	Description	Quantity	Unit Cost	Amount
Division 02 - Existing Sitework				
	Site Preparation		\$ 19,344.66	\$ 19,344.66
			\$	\$ 19,344.66
Division 03 - Concrete				
	Concrete Forms & Accessories		\$ 174,015.94	\$ 174,015.94
	Concrete Reinforcement		\$ 86,882.65	\$ 86,882.65
	Concrete		\$ 778,986.23	\$ 778,986.23
			\$	\$ 1,039,884.82
Division 04 - Masonry				
	Masonry Grout	1 EA	\$ 4,798.84	\$ 4,798.84
	Masonry Unit & Accessories	1 SF	\$ 276,517.34	\$ 276,517.34
			\$	\$ 281,316.18
Division 05 - Metals				
	Structural Steel		\$ 495,843.69	\$ 495,843.69
	Metal Joists		\$ 156,202.03	\$ 156,202.03
	Metal Deck		\$ 383,792.04	\$ 383,792.04
	Cold-Rolled Steel Framing		\$ 308,945.25	\$ 308,945.25
	Metal Fabrications		\$ 29,179.83	\$ 29,179.83
			\$	\$ 1,373,962.84
Division 06 - Woods, Plastics and Composites				
	Rough Carpentry		\$ 33,696.44	\$ 33,696.44
	Exterior Sheathing		\$ 104,291.66	\$ 104,291.66
	Architectural Casework Cabinetry		\$ 42,749.28	\$ 42,749.28
			\$	\$ 180,737.38

A101

Cost Estimate

10/17/2024

Torrance County 30,855 s.f. Plan (Original)

Item	Description	Quantity	Unit Cost	Amount
Division 07 - Thermal & Moisture Protection				
	Thermal Protection (wall cavities)		\$ 208,860.87	\$ 208,860.87
	Exterior Insulated Finish System (synthetic stucco)		\$ 237,836.16	\$ 237,836.16
	Building Air Barrier		\$ 43,948.80	\$ 43,948.80
	Exterior Metal Wall Panels		\$ 897,043.58	\$ 897,043.58
	Metal Roofing		\$ 433,856.27	\$ 433,856.27
	Expansion Joints (Exterior walls)		\$ 8,244.00	\$ 8,244.00
	Flashing & Sheetmetal		\$ 37,682.03	\$ 37,682.03
	Roof Specialties & Accessories		\$ 62,860.20	\$ 62,860.20
	Firestopping		\$ 2,118.54	\$ 2,118.54
	Joint Sealers		\$ 2,619.60	\$ 2,619.60
				\$ 1,935,070.05
Division 08 - Openings				
	Metal Doors & Frames		\$ 23,818.76	\$ 23,818.76
	Flush Wood Doors		\$ 30,307.86	\$ 30,307.86
	Access Doors		\$ 5,762.00	\$ 5,762.00
	Overhead Doors		\$ 11,688.00	\$ 11,688.00
	Aluminum Entrances & Storefronts		\$ 394,333.08	\$ 394,333.08
	Automated Door Openers (ADA)		\$ 9,595.10	\$ 9,595.10
	Hardware		\$ 89,948.40	\$ 89,948.40
	Glazing		\$ 22,629.04	\$ 22,629.04
	Extruded Louvers & Vents		\$ 17,874.05	\$ 17,874.05
				\$ 605,956.29

A101

Cost Estimate

10/17/2024

Torrance County 30,855 s.f. Plan (Original)

Item	Description	Quantity	Unit Cost	Amount
Division 09 - Finishes				
	Non-Structural Metal Framing		\$ 920,524.02	\$ 920,524.02
	Gypsum Board		\$ 564,596.66	\$ 564,596.66
	Tiling		\$ 105,664.30	\$ 105,664.30
	Acoustcal Ceilings		\$ 310,803.88	\$ 310,803.88
	Resilient Base (Vinyl or Rubber)		\$ 33,320.94	\$ 33,320.94
	Resilient Tile Flooring		\$ 103,487.72	\$ 103,487.72
	Carpet		\$ 115,559.86	\$ 115,559.86
	Exterior and interior Painting		\$ 150,322.80	\$ 150,322.80
	High Performance Coatings		\$ 14,262.72	\$ 14,262.72
				\$ 2,318,542.90
Division 10 - Specialties				
	Toilet Compartment Partitions		\$ 15,262.36	\$ 15,262.36
	Toilet Accessories		\$ 14,158.96	\$ 14,158.96
	Fire Extinguishers & Cabinets		\$ 2,206.23	\$ 2,206.23
	Metal shelving		\$ 3,343.20	\$ 3,343.20
				\$ 34,970.75
Division 11 - Equipment				
	Breakroom/ Executive Meeting Room		\$ 7,830.00	\$ 7,830.00
				\$ 7,830.00
Division 12 - Furnishings				
	Floor - Walk-Off Mats		\$ 5,295.60	\$ 5,295.60
				\$ 5,295.60
Division 13 - Special Construction				
	Audio / Video		\$ 48,439.44	\$ 48,439.44
				\$ 48,439.44

A101

Cost Estimate

10/17/2024

Torrance County 30,855 s.f. Plan (Original)

Item	Description	Quantity	Unit Cost	Amount
	Division 21 - Fire Suppression			
	Sprinklers		\$ 254,313.90	\$ 254,313.90
	Sprinkler System Flush		\$ 9,795.00	\$ 9,795.00
				\$ 264,108.90
	Division 22 - Plumbing			
	Plumbing		\$ 312,599.65	\$ 312,599.65
				\$ 312,599.65
	Division 23 - HVAC			
	Mechanical System		\$ 1,967,133.52	\$ 1,967,133.52
				\$ 1,967,133.52
	Division 26 - Electrical			
	Electrical System		\$ 1,464,766.58	\$ 1,464,766.58
				\$ 1,464,766.58
	Division 27 - Communications			
	Data & Communication		\$ 182,145.91	\$ 182,145.91
				\$ 182,145.91
	Division 28 - Safety & Security			
	Fire Alarm		\$ 38,130.76	\$ 38,130.76
	Access Control		\$ 23,839.20	\$ 23,839.20
				\$ 61,969.96
	Division 31 - Earthwork			
	Earthwork - Grading / Pad Prep		\$ 348,795.72	\$ 348,795.72
	Utility Trenching & Backfill (Beneath Floor slab)		\$ 33,906.64	\$ 33,906.64
	Temporary Erosion Control		\$ 28,817.28	\$ 28,817.28
	Footing Excavation and Compaction		\$ 42,497.12	\$ 42,497.12
				\$ 454,016.76

A101

Cost Estimate

10/17/2024

Torrance County 30,855 s.f. Plan (Original)

Item	Description	Quantity	Unit Cost	Amount
Division 32 - Exterior Improvements				
	Ashpalt Paving		\$ 239,560.60	\$ 239,560.60
	Concrete Paving		\$ 11,796.16	\$ 11,796.16
	Concrete Site Flatwork		\$ 167,206.22	\$ 167,206.22
	Paving and Concrete Joint Sealants		\$ 15,213.60	\$ 15,213.60
	Pavement Markings / Striping		\$ 14,349.60	\$ 14,349.60
	Site Improvements		\$ 94,087.75	\$ 94,087.75
	Fencing & Gates		\$ 204,022.64	\$ 204,022.64
	Site Furnishings		\$ 98,405.00	\$ 98,405.00
	Landscaping & Irrigation		\$ 166,392.45	\$ 166,392.45
				\$ 1,011,034.02
Division 33 - Site Utilities				
	Domestic Water & Fire Protection		\$ 33,663.16	\$ 33,663.16
	Sanitary Sewer		\$ 16,774.22	\$ 16,774.22
	Storm Drainage / Piping / Retention		\$ 62,310.62	\$ 62,310.62
	Natural Gas		\$ 17,651.66	\$ 17,651.66
	Electrical		\$ 77,908.13	\$ 77,908.13
	Site Lighting		\$ 72,299.68	\$ 72,299.68
	Site Communication & Data		\$ 68,784.40	\$ 68,784.40
	Closed Circuit TV		\$ 30,722.20	\$ 30,722.20
				\$ 380,114.07
	Sub-Total			\$ 13,949,240.28

A101

Cost Estimate

10/17/2024

Torrance County 30,855 s.f. Plan (Original)

Item	Description	Quantity	Unit Cost	Amount
Division 01 - General Requirements				
	General Contractor - General Requirements			
	Design Contingency - 5%		12%	\$1,673,908.83
				\$697,462.01
	Sub-Total			\$ 16,320,611.13
	General Contractor Overhead - 3.5%			
	General Contractor Fee - 5.5%			\$ 571,221.39
				\$ 897,633.61
	Sub - Total			\$ 17,789,466.13
	Payment - Performance Bond - 1.88%			
	General Contractor's Liability Insurance - 1.89%			\$ 334,441.96
				\$ 336,220.91
	Sub-Total			
	NMGRT (Labor Only): +/- 30% of \$13,795,871 @ 6.5%			\$ 18,460,129.00
				\$ 399,969.46
TOTAL ESTIMATED COST:				\$ 18,860,098.46

A-102

CONSULTANTS

SEAL

PROJECT NAME
 TORRANCE COUNTY
 ADMINISTRATION
 BUILDING

MARK	DATE	DESCRIPTION

PROJECT NO.
 DRAWN BY: Author
 CHECKED BY: Checker
 SHEET TITLE
 FLOOR PLAN
 A-102



10-17-2024

BUILDING DATA	
SUITE	S.F.
ADMIN	2,850
ASSESSORS	2,964
CLERKS	3,513
FINANCE/GRANTS	2,383
HEARING CHAMBERS	5,015
PLANNING & ZONING	2,259
TREASURERS	2,282
FACILITIES	1,673
LOBBY/CIRCULATION/ COMMON AREAS	
BUILDING FOOTPRINT	30,855 SF
COST ESTIMATE	\$14,095,656.06

B2 OVERALL FLOOR PLAN /A-102
 3/25" = 1'-0"

A102

Cost Estimate

10/17/2024

Torrance County 30,855 s.f. Plan (Offices reduced/exterior finishes & glass reduced))

Item	Description	Quantity	Unit Cost	Amount
	Division 02 - Existing Sitework			
	Site Preparation		\$ 19,344.00	\$ 19,344.00
			\$	\$ 19,344.00
	Division 03 - Concrete			
	Concrete Forms & Accessories		\$ 174,000.00	\$ 174,000.00
	Concrete Reinforcement		\$ 86,882.00	\$ 86,882.00
	Concrete		\$ 778,000.00	\$ 778,000.00
			\$	\$ 1,038,882.00
	Division 04 - Masonry			
	Masonry Grout		\$ 4,798.00	\$ 4,798.00
	Masonry Unit & Accessories		\$ 237,000.00	\$ 237,000.00
			\$	\$ 241,798.00
	Division 05 - Metals			
	Structural Steel		\$ 459,843.00	\$ 459,843.00
	Metal Joists		\$ 156,842.00	\$ 156,842.00
	Metal Deck		\$ 317,792.00	\$ 317,792.00
	Cold-Rolled Steel Framing		\$ 272,945.00	\$ 272,945.00
	Metal Fabrications		\$ 22,179.00	\$ 22,179.00
			\$	\$ 1,229,601.00
	Division 06 - Woods, Plastics and Composites			
	Rough Carpentry		\$ 33,896.00	\$ 33,896.00
	Exterior Sheathing		\$ 104,291.00	\$ 104,291.00
	Architectural Casework Cabinetry		\$ 42,749.00	\$ 42,749.00
			\$	\$ 180,936.00

A102

Cost Estimate

10/17/2024

Torrance County 30,855 s.f. Plan (Offices reduced/interior finishes & glass reduced))

Item	Description	Quantity	Unit Cost	Amount
Division 07 - Thermal & Moisture Protection				
	Thermal Protection (wall cavities)		\$ 208,860.00	\$ 208,860.00
	Exterior Insulated Finish System (synthetic stucco)		\$ 237,800.00	\$ 237,800.00
	Building Air Barrier		\$ 38,948.00	\$ 38,948.00
	Exterior Metal Wall Panels		\$ 327,000.00	\$ 327,000.00
	Metal Roofing		\$ 220,000.00	\$ 220,000.00
	Expansion Joints (Exterior walls)		\$ 8,244.00	\$ 8,244.00
	Flashing & Sheetmetal		\$ 31,682.00	\$ 31,682.00
	Firestopping		\$ 2,100.00	\$ 2,100.00
	Joint Sealers		\$ 2,620.00	\$ 2,620.00
			\$	\$ 1,077,254.00
Division 08 - Openings				
	Metal Doors & Frames		\$ 17,815.00	\$ 17,815.00
	Flush Wood Doors		\$ 10,000.00	\$ 10,000.00
	Access Doors		\$ 2,500.00	\$ 2,500.00
	Overhead Doors		\$ 11,500.00	\$ 11,500.00
	Aluminum Entrances & Storefronts		\$ 195,000.00	\$ 195,000.00
	Automated Door Openers (ADA)		\$ 9,595.00	\$ 9,595.00
	Hardware		\$ 45,000.00	\$ 45,000.00
	Glazing		\$ 20,000.00	\$ 20,000.00
	Extruded Louvers & Vents		\$ 12,000.00	\$ 12,000.00
			\$	\$ 323,410.00

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Cost Estimate

10/17/2024

Torrance County 30,855 s.f. Plan (Offices reduced/interior finishes & glass reduced))

Item	Description	Quantity	Unit Cost	Amount
Division 09 - Finishes				
	Non-Structural Metal Framing		\$ 439,000.00	\$ 439,000.00
	Gypsum Board		\$ 236,000.00	\$ 236,000.00
	Tiling		\$ 105,660.00	\$ 105,660.00
	Acoustcal Ceilings		\$ 264,800.00	\$ 264,800.00
	Resilient Base (Vinyl or Rubber)		\$ 25,320.00	\$ 25,320.00
	Resilient Tile Flooring		\$ 85,487.00	\$ 85,487.00
	Carpet		\$ 107,000.00	\$ 107,000.00
	Exterior and interior Painting		\$ 100,000.00	\$ 100,000.00
				\$ 1,363,267.00
Division 10 - Specialties				
	Toilet Compartment Partitions		\$ 15,262.00	\$ 15,262.00
	Toilet Accessories		\$ 14,500.00	\$ 14,500.00
	Fire Extinguishers & Cabinets		\$ 2,206.00	\$ 2,206.00
	Metal shelving		\$ 3,347.00	\$ 3,347.00
				\$ 35,315.00
Division 11 - Equipment				
	Breakroom/ Executive Meeting Room		\$ 7,830.00	\$ 7,830.00
Division 12 - Furnishings				
	Floor - Walk-Off Mats		\$ 5,300.00	\$ 5,300.00
Division 13 - Special Construction				
	Audio / Video		\$ 41,450.00	\$ 41,450.00
				\$ 41,450.00

A102

Cost Estimate

10/17/2024

Torrance County 30,855 s.f. Plan (Offices reduced/ exterior finishes & glass reduced))

Item	Description	Quantity	Unit Cost	Amount
	Division 21 - Fire Suppression			
	Sprinklers		\$ 187,893.00	\$ 187,893.00
	Sprinkler System Flush		\$ 9,795.00	\$ 9,795.00
				\$ 197,688.00
	Division 22 - Plumbing			
	Plumbing		\$ 313,000.00	\$ 313,000.00
				\$ 313,000.00
	Division 23 - HVAC			
	Mechanical System		\$ 1,310,000.00	\$ 1,310,000.00
				\$ 1,310,000.00
	Division 26 - Electrical			
	Electrical System		\$ 1,200,000.00	\$ 1,200,000.00
				\$ 1,200,000.00
	Division 27 - Communications			
	Data & Communication		\$ 161,145.00	\$ 161,145.00
				\$ 161,145.00
	Division 28 - Safety & Security			
	Fire Alarm		\$ 37,130.00	\$ 37,130.00
	Access Control		\$ 23,839.00	\$ 23,839.00
				\$ 60,969.00

A102

Cost Estimate

10/17/2024

Torrance County 30,855 s.f. Plan (Offices reduced/interior finishes & glass reduced))

Item	Description	Quantity	Unit Cost	Amount
Division 31 - Earthwork				
	Earthwork - Grading / Pad Prep		\$ 348,795.00	\$ 348,795.00
	Utility Trenching & Backfill (Beneath Floor slab)		\$ 33,906.00	\$ 33,906.00
	Temporary Erosion Control		\$ 28,817.00	\$ 28,817.00
	Footing Excavation and Compaction		\$ 42,497.00	\$ 42,497.00
				\$ 454,015.00
Division 32 - Exterior Improvements				
	Ashpalt Paving		\$ 239,500.00	\$ 239,500.00
	Concrete Paving		\$ 11,796.00	\$ 11,796.00
	Concrete Site Flatwork		\$ 167,206.00	\$ 167,206.00
	Paving and Concrete Joint Sealants		\$ 15,213.00	\$ 15,213.00
	Pavement Markings / Striping		\$ 14,350.00	\$ 14,350.00
	Site Improvements		\$ 86,000.00	\$ 86,000.00
	Fencing & Gates		\$ 100,000.00	\$ 100,000.00
	Site Furnishings		\$ 50,000.00	\$ 50,000.00
	Landscaping & Irrigation		\$ 100,000.00	\$ 100,000.00
				\$ 784,065.00
Division 33 - Site Utilities				
	Domestic Water & Fire Protection		\$ 33,663.00	\$ 33,663.00
	Sanitary Sewer		\$ 16,774.00	\$ 16,774.00
	Storm Drainage / Piping / Retention		\$ 62,310.00	\$ 62,310.00
	Natural Gas		\$ 17,651.00	\$ 17,651.00
	Electrical		\$ 77,908.00	\$ 77,908.00
	Site Lighting		\$ 72,299.00	\$ 72,299.00
	Site Communication & Data		\$ 68,784.00	\$ 68,784.00
	Closed Circuit TV		\$ 30,722.00	\$ 30,722.00
				\$ 380,111.00
Sub-Total				\$ 10,425,380.00

A102

Cost Estimate

10/17/2024

Torrance County 30,855 s.f. Plan (Offices reduced/interior finishes & glass reduced))

Item	Description	Quantity	Unit Cost	Amount
Division 01 - General Requirements				
	General Contractor - General Requirements		12%	\$1,251,045.60
	Design Contingency - 5%			\$521,269.00
	Sub-Total			\$ 12,197,694.60
	General Contractor Overhead - 3.5%			\$ 426,919.31
	General Contractor Fee - 5.5%			\$ 670,873.20
	Sub - Total			\$ 13,295,487.11
	Payment - Performance Bond - 1.88%			\$ 249,955.16
	General Contractor's Liability Insurance - 1.89%			\$ 251,284.71
	Sub-Total			\$ 13,796,726.98
	NMGR (Labor Only): +/- 30% of \$13,583,471.10 @ 6.5%			\$ 298,929.08
TOTAL ESTIMATED COST:				\$ 14,095,656.06

A-103

WILSON & COMPANY
 410 N 44TH STREET SUITE 400
 PHOENIX, AZ 85008
 PHONE: (602) 283-2701

CONSULTANTS

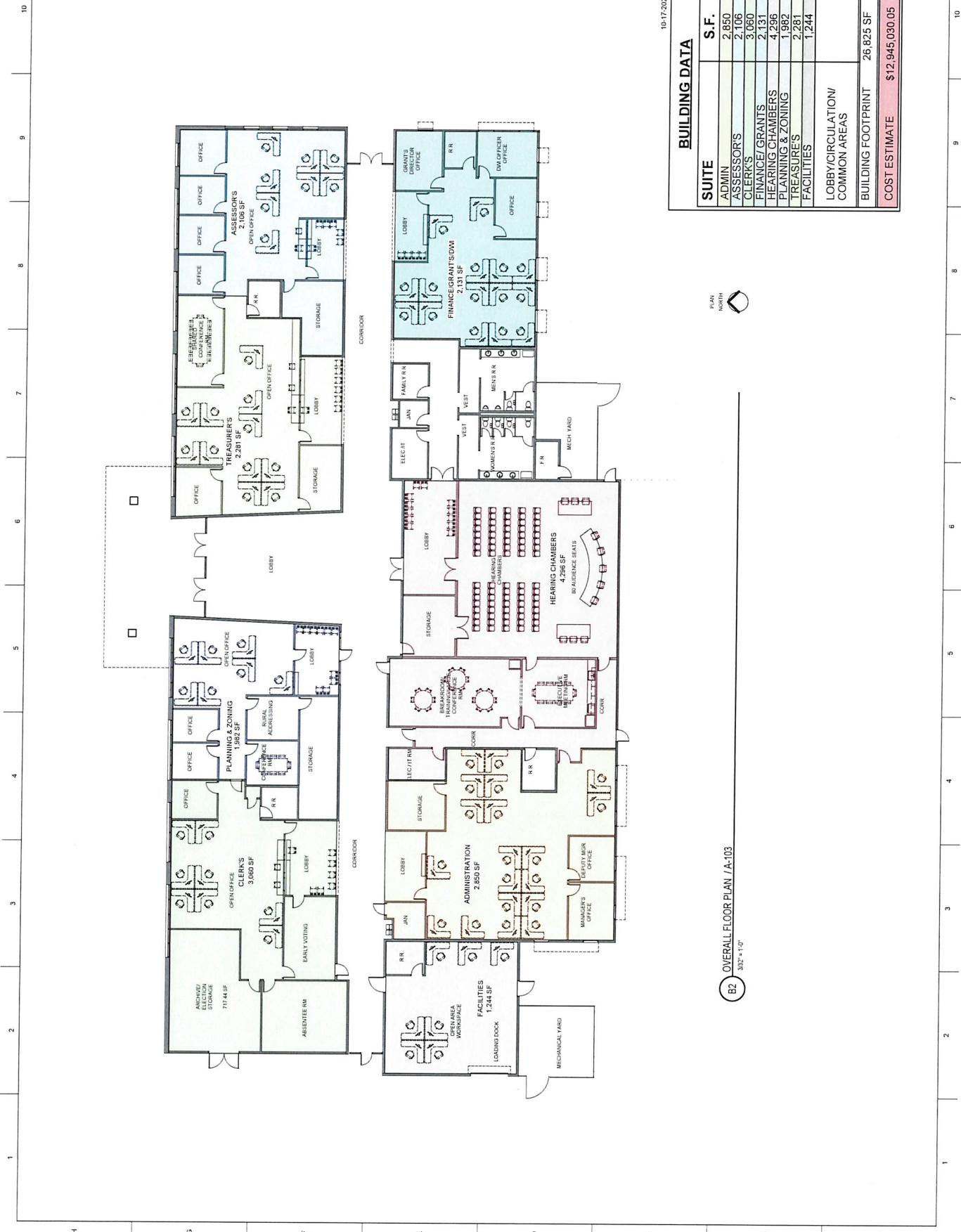
SEAL

PROJECT NAME: TORANCE COUNTY ADMINISTRATION BUILDING

MARK	DATE	DESCRIPTION

PROJECT NO:
 DRAWN BY: Author
 CHECKED BY: Checkist
 SHEET TITLE: FLOOR PLAN A-103

A-103
 SHEET OF



10-17-2024

SUITE	S.F.
ADMIN	2,850
ASSESSORS	2,108
CLERKS	3,060
FINANCE/GRANTS	2,131
HEARING CHAMBERS	4,296
PLANNING & ZONING	1,982
TREASURERS	2,201
FACILITIES	1,244
LOBBY/CIRCULATION/COMMON AREAS	26,825 SF
BUILDING FOOTPRINT	26,825 SF
COST ESTIMATE	\$12,945,030.05



B2 OVERALL FLOOR PLAN / A-103
 3/32" = 1'0"

A103

Cost Estimate

10/17/2024

Torrance County 26,825 s.f. Plan (Reduced Square footage)

Item	Description	Quantity	Unit Cost	Amount
Division 02 - Existing Sitework				
	Site Preparation		\$ 19,344.00	\$ 19,344.00
			\$	\$ 19,344.00
Division 03 - Concrete				
	Concrete Forms & Accessories		\$ 148,000.00	\$ 148,000.00
	Concrete Reinforcement		\$ 74,000.00	\$ 74,000.00
	Concrete		\$ 582,000.00	\$ 582,000.00
			\$	\$ 804,000.00
Division 04 - Masonry				
	Masonry Grout		\$ 4,798.00	\$ 4,798.00
	Masonry Unit & Accessories		\$ 135,000.00	\$ 135,000.00
			\$	\$ 139,798.00
Division 05 - Metals				
	Structural Steel		\$ 394,843.00	\$ 394,843.00
	Metal Joists		\$ 126,202.00	\$ 126,202.00
	Metal Deck		\$ 317,792.00	\$ 317,792.00
	Cold-Rolled Steel Framing		\$ 272,945.00	\$ 272,945.00
	Metal Fabrications		\$ 22,179.00	\$ 22,179.00
			\$	\$ 1,133,961.00
Division 06 - Woods, Plastics and Composites				
	Rough Carpentry		\$ 33,896.00	\$ 33,896.00
	Exterior Sheathing		\$ 89,291.00	\$ 89,291.00
	Architectural Casework Cabinetry		\$ 42,749.00	\$ 42,749.00
			\$	\$ 165,936.00

A103

Cost Estimate

10/17/2024

Torrance County 26,825 s.f. Plan (Reduced Square Footage)

Item	Description	Quantity	Unit Cost	Amount
Division 07 - Thermal & Moisture Protection				
	Thermal Protection (wall cavities)		\$ 176,860.00	\$ 176,860.00
	Exterior Insulated Finish System (synthetic stucco)		\$ 203,800.00	\$ 203,800.00
	Building Air Barrier		\$ 38,948.00	\$ 38,948.00
	Exterior Metal Wall Panels		\$ 327,000.00	\$ 327,000.00
	Metal Roofing		\$ 220,000.00	\$ 220,000.00
	Expansion Joints (Exterior walls)		\$ 8,244.00	\$ 8,244.00
	Flashing & Sheetmetal		\$ 31,682.00	\$ 31,682.00
	Firestopping		\$ 2,100.00	\$ 2,100.00
	Joint Sealers		\$ 2,620.00	\$ 2,620.00
				\$ 1,011,254.00
Division 08 - Openings				
	Metal Doors & Frames		\$ 17,815.00	\$ 17,815.00
	Flush Wood Doors		\$ 10,000.00	\$ 10,000.00
	Access Doors		\$ 2,500.00	\$ 2,500.00
	Overhead Doors		\$ 6,000.00	\$ 6,000.00
	Aluminum Entrances & Storefronts		\$ 195,000.00	\$ 195,000.00
	Automated Door Openers (ADA)		\$ 9,595.00	\$ 9,595.00
	Hardware		\$ 45,000.00	\$ 45,000.00
	Glazing		\$ 20,000.00	\$ 20,000.00
	Extruded Louvers & Vents		\$ 12,000.00	\$ 12,000.00
				\$ 317,910.00

A103

Cost Estimate

10/17/2024

Torrance County 26,825 s.f. Plan (Reduced Square Footage)

Item	Description	Quantity	Unit Cost	Amount
Division 09 - Finishes				
	Non-Structural Metal Framing		\$ 391,000.00	\$ 391,000.00
	Gypsum Board		\$ 236,000.00	\$ 236,000.00
	Tiling		\$ 105,660.00	\$ 105,660.00
	Acoustical Ceilings		\$ 264,800.00	\$ 264,800.00
	Resilient Base (Vinyl or Rubber)		\$ 29,320.00	\$ 29,320.00
	Resilient Tile Flooring		\$ 85,487.00	\$ 85,487.00
	Carpet		\$ 107,000.00	\$ 107,000.00
	Exterior and interior Painting		\$ 100,000.00	\$ 100,000.00
			\$	\$ 1,319,267.00
Division 10 - Specialties				
	Toilet Compartment Partitions		\$ 15,262.00	\$ 15,262.00
	Toilet Accessories		\$ 14,500.00	\$ 14,500.00
	Fire Extinguishers & Cabinets		\$ 2,206.00	\$ 2,206.00
	Metal shelving		\$ 3,347.00	\$ 3,347.00
			\$	\$ 35,315.00
Division 11 - Equipment				
	Breakroom/ Executive Meeting Room		\$ 7,830.00	\$ 7,830.00
			\$	\$ 7,830.00
Division 12 - Furnishings				
	Floor - Walk-Off Mats		\$ 5,300.00	\$ 5,300.00
			\$	\$ 5,300.00
Division 13 - Special Construction				
	Audio / Video		\$ 41,450.00	\$ 41,450.00
			\$	\$ 41,450.00

A103

Cost Estimate

10/17/2024

Torrance County 26,825 s.f. Plan (Reduced Square Footage)

Item	Description	Quantity	Unit Cost	Amount
Division 21 - Fire Suppression				
	Sprinklers		\$ 187,893.00	\$ 187,893.00
	Sprinkler System Flush		\$ 9,795.00	\$ 9,795.00
				\$ 197,688.00
Division 22 - Plumbing				
	Plumbing		\$ 313,000.00	\$ 313,000.00
				\$ 313,000.00
Division 23 - HVAC				
	Mechanical System		\$ 1,310,000.00	\$ 1,310,000.00
				\$ 1,310,000.00
Division 26 - Electrical				
	Electrical System		\$ 1,000,000.00	\$ 1,000,000.00
				\$ 1,000,000.00
Division 27 - Communications				
	Data & Communication		\$ 161,145.00	\$ 161,145.00
				\$ 161,145.00
Division 28 - Safety & Security				
	Fire Alarm		\$ 37,130.00	\$ 37,130.00
	Access Control		\$ 23,839.00	\$ 23,839.00
				\$ 60,969.00
Division 31 - Earthwork				
	Earthwork - Grading / Pad Prep		\$ 298,795.00	\$ 298,795.00
	Utility Trenching & Backfill (Beneath Floor slab)		\$ 33,906.00	\$ 33,906.00
	Temporary Erosion Control		\$ 28,817.00	\$ 28,817.00
	Footing Excavation and Compaction		\$ 39,497.00	\$ 39,497.00
				\$ 401,015.00

A103

Cost Estimate

10/17/2024

Torrance County 26,825 s.f. Plan (Reduced Square Footage)

Item	Description	Quantity	Unit Cost	Amount
Division 32 - Exterior Improvements				
	Asphalt Paving		\$ 239,500.00	\$ 239,500.00
	Concrete Paving		\$ 11,796.00	\$ 11,796.00
	Concrete Site Flatwork		\$ 132,206.00	\$ 132,206.00
	Paving and Concrete Joint Sealants		\$ 15,213.00	\$ 15,213.00
	Pavement Markings / Striping		\$ 14,350.00	\$ 14,350.00
	Site Improvements		\$ 86,000.00	\$ 86,000.00
	Fencing & Gates		\$ 100,000.00	\$ 100,000.00
	Site Furnishings		\$ 50,000.00	\$ 50,000.00
	Landscaping & Irrigation		\$ 100,000.00	\$ 100,000.00
			\$	\$ 749,065.00
Division 33 - Site Utilities				
	Domestic Water & Fire Protection		\$ 33,663.00	\$ 33,663.00
	Sanitary Sewer		\$ 16,774.00	\$ 16,774.00
	Storm Drainage / Piping / Retention		\$ 62,310.00	\$ 62,310.00
	Natural Gas		\$ 17,651.00	\$ 17,651.00
	Electrical		\$ 77,908.00	\$ 77,908.00
	Site Lighting		\$ 72,299.00	\$ 72,299.00
	Site Communication & Data		\$ 68,784.00	\$ 68,784.00
	Closed Circuit TV		\$ 30,722.00	\$ 30,722.00
			\$	\$ 380,111.00
	Sub-Total		\$	\$ 9,574,358.00

A103

Cost Estimate

10/17/2024

Torrance County 26,825 s.f. Plan (Reduced Square footage)

Item	Description	Quantity	Unit Cost	Amount
Division 01 - General Requirements				
	General Contractor - General Requirements			
	Design Contingency - 5%		12%	\$1,148,922.96
				\$478,717.90
	Sub-Total			\$11,201,998.86
	General Contractor Overhead - 3.5%			\$ 392,069.96
	General Contractor Fee - 5.5%			\$ 616,109.94
	Sub - Total			\$12,210,178.76
	Payment - Performance Bond - 1.88%			\$ 229,551.36
	General Contractor's Liability Insurance - 1.89%			\$ 230,772.38
	Sub-Total			\$12,670,502.50
	NMGRT (Labor Only): +/- 30% of \$12,551,398.40 @ 6.5%			\$ 274,527.55
TOTAL ESTIMATED COST:				\$12,945,030.05



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item

No. 11 B

Option 1

Square Footage	22,500
Cost per Square Foot	\$242.40
Total Cost per Square	\$5,454,000

Option 2

Square Footage	21,600
Cost per Square Foot	\$205.01
Total Cost per Square	\$4,428,312

Option 3

Square Footage	20,400
Cost per Square Foot	\$227.35
Total Cost per Square	\$4,637,865

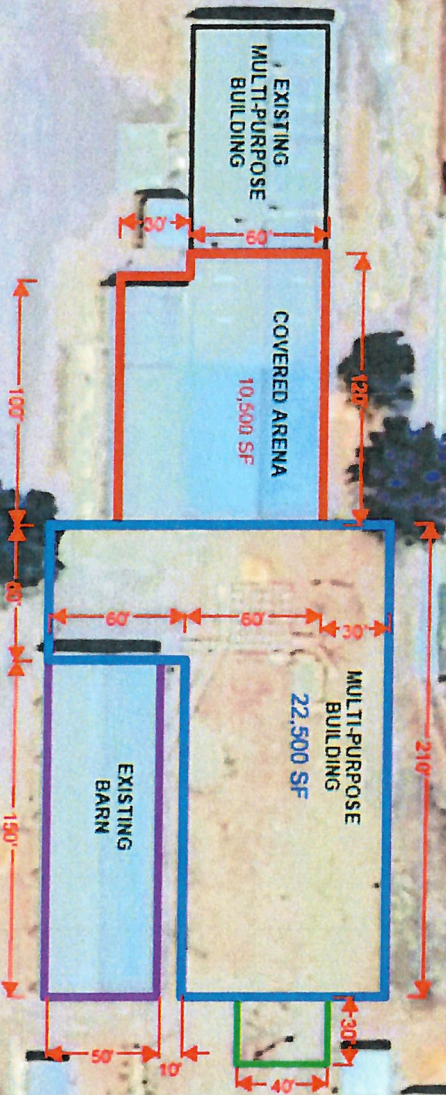
Option 4

Square Footage	17400
Cost per Square Foot	\$231.09
Total Cost per Square	\$4,020,972

Option 1

Square Footage	22,500
Cost per Square Foot	\$242.40
Total Cost per Square	\$5,454,000

Option 1



Scale: 1" = 50'



**Torrence County Fairgrounds
New Multipurpose Building, Option 1
Opinion of Probable Construction Cost**

Project name TCFG New MP Building, Option 1
Estimator **Balis & Company**
Job size 22500 sf



Torrence County Fairgrounds
New Multipurpose Building, Option 1
Opinion of Probable Construction Cost
 Estimate Date: 8/27/2024



Item	Description	Takeoff Qty	Total	
			Unit Cost	Amount
030000 CONCRETE				
030500 Common Work Results for Concrete				
n ----	Foundation system	22,500.00 sf	19.30 /sf	434,250
----	Concrete slab-on-grade, 5"	22,500.00 sf	11.00 /sf	247,500
----	Concrete slab-on-grade, 5" @ additional MP space	10,200.00 sf	11.00 /sf	112,200
	Common Work Results for Concrete			793,950
	CONCRETE			793,950
080000 OPENINGS				
081700 Integrated Door Opening Assemblies				
----	Exterior single & double HM door/frame/hardware, allow	4.00 ea	3,400.00 /ea	13,600
	Integrated Door Opening Assemblies			13,600
083300 Coiling Doors and Grilles				
----	Large overhead door, each side of the building, manual	2.00 ea	4,800.00 /ea	9,600
	Coiling Doors and Grilles			9,600
	OPENINGS			23,200
130000 SPECIAL CONSTRUCTION				
130500 Common Work Results for Special Construction				
n ----	Allowance for stairs and ramps	1.00 ls	60,000.00 /ls	60,000
----	1 Hour fire wall on the entirety of the existing barn, 8" CMU, painted on wall footing	4,200.00 sf	60.25 /sf	253,050
----	Insulated wall construction @ existing additional MP space	8,400.00 sf	42.00 /sf	352,800
	Common Work Results for Special Construction			665,850
133400 Fabricated Engineered Structures				
230	Pre-engineered metal building (PEMB), clear span rigid frame, 26 ga colored roofing & siding, 16' eave height	22,500.00 sf	36.00 /sf	810,000
	Fabricated Engineered Structures			810,000
	SPECIAL CONSTRUCTION			1,475,850
220000 PLUMBING				



Torrence County Fairgrounds
New Multipurpose Building, Option 1
Opinion of Probable Construction Cost
 Estimate Date: 8/27/2024



Item	Description	Takeoff Qty	Unit Cost	Total	
				Amount	
221100	Facility Water Distribution				
----	Hose bibbs / yard hydrants and associated water supply piping	4.00 ea	5,000.00 /ea		20,000
	Facility Water Distribution				20,000
	PLUMBING				20,000
230000	HEATING, VENTILATING AND AIR-CONDITIONING (HVAC)				
230099	HVAC Systems				
n ----	HVAC System for basic heating & cooling	22,500.00 sf	24.00 /sf		540,000
	HVAC Systems				540,000
233400	HVAC Fans				
----	High volume, low speed (HVLS) ventilator fans	6.00 ea	8,600.00 /ea		51,600
	HVAC Fans				51,600
	HEATING, VENTILATING AND AIR-CONDITIONING (HVAC)				591,600
260000	ELECTRICAL				
260500	Common Work Results for Electrical				
----	Electrical service entrance	1.00 ls	50,000.00 /ls		50,000
----	Convenience outlets and motor circuits	22,500.00 sf	2.00 /sf		45,000
----	Lighting, emergency lighting & lighting controls	22,500.00 sf	15.00 /sf		337,500
	Common Work Results for Electrical				432,500
	ELECTRICAL				432,500
280000	ELECTRONIC SAFETY AND SECURITY				
283100	Fire Detection and Alarm				
----	Fire alarm system	22,500.00 sf	3.50 /sf		78,750
	Fire Detection and Alarm				78,750
	ELECTRONIC SAFETY AND SECURITY				78,750
310000	EARTHWORK				
310500	Common Work Results for Earthwork				
----	Site demolition, clearing & grubbing	4,000.00 sy	0.85 /sy		3,400
----	Grading & drainage work	4,000.00 sy	3.75 /sy		15,000
----	Realignment and reconstruction of the existing drive	350.00 lf	68.00 /lf		23,800



Torrence County Fairgrounds
New Multipurpose Building, Option 1
Opinion of Probable Construction Cost
 Estimate Date: 8/27/2024



Item	Description	Takeoff Qty	Unit Cost	Total	
				Amount	
	Common Work Results for Earthwork				42,200
	EARTHWORK				42,200
320000	EXTERIOR IMPROVEMENTS				
321300	Rigid Paving				
----	New washdown area	400.00 sf	27.00 /sf		10,800
	Rigid Paving				10,800
	EXTERIOR IMPROVEMENTS				10,800
330000	UTILITIES				
331100	Water Utility Distribution Piping				
----	New water main	800.00 lf	135.00 /lf		108,000
----	New domestic water backflow preventer in heated enclosure	1.00 ea	25,000.00 /ea		25,000
	Water Utility Distribution Piping				133,000
	UTILITIES				133,000



Torrence County Fairgrounds
New Multipurpose Building, Option 1
Opinion of Probable Construction Cost
 Estimate Date: 8/27/2024



Estimate Totals

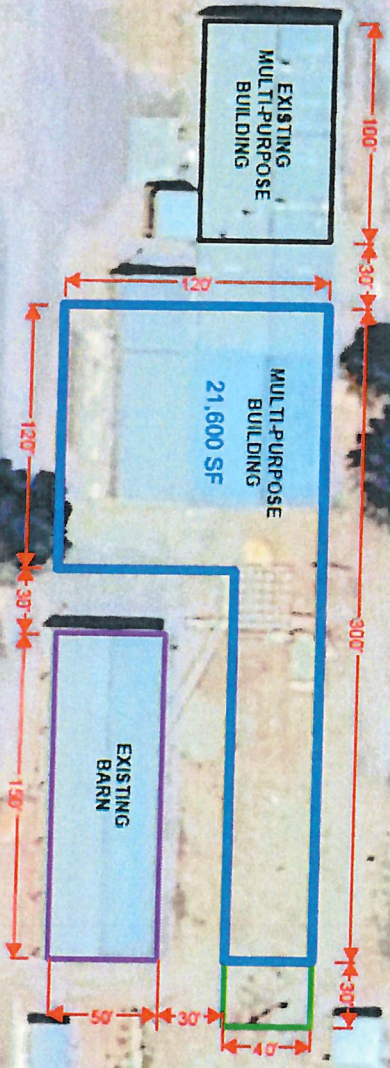
Description	Amount	Totals	Rate	Cost per Unit
Labor				
Material				
Subcontract	3,601,850			160.08 /sf
Equipment				
Other				
	3,601,850	3,601,850		160.08 /sf
General Requirements	288,148		8.000 %	12.81 /sf
General Contractor OH&P	194,500		5.000 %	8.64 /sf
Bonds and Insurance	102,112		2.500 %	4.54 /sf
	584,760	4,186,610		186.07 /sf
Escalation	207,237		4.950 %	9.21 /sf
	207,237	4,393,847		195.28 /sf
Contingency	659,077		15.000 %	29.29 /sf
	659,077	5,052,924		224.57 /sf
NMGRT	401,076		7.938 %	17.83 /sf
	401,076	5,454,000		242.40 /sf
Total		5,454,000		242.40 /sf

Escalation Calculation
 Estimate Effective Date:8/27/2024
 Construction Start Date:2/1/2025
 Construction Duration (months):9
 Construction Midpoint Date:6/17/2025
 Annual Escalation Rate:6.0%
 Escalation to Midpoint of Construction from the Estimate Effective Date:4.95%

Option 2

Square Footage 21,600
Cost per Square Foot \$205.01
Total Cost per Square \$4,428,312

Option 2



Scale: 1" = 50'



**Torrence County Fairgrounds
New Multipurpose Building, Option 2
Opinion of Probable Construction Cost**

Project name TCFG New MP Building, Option 2
Estimator **Balis & Company**
Job size 21600 sf



Torrence County Fairgrounds
New Multipurpose Building, Option 2
Opinion of Probable Construction Cost
 Estimate Date: 8/27/2024



Item	Description	Takeoff Qty	Unit Cost	Total	Amount
020000 EXISTING CONDITIONS					
024100	Demolition				
n ----	Demolition & disposal of existing steel frame & roof	10,200.00	sf	10.00 /sf	102,000
	Demolition				102,000
	EXISTING CONDITIONS				102,000
030000 CONCRETE					
030500	Common Work Results for Concrete				
n ----	Foundation system	21,600.00	sf	19.30 /sf	416,880
----	Concrete slab-on-grade, 5"	21,600.00	sf	11.00 /sf	237,600
	Common Work Results for Concrete				654,480
	CONCRETE				654,480
080000 OPENINGS					
081700	Integrated Door Opening Assemblies				
----	Exterior single & double HM door/frame/hardware, allow	6.00	ea	3,400.00 /ea	20,400
	Integrated Door Opening Assemblies				20,400
083300	Coiling Doors and Grilles				
----	Large overhead door, each side of the building, manual	2.00	ea	4,800.00 /ea	9,600
	Coiling Doors and Grilles				9,600
	OPENINGS				30,000
130000 SPECIAL CONSTRUCTION					
130500	Common Work Results for Special Construction				
n ----	Allowance for stairs and ramps	1.00	ls	60,000.00 /ls	60,000
	Common Work Results for Special Construction				60,000
133400	Fabricated Engineered Structures				
230	Pre-engineered metal building (PEMB), clear span rigid frame, 26 ga colored roofing & siding, 16' eave height	21,600.00	sf	36.00 /sf	777,600
	Fabricated Engineered Structures				777,600



Torrence County Fairgrounds
New Multipurpose Building, Option 2
Opinion of Probable Construction Cost
 Estimate Date: 8/27/2024



Item	Description	Takeoff Qty	Unit Cost	Total	
				Amount	
SPECIAL CONSTRUCTION				837,600	
220000	PLUMBING				
221100	Facility Water Distribution				
----	Hose bibbs / yard hydrants and associated water supply piping	6.00 ea	5,000.00 /ea	30,000	
	Facility Water Distribution			30,000	
	PLUMBING			30,000	
230000	HEATING, VENTILATING AND AIR-CONDITIONING (HVAC)				
230099	HVAC Systems				
n ----	HVAC System for basic heating & cooling	21,600.00 sf	24.00 /sf	518,400	
	HVAC Systems			518,400	
233400	HVAC Fans				
----	High volume, low speed (HVLS) ventilator fans	6.00 ea	8,600.00 /ea	51,600	
	HVAC Fans			51,600	
	HEATING, VENTILATING AND AIR-CONDITIONING (HVAC)			570,000	
260000	ELECTRICAL				
260500	Common Work Results for Electrical				
----	Electrical service entrance	1.00 ls	50,000.00 /ls	50,000	
----	Convenience outlets and motor circuits	21,600.00 sf	3.00 /sf	64,800	
----	Lighting, emergency lighting & lighting controls	21,600.00 sf	15.00 /sf	324,000	
	Common Work Results for Electrical			438,800	
	ELECTRICAL			438,800	
280000	ELECTRONIC SAFETY AND SECURITY				
283100	Fire Detection and Alarm				
----	Fire alarm system	21,600.00 sf	3.50 /sf	75,600	
	Fire Detection and Alarm			75,600	
	ELECTRONIC SAFETY AND SECURITY			75,600	
310000	EARTHWORK				



Torrence County Fairgrounds
New Multipurpose Building, Option 2
Opinion of Probable Construction Cost
 Estimate Date: 8/27/2024



Item	Description	Takeoff Qty	Total	
			Unit Cost	Amount
310500	Common Work Results for Earthwork			
----	Site demolition, clearing & grubbing	4,000.00 sy	0.85 /sy	3,400
----	Grading & drainage work	4,000.00 sy	3.75 /sy	15,000
----	Realignment and reconstruction of the existing drive	350.00 lf	68.00 /lf	23,800
	Common Work Results for Earthwork			42,200
	EARTHWORK			42,200
320000	EXTERIOR IMPROVEMENTS			
321300	Rigid Paving			
----	New washdown area	400.00 sf	27.00 /sf	10,800
	Rigid Paving			10,800
	EXTERIOR IMPROVEMENTS			10,800
330000	UTILITIES			
331100	Water Utility Distribution Piping			
----	New water main	800.00 lf	135.00 /lf	108,000
----	New domestic water backflow preventer in heated enclosure	1.00 ea	25,000.00 /ea	25,000
	Water Utility Distribution Piping			133,000
	UTILITIES			133,000



Torrence County Fairgrounds
New Multipurpose Building, Option 2
Opinion of Probable Construction Cost
 Estimate Date: 8/27/2024



Estimate Totals

Description	Amount	Totals	Rate	Cost per Unit
Labor				
Material	64,800			3.00 /sf
Subcontract	2,859,680			132.39 /sf
Equipment				
Other				
	2,924,480	2,924,480		135.39 /sf
General Requirements	233,958		8.000 %	10.83 /sf
General Contractor OH&P	157,922		5.000 %	7.31 /sf
Bonds and Insurance	82,909		2.500 %	3.84 /sf
	474,789	3,399,269		157.37 /sf
Escalation	168,264		4.950 %	7.79 /sf
	168,264	3,567,533		165.16 /sf
Contingency	535,130		15.000 %	24.77 /sf
	535,130	4,102,663		189.94 /sf
NMGRT	325,649		7.938 %	15.08 /sf
	325,649	4,428,312		205.01 /sf
Total		4,428,312		205.01 /sf

Escalation Calculation
 Estimate Effective Date: 8/27/2024
 Construction Start Date: 2/1/2025
 Construction Duration (months): 9
 Construction Midpoint Date: 6/17/2025
 Annual Escalation Rate: 6.0%
 Escalation to Midpoint of Construction from the Estimate Effective Date: 4.95%

**Torrence County Fairgrounds
New Multipurpose Building, Option 3
Opinion of Probable Construction Cost**

Project name TCFG New MP Building, Option 3
Estimator **Balis & Company**
Job size 20400 sf



**Torrence County Fairgrounds
New Multipurpose Building, Option 3
Opinion of Probable Construction Cost
Estimate Date: 8/27/2024**



Item	Description	Takeoff Qty	Unit Cost	Total	
				Amount	
020000 EXISTING CONDITIONS					
024100	Demolition				
n ----	Partial demolition & disposal of existing steel frame & roof, allow for rebuilding remaining east side surfaces	8,100.00 sf	15.00 /sf	121,500	
	Demolition				121,500
	EXISTING CONDITIONS				121,500
030000 CONCRETE					
030500	Common Work Results for Concrete				
n ----	Foundation system	20,400.00 sf	19.30 /sf	393,720	
----	Concrete slab-on-grade, 5"	20,400.00 sf	11.00 /sf	224,400	
	Common Work Results for Concrete				618,120
	CONCRETE				618,120
080000 OPENINGS					
081700	Integrated Door Opening Assemblies				
----	Exterior single & double HM door/frame/hardware, allow	6.00 ea	3,400.00 /ea	20,400	
	Integrated Door Opening Assemblies				20,400
083300	Coiling Doors and Grilles				
----	Large overhead door, each side of the building, manual	2.00 ea	4,800.00 /ea	9,600	
	Coiling Doors and Grilles				9,600
	OPENINGS				30,000
130000 SPECIAL CONSTRUCTION					
130500	Common Work Results for Special Construction				
n ----	Allowance for stairs and ramps	1.00 ls	60,000.00 /ls	60,000	
----	1 Hour fire wall on the entirety of the existing barn, 8" CMU, painted on wall footing	4,200.00 sf	60.25 /sf	253,050	
	Common Work Results for Special Construction				313,050
133400	Fabricated Engineered Structures				
230	Pre-engineered metal building (PEMB), clear span rigid frame, 26 ga colored roofing & siding, 16' eave height	20,400.00 sf	36.00 /sf	734,400	



**Torrence County Fairgrounds
New Multipurpose Building, Option 3
Opinion of Probable Construction Cost
Estimate Date: 8/27/2024**



Item	Description	Takeoff Qty	Total	
			Unit Cost	Amount
	Fabricated Engineered Structures			734,400
	SPECIAL CONSTRUCTION			1,047,450
220000	PLUMBING			
221100	Facility Water Distribution			
----	Hose bibbs / yard hydrants and associated water supply piping	6.00 ea	5,000.00 /ea	30,000
	Facility Water Distribution			30,000
	PLUMBING			30,000
230000	HEATING, VENTILATING AND AIR-CONDITIONING (HVAC)			
230099	HVAC Systems			
n ----	HVAC System for basic heating & cooling	20,400.00 sf	24.00 /sf	489,600
	HVAC Systems			489,600
233400	HVAC Fans			
----	High volume, low speed (HVLS) ventilator fans	6.00 ea	8,600.00 /ea	51,600
	HVAC Fans			51,600
	HEATING, VENTILATING AND AIR-CONDITIONING (HVAC)			541,200
260000	ELECTRICAL			
260500	Common Work Results for Electrical			
----	Electrical service entrance	1.00 ls	50,000.00 /ls	50,000
----	Convenience outlets and motor circuits	20,400.00 sf	3.00 /sf	61,200
----	Lighting, emergency lighting & lighting controls	20,400.00 sf	15.00 /sf	306,000
	Common Work Results for Electrical			417,200
	ELECTRICAL			417,200
280000	ELECTRONIC SAFETY AND SECURITY			
283100	Fire Detection and Alarm			
----	Fire alarm system	20,400.00 sf	3.50 /sf	71,400
	Fire Detection and Alarm			71,400
	ELECTRONIC SAFETY AND SECURITY			71,400



Torrence County Fairgrounds
New Multipurpose Building, Option 3
Opinion of Probable Construction Cost
 Estimate Date: 8/27/2024



Item	Description	Takeoff Qty	Total		
			Unit Cost	Amount	
310000 EARTHWORK					
310500	Common Work Results for Earthwork				
----	Site domolition, clearing & grubbing	4,000.00	sy	0.85 /sy	3,400
----	Grading & drainage work	4,000.00	sy	3.75 /sy	15,000
----	Realignment and reconstruction of the existing drive	350.00	lf	68.00 /lf	23,800
	Common Work Results for Earthwork				42,200
	EARTHWORK				42,200
320000 EXTERIOR IMPROVEMENTS					
321300	Rigid Paving				
----	New washdown area	400.00	sf	27.00 /sf	10,800
	Rigid Paving				10,800
	EXTERIOR IMPROVEMENTS				10,800
330000 UTILITIES					
331100	Water Utility Distribution Piping				
----	New water main	800.00	lf	135.00 /lf	108,000
----	New domestic water backflow preventer in heated enclosure	1.00	ea	25,000.00 /ea	25,000
	Water Utility Distribution Piping				133,000
	UTILITIES				133,000



Torrence County Fairgrounds
New Multipurpose Building, Option 3
Opinion of Probable Construction Cost
 Estimate Date: 8/27/2024



Estimate Totals

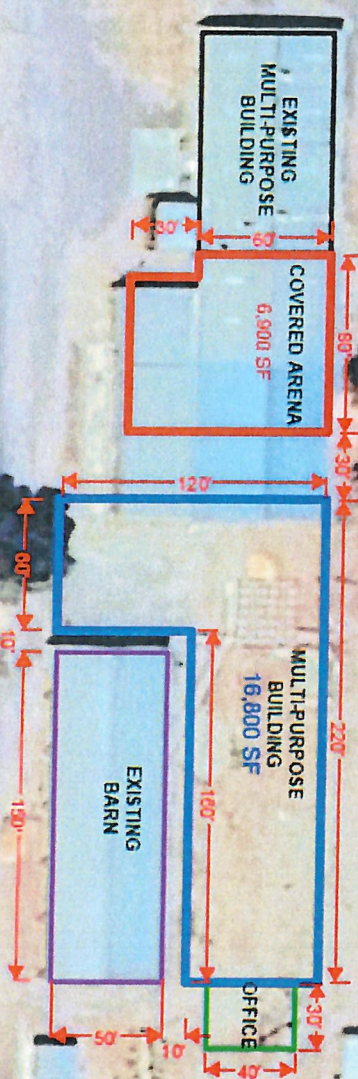
Description	Amount	Totals	Rate	Cost per Unit
Labor				
Material				
Subcontract	3,062,870			150.14 /sf
Equipment				
Other				
	3,062,870	3,062,870		150.14 /sf
General Requirements	245,030		8.000 %	12.01 /sf
General Contractor OH&P	165,395		5.000 %	8.11 /sf
Bonds and Insurance	86,832		2.500 %	4.26 /sf
	497,257	3,560,127		174.52 /sf
Escalation	176,226		4.950 %	8.64 /sf
	176,226	3,736,353		183.15 /sf
Contingency	560,453		15.000 %	27.47 /sf
	560,453	4,296,806		210.63 /sf
NMGRT	341,059		7.938 %	16.72 /sf
	341,059	4,637,865		227.35 /sf
Total		4,637,865		227.35 /sf

Escalation Calculation
 Estimate Effective Date: 8/27/2024
 Construction Start Date: 2/1/2025
 Construction Duration (months): 9
 Construction Midpoint Date: 6/17/2025
 Annual Escalation Rate: 6.0%
 Escalation to Midpoint of Construction from the Estimate Effective Date: 4.95%

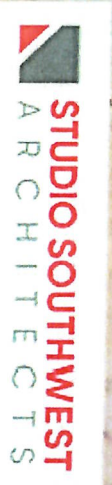
Option 4

Square Footage 17400
Cost per Square Foot \$231.09
Total Cost per Square \$4,020,972

Option 4



Scale: 1" = 50'



**Torrence County Fairgrounds
New Multipurpose Building, Option 4
Opinion of Probable Construction Cost**

Project name TCFG New MP Building, Option 4
Estimator **Balis & Company**
Job size 17400 sf



**Torrence County Fairgrounds
New Multipurpose Building, Option 4
Opinion of Probable Construction Cost
Estimate Date: 8/27/2024**



Item	Description	Takeoff Qty	Total	
			Unit Cost	Amount
020000 EXISTING CONDITIONS				
024100	Demolition			
n ----	Partial demolition & disposal of existing steel frame & roof, allow for rebuilding remaining east side surfaces	3,300.00 sf	15.00 /sf	49,500
	Demolition			49,500
	EXISTING CONDITIONS			49,500
030000 CONCRETE				
030500	Common Work Results for Concrete			
n ----	Foundation system	17,400.00 sf	19.30 /sf	335,820
----	Concrete slab-on-grade, 5"	17,400.00 sf	11.00 /sf	191,400
	Common Work Results for Concrete			527,220
	CONCRETE			527,220
080000 OPENINGS				
081700	Integrated Door Opening Assemblies			
----	Exterior single & double HM door/frame/hardware, allow	6.00 ea	3,400.00 /ea	20,400
	Integrated Door Opening Assemblies			20,400
083300	Coiling Doors and Grilles			
----	Large overhead door, each side of the building, manual	2.00 ea	4,800.00 /ea	9,600
	Coiling Doors and Grilles			9,600
	OPENINGS			30,000
130000 SPECIAL CONSTRUCTION				
130500	Common Work Results for Special Construction			
n ----	Allowance for stairs and ramps	1.00 ls	60,000.00 /ls	60,000
----	1 Hour fire wall on the entirety of the existing barn, 8" CMU, painted on wall footing	4,200.00 sf	60.25 /sf	253,050
	Common Work Results for Special Construction			313,050
133400	Fabricated Engineered Structures			
230	Pre-engineered metal building (PEMB), clear span rigid frame, 26 ga colored roofing & siding, 16' eave height	17,400.00 sf	36.00 /sf	626,400



Torrence County Fairgrounds
New Multipurpose Building, Option 4
Opinion of Probable Construction Cost
 Estimate Date: 8/27/2024



Item	Description	Takeoff Qty	Total	
			Unit Cost	Amount
	Fabricated Engineered Structures			626,400
	SPECIAL CONSTRUCTION			939,450
220000	PLUMBING			
221100	Facility Water Distribution			
----	Hose bibbs / yard hydrants and associated water supply piping	6.00 ea	5,000.00 /ea	30,000
	Facility Water Distribution			30,000
	PLUMBING			30,000
230000	HEATING, VENTILATING AND AIR-CONDITIONING (HVAC)			
230099	HVAC Systems			
n ----	HVAC System for basic heating & cooling	17,400.00 sf	24.00 /sf	417,600
	HVAC Systems			417,600
233400	HVAC Fans			
----	High volume, low speed (HVLS) ventilator fans	6.00 ea	8,600.00 /ea	51,600
	HVAC Fans			51,600
	HEATING, VENTILATING AND AIR-CONDITIONING (HVAC)			469,200
260000	ELECTRICAL			
260500	Common Work Results for Electrical			
----	Electrical service entrance	1.00 ls	50,000.00 /ls	50,000
----	Convenience outlets and motor circuits	17,400.00 sf	3.00 /sf	52,200
----	Lighting, emergency lighting & lighting controls	17,400.00 sf	15.00 /sf	261,000
	Common Work Results for Electrical			363,200
	ELECTRICAL			363,200
280000	ELECTRONIC SAFETY AND SECURITY			
283100	Fire Detection and Alarm			
----	Fire alarm system	17,400.00 sf	3.50 /sf	60,900
	Fire Detection and Alarm			60,900
	ELECTRONIC SAFETY AND SECURITY			60,900



Torrence County Fairgrounds
New Multipurpose Building, Option 4
Opinion of Probable Construction Cost
 Estimate Date: 8/27/2024



Item	Description	Takeoff Qty	Unit Cost	Total	
				Amount	
310000 EARTHWORK					
310500 Common Work Results for Earthwork					
----	Site demolition, clearing & grubbing	4,000.00	sy	0.85 /sy	3,400
----	Grading & drainage work	4,000.00	sy	3.75 /sy	15,000
----	Realignment and reconstruction of the existing drive	350.00	lf	68.00 /lf	23,800
	Common Work Results for Earthwork				42,200
	EARTHWORK				42,200
320000 EXTERIOR IMPROVEMENTS					
321300 Rigid Paving					
----	New washdown area	400.00	sf	27.00 /sf	10,800
	Rigid Paving				10,800
	EXTERIOR IMPROVEMENTS				10,800
330000 UTILITIES					
331100 Water Utility Distribution Piping					
----	New water main	800.00	lf	135.00 /lf	108,000
----	New domestic water backflow preventer in heated enclosure	1.00	ea	25,000.00 /ea	25,000
	Water Utility Distribution Piping				133,000
	UTILITIES				133,000



Torrence County Fairgrounds
New Multipurpose Building, Option 4
Opinion of Probable Construction Cost
 Estimate Date: 8/27/2024



Estimate Totals

Description	Amount	Totals	Rate	Cost per Unit
Labor				
Material				
Subcontract	2,655,470			152.61 /sf
Equipment				
Other				
	<u>2,655,470</u>	<u>2,655,470</u>		<u>152.61 /sf</u>
General Requirements	212,438		8.000 %	12.21 /sf
General Contractor OH&P	143,395		5.000 %	8.24 /sf
Bonds and Insurance	75,283		2.500 %	4.33 /sf
	<u>431,116</u>	<u>3,086,586</u>		<u>177.39 /sf</u>
Escalation	152,786		4.950 %	8.78 /sf
	<u>152,786</u>	<u>3,239,372</u>		<u>186.17 /sf</u>
Contingency	485,906		15.000 %	27.93 /sf
	<u>485,906</u>	<u>3,725,278</u>		<u>214.10 /sf</u>
NMGRT	295,694		7.938 %	16.99 /sf
	<u>295,694</u>	<u>4,020,972</u>		<u>231.09 /sf</u>
Total		4,020,972		231.09 /sf

Escalation Calculation
 Estimate Effective Date:8/27/2024
 Construction Start Date:2/1/2025
 Construction Duration (months):9
 Construction Midpoint Date:6/17/2025
 Annual Escalation Rate:6.0%
 Escalation to Midpoint of Construction from the Estimate Effective Date:4.95%



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 11 C



State of New Mexico
 DEPARTMENT OF HOMELAND SECURITY & EMERGENCY MANAGEMENT
 P.O. Box 27111, Santa Fe, NM 87502

SUBRECIPIENT GRANT AGREEMENT
 Fiscal Year 2024 Emergency Management Performance Grant (EMPG)
 2024 Federal Grant No.: EMT-2024-EP-05014 Assistance Listing No.: 97.042

SUB GRANT RECIPIENT INFORMATION

SUBRECIPIENT NAME	Torrance County	SUB-GRANT NUMBER	EMPG2024-Torrance
FIDUCIARY NAME	Torrance County	SUPPLIER ID NO.	54405
EIN NUMBER	85-6000257	CAGE CODE	5EJD7
SAM UEI #	Q8N2MFFYFMC4	REMIT ADDRESS	P.O. Box 48 Estancia, NM 87016
PHYSICAL ADDRESS	P.O. Box 48 Estancia, NM 87016		

NMDHSEM INFORMATION

POINT OF CONTACT	Catherine Watson	PHONE NUMBER	505-415-0020
EMAIL ADDRESS 1	catherine.watson@dhsem.nm.gov	EMAIL ADDRESS 2	DHSEM-GrantsManagement@state.nm.us

SUB GRANT AWARD INFORMATION

PERIOD OF PERFORMANCE:

START DATE	July 1, 2024	END DATE	June 30, 2025
FEDERAL SHARE	\$51,058.00	NON-FEDERAL COST SHARE	\$51,058.00
TOTAL AWARD	\$102,116.00		

	NAME OF PROJECT AWARDED	TOTAL AWARDED
1	Salary & Benefits – Federal Share	\$ 51,058.00
2	Salary & Benefits – Non-Federal Cost Share	\$ 51,058.00
3		\$
4		\$
5		\$
EMPG OBLIGATED AWARD TOTAL AMOUNT		\$ 102,116.00

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WHEREAS, the New Mexico Department of Homeland Security and Emergency Management (NMDHSEM) has been designated by the United States Department of Homeland Security (USDHS) to serve as grantee and is thereby authorized to issue this agreement to the applicant, subrecipient, and subgrantee.

WHEREAS, funding has been obligated from the United States Department of Homeland Security (USDHS) pursuant to a request by the applicant, subrecipient, and subgrantee.

NOW, THEREFORE it is mutually understood and agreed between the grantee, NMDHSEM, and subgrantee, **Torrance County** hereinafter referred to as “subrecipient” as follows:

ARTICLE 1: SUBGRANT AGREEMENT DOCUMENTS

The following additional subgrant agreement documents are fully incorporated into this agreement and thereby constitute additional terms and conditions of this agreement:

This Agreement:

- The 2024 Emergency Performance Grant Program Application, and NMDHSEM’s Emergency Management Performance Grant (EMPG) 2024 Funding Announcement and Allocation Methodology, located on the NMDHSEM website: <https://www.dhsem.nm.gov/administrative-services-bureau/administrative-services-bureau-grants/empg/>, [USDHS Notice of Funding Opportunity \(NOFO\) Fiscal Year \(FY\) 2024 Emergency Management Performance Grant \(EMPG\) Program](#) and the [2024 Preparedness Grants Manual](#).
- Attachment 1: USDHS Standard Terms and Conditions (Version 3 dated April 4, 2024) which are incorporated by reference into this Subgrant Agreement
- Attachment 2: Required Reimbursement Checklist
- Attachment 3: National Qualification System Implementation Phase Objectives
- Attachment 4: Glossary
- Attachment 5: Acronyms

ARTICLE 2: SCOPE OF WORK

As authorized by Section 662 of the Post-Katrina Emergency Management Reform Act of 2006 (PKEMRA), as amended, (Pub. L. No. 109-295) (6 U.S.C. § 762); the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended (Pub. L. No. 93-288) (42 U.S.C. §§ 5121 et seq.); the Earthquake Hazards Reduction Act of 1977, as amended (Pub. L. No. 95-124) (42 U.S.C. §§ 7701 et seq.); and the National Flood Insurance Act of 1968, as amended (Pub. L. No. 90-448) (42 U.S.C. §§ 4001 et seq.) the subrecipient shall use EMPG funds to assist in preparing for all-hazards. Specifically, these funds shall be utilized by the subrecipient for projects previously identified in the EMPG grant application and approved by the NMDHSEM Secretary or designee. The subrecipient shall match the federal Award of **\$51,058.00**, with a local jurisdictional amount of **\$51,058.00** for a total project cost of **\$102,116.00**. All work performed pursuant to this agreement must comply with the approved EMPG work plan. All work must be completed within the performance period, between **July 1, 2024**, and **June 30, 2025**. The subrecipient shall not subgrant any part of this award to any other entity or organization. Within the first reporting quarter, all awards require confirmation that expenditures in the budget category toward this project will be made. If not, NMDHSEM may execute a de-obligation of federal funds, without recourse by the subrecipient.

ARTICLE 3: PROJECT IMPLEMENTATION

Approved projects must commence within the first reporting quarter. If a project cannot commence and be operational within the first reporting quarter of the approved award date, the subrecipient must submit a written statement to the NMDHSEM Point of Contact as identified on page 1, of this document signed by the subrecipient signatory officials, justifying the delay in implementation, the expected starting date, and a formal request to extend the project start date past the first reporting quarter. At the sole discretion of NMDHSEM, the grant award is subject to cancellation and funds may be de-obligated and reallocated to other projects.

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ARTICLE 4: REPORTING REQUIREMENTS

The subrecipient, shall submit timely quarterly **Financial Progress Reports (FPR)** and **Performance Progress Reports (PPR)** to the **NMDHSEM Point of Contact** identified on page 1. Use of outdated forms will not be accepted. All quarterly reports are due: October 15, January 15, April 15, and July 15 within the Period of Performance (POP) beginning after the conclusion of the first quarter of grant activity. Requests for payment will be processed **ONLY** if both quarterly reports are received on time.

- **Final reports:** Due 15 days after the end of the POP. The final quarterly PPR will suffice as the final performance progress report.

The applicant must immediately report in writing to the assigned NMDHSEM **NMDHSEM Point of Contact** alleged acts or allegations of fraud or misappropriation of funds for work authorized under this Sub-Grant Agreement. This requirement extends further to an obligation by the subrecipient to report any legal action, lawsuit, bankruptcy, or other action that may jeopardize the successful completion of any authorized project.

ARTICLE 5: COST SHARE OR MATCH

Per the USDHS NOFO FY 2024 EMPG:

The EMPG Program has a cost-share requirement. The subrecipient contribution can be cash (hard match) or third-party in-kind (soft match). Subrecipients must make available non-federal funds to carry out an EMPG Program award in an amount not less than 50% of the total project cost. In other words, the federal share applied toward the EMPG Program budget shall not exceed 50% of the total budget as submitted in the application and approved in the award. If the total project ends up costing more, the subrecipient is responsible for any additional costs; if the total project ends up costing less, the subrecipient may owe an amount required to ensure that the federal cost share is not in excess of 50%. Unless otherwise authorized by law, federal funds cannot be matched with other federal funds. The subrecipient's contribution must be specifically identified. These non-federal contributions have the same eligibility requirements as the federal share. Cost share requirements are administered in accordance with [2 C.F.R. § 200.306](#). To meet matching requirements, the subrecipient contributions must be verifiable, reasonable, allowable, allocable, necessary under the grant program, and in compliance with all applicable federal requirements and regulations.

ARTICLE 6: REIMBURSEMENTS

Reimbursement shall be based upon authorized and allowable expenditures consistent with the project narrative, grant guidelines, and the submission of timely financial and performance progress reports. Payments may be withheld by NMDHSEM pending correction of deficiencies. Reimbursement of expenditures shall be requested at least quarterly for expenditures within the performance period. Expenditures must be supported with source documentation (e.g., copies of proof of payment, invoices, receipts, timesheets with name/wage/hours, cost allocation, warrants, purchase order, etc.). The NMDHSEM staff will not process reimbursements if quarterly PPRs and FPRs are not submitted on time.

All reimbursements are contingent upon funds being allocated, budgeted, and encumbered for that purpose.

DELAYS AND DENIAL OF PAYMENT: Reduce delays in processing of payment requests by checking for accuracy prior to submission. Reasons for NMDHSEM declining payment requests include, but are not limited to, the following:

- The Period of Performance has expired;
- The amount exceeds the remaining funding available for disbursement prior to the final financial and program compliance reviews (the hold or funding retention amount);
- Request for Payment requires a state and/or budget amendment, and cannot be processed until the amendment request is received/approved;
- The reimbursement requested is for an activity outside of the approved scope of work;
- Forms are not signed by an authorized person, or are signed by only one signatory;
- Reimbursement of awarded funds have been suspended due to a non-compliance issue such as failure to submit quarterly reports; or
- Reimbursements of awarded funds have been suspended due to noncompliance activities.

CONTRACTS: All contracts must be submitted to the NMDHSEM Point of Contact with a completed NMDHSEM Procurement Checklist for NMDHSEM review prior to implementation.

LOCAL MATCH: Local matching funds must clearly support the source, the amount, and the timing of all matching contributions. Type of match used must comply with what was provided in the application. If the type of match differs, a NMDHSEM Recipient Sub-Grant Amendment Request Form must be approved prior to submittal of the reimbursement request.

EQUIPMENT: Per 2 CFR 200.1, equipment means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost that equals or exceeds the lesser of the capitalization level established by the recipient or subrecipient for financial statement purposes, or \$10,000.00 Allowable equipment categories are listed on the web-based Authorized Equipment List (AEL): www.fema.gov/grants/tools/authorized-equipment-list. Screenshots of the AEL number and description are required to be submitted along with the Request for Approval (RFA). Some equipment items require prior approval from FEMA before obligation or purchase of the items. Please reference the AEL grant notes for each equipment item to ensure prior approval is not required or to ensure prior approval is obtained if necessary. Subrecipients may purchase equipment not listed on the AEL, but **only** if they first seek and obtain **prior approval** from FEMA through NMDHSEM. Unless otherwise stated, all equipment must meet all mandatory regulatory and/or FEMA-adopted standards to be eligible for purchase using these funds. In addition, subrecipients will be responsible for obtaining and maintaining all necessary certifications and licenses for the requested equipment.

TRAVEL: All reimbursable travel must be requested using the Request To Use Federal Grant Funds – Training & Conference Activities form and **pre-approved by NMDHSEM 30 days prior** to travel date.

PER DIEM: Reimbursements for state, local, tribal, and territorial jurisdictions cannot exceed the rates of the New Mexico Per Diem and Mileage Act, NMSA 1978, Section 10-8-4 (2021). Visit the [Department of Finance and Administration for the latest rates](#).

TRAINING: Requires NMDHSEM pre-approval 30 days prior to registering or participating in training opportunities.

EXERCISE: Requires submission of an After-Action Report/Improvement Plan (AAR/IP) within 60 days after conduct of exercise. The AAR/IP must be submitted to NMDHSEM's Training and Exercise Unit.

FOOD AND BEVERAGES: Per National Preparedness Directorate (NPD) allowances, food and/or beverage expenses provided by recipients are allowable costs if:

- The food and/or beverages are provided to participants at training sessions, meetings, or conferences that are allowable activities under the NPD program guidelines; and
- Expenses incurred for food and/or beverages, and provided at training sessions, meetings, or conferences, satisfy the following tests:
 - The cost of the food and/or beverages provided is considered to be reasonable.
 - The food and/or beverages provided are the subject of a work-related event and work continues after meals are served.
 - Participation by all participants is mandatory; and
The food and/or beverages provided are not related directly to amusement and/or social events. (Any event where alcohol is being served is considered a social event; therefore, costs associated with the event are not allowed).

NON-REIMBURSABLE EXPENSES:

As identified in the [USDHS NOFO FFY 2024 EMPG Program](#), grants funds may not be used for the following:

1. Grant funds must comply with [FEMA Policy 207-22-0002, Prohibited or Controlled Equipment Under FEMA Awards](#), and may not be used for the purchase of firearms, ammunition, grenade launchers, bayonets, or weaponized aircraft, vessels, or vehicles of any kind with weapons installed;
2. Expenditures for weapons systems and ammunition;
3. Costs associated with hiring, equipping, training, etc. sworn public safety officers whose primary job responsibilities include fulfilling traditional public safety duties such as law enforcement, firefighting, emergency medical services, or other first responder duties;
4. Costs that supplant traditional public safety positions and responsibilities;
5. Activities and projects unrelated to the completion and implementation of the EMPG Program; or
6. Clothing used for everyday wear by emergency management employees or other personnel.
7. Transfer of funds between any programs.
8. Contracts, single vendor response to a competitive bid, sole source contracts, and procurements greater than \$60,000 not pre-approved by NMDHSEM.

9. Training and related travel costs not pre-approved by NMDHSEM.
10. Construction and renovation.
11. Indirect costs.
12. Supplanting (using federal funds to purchase items previously budgeted for with state, local, tribal, and territorial funds).
13. Maintenance and/or wear and tear costs of general use vehicles and emergency response apparatus.
14. Equipment purchased for an exercise cannot be used for permanent installation and/or beyond the scope of an exercise.
15. Entertainment and sporting events.
16. Personal items such as laundry, personal hygiene items, magazines, in-room movies, personal travel, personal phone calls.
17. Travel insurance, visa, and passport charges.
18. Lodging costs in excess of state per diem, as appropriate.
19. Food reimbursement when travel does not exceed 24 hours.
20. Alcoholic beverages.
21. Late fees, or interest charges.
22. Lobbying, political contributions, legislative liaison activities.
23. Organized fund-raising, including salaries of persons while engaged in these activities.
24. Land acquisition.
25. Expenditures not supported with appropriate documentation when submitted for reimbursement. Only properly documented expenditures will be processed for payment. Unsupported expenditures will be returned to the jurisdiction for resubmission.
26. Expenses not pre-approved by NMDHSEM via a RFA form.

ARTICLE 7: PERFORMANCE MEASURES

The quarterly PPR form shall demonstrate performance and progress relative to acceptable performance on applicable critical tasks:

- Progress in achieving project timelines and milestones.
- Percent measurable progress toward completion of project.
- How funds have been expended during the reporting period, and explaining expenditures related to the project.

ARTICLE 8: SUB-RECIPIENT MONITORING POLICY

The NMDHSEM as the pass-through entity is responsible for monitoring their subrecipients in a manner consistent with the terms of the federal award at [2 C.F.R. Part 200](#), including [2 C.F.R. § 200.332](#). This includes the responsibility to monitor the activities of the subrecipient as necessary to ensure that the sub-award is used for authorized purposes, in compliance with federal statutes, regulations, and the terms and conditions of the sub-award; and that sub-award performance goals are achieved.

In terms of overall award management, subrecipient responsibilities include, but are not limited to accounting of receipts and expenditures, cash management, maintaining adequate financial records, reporting and refunding expenditures disallowed by audits, or other assessments and reviews, and ensuring overall compliance with the terms and conditions of the award or sub-award, as applicable, including the terms of [2 C.F.R. Part 200](#).

The NMDHSEM will conduct periodic monitoring as required to ensure that program goals, objectives, timelines, budgets, and other related program criteria are being met. The NMDHSEM will periodically monitor, review, and conduct analysis of financial, programmatic, and administrative policies, procedures, and practices. This monitoring may include review of accounting for receipts and expenditures, cash management, maintaining adequate financial records, means of allocating and tracking costs, contracting, procurement, records management, payroll, means of allocating staff costs, property and equipment management system, progress of project activities, etc. Monitoring may include desk and field audits. Technical assistance is available from NMDHSEM staff.

ARTICLE 9: FUNDING RESTRICTIONS; ALLOWABLE AND UNALLOWABLE COSTS; AND RECOVERY OF FUNDS

All costs charged to awards covered by the USDHS NOFO Fiscal Year 2023 Emergency Management Performance Grant Program must comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements at [2 C.F.R. Part 200](#), unless otherwise indicated in the funding notice, or the terms and conditions of the award. This includes, among other requirements, that costs must be incurred, and products and services must be delivered, within the period of performance of the award. See [2 C.F.R. § 200.403\(h\)](#) (referring to budget periods, which for FEMA awards under this award is the same as the period of performance).

In general, the Cost Principles establish standards for the allowability of costs, provide detailed guidance on the cost accounting treatment of costs as direct or administrative costs, and set forth allowability principles for selected items of cost. More specifically, except as otherwise stated in the [USDHS NOFO FY 2024 EMPG Program](#), the terms and conditions of the award, or other program materials, costs charged to awards covered by the [USDHS NOFO FY 2024 EMPG Program](#) must be consistent with the Cost Principles for Federal Awards located at [2 C.F.R. Part 200, Subpart E](#). To be allowable, all costs charged to a FEMA award or applied to the cost share must be reasonable in nature and amount and allocable to the FEMA award. Additionally, all costs charged to awards must comply with the grant program's applicable statutes, policies, and requirements in this notice as well as with the terms and conditions of the award. If FEMA and/or NMDHSEM staff identify costs that are inconsistent with any of these requirements, these costs may be disallowed, and FEMA and/or NMDHSEM may recover funds as appropriate, consistent with applicable laws, regulations, and policies.

As part of those requirements, subrecipients may only use federal funds for the purposes set forth in the [USDHS NOFO FY 2024 EMPG Program](#) and the terms and conditions of the award, and those costs must be consistent with the statutory authority for the award.

Grant funds may not be used for matching funds for other federal grants/cooperative agreements, lobbying, or intervention in federal regulatory or adjudicatory proceedings. In addition, federal funds may not be used to sue the federal government or any other government entity.

Planning. Grant funding may be used to develop or enhance emergency management planning activities such as:

- Emergency Operations Plans
- Communications Plans
- Administrative Plans
- Whole Community Engagement Planning
- Resource Management Planning
- Shelter and Evacuation Planning
- Recovery Planning
- Continuity Planning

Organization: Costs are allowed under this program for all-hazards emergency management operations, staffing, and other day-to-day activities in support of emergency management. See the [USDHS NOFO FY 2024 EMPG Program](#) for further information on the allowable costs under this category.

Equipment. Some equipment items require prior approval from FEMA through NMDHSEM before obligation or purchase of the items. Please reference the grant notes for each equipment item to ensure prior approval is not required or to ensure prior approval is obtained if necessary. Subrecipients may purchase equipment not listed on the AEL, but only if they first seek and obtain prior approval from FEMA through NMDHSEM. Allowable equipment is listed on the FEMA Authorized Equipment List (AEL): <https://www.fema.gov/grants/tools/authorized-equipment-list>.

Unless otherwise stated, all equipment must meet all mandatory regulatory and/or FEMA-adopted standards to be eligible for purchase using these funds. In addition, recipients will be responsible for obtaining and maintaining all necessary certifications and licenses for the requested equipment.

Investments in emergency communications systems and equipment must meet applicable guidance identified in the [SAFECOM Guidance on Emergency Communications Grants \(SAFECOM Guidance\)](#). Such investments must be coordinated with the New Mexico Statewide Interoperability Coordinator (SWIC) and the State Interoperability Governing Body (SIGB) to ensure interoperability and long-term compatibility.

Training. Allowable training-related costs include the establishment, support, conduct, and attendance at training specifically identified under the grant program and/or in conjunction with emergency preparedness training by other federal agencies (e.g., Health and Human Services [HHS] and Department of Transportation [DOT]). Training conducted using funds should address a performance gap identified through an Integrated Preparedness Plan (IPP) or other assessments (e.g., National Emergency Communications Plan [NECP] Goal Assessments) and contribute to building a capability that will be evaluated through a formal exercise. See the [USDHS NOFO FY 2024 EMPG Program](#) for further information on allowable costs under this category.

Some training activities require Environmental and Historic Preservation (EHP) Review, including exercises, drills or trainings that require any type of land, water, or vegetation disturbance or building of temporary structures or that are not located at facilities designed to conduct training and exercises. Information on training requirements and EHP review can be found online at <https://www.fema.gov/media-library/assets/documents/90195>.

Exercises. Funding is allowable to design, develop, conduct and evaluate preparedness exercises. See the [USDHS NOFO FY 2024 EMPG Program](#) for further information on allowable costs under this category. Exercises conducted with grant funding should be managed and conducted consistent with Homeland Security Exercise and Evaluation Program (HSEEP). The HSEEP guidance for exercise design, development, conduct, evaluation, and improvement planning is located at <https://www.fema.gov/emergency-managers/national-preparedness/exercises/hseep>.

Some exercise activities require EHP review, including exercises, drills or trainings that require any type of land, water, or vegetation disturbance or building of temporary structures or that are not located at facilities designed to conduct training and exercises. Additional information on exercise requirements and EHP review can be found online at: https://www.fema.gov/sites/default/files/documents/fema_gpd-ehp-policy-guidance.pdf.

Maintenance and Sustainment. Preparedness grant funds may be used to purchase maintenance contracts or agreements, warranty coverage, licenses, and user fees. These contracts may exceed the period of performance if they are purchased incidental to the original purchase of the system or equipment as long as the original purchase of the system or equipment is consistent with that which is typically provided for, or available through, these types of agreements, warranties, or contracts.

When purchasing a stand-alone warranty or extending an existing maintenance contract on an already-owned piece of equipment system, coverage purchased may not exceed the period of performance of the award used to purchase the maintenance agreement or warranty, and it may only cover equipment purchased with grant funds or for equipment dedicated to EMPG-related purposes. As with warranties and maintenance agreements, this extends to licenses and user fees as well.

The use of FEMA preparedness grant funds for maintenance contracts, warranties, repair or replacement costs, upgrades, and user fees are allowable under all active and future grant awards, unless otherwise noted. Except for maintenance plans or extended warranties purchased incidental to the original purchase of the equipment, the period covered by maintenance or warranty plan must not exceed the POP of the specific grant funds used to purchase the plan or warranty.

The policy set forth in [Information Bulletin \(IB\) 379, Guidance to State Administrative Agencies to Expedite the Expenditure of Certain USDHS/FEMA Grant Funding](#), initially for FY 2007-2011, allows for the expansion of eligible maintenance and sustainment costs which must be in (1) direct support of existing capabilities; (2) must be an otherwise allowable expenditure under the applicable grant program; (3) be tied to one of the core capabilities in the five mission areas contained within the Goal, and (4) shareable through the EMAC. Additionally, eligible costs may also be in support of equipment, training, and critical resources that have previously been purchased with either a federal grant or any other source of funding other than FEMA preparedness grant program dollars.

Unallowable Costs:

- Per FEMA policy, the purchase of weapons and weapons accessories, including ammunition, firearms, grenade launchers, and bayonets; and weaponized aircraft, vessels, and vehicles of any kind is not allowed with EMPG funds;
- Grant funds may not be used for the purchase of equipment not approved by FEMA. Grant funds must comply with [FEMA Policy 207-22-0002 Prohibited or Controlled Equipment Under FEMA Awards](#), and may not be used for the purchase of the following equipment: firearms; ammunition; grenade launchers; bayonets; or weaponized aircraft, vessels, or vehicles of any kind with weapons installed;
- Unauthorized exercise-related costs include:
 - Reimbursement for the maintenance or wear and tear costs of general use vehicles (e.g., construction vehicles), medical supplies, and emergency response apparatus (e.g., fire trucks, ambulances); and
 - Equipment that is purchased for permanent installation and/or use, beyond the scope of the conclusion of the exercise (e.g., electronic messaging sign).

ARTICLE 10: PROCUREMENT

Procurement shall comply with all federal, state, and local procurement requirements including [2 C.F.R. § 200.320](#) and the New Mexico Procurement Code for expenditure of funds under this Agreement. The subrecipient must conform to applicable state and federal law and the Procurement Standards Sections [2 C. F. R § 200.317 through 2 C.F.R. § 200.327](#), and [Appendix II to Part 200](#).

Contractors that develop or draft specifications, requirements, Statements of Work, and/or Requests for Proposals (RFP) for a proposed procurement shall be excluded from bidding or submitting a proposal to compete for the award of such procurement. Local bidder's preference is not allowed for federally funded procurements. Procurement transactions shall be conducted to provide maximum open and free competition.

When procuring property and services under this agreement, the subrecipient will follow [2 C.F.R. § 200.318 through 2 C.F.R. § 200.327](#) and [Appendix II to Part 200](#). The subrecipient must use its own documented procurement procedures which reflect applicable state, local, tribal, and territorial laws, and regulations, provided that the procurements conform to applicable federal law and the standards identified in [2 C.F.R. 200](#). As such, the subrecipient must use one of the methods of procurement identified in [2 C.F.R. § 200.320](#). A RFA form must be approved by NMDHSEM staff prior to any-tangible expenditures.

Procurement Documentation: Per [2 C.F.R. § 200.318\(i\)](#), subrecipients are required to maintain and retain records sufficient to detail the history of procurement covering at least the rationale for the procurement method, selection of contract type, contractor selection or rejection, and the basis for the contract price. States and territories are encouraged to maintain and retain this information as well and are reminded that in order for any cost to be allowable, it must be adequately documented per [2 C.F.R. § 200.403\(g\)](#). Examples of the types of documents that would cover this information include but are not limited to:

1. Solicitation documentation, such as requests for quotes, invitations for bids, or requests for proposals;
2. Responses to solicitations, such as quotes, bids, or proposals;
3. Pre-solicitation independent cost estimates and post-solicitation cost/price analyses on file for review by federal personnel, if applicable;
4. Contract documents and amendments, including required contract provisions; and
5. Other documents required by federal regulations applicable at the time a subgrant is awarded to a subrecipient.

Additional information on required procurement records can be found in the Procurement Disaster Assistance Team (PDAT) Field Manual https://www.fema.gov/sites/default/files/documents/fema_PDAT-field-manual_102021.pdf.

Procurement from Minority Owned and Women Owned Business is encouraged and must be tracked and reported to NMDHSEM on the quarterly reports. Procurement transactions shall be conducted to provide maximum open and free competition. Each sole-source procurement single vendor response to a competitive bid, and all purchases require prior approval of NMDHSEM.

ARTICLE 11: COMPETITION AND CONFLICTS OF INTEREST

Among the requirements of [2 C.F.R. § 200.319\(b\)](#) applicable to all non-federal entities other than states, in order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. The FEMA considers these actions to be an organizational conflict of interest and interprets this restriction as applying to contractors that help a subrecipient develop its grant application, project plans or project budget. This prohibition also applies to the use of former employees to manage the grant or carry out a contract when those former employees worked on such activities while they were employees of the non-federal entity.

Under this prohibition, unless the subrecipient solicits for and awards a contract covering both development and execution of specifications (or similar elements as described above), and this contract was procured in compliance with [2 C.F.R. § 200.317 through 2 C.F.R. § 200.327](#), federal funds cannot be used to pay a contractor to carry out the work if that contractor also worked on the development of those specifications. This rule applies to all contracts funded with federal grant funds, including pre-award costs, such as grant writer fees, as well as post-award costs, such as grant management fees. Additionally, some of the situations considered to be restrictive of competition include, but are not limited to:

1. Placing unreasonable requirements on firms for them to qualify to do business;
2. Requiring unnecessary experience and excessive bonding;
3. Noncompetitive pricing practices between firms or between affiliated companies;
4. Noncompetitive contracts to consultants that are on retainer contracts;
5. Organizational conflicts of interest;
6. Specifying only a "brand name" product instead of allowing "an equal" product to be offered and describing the performance or other relevant requirements of the procurement; and
7. Any arbitrary action in the procurement process.

Per [2 C.F.R. § 200.319\(c\)](#), the subrecipient must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, tribal, or territorial geographical preferences in the evaluation of bids or proposals, except in those cases where applicable federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state licensing laws. **When contracting for architectural and engineering services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.**

Under [2 C.F.R. § 200.318\(c\)\(1\)](#), the subrecipient is required to maintain written standards of conduct covering conflicts of interest and governing the actions of their employees engaged in the selection, award, and administration of contracts. **No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest.** Such conflicts of interest would arise when the employee, officer or agent, any member of his or her immediate family, his or her partner, or an organization that employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the non-federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, subrecipients entities may set standards for situations in which the financial interest is not substantial, or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-federal entity.

Under [2 C.F.R. § 200.318\(c\)\(2\)](#), if the subrecipient has a parent, affiliate, or subsidiary organization that is not a state, local, tribal or territorial government, the subrecipient must also maintain written standards of conduct covering organizational conflicts of interest. In this context, organizational conflict of interest means that because of a relationship with a parent company, affiliate, or subsidiary organization, the subrecipient is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization. The non-federal entity must disclose in writing any potential conflicts of interest to FEMA or NMDHSEM in accordance with applicable FEMA policy.

ARTICLE 12: GENERAL SERVICES ADMINISTRATION SCHEDULES

States, tribes, and local governments, and any instrumentality thereof (such as local education agencies or institutions of higher education) may procure goods and services from a General Services Administration (GSA) schedule. GSA offers multiple

efficient and effective procurement programs for state, tribal, and local governments, and instrumentalities thereof, to purchase products and services directly from pre-vetted contractors. The GSA Schedules (also referred to as the Multiple Award Schedules and the Federal Supply Schedules) are long-term government-wide contracts with commercial firms that provide access to millions of commercial products and services at volume discount pricing. Information about GSA programs for states, tribes, and local governments, and instrumentalities thereof, can be found [GSA's Programs for State and Local Governments State and Local Governments](#) webpages.

For tribes, local governments, and their instrumentalities that purchase off of a GSA schedule, this will satisfy the federal requirements for full and open competition provided that the subrecipient follows the GSA ordering procedures; however, tribes, local governments, and their instrumentalities will still need to follow the other rules under [2 C.F.R. § 200.317 through 2 C.F.R. §200.327](#), such as solicitation of minority businesses, women's business enterprises, small businesses, or labor surplus area firms ([2 C.F.R. § 200.321](#)), domestic preferences ([2 C.F.R. § 200.322](#)), contract cost and price ([2 C.F.R. § 200.324](#)), and required contract provisions ([2 C.F.R. § 200.327](#) and [Appendix II to Part 200](#)).

Other Supply Schedules and Programs: For non-federal entities other than states (such as tribes, local governments, and nonprofits) that want to procure goods or services from a state supply schedule, cooperative purchasing program, or other similar program, in order for such procurements to be permissible under federal requirements, the following must be true:

1. The procurement of the original contract or purchasing schedule and its use by the non-federal entity complies with state and local law, regulations, and written procurement procedures;
2. The state or other entity that originally procured the original contract or purchasing schedule entered into the contract or schedule with the express purpose of making it available to the non-federal entity and other similar types of entities;
3. The contract or purchasing schedule specifically allows for such use, and the work to be performed for the non-federal entity falls within the scope of work under the contract as to type, amount, and geography;
4. The procurement of the original contract or purchasing schedule complied with all the procurement standards applicable to a non-federal entity other than states under at [2 C.F.R. § 200.317 through 2 C.F.R. §200.327](#); and
5. With respect to the use of a purchasing schedule, the non-federal entity must follow ordering procedures that adhere to applicable state, tribal, and local laws and regulations and the minimum requirements of full and open competition under [2 C.F.R. Part 200](#).

If a non-federal entity other than a state seeks to use a state supply schedule, cooperative purchasing program, or other similar type of arrangement, FEMA recommends the subrecipient discuss the procurement plans with its NMDHSEM Point of Contact.

ARTICLE 13: CONTRACTS

Contracts for professional and consultant services executed during this grant period must include federal, state, local, tribal, and territorial government required contract language, a project budget, and require pre-approval by NMDHSEM prior to implementation. Contract deliverables must meet the intent of the grant application and grant requirements. Justification is required for compensation for individual consultant services, which must be reasonable and consistent with the amount paid for similar services in the marketplace. Detailed invoices and time and effort reports are required for consultants. All contracts **must be submitted** to the NMDHSEM Point of Contact with a **completed NMDHSEM Procurement Checklist** for NMDHSEM review **prior** to implementation. See [2 C.F.R. § 200.1](#), and [2 C.F.R. 200 Appendix II to Part 200](#) for Contract Provisions for Non-Federal Entity Contracts Under Federal Awards.

ARTICLE 14: AUDIT REQUIREMENTS

As the federal grant recipient, the State of New Mexico requires a subrecipient expending \$1,000,000.00 or more in federal funds in the organization's fiscal year to conduct an organization-wide audit in accordance with [2 C.F.R. 200 Subpart F](#). The subrecipient will permit NMDHSEM staff and auditors to have access to the subrecipient's and third-party contractors' records and financial statements as necessary for the State of New Mexico to comply with [2 C.F.R. 200 Subpart F](#). Copies of audit findings must be submitted to the NMDHSEM Point of Contact within 30 days after the subrecipient receives its audit report, or within a 9-month period of the grant closeout date, whichever is earlier. Include the federal agency name, program, grant number, and year; the Assistance Listing title and number; and the name of the pass-through agency.

ARTICLE 15: PROPERTY AND EQUIPMENT MANAGEMENT

The subrecipient will follow the property standards articulated in [2 C.F.R. § 200.310 through 2 C.F.R. § 200.316](#). The subrecipient shall maintain an effective property management system; safeguards to prevent loss, damage, or theft; maintenance procedures to keep equipment in good condition; and disposition procedures. A Property Inventory Report shall be submitted to NMDHSEM annually each January 30 with the FPR during the performance period, and continued submission is required annually until final disposition of the equipment. The subrecipient shall, when practical, prominently display the following on any equipment purchased with award funds: Purchased with funds provided by the U.S. Department of Homeland Security. No equipment purchased with these grant funds may be assigned to other entities or organizations without the expressed approval in writing from NMDHSEM, prior to the jurisdiction's encumbrance or expenditure for that equipment.

Any disposition of property or equipment must be in accordance with [2 C.F.R. 200.313\(e\)](#) and pre-approved by FEMA through NMDHSEM.

ARTICLE 16: NATIONAL ENVIRONMENTAL POLICY ACT (NEPA), /ENVIRONMENTAL PLANNING AND HISTORIC PRESERVATION (EHP) COMPLIANCE

The subrecipient must provide information to NMDHSEM to assist with the legally required environmental planning and historic preservation (EHP) review and to ensure compliance with the applicable EHP laws and Executive Orders (EO). These EHP requirements include but are not limited to the National Environmental Policy Act, National Historic Preservation Act, Endangered Species Act, E 11988 Floodplain Management, EO 11990 Protection of Wetlands, and EO 12898 Environmental Justice. The recipient must comply with all federal, state, local, tribal, and territorial EHP requirements and obtain applicable permits and clearances. See [FEMA Policy: Grant Program Directorate Environmental Planning and Historic Preservation, FEMA Policy #108-023-1, Revision 2](#) for more information.

Subrecipients shall not undertake any activity from the project that would result in ground disturbance, facility modification, or relates to the use of sonar equipment without the prior approval of FEMA. These include but are not limited to communications towers, physical security enhancements involving ground disturbance, new construction, modifications to buildings that are 50 years old or older, construction projects inside buildings less than 43 years old and exercises. Subrecipients must comply with all mitigation or treatment measures required for the project as the result of FEMA's EHP review. An EHP Screening Form does not need to be provided for those exercises that are planned to take place at previously approved facilities, such as fire and police academies, search and rescue training facilities, and explosive testing centers. Any type of exercise that requires any type of land, water, or vegetation disturbance or building of temporary structures must undergo an EHP review.

Any change to an approved project description will require re-evaluation for compliance with EHP requirements before the project can proceed. If ground disturbing activities occur during project implementation, the subrecipient must ensure monitoring of ground disturbance and if any potential archeological resources are discovered, the subrecipient will immediately cease construction in that area and notify FEMA and the New Mexico Historic Preservation Office. Initiation of these activities prior to completion of FEMA's EHP review will result in a non-compliance finding and may result in ineligibility of grant funding.

ARTICLE 17: PUBLICATIONS

Publications created with funding under this grant shall prominently contain the following statement: "This document was prepared under a subgrant from the U.S. Department of Homeland Security, and the New Mexico Department of Homeland Security and Emergency Management. Points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official position or policies of the U.S. Department of Homeland Security or the State of New Mexico."

ARTICLE 18: RECORDKEEPING

The subrecipient will follow the record retention and access standards articulated in [2 C.F.R. § 200.333](#) through [2 C.F.R. § 200.337](#). The grant financial and administrative records shall be maintained for a period of three years following the date of the closure of the grant award, or audit if required. Time and effort, personnel and payroll records for all individuals reimbursed under the award must be maintained. Property and equipment records shall be maintained for a period of three years following the final disposition, replacement or transfer of the property and equipment.

ARTICLE 19: CHANGES TO AWARD

In keeping with [2 C.F.R. § 200.308](#), the subrecipient must report deviations from the approved budget, project or program scope, or objective(s) in accordance with [2 C.F.R. § 200.329](#). The subrecipient must request prior approvals for budget and program plan revisions in accordance with this section. The subrecipient must request prior written approval for the following program and budget-related reasons:

- (1) Change in the scope or the objective of the project or program (even if there is no associated budget revision requiring prior written approval).
- (2) Change in key personnel (including employees and contractors) that are identified by name or position in the Federal award.
- (3) The disengagement from a project for more than three months, or a 25 percent reduction in time and effort devoted to the Federal award over the course of the period of performance, by the approved project / program director.
- (4) The inclusion, unless waived by the Federal agency, of costs that require prior approval in accordance with [2 C.F.R. Subpart E](#) as applicable.
- (5) The transfer of funds budgeted for participant support costs to other budget categories.
- (6) Subaward activities not proposed in the application and approved in the Federal award or NMDHSEM subgrant agreement.
- (7) Changes in the total approved cost-sharing amount.
- (8) The need arises for additional Federal funds to complete the project.
- (9) Transferring funds between the construction and non-construction work under a Federal award.
- (10) A no-cost extension (meaning, an extension of time that does not require the obligation of additional Federal funds) of the period of performance

All change requests must be submitted either in writing or electronically to the NMDHSEM Point of Contact for review **90 days prior** to the termination of this agreement. All change requests must be accompanied by a justification narrative and a budget and spending plan. All change requests must be consistent with the scope of the project and grant guidelines. Change requests will be considered only if reporting requirements are current, and all other terms and conditions of this agreement have otherwise been met at the time of the request. If approved by NMDHSEM, changes in the programmatic activities, purpose of the project, key personnel specified on the grant award, contractual services for activities central to the purposes of the award, change in project site, or release of special conditions, may result in an amendment to this award. Requests for changes must be submitted using the Request for Budget-Project Revision form. **No more than two budget/project revisions will be considered per subgrant agreement.**

ARTICLE 20: EXTENSION REQUESTS

Extensions to the period of performance (POP) for this program are allowed. Extensions to the POP identified in the award will only be considered through formal, written requests and must contain specific and compelling justifications as to why an extension is required. Requests for extensions must be submitted using the Request for Subgrant Extension form.

Extensions due to exigent or emergency circumstances will be determined by NMDHSEM on a case-by-case basis. Applicants who experience technical issues must notify the NMDHSEM Point of Contact **within 90 days of the POP end date**. All extension requests must address the following:

1. The grant program, fiscal year, and award number;
2. Reason for the delay –including details of the legal, policy, or operational challenges that prevent the final outlay of awarded funds by the deadline;
3. Current status of the activity(ies);

4. Approved POP termination date and new project completion date;
5. Amount of funds drawn down to date;
6. Remaining available funds, both federal and, if applicable, non-federal;
7. Budget outlining how remaining federal and, if applicable, non-federal funds will be expended;
8. Plan for completion, including milestones and timeframes for achieving each milestone and the position or person responsible for implementing the plan for completion; and Certification that the activity(ies) will be completed within the extended POP without any modification to the original statement of work, as described in the Investment Justification (IJ) and as approved by FEMA.

Extension requests will be granted only due to compelling legal, policy or operational challenges. Extensions are typically granted for no more than a six-month period. Extension requests cannot extend past 12 months of the original subgrant agreement end date. Extension requests will only be considered for the following reasons:

1. Contractual commitments by the recipient or subrecipient with vendors prevent completion of the project, including delivery of equipment or services, within the existing POP;
2. The project must undergo a complex environmental review that cannot be completed within the existing POP;
3. Projects are long-term by design, and therefore acceleration would compromise core programmatic goals; or
4. Where other special or extenuating circumstances exist.

All requests for Sub-grant award extensions must be received at NMDHSEM prior to the 90-day subgrant award termination date. Requests for subgrant award extensions will only be considered for documented extenuating circumstances and will be reviewed by the NMDHSEM Point of Contact on a case-by-case basis.

ARTICLE 21: OTHER GENERAL PROVISIONS

- The performance period for this grant award is July 1, 2024 through June 30, 2025. Further, all personnel related grant activity must be completed between July 1, 2024 and June 30, 2025. Funds may not be obligated outside of these time periods. An obligation occurs when funds are encumbered, as with a purchase order and/or commitment of salaries and benefits. All obligated and encumbered funds must be liquidated within 15 days of the end of the performance period when the final performance progress and financial progress reports are due.
- The FY 2024 SAFECOM Guidance on Emergency Communications Grants, in coordination with stakeholders and federal partners, and the National Emergency Communications Plan Goals, targets funding priorities to address:
 - Priority 1: Governance and Leadership
 - Priority 2: Planning and Procedures
 - Priority 3: Training, Exercises, and Evaluation
 - Priority 4: Activities that Enhance Communications Coordination
 - Priority 5: Standards-Based Technology and Infrastructure
 - Priority 6: Cybersecurity
- **Deployable / Shareable Assets** - All assets supported in part or entirely with non-disaster grant funding must be readily deployable to support emergency or disaster operations per existing Intrastate Mutual Aid System, (IMAS) and/or Emergency Management Assistance Compact (EMAC) and other mutual aid agreements. Assets that may not be physically deployable but support national response capabilities, such as interoperable communications systems and equipment, is considered shareable assets. Access to and use of these assets must be made readily available upon the request of the NMDHSEM.
- The subrecipient shall comply with the requirements and restrictions of the USDHS Federal NOFO and the New Mexico DHSEM Emergency Management Performance Grant (EMPG) Funding Announcement and Allocation Methodology. By signing this obligating award document, the subrecipient certifies it has read, understood, and accepted these documents as binding.
- The signatures of the signatory officials on this award certifies that all financial expenditures, including all supporting documentation submitted for reimbursement, have been incurred by the jurisdiction, and are eligible and allowable

expenditures consistent with the grant guidelines for this project. The subrecipient shall follow the financial management requirements imposed on them by NMDHSEM, which includes the requirements of the USDHS.

- The signature of the signatory officials on this award attests to the subrecipient's understanding, acceptance, and compliance with Lobbying; Debarment, Suspension, and Other Responsibility Matters; Drug-free Workplace Requirements; Conflict of Interest, and Non-Supplanting certifications. Federal funds will not be used to supplant state, local, tribal, and territorial funds. Federal funds must be used to supplement existing funds to augment program activities, and not replace those funds which have been appropriated in the budget for the same purpose. Potential supplanting may be the subject of application and pre-award, post-award monitoring, and audit.
- The subrecipient shall ensure the accounting system used allows for separation of fund sources. These grant funds cannot be commingled with funds from other state, local, tribal, and territorial agencies, and each award is accounted for separately.
- The subrecipient shall comply with Federal Civil Rights Laws and Regulations: Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, Age Discrimination Act of 1975, and Americans with Disabilities Act of 1991. The subrecipient will take reasonable steps to ensure Limited English Proficient (LEP) persons have meaningful access to its programs and activities. Executive Order 13347 Individuals with Disabilities in Emergency Preparedness requires government to support safety and security for individuals with disabilities in situations involving disasters, including earthquakes, tornadoes, fires, floods, hurricanes, and acts of terrorism.
- The subrecipient certifies that it has an Affirmative Action Plan/Equal Employment Opportunity Plan (EEO) (for USDHS/DOJ grants). An EEO is not required for recipients of less than \$25,000.00 or fewer than 50 employees.
- The subrecipient certifies that its employees are eligible to work in the U.S. as verified by Form I-9, Immigration & Naturalization Service Employment Eligibility.

ARTICLE 22: REMEDIES FOR NON-COMPLIANCE

For the reasons listed below, special conditions may be imposed, reimbursements may be partially or wholly withheld, the award may be wholly or partly suspended or terminated, or future awards, reimbursements and award modifications may be withheld. The NMDHSEM may institute the following, but is not limited to, withholding authority to proceed to the next phase of a project, requiring additional or more detailed financial reports, additional project monitoring, and/or establish additional prior approvals. The NMDHSEM shall notify the subrecipient of its decision in writing stating the nature and the reason for imposing the conditions/restrictions, the corrective action required and timeline to remove them, and the method of requesting reconsideration of the imposed conditions/restrictions. The subrecipient must respond within five days of receipt of notification. See [2 C.F.R. § 200.399](#).

- Unwillingness or inability to attain project goals.
- Unwillingness or inability to adhere to the Special Conditions section of this subgrant agreement.
- Failure or inability to adhere to grant guidelines and federal compliance requirements.
- Improper procedures regarding contracts and procurements.
- Inability to submit reliable and/or timely reports.
- Management systems which do not meet federal required management standards.
- Failure or inability to adhere to the terms and conditions of this agreement.

ARTICLE 23: TERMINATION

For Cause: In compliance with [2 C.F.R. § 200.340\(a\)\(1\)](#), If performance is not occurring as agreed, the award may be reduced or terminated without compensation for reduction or termination costs. The NMDHSEM will provide notice of five days to the subrecipient stating the reasons for the action, steps taken to correct the problems, and the commencement date of the reduction or termination. The NMDHSEM will reimburse the subrecipient only for acceptable work or deliverables, necessary and allowable costs incurred through the date of reduction or termination. Final payment may be withheld at the discretion

of NMDHSEM until completion of a final NMDHSEM review. Disposition of any equipment acquired under a terminated grant must be in accordance with 2 C.F.R. § 200.313(e).

For Convenience: In compliance with 2 CFR § 200.340(a)(4), this Agreement may be terminated without cause by the subrecipient upon written notice setting forth the reasons for such termination, and the effective date at least 30 days prior to the intended date of termination. A termination pursuant to this provision does not nullify a party's obligations for performance, or liabilities for failure to perform already incurred prior to the date of termination. Any project may be terminated upon convenience, in whole or in part, for the convenience of the subrecipient; though a partial termination notification must specify that portion of the project which is to be terminated. Allowable costs obligated and/or incurred through the date of termination shall be reimbursed. Disposition of any equipment acquired under a terminated grant must be in accordance with 2 C.F.R. §200.313(e).

ARTICLE 24: SPECIAL CONDITIONS

1. **EMPG Notice of Funding Opportunity Requirements** – All of the instructions, guidance, limitations, and other conditions set forth in the USDHS Preparedness Grants Manual and the NOFO for this program are incorporated here by reference in the terms and conditions of your award. All recipients must comply with any such requirements set forth in the USDHS Preparedness Grants Manual and the NOFO.
2. The grant award amount is a funding allocation and is not to be interpreted as expenditure authorizations or approvals. Pre-approval from the Grants Management Bureau is required for all purchases regardless of any application review.
3. All awarded projects must be planned for, conducted, budgeted, and expended within the designated performance period. Furthermore, at least 25% of the grant award must be expended in the first quarter for each project; some exceptions and/or extenuating circumstances may apply.
4. **Request for Approval** - Pre-approval from NMDHSEM staff is required for all purchases regardless of any application review. The grant award amount is a funding allocation and is not to be interpreted as expenditure authorizations or approvals. A Request for Approval (RFA) form must be approved prior to any tangible expenditures.
5. **National Incident Management System (NIMS)** - All subrecipients and beneficiaries must have a completed NIMS Assessment on or before September 30 of each year. All funded beneficiaries, to include but not limited to, first response agencies and special teams, must also complete a NIMS Assessment. Subrecipients must continue working on NIMS implementation objectives throughout the performance period of the grant and thereafter.
6. **Threat Hazard Identification Risk Assessment (THIRA)** - All subrecipients must complete and/or revise their THIRA every three years and submit to NMDHSEM no later than October 31 of that year. www.fema.gov/sites/default/files/2020-04/CPG201Final20180525.pdf
7. **Stakeholder Preparedness Report (SPR)** - All subrecipients must complete and/or revise their SPR every year and submit to NMDHSEM no later than October 31st. www.fema.gov/sites/default/files/2020-04/CPG201Final20180525.pdf.
8. **Tactical Interoperable Communication Plan (TICP)** - All subrecipients must complete and/or revise their local and/or regional Tactical Interoperable Communication Plan every year and submit to the New Mexico Statewide Interoperability Coordinator (SWIC) and your Local Preparedness Coordinator.
9. **Emergency Operations Plan (EOP)** - All subrecipients must have a current, fully promulgated All Hazards Emergency Operations Plan (EOP); compliant with Developing and Maintaining Emergency Operations Plans, Comprehensive Preparedness Guide (CPG) 101, September 2021, Version 3.0; and approved by NMDHSEM. Sub-recipients are required to complete and include the NMDHSEM provided EOP crosswalk when submitting their EOPs to their Local Preparedness Coordinator for approval.
10. **National Qualification System (NQS)** - **National Qualification System (NQS)** - All subrecipients and their beneficiaries must achieve Phase 3 NQS Implementation Objectives outlined on Attachment 3. Subrecipients must have issued PTBs

to incident workforce personnel, which they designate, and ensure incident workforce personnel show progress in working towards task endorsements and minimum training requirements.

11. **Distribution Management Plans (DMP)** – EMPG Program recipients are required to develop and maintain a Distribution Management Plan as an annex to their existing Emergency Operations plan (EOP). The DMP must be reviewed by recipients on an annual basis and updated as necessary by September 30th of each calendar year.
12. **Whole Community Preparedness** - All Whole Community Preparedness subrecipients must have a coordinating body to serve as their Citizen Corps Whole Community Council, with membership that includes, but is not limited to: representatives from emergency management, homeland security, law enforcement, fire service, EMS, public health, hospitals, HCCs, or their designee, elected officials, the private sector especially privately owned critical infrastructure, private nonprofits, nongovernmental organizations including faith-based, community- based, and voluntary organizations and advocacy groups.
13. **Integrated Preparedness Plan (IPP)** - Subrecipients must have a current multi-year Integrated Preparedness Plan that identifies preparedness priorities and activities. The current multi-year IPP must be submitted to the NMDHSEM Training and Exercise Unit before April 1 of each year.
14. **Validating Capabilities through Exercise** – All subrecipients and beneficiaries are required to develop and maintain a progressive exercise program consistent with HSEEP guidance in support of the National Exercise Program (NEP). The exercises and priorities outlined in the IPP and all the EMPG Program funded exercises must be included in the FY2023 EMPG Program Work Plan. All EMPG Program funded personnel shall participate in exercises as a controller, evaluator, facilitator, player, or planning team member within the 12-month performance period of this award; performance progress for each funded position will be measured on each quarterly report. All AAR/IP and AAR/IP input forms must be sent to the NMDHSEM Training and Exercise Unit no later than 60 days after the exercise.
15. **Training** – All EMPG funded personnel, including full and part time state, local, tribal, and subrecipients, must complete the following training requirements and record proof of completion:
 - a. NIMS Training,
 - b. Independent study (IS) 100, IS 200, IS 700, and IS 800
 - c. Professional Development Series (PDS) or the Emergency Management Professionals Program (EMPP) Basic Academy courses.
 - d. All EMPG Program funded training activities must be reported quarterly.
 - e. Subrecipients must maintain proof of completion of training requirements. Subrecipients are encouraged to use the [OneResponder](#) system to enter, track and report training.
 - f. **Training and Exercise Overtime and Backfill:** Overtime costs, including payments related to backfilling personnel, that are the direct result of attendance at FEMA and/or approved training courses and programs are allowable. The entire amount of overtime costs, including payments related to backfilling personnel, that are the direct result of time spent on the design, development and conduct of exercises are allowable expenses. These costs are allowed only to the extent the payment for such services is in accordance with the policies of the state or unit(s) of local government and has the approval of the state or FEMA, whichever is applicable. In no case is dual compensation allowable. That is, an employee of a unit of government may not receive compensation from their unit or agency of government and from an award for a single period of time (e.g., 1:00 p.m. to 5:00 p.m.), even though such work may benefit both activities. See [USDHS NOFO FFY 2024 EMPG Program for more information](#).
16. **Program Performance Reporting Requirements (PPR) and Financial Progress Reports (FPR)** – Subrecipients are responsible for providing performance reports to the State Administrative Agency, NMDHSEM, on a quarterly basis. The quarterly PPR's must be based on the approved EMPG Program Work Plan and are due no later than 30 days after the end of the quarter. Final financial reports are due 15 days after the end of performance period. Subrecipients must report obligations and expenditures to the SAA on a quarterly basis through the FFR form (SF-425). The PPR and FFR shall be submitted to the Grants Management Unit at DHSEM-GrantsManagement@state.nm.us.

PERFORMANCE PERIOD	REPORT DUE DATE	LOCAL REPORT DUE
July 1 – September 30	October 15	Quarterly PPR & FPR
October 1 – December 31	January 15	Quarterly PPR & FPR
January 1 – March 31	April 15	Quarterly PPR & FPR
April 1 – June 30	July 15	Final PPR & FPR

17. Contracts for professional and consultant services that have been executed without written pre-approval from NMDHSEM are **not eligible** for reimbursement. The subrecipient will be responsible for all costs associated with services rendered under the unapproved contract.
18. A revision of the scope of work must be pre-approved by the NMDHSEM before the jurisdiction can proceed with the request for approval process. If the revision is approved, NMDHSEM may request additional documentation to proceed with recommendation to NMDHSEM Leadership for final approval.
19. All revision requests must meet the original scope of the project, any modifications to the original scope of work may result in a subgrant amendment.
20. The subrecipient and beneficiaries of this award are solely responsible for all expenditures that are incurred outside of the award performance period. All expenditures that are incurred above and beyond the amount of this subgrant agreement are the sole responsibility of the subrecipient of this award.
21. Upon completion of all awarded projects, any remaining funds will be de-obligated and reverted to NMDHSEM.
22. Extensions due to exigent or emergency circumstances will be determined by NMDHSEM on a case-by-case basis. Applicants who need to request an extension, must notify their NMDHSEM Point of Contact within 90 days of the POP end date.
23. Grant funds may not be used for the following:

Unallowable Equipment: Grant funds must comply with FEMA Policy 207-22-0002, Prohibited or Controlled Equipment Under FEMA Awards, and may not be used for the purchase of firearms, ammunition, grenade launchers, bayonets, or weaponized aircraft, vessels, or vehicles of any kind with weapons installed;

 - Expenditures for weapons systems and ammunition.
 - Costs associated with hiring, equipping, training, etc. sworn public safety officers whose primary job responsibilities include fulfilling traditional public safety duties such as law enforcement, firefighting, emergency medical services, or other first responder duties;
 - Costs that supplant traditional public safety positions and responsibilities; or
 - Activities and projects unrelated to the completion and implementation of the EMPG Program
 - Clothing used for everyday wear by emergency management employees or other personnel.

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State of New Mexico
DEPARTMENT OF HOMELAND SECURITY
& EMERGENCY MANAGEMENT
P.O. Box 27111
Santa Fe, NM 87502

SUBRECIPIENT GRANT AGREEMENT – EMT-2024-EP-05014

The acceptance of a grant from the United States and the State of New Mexico creates a legal duty and obligation on the part of the subrecipient to use the funds or property made available in accordance with the conditions of the grant as administered by and through the New Mexico Department of Homeland Security and Emergency Management.

Signature of Acceptance

JURISDICTION SIGNATURES	
SIGNATURE OF EMERGENCY MANAGEMENT GRANT PROGRAM MANAGER	
OFFICIAL SIGNATURE: _____	DATE: _____
PRINTED NAME: _____	
CONTACT NUMBER: _____	EMAIL ADDRESS: _____
SIGNATURE OF JURISDICTION CHIEF FINANCIAL OFFICER	
OFFICIAL SIGNATURE: _____	DATE: _____
PRINTED NAME: _____	
CONTACT NUMBER: _____	EMAIL ADDRESS: _____
SIGNATURE OF JURISDICTIONS GOVERNMENT SIGNATORY OFFICIAL	
OFFICIAL SIGNATURE: _____	DATE: _____
PRINTED NAME: _____	
CONTACT NUMBER: _____	EMAIL ADDRESS: _____
NMDHSEM SIGNATURES	
NMDHSEM GRANTS MANAGEMENT BUREAU CHIEF	
OFFICIAL SIGNATURE: _____	DATE: _____
PRINTED NAME: _____	
CONTACT NUMBER: _____	EMAIL ADDRESS: _____
NMDHSEM DEPUTY CABINET SECRETARY	
OFFICIAL SIGNATURE: _____	DATE: _____
PRINTED NAME: _____	
CONTACT NUMBER: _____	EMAIL ADDRESS: _____

Print one original agreement, sign, and email to: DHSEM-GrantsManagement@state.nm.us and the DHSEM Point of Contact.

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ATTACHMENT 1
FY 2024 U.S. Department of Homeland Security Terms and Conditions
Version 3 dated April 4, 2024

The Fiscal Year (FY) 2024 Department of Homeland Security (DHS) Standard Terms and Conditions apply to all new federal awards of federal financial assistance (federal awards) for which the federal award date occurs in FY 2024 and flow down to subrecipients unless a term or condition specifically indicates otherwise. For federal awards that may involve continuation awards made in subsequent FYs, these FY 2024 DHS Standard Terms and Conditions will apply to the continuation award unless otherwise specified in the terms and conditions of the continuation award. The United States has the right to seek judicial enforcement of these terms and conditions.

All legislation and digital resources are referenced with no digital links. These FY 2024 DHS Standard Terms and Conditions are maintained on the DHS website at <https://www.dhs.gov/publication/fy15-dhs-standard-terms-and-conditions>.

Assurances, Administrative Requirements, Cost Principles, Representations, and Certifications

- I. Recipients must complete either the Office of Management and Budget (OMB) Standard Form 424B Assurances – Non- Construction Programs, or OMB Standard Form 424D Assurances – Construction Programs, as applicable. Certain assurances in these documents may not be applicable to your program and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances as instructed by the federal awarding agency.

General Acknowledgements and Assurances Recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in effect as of the federal award date and located at 2 C.F.R. Part 200 and adopted by DHS at 2 C.F.R. § 3002.10.

All recipients and subrecipients must acknowledge and agree to provide DHS access to records, accounts, documents, information, facilities, and staff pursuant to 2 C.F.R. § 200.337.

- II. Recipients must cooperate with any DHS compliance reviews or compliance investigations.
- III. Recipients must give DHS access to examine and copy records, accounts, and other documents and sources of information related to the federal financial assistance award and permit access to facilities and personnel.
- IV. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
- V. Recipients must comply with all other special reporting, data collection, and evaluation requirements required by law, federal regulation, Notice of Funding Opportunity, federal award specific terms and conditions, and/or federal awarding agency program guidance.
- VI. Recipients must complete the DHS Civil Rights Evaluation Tool within thirty (30) days of receiving the Notice of Award for the first award under which this term applies. Recipients of multiple federal awards from DHS should only submit one completed tool for their organization, not per federal award. After the initial submission, recipients are required to complete the tool once every two (2) years if they have an active federal award, not every time a federal award is made. Recipients must submit the completed tool, including supporting materials, to CivilRightsEvaluation@hq.dhs.gov. This tool clarifies the civil rights obligations and related reporting requirements contained in these DHS Standard Terms and Conditions. Subrecipients are not required to complete and submit this tool to DHS. The evaluation tool can be found at <https://www.dhs.gov/publication/dhs-civil-rights-evaluation-tool>. [DHS Civil Rights Evaluation Tool | Homeland Security](#).

The DHS Office for Civil Rights and Civil Liberties will consider, in its discretion, granting an extension to the 30-day deadline if the recipient identifies steps and a timeline for completing the tool. Recipients must request extensions by emailing the request to CivilRightsEvaluation@hq.dhs.gov prior to expiration of the 30-day deadline.

Standard Terms & Conditions

- VII. Acknowledgement of Federal Funding from DHS
Recipients must acknowledge their use of federal award funding when issuing statements, press releases, requests for proposal, bid invitations, and other documents describing projects or programs funded in whole or in part with federal award funds.
- VIII. Activities Conducted Abroad
Recipients must coordinate with appropriate government authorities when performing project activities outside the United States obtain all appropriate licenses, permits, or approvals.
- IX. Age Discrimination Act of 1975
Recipients must comply with the requirements of the Age Discrimination Act of 1975, Pub. L. No. 94-135 (codified as amended at 42 U.S.C. § 6101 *et seq.*), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.
- X. Americans with Disabilities Act of 1990
Recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, Pub. L. No. 101-336 (1990) (codified as amended at 42 U.S.C. §§ 12101– 12213), which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.
- XI. Best Practices for Collection and Use of Personally Identifiable Information
Recipients who collect personally identifiable information (PII) as part of carrying out the scope of work under a federal award are required to have a publicly available privacy policy that describes standards on the usage and maintenance of the PII they collect. DHS defines PII as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy Template as useful resources respectively.
- XII. Civil Rights Act of 1964 – Title VI
Recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964, Pub. L. No. 88-352 (codified as amended at 42 U.S.C. § 2000d *et seq.*), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21. Recipients of an award from the Federal Emergency Management Agency (FEMA) must also comply with FEMA's implementing regulations at 44 C.F.R. Part 7.
- XIII. Civil Rights Act of 1968
Recipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. No. 90-284 (codified as amended at 42 U.S.C. § 3601 *et seq.*) which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex, as implemented by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units— i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features. (See 24 C.F.R. Part 100, Subpart D.)
- XIV. Copyright
Recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 to any work first produced under federal awards and also include an acknowledgement that the work was produced under a federal award (including the federal award number and federal awarding agency). As detailed in 2 C.F.R. § 200.315, a federal awarding agency reserves a royalty-free, nonexclusive, and irrevocable right to reproduce, publish, or otherwise use the work for federal purposes and to authorize others to do so.

- XV. **Debarment and Suspension**
Recipients must comply with the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689 set forth at 2 C.F.R. Part 180 as implemented by DHS at 2 C.F.R. Part 3000. These regulations prohibit recipients from entering into covered transactions (such as subawards and contracts) with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.
- XVI. **Drug-Free Workplace Regulations**
Recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government-wide implementation (2 C.F.R. Part 182) of the Drug-Free Workplace Act of 1988 (41 U.S.C. §§ 8101-8106).
- XVII. **Duplicative Costs**
Recipients are prohibited from charging any cost to this federal award that will be included as a cost or used to meet cost sharing or matching requirements of any other federal award in either the current or a prior budget period. (See 2 C.F.R. § 200.403(f)). However, recipients may shift costs that are allowable under two or more federal awards where otherwise permitted by federal statutes, regulations, or the federal financial assistance award terms and conditions.
- XVIII. **Education Amendments of 1972 (Equal Opportunity in Education Act) – Title IX**
Recipients must comply with the requirements of Title IX of the Education Amendments of 1972, Pub. L. No. 92-318 (codified as amended at 20 U.S.C. § 1681 *et seq.*), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17. Recipients of an award from the Federal Emergency Management Agency (FEMA) must also comply with FEMA's implementing regulations at 44 C.F.R. Part 19.
- XIX. **E.O. 14074 – Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety**
Recipient State, Tribal, local, or territorial law enforcement agencies must comply with the requirements of section 12(c) of E.O. 14074. Recipient State, Tribal, local, or territorial law enforcement agencies are also encouraged to adopt and enforce policies consistent with E.O. 14074 to support safe and effective policing.
- XX. **Energy Policy and Conservation Act**
Recipients must comply with the requirements of the Energy Policy and Conservation Act, Pub. L. No. 94-163 (1975) (codified as amended at 42 U.S.C. § 6201 *et seq.*), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.
- XXI. **False Claims Act and Program Fraud Civil Remedies**
Recipients must comply with the requirements of the False Claims Act, 31 U.S.C. §§ 3729- 3733, which prohibit the submission of false or fraudulent claims for payment to the Federal Government. (See 31 U.S.C. §§ 3801-3812, which details the administrative remedies for false claims and statements made.)
- XXII. **Federal Debt Status**
All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129.)
- XXIII. **Federal Leadership on Reducing Text Messaging while Driving**
Recipients are encouraged to adopt and enforce policies that ban text messaging while driving recipient-owned, recipient-rented, or privately owned vehicles when on official government business or when performing any work for or on behalf of the Federal Government. Recipients are also encouraged to conduct the initiatives of the type described in Section 3(a) of E.O. 13513.

- XXIV. Fly America Act of 1974
Recipients must comply with Preference for U.S. Flag Air Carriers (a list of certified air carriers can be found at: Certificated Air Carriers List | US Department of Transportation, <https://www.transportation.gov/policy/aviation-policy/certificated-air-carriers-list>) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974, 49 U.S.C. § 40118, and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.
- XXV. Hotel and Motel Fire Safety Act of 1990
Recipients must ensure that all conference, meeting, convention, or training space funded entirely or in part by federal award funds complies with the fire prevention and control guidelines of Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. § 2225a.
- XXVI. John S. McCain National Defense Authorization Act of Fiscal Year 2019
Recipients, subrecipients, and their contractors and subcontractors are subject to the prohibitions described in section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. L. No. 115-232 (2018) and 2 C.F.R. §§ 200.216, 200.327, 200.471, and Appendix II to 2 C.F.R. Part 200. The statute – as it applies to DHS recipients, subrecipients, and their contractors and subcontractors – prohibits obligating or expending federal award funds on certain telecommunications and video surveillance products and contracting with certain entities for national security reasons.
- XXVII. Limited English Proficiency (Civil Rights Act of 1964, Title VI)
Recipients must comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance: <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.
- XXVIII. Lobbying Prohibitions
Recipients must comply with 31 U.S.C. § 1352 and 6 C.F.R. Part 9, which provide that none of the funds provided under a federal award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification. Per 6 C.F.R. Part 9, recipients must file a lobbying certification form as described in Appendix A to 6 C.F.R. Part 9 or available on Grants.gov as the Grants.gov Lobbying Form and file a lobbying disclosure form as described in Appendix B to 6 C.F.R. Part 9 or available on Grants.gov as the Disclosure of Lobbying Activities (SF-LLL).
- XXIX. National Environmental Policy Act
Recipients must comply with the requirements of the National Environmental Policy Act of 1969, Pub. L. No. 91-190 (1970) (codified as amended at 42 U.S.C. § 4321 *et seq.*) (NEPA) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.
- XXX. Nondiscrimination in Matters Pertaining to Faith-Based Organizations
It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.

XXXI. Non-Supplanting Requirement

Recipients of federal awards under programs that prohibit supplanting by law must ensure that federal funds supplement but do not supplant non-federal funds that, in the absence of such federal funds, would otherwise have been made available for the same purpose.

XXXII. Notice of Funding Opportunity Requirements

All the instructions, guidance, limitations, scope of work, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this federal award are incorporated by reference. All recipients must comply with any such requirements set forth in the NOFO. If a condition of the NOFO is inconsistent with these terms and conditions and any such terms of the Award, the condition in the NOFO shall be invalid to the extent of the inconsistency. The remainder of that condition and all other conditions set forth in the NOFO shall remain in effect.

XXXIII. Patents and Intellectual Property Rights

Recipients are subject to the Bayh-Dole Act, 35 U.S.C. § 200 *et seq.* and applicable regulations governing inventions and patents, including the regulations issued by the Department of Commerce at 37 C.F.R. Part 401 (Rights to Inventions Made by Nonprofit Organizations and Small Business Firms under Government Awards, Contracts, and Cooperative Agreements) and the standard patent rights clause set forth at 37 C.F.R. § 401.14.

XXXIV. Procurement of Recovered Materials

States, political subdivisions of states, and their contractors must comply with Section 6002 of the Solid Waste Disposal Act, Pub. L. No. 89-272 (1965) (codified as amended by the Resource Conservation and Recovery Act at 42 U.S.C. § 6962) and 2 C.F.R. § 200.323. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

XXXV. Rehabilitation Act of 1973

Recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. No. 93-112 (codified as amended at 29 U.S.C. § 794), which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

XXXVI. Reporting of Matters Related to Recipient Integrity and Performance

If the total value of any currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of the federal award, then the recipient must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated by reference.

XXXVII. Reporting Subawards and Executive Compensation

For federal awards that equal or exceed \$30,000, recipients are required to comply with the requirements set forth in the government-wide award term on Reporting Subawards and Executive Compensation set forth at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated by reference.

XXXVIII. Required Use of American Iron, Steel, Manufactured Products, and Construction Materials

Recipients of an award of Federal financial assistance from a program for infrastructure are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless:

- (1) all iron and steel used in the project are produced in the United States—this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
- (2) all manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established

- under applicable law or regulation; and
- (3) all construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

Waivers

When necessary, recipients may apply for, and the agency may grant, a waiver from these requirements. The agency should notify the recipient for information on the process for requesting a waiver from these requirements.

- (a) When the Federal agency has determined that one of the following exceptions applies, the awarding official may waive the application of the domestic content procurement preference in any case in which the agency determines that:
- (1) applying the domestic content procurement preference would be inconsistent with the public interest;
 - (2) the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or
 - (3) the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent.

A request to waive the application of the domestic content procurement preference must be in writing. The agency will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the Made in America Office.

There may be instances where an award qualifies, in whole or in part, for an existing waiver described at ["Buy America" Preference in FEMA Financial Assistance Programs for Infrastructure | FEMA.gov](#).

Definitions

The definitions applicable to this term are set forth at 2 C.F.R. § 184.3, the full text of which is incorporated by reference.

XXXIX. SAFECOM

Recipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications. The SAFECOM Guidance is updated annually and can be found at [Funding and Sustainment | CISA](#).

XL. Terrorist Financing

Recipients must comply with E.O. 13224 and applicable statutory prohibitions on transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible for ensuring compliance with the E.O. and laws.

- XLI. **Trafficking Victims Protection Act of 2000 (TVPA)**
Recipients must comply with the requirements of the government-wide financial assistance award term which implements Trafficking Victims Protection Act of 2000, Pub. L. No. 106- 386, § 106 (codified as amended at 22 U.S.C. § 7104). The award term is located at 2 C.F.R. § 175.15, the full text of which is incorporated by reference.
- XLII. **Universal Identifier and System of Award Management**
Recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated reference.
- XLIII. **USA PATRIOT Act of 2001**
Recipients must comply with requirements of Section 817 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act), which amends 18 U.S.C. §§ 175–175c.
- XLIV. **Use of DHS Seal, Logo and Flags**
Recipients must obtain written permission from DHS prior to using the DHS seals, logos, crests, or reproductions of flags, or likenesses of DHS agency officials. This includes use of DHS component (e.g., FEMA, CISA, etc.) seals, logos, crests, or reproductions of flags, or likenesses of component officials.
- XLV. **Whistleblower Protection Act**
Recipients must comply with the statutory requirements for whistleblower protections at 10 U.S.C § 470141 U.S.C. § 4712.

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ATTACHMENT 2 Reimbursement Checklist

Please Note: NMDHSEM reserves the right to update this check list throughout the life of the grant to ensure compliance with applicable state, local, tribal, and territorial rules, and regulations. Please only check the categories that apply to the reimbursement you are currently requesting.

EQUIPMENT

- Have all invoices been included?
- Has AEL # been identified for each purchase?
- If service/warranty expenses are listed, are they only for the performance period of the grant?
- Are expenditure(s) supported with source documentation (e.g., copies of proof of payment, invoices, receipts, timesheets with name/wage/hours, cost allocation, warrants, purchase order, etc.).
- Has proof of payment been included? (e.g., canceled check, Electronic Funds Transfer (EFT) confirmation, or P-Card back up documentation which will include receipt with vendor, copy of credit card statement showing expense charged, and payment to credit card Company for that statement)

CONSULTANTS/CONTRACTORS

- Does the amount billed by consultant add up correctly?
- Has all the appropriate documentation to denote hours worked been properly signed?
- Have copies of all planning materials and work products (e.g., meeting documents, copies of plans) been included? (If a meeting was held by recipient or contractor/consultant of recipient, an agenda and signup sheet with meeting date must be included).
- Has the invoice from consultant/contractor been included?
- Has proof of payment been included? (e.g., canceled check, Electronic Funds Transfer (EFT) confirmation, or P-Card back up documentation which will include receipt with vendor, copy of credit card statement showing expense charged, and payment to credit card Company for that statement).

SALARY POSITIONS

- Have the following been provided: signed time sheet by employee and supervisor and proof that employee was paid for time worked (statement of earnings, copy of payroll check or payroll register)?
- Has a time period summary sheet been included for the total claimed amount?
- Has a general ledger payroll report been included for the total claimed amount? Ensure this report includes both employee and employer payroll information (i.e., benefits/contributions).
- Does the back-up documentation include a copy of the check stub per employee for the period covered?
- Does the back-up documentation provided match the period for which reimbursement is being requested?

TRAINING

- Is the course DHS/FEMA approved? Is there a course or catalog number? If not, has NMDHSEM approved the non-DHS training request form? Is supporting documentation included your reimbursement request?
- Have sign-in sheets, rosters and agenda been provided?
- If billing for overtime and/or backfill, has a spreadsheet been if lists attendee names, department, # of hours spent at training, hourly rate and total amount paid to each attendee? Have printouts from entity's financial system been provided as proof attendees were paid? For backfill, has a clear delineation/cross reference been provided showing who was backfilling who?
- Have the names on the sign-in sheets been cross-referenced with the names of the individuals for whom training reimbursement costs are being sought?
- Have any expenditures occurred in support of the training (e.g., printing costs, costs related to administering the training, planning, scheduling, facilities, materials and supplies, reproduction of materials, and equipment)? If so, receipts and proof of payment must be submitted. (e.g., system generated ledger, canceled check, Electronic Funds Transfer (EFT) confirmation, or P-Card back up documentation which will include receipt with vendor, copy of credit card statement showing expense charged, and payment to credit card Company for that statement).

OTHER:

- If EHP form needed – has copy of it and approval from USDHS/FEMA been included?

MATCHING FUNDS

- Contributions are from non-federal funding sources.
- Contributions are from cash.
- Contributions are from in-kind contributions which may include training investments.
- Contributions are not from salary, overtime, or other operational costs unrelated to EMPG eligible activities.

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ATTACHMENT 3

NQS IMPLEMENTATION PHASE OBJECTIVES

NQS IMPLEMENTATION PHASE OBJECTIVES	
<p>PHASE 0: NQS IMPLEMENTATION OBJECTIVES FOR CY 2022</p> <ul style="list-style-type: none"> Only the 50 states, the District of Columbia and Puerto Rico shall work toward implementation of NQS by developing and Implementation Plan, using FEMA-provided two-page template. The Implementation Plan will identify a jurisdictions timeline for implementing NQS CY 2025. All other jurisdictions are encouraged to begin working toward identifying at a minimum, request deployed positions and implementation but will not be required until CY 2023. 	<p align="center">EXAMPLE INDICATORS</p> <ul style="list-style-type: none"> Completion of a jurisdiction implementation plan Identification of implementation challenges
<p>PHASE 1: NQS IMPLEMENTATION OBJECTIVES FOR CY 2023</p> <ul style="list-style-type: none"> All jurisdictions shall work toward implementation of NQS by developing an Implementation Plan, using the FEMA provided two-page template. Jurisdictions that began implementation in CY 2022 shall have designed and adopted organizational qualifications system procedures, a certification program and credentialing standard for incident workforce personnel in alignment with the NIMS Guideline for the National Qualification System. 	<p align="center">EXAMPLE INDICATORS</p> <ul style="list-style-type: none"> Completion of a jurisdiction implementation plan Identification of implementation challenges Qualification policies and procedures approved by the jurisdiction. Procedures may include: <ul style="list-style-type: none"> Establishment of a Qualification Review Board, or equivalent review processes for incident workforce personnel qualifications. Individual and team coach and evaluation processes for incident workforce personnel qualifications.
<p>PHASE 2: NQS IMPLEMENTATION OBJECTIVES FOR CY 2024</p> <ul style="list-style-type: none"> All jurisdictions shall have designed and approved organizational qualification system procedures, certification program and credentialing standards for incident workforce personnel in alignment with the NIMS Guideline for the NQS. Jurisdictions that began implementation of CY 2022 shall have issued position task books (PTBs) to incident workforce personnel, as designated by the jurisdiction, and ensure incident workforce personnel show progress in working towards task endorsements and minimum training requirements. IN CY 2024, all jurisdictions partially satisfy the requirement by ensuring incident workforce personnel, which they designate, meet the minimum training requirements from the Job Title. Position Qualifications. Jurisdictions shall use a resource management or qualification tool system to track the qualification, certification, and credentialing of incident workforce personnel. 	<p align="center">EXAMPLE INDICATORS</p> <ul style="list-style-type: none"> Qualification policies and procedures approved by the jurisdiction. Minimum criteria that trainees must meet to be qualified in a specific position is outlined in the NQS job Title/Position Qualification. PTB issuance and completion data. Adoption of a resource management system such as OneResponder which is a web-based application hosted in a cloud environment. It allows AHJs to manage qualifications of personnel.
<p>PHASE 3: NQS IMPLEMENTATION OBJECTIVES FOR CY 2025</p> <ul style="list-style-type: none"> All jurisdictions shall have issued PTBs to incident workforce personnel, which they designate, and ensure incident workforce personnel show progress in working towards task endorsements and minimum training requirements. 	<p align="center">EXAMPLE INDICATORS</p> <ul style="list-style-type: none"> PTB issuance and completion data.

Reporting:

Data Collection and reporting on NQS implementation will be addressed via the following:

- NIMS secondary assessment on the URT, <http://www.preptoolkit.fema.gov/urt> . This involves reporting the status of the qualification system used within the jurisdiction.
- NIMS State Coordinator will review jurisdictions NIMS data at the end of September during the annual technical assistance visits with the sub recipients

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ATTACHMENT 4 Glossary

After–Action Report/Improvement Plan (AAR/IP): The AAR/IP is a document that generally includes an exercise overview, analysis of capabilities, and a list of corrective actions. The AAR/IP should include an overview of performance related to each exercise objective and associated capabilities. Homeland Security Exercise and Evaluation Program (HSEEP), January 2020.

Authorized Equipment List (AEL): The Authorized Equipment List (AEL) is a list of approved equipment types allowed under FEMA’s preparedness grant programs.

Backfill: The act of filling a position left by another employee who has been moved to another role.

Conduct of Exercise: Involves activities such as preparing for exercise play, managing exercise play, and conducting immediate exercise wrap-up activities. For a discussion-based exercise, conduct entails presentation, facilitation, and discussion. For an operations-based exercise, conduct encompasses all operations occurring between the designated Start of the Exercise (Start Ex) and End of the Exercise (End Ex). Homeland Security Exercise and Evaluation Program (HSEEP), January 2020.

Controller: An individual who manages exercise play and monitors the pace of the exercise. Controllers may prompt or initiate certain player actions to maintain exercise pace and flow. Homeland Security Exercise and Evaluation Program (HSEEP), January 2020.

Corrective Action: An action that is intended to resolve areas for improvement. Homeland Security Exercise and Evaluation Program (HSEEP), January 2020.

Cost Match: Recipient or subrecipient contribution. This can be cash (hard match) or third party in-kind (soft match). 2 C.F.R. § 200.306.

Cost Sharing or Matching: The portion of project costs not paid by federal funds or contributions (unless otherwise authorized by federal statute). 2 C.F.R. § 200.1 Cost sharing or matching.

Design and Development of Exercises: Responsible for compiling and developing all exercise background and facilitation or control, providing technical or functional expertise for scenario development, developing the simulation construct as applicable, and working with the evaluation and resource/support functions to ensure all exercise design and development needs are met. Homeland Security Exercise and Evaluation Program (HSEEP), January 2020.

Disallowed costs: Those charges to a federal award that the federal awarding agency or pass-through entity determines to be unallowable, in accordance with the applicable federal statutes, regulations, or the terms and conditions of the federal award. 2 C.F.R. § 200.1 Disallowed costs.

Equipment: Tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the non-federal entity for financial statement purposes, or \$10,000.00. 2 C.F.R. § 200.1 Equipment.

Evaluator: An individual chosen based on their expertise in the functional areas to observe and collect exercise data and analyze results. Homeland Security Exercise and Evaluation Program (HSEEP), January 2020.

Exercise: An event or activity delivered through discussion or action to develop, assess, or validate capabilities to achieve planned objectives. Types of exercises are seminar, workshop, tabletop, full scale, and functional. Homeland Security Exercise and Evaluation Program (HSEEP), January 2020.

Expenditures: Charges made by a non-federal entity to a project or program for which a federal award was received. 2 C.F.R. § 200.1 Expenditures.

Facilitator: An individual responsible for keeping a discussion focused on exercise objectives and exploring all issues within the time allotted during discussion-based exercises, or an individual designated to deliver information in a structured setting. Homeland Security Exercise and Evaluation Program (HSEEP), January 2020.

Federal Award: The federal financial assistance that a recipient receives directly from a federal awarding agency or indirectly from a pass-through entity. 2 C.F.R. § 200.1 Federal award.

Federal Share: The portion of the federal award costs that are paid using federal funds. 2 C.F.R. § 200.1 Federal share.

Financial Progress Report (FPR): Used to submit either quarterly or final financial progress reports.

Full-Scale Exercise (FSE): An operations-based exercise that is typically the most complex and resource-intensive of the exercise types and often involves multiple agencies, jurisdictions/organizations, and real-time movement of resources. Homeland Security Exercise and Evaluation Program (HSEEP), January 2020.

Functional Exercise (FE): An operations-based exercise designed to assess and evaluate capabilities and functions while in a realistic, real-time environment; however, movement of resources is usually simulated. Homeland Security Exercise and Evaluation Program (HSEEP), January 2020.

Improvement Plan (IP): A document that includes a consolidated list of corrective actions, responsible parties, and a timeline for completion. Homeland Security Exercise and Evaluation Program (HSEEP), January 2020.

Integrated Preparedness Plan (IPP): A document for combining efforts across components of the Integrated Preparedness Cycle to make sure that a jurisdiction/organization has the capabilities to handle threats and hazards. Homeland Security Exercise and Evaluation Program (HSEEP), January 2020.

NMDHSEM Request for Budget-Project Revision form: This form is used to request revision(s) to project(s) and/or budget(s) that are within the original scope of the project.

Notice of Funding Opportunity (NOFO): A formal announcement of the availability of federal funding through a financial assistance program from a federal awarding agency. The notice of funding opportunity provides information on the award, who is eligible to apply, the evaluation criteria for selection of an awardee, required components of an application, and how to submit the application. 2 C.F.R. § 200.1 Notice of funding opportunity.

Pass-through Entity: A non-federal entity that provides a subaward to a subrecipient to carry out part of a federal program. 2 C.F.R. § 200.1 Pass through entity (PTE).

Performance Progress Report (PPR): Used to submit either quarterly performance reports or the final narrative report.

Period of Performance (POP): The total estimated time interval between the start of an initial federal award and the planned end date, which may include one or more funded portions, or budget periods. 2 C.F.R. § 200.1 Period of performance.

Planning Team: The exercise planning team manages and is responsible for exercise design, development, conduct, and evaluation. The membership of an exercise planning team fits the type and scope of an exercise and is a manageable size yet represents the full range of participating jurisdictions/organizations and stakeholders. For multi-jurisdictional/organizational exercises, planning team members include representatives from each functional area or relevant discipline. Homeland Security Exercise and Evaluation Program (HSEEP), January 2020.

Player: An individual that has an active role in the exercise by either discussing or performing a regular role and responsibility in response to a scenario. Homeland Security Exercise and Evaluation Program (HSEEP), January 2020.

Preparedness: The actions taken to plan, organize, equip, train, and exercise to build and sustain the capabilities necessary to prevent, protect against, mitigate the effects of, respond to, and recover from those threats that pose the greatest risk to the security of the Nation. National Incident Management System, Third Edition, October 2017.

Quarterly Financial Progress Report: The information in this report is used by NMDHSEM to monitor subrecipient cash flow, performance, and project implementation to ensure proper use of federal funds.

Recipient: An entity, usually but not limited to non-federal entities that receives a federal award directly from a federal awarding agency. The term recipient does not include subrecipients or individuals that are beneficiaries of the award. 2 C.F.R. § 200.1 Recipient.

Request for Approval Form: Used by subrecipient to request approval from NMDHSEM to expend funds for previously identified and approved projects. Approval must be received prior to expenditure.

Seminar: A discussion-based exercise that orients participants to or provides an overview of authorities, strategies, plans, policies, procedures, protocols, resources, concepts, and ideas. Homeland Security Exercise and Evaluation Program (HSEEP), January 2020.

Stakeholder Preparedness Review (SPR): Annual three-step self-assessment of a community's capability levels based on the capability targets identified in the Threat and Hazards Identification and Risk Assessment (THIRA). Threat and Hazard Identification and Risk Assessment (THIRA) and Stakeholder Preparedness Review (SPR) Guide, Comprehensive Preparedness Guide, CPG 201, 3rd Edition, May 2018.

Subrecipient: An entity, usually but not limited to non-federal entities, that receives a subaward from a pass-through entity to carry out part of a federal award; but does not include an individual that is a beneficiary of such award. A subrecipient may also be a recipient of other federal awards directly from a federal awarding agency. 2 C.F.R. § 200.1 Subrecipient.

Supplanting: When a state or unit of local government reduces state or local funds for an activity specifically because federal funds are available (or expected to be available) to fund that same activity. When supplanting is not permitted, federal funds must be used to **supplement** existing state or local funds for program activities and may not replace state or local funds that have been appropriated or allocated for the same purpose. Additionally, federal funding may not replace state or local funding that is required by law. If a question of supplanting arises, the applicant or grantee will be required to substantiate that the reduction in non-federal resources occurred for reasons other than the receipt or expected receipt of federal funds. US Department of Justice Office of Justice Programs, Grants 101.

Tabletop Exercise (TTX): A discussion-based exercise in response to a scenario intended to generate a dialogue of various issues to facilitate a conceptual understanding, identify strengths and areas for improvement, and/or achieve changes in perceptions about plans, policies, or procedures. Homeland Security Exercise and Evaluation Program (HSEEP), January 2020.

Threat and Hazard Identification and Risk Assessment (THIRA): Standard process for identifying community-specific threats and hazards and setting targets for each core capability identified in the National Preparedness Goal. Threat and Hazard Identification and Risk Assessment (THIRA) and Stakeholder Preparedness Review (SPR) Guide, Comprehensive Preparedness Guide, CPG 201, 3rd Edition, May 2018.

Workshop: A discussion-based exercise often employed to develop policy, plans, or procedures. Homeland Security Exercise and Evaluation Program (HSEEP), January 2020.

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ATTACHMENT 5 Acronyms

AAR/IP: After–Action Report/Improvement Plan

AEL: Authorized Equipment List

C.F.R.: Code of Federal Regulations

CPG: Comprehensive Preparedness Guide

EMAC: Emergency Management Assistance Compact

EMPG: Emergency Management Performance Grant

EOP: Emergency Operations Plan

FEMA: Federal Emergency Management Agency

FE: Functional Exercise

FPR: Financial Progress Report

FSE: Full-Scale Exercise

HSEEP: Homeland Security Exercise and Evaluation Program

IB 426: FEMA Grants Programs Directorate Information Bulletin No. 426 (IB 426), Guidance to Recipients and Subrecipients of FEMA Preparedness Grants Regarding Implementation of Executive Order 13809 Restoring State, Tribal, and Local Law Enforcement's Access to Life-Saving Equipment and Resources

IMAS: Intrastate Mutual Aid System

IPP: Integrated Preparedness Plan

NMDHSEM: New Mexico Department of Homeland Security and Emergency Management

NOFO: Notice of Funding Opportunity

NPD: National Preparedness Directorate

POP: Period of Performance

PPR: Performance Progress Report

PTE: Pass-through entity

RFA: Request for Approval

RFP: Request for Proposals

SPR: Stakeholder Preparedness Review

THIRA: Threat and Hazard Identification and Risk Assessment

TICP: Tactical Interoperable Communication Plan

TTX: Tabletop Exercise

USDHS: United States Department of Homeland Security

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Torrance County Grant Review Form

Meeting Date 11/5/2024

Be prepared to discuss all items below with the Grants Committee.

Committee Action

Approved

Approved with Conditions

Not Approved

Conditions to be Met

NONE

Grant Name

Emergency Management Performance Grant

Agreement Number

EMT-2024-EP-05014

Amount Awarded

\$ 551,058.00

Match Amount

\$51,058.00

Reason for Grant Committee Review

Application Approval

New
Renewal

Award Acceptance

New
Amendment
Renewal

Grant Term

July 1, 2024 to June 30, 2025

Requesting Department:

Emergency Management

Funding Department

DHSEM

Type of Grant

Reimbursement

Disbursement

Pass Through

Funding Type

If other, please explain.

State
Federal
Private
Other

Sub grant through the State, who has the federal grant

Program/Project Summary
(include specific deliverables, i.e., 55 hours of staff training, 50 youth through Teen Court, 2 miles of road paved, 15 deputies paid, etc.)

Deliverables - quarterly reporting, National Incident Management Assessment, Threat Hazard Identification Risk Assessment, Stakeholder Preparedness Review, Tactical Interoperability Communication Plan, Emergency Operations Plan, National Qualification System (to include Position Task Books), Distributions Management Plan, Whole Community Council, Integrated Preparedness Plan, Exercise with After-Action Report, Training (NIMS; IS 100, 200, 700, 800; Professional Development Series; Emergency Management Professionals Program Basic Academy)

Program/Project Budget Summary

Reimbursement for 50% salary and benefits for EM
Reimbursement for 25% salary and benefits for EM Specialist
Up to 551,058.00

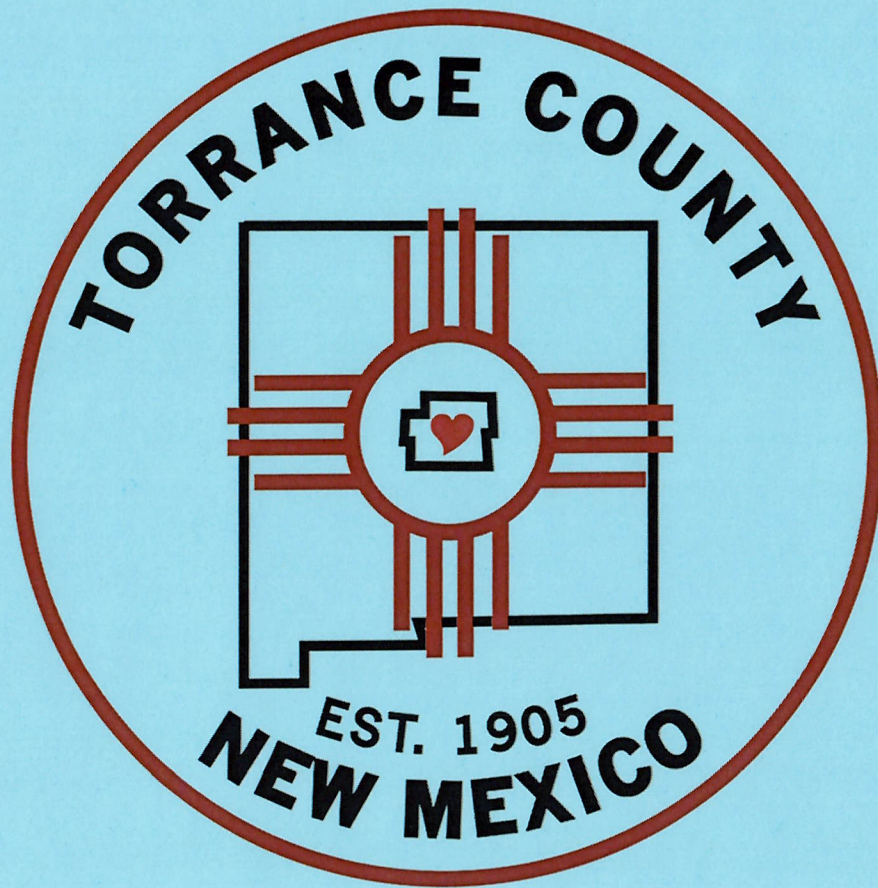
Katharine Watson

Impact of Funding

Allows EM to have full time position and part time assistant

Committee Notes

\$5,000 less than request. All salary is on budget, July 1st Working on reporting. Reports will vary.



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 11 D



State of New Mexico
 DEPARTMENT OF HOMELAND SECURITY & EMERGENCY MANAGEMENT
 P.O. Box 27111, Santa Fe, NM 87502

SUBRECIPIENT GRANT AGREEMENT
 FY 2024 State Homeland Security Grant Program (SHSGP)
 2024 Federal Grant No.: **EMW-2024-SS-05231** Assistance Listing No.: **97.067**

SUB GRANT RECIPIENT INFORMATION

SUBRECIPIENT NAME	Torrance County	SUBGRANT NUMBER	SHSGP2024-Torrance
FIDUCIARY NAME	Torrance County	SUPPLIER ID NO.	54405
EIN NUMBER	85-6000257	CAGE CODE	5EJD7
SAM UEI #	Q8N2MFFYFMC4	REMIT ADDRESS	PO BOX 48
PHYSICAL ADDRESS	PO BOX 48 Estancia, NM 87016		Estancia, NM 87016

NMDHSEM INFORMATION

POINT OF CONTACT	Catherine Watson	PHONE NUMBER	(505) 415-0020
EMAIL ADDRESS 1	Catherine.Watson@dhsem.nm.gov	EMAIL ADDRESS 2	DHSEM-GrantsManagement@state.nm.us

SUBGRANT AWARD INFORMATION

PERIOD OF PERFORMANCE:

START DATE	October 1, 2024	END DATE	September 30, 2026
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	NAME OF PROJECT AWARD	AMOUNT AWARDED
1	Dispatch Center Upgrade	\$240,300.00
2	Upgrade Handheld Radios	\$50,000.00
3		
4		
5		
SHSGP TOTAL AWARDED AMOUNT		\$290,300.00

WHEREAS, the New Mexico Department of Homeland Security and Emergency Management (NMDHSEM) has been designated by the United States Department of Homeland Security (USDHS) to serve as grantee and is thereby authorized to issue this agreement to the applicant, subrecipient, and subgrantee.

WHEREAS, funding has been obligated from the USDHS pursuant to a request by the applicant, subrecipient, and subgrantee.

NOW, THEREFORE it is mutually understood and agreed between the grantee, NMDHSEM, and subgrantee, **Torrance County** hereinafter referred to as “subrecipient” as follows:

ARTICLE 1: SUBGRANT AGREEMENT DOCUMENTS

The following additional subgrant agreement documents are fully incorporated into this agreement and thereby constitute additional terms and conditions of this agreement:

This Agreement:

- [The U. S. Department of Homeland Security \(DHS\) Notice of Funding Opportunity \(NOFO\) Fiscal Year 2024 Homeland Security Grant Program | FEMA.gov](#)
- Attachment 1: USDHS Standard Terms and Conditions (November 29, 2022) which are incorporated by reference into this Subgrant Agreement.
- Attachment 2: Reimbursement Checklist.
- Attachment 3: NQS Implementation Phase Objectives
- Attachment 4: Glossary and Definitions.
- Attachment 5: Acronyms.

ARTICLE 2: SCOPE OF WORK

As authorized by Section 2002 of the Homeland Security Act of 2002, as amended, (Pub. L. No. 107-296 as amended) (6 U.S.C Section 603), and the Department of Homeland Security Consolidated Appropriations Act, 2023 (Pub. L. No. 117-328), the subrecipient shall use State Homeland Security Grant Program (SHSGP) funds to support efforts to build, sustain, and deliver the capabilities necessary to prevent, prepare for, protect against, and respond to acts of terrorism. Specifically, these funds shall be utilized by the subrecipient for projects previously identified in the 2024 SHSGP Application and approved by the NMDHSEM Secretary or designee.

All work performed pursuant to this agreement must comply with the approved 2024 SHSGP Application. All work must be completed within the performance period, between **October 1, 2024**, and **September 30, 2026**. The subrecipient shall not subgrant any part of this award to any other entity or organization.

ARTICLE 3: PROJECT IMPLEMENTATION

Approved projects must commence within the first reporting quarter. If a project cannot commence and be operational within the first reporting quarter of the approved award date, the subrecipient must submit a written statement to the NMDHSEM Point of Contact as identified on page 1, of this document signed by the subrecipient signatory officials, justifying the delay in implementation, the expected starting date, and a formal request to extend the project start date past the first reporting quarter. At the sole discretion of NMDHSEM, the grant award is subject to cancellation and funds may be de-obligated and reallocated to other projects. Applicants are strongly encouraged to begin planning to sustain existing capabilities through funding mechanisms other than DHS preparedness grants.

item to ensure prior approval is not required or to ensure prior approval is obtained if necessary. Subrecipients may purchase equipment not listed on the AEL, but **only** if they first seek and obtain **prior approval** from FEMA through NMDHSEM. Unless otherwise stated, all equipment must meet all mandatory regulatory and/or FEMA-adopted standards to be eligible for purchase using these funds. In addition, subrecipients will be responsible for obtaining and maintaining all necessary certifications and licenses for the requested equipment.

TRAVEL: All reimbursable travel must be pre-approved by NMDHSEM 30 days prior to travel date.

PER DIEM: Reimbursements for state, local, tribal, and territorial jurisdictions cannot exceed the rates of the New Mexico Per Diem and Mileage Act, NMSA 1978, Section 10-8-4 (2021). Visit the [Department of Finance and Administration for the latest rates](#).

TRAINING: Requires NMDHSEM pre-approval 30 days prior to registering or participating in training opportunities.

EXERCISE: Requires submission of an After-Action Report/Improvement Plan (AAR/IP) within 60 days after conduct of an exercise. The AAR/IP must be submitted to NMDHSEM's Training and Exercise Unit.

FOOD AND BEVERAGES: Per National Preparedness Directorate (NPD) allowances, food and/or beverage expenses provided by recipients are allowable costs if:

- The food and/or beverages are provided to participants at training sessions, meetings, or conferences that are allowable activities under the NPD program guidelines; and
- Expenses incurred for food and/or beverages, and provided at training sessions, meetings, or conferences, satisfy the following tests:
 - The cost of the food and/or beverages provided is considered to be reasonable.
 - The food and/or beverages provided are subject of a work-related event and work continues after meals are served.
 - Participation by all participants is mandatory; and
 - The food and/or beverages provided are not related directly to amusement and/or social event. (Any event where alcohol is being served is considered a social event; therefore, costs associated with the event are not allowed).

NON-REIMBURSABLE EXPENSES:

- Grant funds must comply with [FEMA Policy 207-22-0002, Prohibited or Controlled Equipment Under FEMA Awards](#), and may not be used for the purchase of firearms, ammunition, grenade launchers, bayonets, or weaponized aircraft, vessels, or vehicles of any kind with weapons installed;
- Applying funds toward hiring full-time or permanent sworn public safety officers
- Reimbursement for the maintenance or wear and tear costs of general use vehicles (e.g., construction vehicles), medical supplies, and emergency response apparatus (e.g., fire trucks, ambulances); and
- Equipment that is purchased for permanent installation and/or use, beyond the scope of the conclusion of the exercise (e.g., electronic messaging sign).
- Transfer of funds between any programs.
- Contracts, single vendor response to a competitive bid, sole source contracts, and procurements greater than \$60,000 not pre-approved by NMDHSEM.
- Training and related travel costs not pre-approved by NMDHSEM.
- Construction and renovation.
- Indirect costs.
- Supplanting (using federal funds to purchase items previously budgeted for with state, local, tribal, and territorial funds).
- Maintenance and/or wear and tear costs of general use vehicles and emergency response apparatus.
- Equipment purchased for an exercise cannot be used for permanent installation and/or beyond the scope of an exercise.
- Entertainment and sporting events.
- Personal items such as laundry, personal hygiene items, magazines, in-room movies, personal travel, personal phone calls.
- Travel insurance, visa, and passport charges.

The NMDHSEM will conduct periodic monitoring as required to ensure that program goals, objectives, timelines, budgets, and other related program criteria are being met. The NMDHSEM will periodically monitor, review, and conduct analysis of financial, programmatic, and administrative policies, procedures, and practices. This monitoring may include review of accounting for receipts and expenditures, cash management, maintaining adequate financial records, means of allocating and tracking costs, contracting, procurement, records management, payroll, means of allocating staff costs, property and equipment management system, progress of project activities, etc. Monitoring may include desk and field audits. Technical assistance is available from NMDHSEM staff.

ARTICLE 8: FUNDING RESTRICTIONS; ALLOWABLE AND UNALLOWABLE COSTS; AND RECOVERY OF FUNDS

All costs charged to awards covered by the USDHS NOFO Fiscal Year 2023 Homeland Security Grant Program must comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements at [2 C.F.R. Part 200](#), unless otherwise indicated in the funding notice, or the terms and conditions of the award. This includes, among other requirements, that costs must be incurred, and products and services must be delivered, within the period of performance of the award. See [2 C.F.R. § 200.403\(h\)](#) (referring to budget periods, which for FEMA awards under this award is the same as the period of performance).

In general, the Cost Principles establish standards for the allowability of costs, provide detailed guidance on the cost accounting treatment of costs as direct or administrative costs, and set forth allowability principles for selected items of cost. More specifically, except as otherwise stated in [The U. S. Department of Homeland Security \(DHS\) Notice of Funding Opportunity \(NOFO\) Fiscal Year 2024 Homeland Security Grant Program | FEMA.gov](#), the terms and condition of an award, or other program materials, costs charged to awards covered by [The U. S. Department of Homeland Security \(DHS\) Notice of Funding Opportunity \(NOFO\) Fiscal Year 2024 Homeland Security Grant Program | FEMA.gov](#) must be consistent with the Cost Principles for Federal Awards located at [2 C.F.R. Part 200, Subpart E](#). In order to be allowable, all costs charged to a FEMA award or applied to the cost share must be reasonable in nature and amount and allocable to the particular FEMA award. Additionally, all costs charged to awards must comply with the grant program's applicable statutes, policies, and requirements in this notice as well as with the terms and conditions of the award. If FEMA and/or NMDHSEM staff identify costs that are inconsistent with any of these requirements, these costs may be disallowed, and FEMA and/or NMDHSEM staff may recover funds as appropriate, consistent with applicable laws, regulations, and policies.

As part of those requirements, subrecipients may only use federal funds for the purposes set forth in [The U. S. Department of Homeland Security \(DHS\) Notice of Funding Opportunity \(NOFO\) Fiscal Year 2024 Homeland Security Grant Program | FEMA.gov](#) and the terms and conditions of the award, and those costs must be consistent with the statutory authority for the award.

Grant funds may not be used for matching funds for other federal grants/cooperative agreements, lobbying, or intervention in federal regulatory or adjudicatory proceedings. In addition, federal funds may not be used to sue the federal government or any other government entity.

See the Allowable Cost Matrix section in [The U. S. Department of Homeland Security \(DHS\) Notice of Funding Opportunity \(NOFO\) Fiscal Year 2024 Homeland Security Grant Program | FEMA.gov](#) for allowable cost activities.

Equipment. The allowable prevention, protection, mitigation, response, and recovery equipment categories for SHSGP are listed on the FEMA Authorized Equipment List (AEL): <https://www.fema.gov/grants/tools/authorized-equipment-list>. Some equipment items require prior approval from FEMA through NMDHSEM before obligation or purchase of the items. Please reference the grant notes for each equipment item to ensure prior approval is not required or to ensure prior approval is obtained if necessary. Subrecipients may purchase equipment not listed on the AEL, but **only** if they first seek and obtain **prior approval** from FEMA through NMDHSEM. Allowable equipment

The use of FEMA preparedness grant funds for maintenance contracts, warranties, repair or replacement costs, upgrades, and user fees are allowable under all active and future grant awards, unless otherwise noted. Except for maintenance plans or extended warranties purchased incidental to the original purchase of the equipment, the period covered by maintenance or warranty plan must not exceed the POP of the specific grant funds used to purchase the plan or warranty.

The policy set forth in FEMA's [Information Bulletin \(IB\) 379, Guidance to State Administrative Agencies to Expedite the Expenditure of Certain USDHS/FEMA Grant Funding](#), initially for FY 2007-2011, allows for the expansion of eligible maintenance and sustainment costs which must be in (1) direct support of existing capabilities; (2) must be an otherwise allowable expenditure under the applicable grant program; (3) be tied to one of the core capabilities in the five mission areas contained within the Goal, and (4) shareable through the EMAC. Additionally, eligible costs may also be in support of equipment, training, and critical resources that have previously been purchased with either federal grant or any other source of funding other than FEMA preparedness grant program dollars.

Construction and Renovation. All construction and renovation projects require EHP review. Subrecipients proposing projects that have the potential to impact the natural or built environment, including, but not limited to, the construction of communication towers; modification or renovation of existing buildings, structures, and facilities; new construction, including replacement or relocation of facilities; and some training activities, must participate in the FEMA EHP review process. For the purposes of the limitations on funding levels, communications towers are not considered construction. All construction of communication towers requires EHP review. When applying for funds to construct communication towers, recipients and subrecipients must submit evidence that the Federal Communication Commission's Section 106 of the National Historic Preservation Act, Pub. L. No. 89-665, as amended, review process has been completed and submit all documentation resulting from that review to FEMA with a Grant Programs Directorate (GPD) EHP Screening Form and supporting materials for EHP review.

Written approval must be provided by FEMA through NMDHSEM prior to the use of any SHSGP funds for construction or renovation. When applying for construction funds, subrecipients must submit evidence of approved zoning ordinances, architectural plans, and any other locally required planning permits. Additionally, subrecipients are required to submit a SF-424C form with budget detail citing the project costs, and an SF-424D Form for standard assurances for the construction project.

Unallowable Costs

- Per FEMA policy, the purchase of weapons and weapons accessories, including ammunition is not allowed with SHSGP funds;
- Grant funds may not be used for the purchase of equipment not approved by FEMA. Grant funds must comply with [FEMA Policy 207-22-0002 Prohibited or Controlled Equipment Under FEMA Awards](#), and may not be used for the purchase of the following equipment: firearms; ammunition; grenade launchers; bayonets; or weaponized aircraft, vessels, or vehicles of any kind with weapons installed;
- Unauthorized exercise-related costs include:
 - Reimbursement for the maintenance or wear and tear costs of general use vehicles (e.g., construction vehicles), medical supplies, and emergency response apparatus (e.g., fire trucks, ambulances); and
 - Equipment that is purchased for permanent installation and/or use, beyond the scope of the conclusion of the exercise (e.g., electronic messaging sign).

ARTICLE 9: PROCUREMENT

Procurement shall comply with all federal, state, and local procurement requirements including [2 C.F.R. § 200.320](#) and the New Mexico Procurement Code for expenditure of funds under this Agreement. The subrecipient must conform to applicable state and federal law and the Procurement Standards Sections [2 C. F. R § 200.317 through 2 C.F.R. § 200.327](#), and [Appendix II to Part 200](#).

such as grant management fees. Additionally, some of the situations considered to be restrictive of competition include, but are not limited to:

1. Placing unreasonable requirements on firms for them to qualify to do business;
2. Requiring unnecessary experience and excessive bonding;
3. Noncompetitive pricing practices between firms or between affiliated companies;
4. Noncompetitive contracts to consultants that are on retainer contracts;
5. Organizational conflicts of interest;
6. Specifying only a "brand name" product instead of allowing "an equal" product to be offered and describing the performance or other relevant requirements of the procurement; and
7. Any arbitrary action in the procurement process.

Per [2 C.F.R. § 200.319\(c\)](#), the subrecipient must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, tribal, or territorial geographical preferences in the evaluation of bids or proposals, except in those cases where applicable federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state licensing laws. **When contracting for architectural and engineering services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.**

Under [2 C.F.R. § 200.318\(c\)\(1\)](#), the subrecipient is required to maintain written standards of conduct covering conflicts of interest and governing the actions of their employees engaged in the selection, award, and administration of contracts. **No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest.** Such conflicts of interest would arise when the employee, officer or agent, any member of his or her immediate family, his or her partner, or an organization that employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the non-federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, subrecipients entities may set standards for situations in which the financial interest is not substantial, or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-federal entity.

Under [2 C.F.R. § 200.318\(c\)\(2\)](#), if the subrecipient has a parent, affiliate, or subsidiary organization that is not a state, local, tribal or territorial government, the subrecipient must also maintain written standards of conduct covering organizational conflicts of interest. In this context, organizational conflict of interest means that because of a relationship with a parent company, affiliate, or subsidiary organization, the subrecipient is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization. The non-federal entity must disclose in writing any potential conflicts of interest to FEMA or NMDHSEM in accordance with applicable FEMA policy.

ARTICLE 11: REQUIREMENTS FOR SMALL UNMANNED AIRCRAFT SYSTEM (sUAS)

All requests to purchase Small Unmanned Aircraft Systems (sUAS) with FEMA grant funding must comply [with FEMA Policy 207-22-0002, Prohibited or Controlled Equipment Under FEMA Awards](#), and also include a description of the policies and procedures in place to safeguard individuals' privacy, civil rights, and civil liberties of the jurisdiction that will purchase, take title to or otherwise use the sUAS equipment. sUAS policies are not required at the time of application but must be received and approved by FEMA prior to obligating HSGP funds. All grant-funded procurements must be executed in a manner compliant with federal procurement standards at [2 C. F. R § 200.317 through 2 C.F.R. § 200.327](#). For recipients that use HSGP funds for sUAS, FEMA advises that there is a general privacy concern related to the use of this equipment if the data the devices collect is transmitted to servers not under the control of the operator. It has been reported that some manufacturers of sUAS encrypt data and send that data to

program, or other similar program, in order for such procurements to be permissible under federal requirements, the following must be true:

1. The procurement of the original contract or purchasing schedule and its use by the non-federal entity complies with state and local law, regulations, and written procurement procedures;
2. The state or other entity that originally procured the original contract or purchasing schedule entered into the contract or schedule with the express purpose of making it available to the non-federal entity and other similar types of entities;
3. The contract or purchasing schedule specifically allows for such use, and the work to be performed for the non-federal entity falls within the scope of work under the contract as to type, amount, and geography;
4. The procurement of the original contract or purchasing schedule complied with all the procurement standards applicable to a non-federal entity other than states under at [2 C.F.R. § 200.317 through 2 C.F.R. §200.327](#); and
5. With respect to the use of a purchasing schedule, the non-federal entity must follow ordering procedures that adhere to applicable state, tribal, and local laws and regulations and the minimum requirements of full and open competition under [2 C.F.R. Part 200](#).

If a non-federal entity other than a state seeks to use a state supply schedule, cooperative purchasing program, or other similar type of arrangement, FEMA recommends the subrecipient discuss the procurement plans with its NMDHSEM Point of Contact.

ARTICLE 13: CONTRACTS

Contracts for professional and consultant services executed during this grant period must include federal, state, local, tribal, and territorial government required contract language, a project budget, and require pre-approval by NMDHSEM prior to implementation. Contract deliverables must meet the intent of the grant application and grant requirements. Justification is required for compensation for individual consultant services, which must be reasonable and consistent with the amount paid for similar services in the marketplace. Detailed invoices and time and effort reports are required for consultants. **All contracts must be submitted** to the NMDHSEM Point of Contact with a **completed NMDHSEM Procurement Checklist** for NMDHSEM review **prior** to implementation. See [2 C.F.R. § 200.1](#), and [2 C.F.R. 200 Appendix II to Part 200](#) for Contract Provisions for Non-Federal Entity Contracts Under Federal Awards.

ARTICLE 14: AUDIT REQUIREMENTS

As the federal grant recipient, the State of New Mexico requires a subrecipient expending \$1,000,000.00 or more in federal funds in the organization's fiscal year to conduct an organization-wide audit in accordance with [2 C.F.R. 200 Subpart F](#). The subrecipient will permit NMDHSEM staff and auditors to have access to the subrecipient's and third-party contractors' records and financial statements as necessary for the State of New Mexico to comply with [2 C.F.R. 200 Subpart F](#). Copies of audit findings must be submitted to the NMDHSEM Point of Contact within 30 days after the subrecipient receives its audit report, or within a 9-month period of the grant closeout date, whichever is earlier. Include the federal agency name, program, grant number, and year; the Assistance Listing title and number; and the name of the pass-through agency.

ARTICLE 15: PROPERTY AND EQUIPMENT MANAGEMENT

The subrecipient will follow the property standards articulated in [2 C.F.R. § 200.310 through 2 C.F.R. § 200.316](#). The subrecipient shall maintain an effective property management system; safeguards to prevent loss, damage or theft; maintenance procedures to keep equipment in good condition; and disposition procedures. A Property Inventory Report shall be submitted to NMDHSEM annually each January 30 with the Financial Progress Report during the performance period, and continued submission is required annually until final disposition of the equipment. The

be maintained for a period of three years following the final disposition, replacement or transfer of the property and equipment.

ARTICLE 19: CHANGES TO AWARD

In keeping with [2 C.F.R. § 200.308](#), the subrecipient must report deviations from the approved budget, project or program scope, or objective(s) in accordance with [2 C.F.R. § 200.329](#). The subrecipient must request prior approvals for budget and program plan revisions in accordance with this section. The subrecipient must request prior written approval for the following program and budget-related reasons:

- (1) Change in the scope or the objective of the project or program (even if there is no associated budget revision requiring prior written approval).
- (2) Change in key personnel (including employees and contractors) that are identified by name or position in the Federal award.
- (3) The disengagement from a project for more than three months, or a 25 percent reduction in time and effort devoted to the Federal award over the course of the period of performance, by the approved project / program director.
- (4) The inclusion, unless waived by the Federal agency, of costs that require prior approval in accordance with [2 C.F.R. Subpart E](#) as applicable.
- (5) The transfer of funds budgeted for participant support costs to other budget categories.
- (6) Subaward activities not proposed in the application and approved in the Federal award or NMDHSEM subgrant agreement.
- (7) Changes in the total approved cost-sharing amount.
- (8) The need arises for additional Federal funds to complete the project.
- (9) Transferring funds between the construction and non-construction work under a Federal award.
- (10) A no-cost extension (meaning, an extension of time that does not require the obligation of additional Federal funds) of the period of performance

All change requests must be submitted either in writing or electronically to the NMDHSEM Point of Contact for review **90 days prior** to the termination of this agreement. All change requests must be accompanied by a justification narrative and a budget and spending plan. All change requests must be consistent with the scope of the project and grant guidelines. Change requests will be considered only if reporting requirements are current, and all other terms and conditions of this agreement have otherwise been met at the time of the request. If approved by NMDHSEM, changes in the programmatic activities, purpose of the project, key personnel specified on the grant award, contractual services for activities central to the purposes of the award, change in project site, or release of special conditions, may result in an amendment to this award. Requests for changes must be submitted using the Request for Budget-Project Revision form. **No more than two budget/project revisions will be considered per subgrant agreement.**

ARTICLE 20: EXTENSION REQUESTS

Extensions to the period of performance (POP) for this program are allowed. Extensions to the POP identified in the award will only be considered through formal, written requests and must contain specific and compelling justifications as to why an extension is required. Requests for extensions must be submitted using the Request for Subgrant Extension form.

Extensions due to exigent or emergency circumstances will be determined by NMDHSEM on a case-by-case basis. Applicants who experience technical issues must notify the NMDHSEM Point of Contact **within 90 days of the POP end date**. All extension requests must address the following:

1. The grant program, fiscal year, and award number;
2. Reason for the delay –including details of the legal, policy, or operational challenges that prevent the final outlay of awarded funds by the deadline;

- The signatures of the signatory officials on this award certifies that all financial expenditures, including all supporting documentation submitted for reimbursement, have been incurred by the jurisdiction, and are eligible and allowable expenditures consistent with the grant guidelines for this project. The subrecipient shall follow the financial management requirements imposed on them by NMDHSEM, which includes the requirements of the USDHS.
- The signature of the signatory officials on this award attests to the subrecipient's understanding, acceptance, and compliance with Lobbying; Debarment, Suspension, and Other Responsibility Matters; Drug-free Workplace Requirements; Conflict of Interest, and Non-Supplanting certifications. Federal funds will not be used to supplant state, local, tribal, and territorial funds. Federal funds must be used to supplement existing funds to augment program activities, and not replace those funds which have been appropriated in the budget for the same purpose. Potential supplanting may be the subject of application and pre-award, post-award monitoring, and audit.
- The subrecipient shall ensure the accounting system used allows for separation of fund sources. These grant funds cannot be commingled with funds from other state, local, tribal, and territorial agencies, and each award is accounted for separately.
- The subrecipient shall comply with Federal Civil Rights Laws and Regulations: Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, Age Discrimination Act of 1975, and Americans with Disabilities Act of 1991. The subrecipient will take reasonable steps to ensure Limited English Proficient (LEP) persons have meaningful access to its programs and activities. Executive Order 13347 Individuals with Disabilities in Emergency Preparedness requires government to support safety and security for individuals with disabilities in situations involving disasters, including earthquakes, tornadoes, fires, floods, hurricanes, and acts of terrorism.
- The subrecipient certifies that it has an Affirmative Action Plan/Equal Employment Opportunity Plan (EEOP) (for USDHS/DOJ grants). An EEOP is not required for subrecipients of less than \$25,000.00 or fewer than 50 employees.
- The subrecipient certifies that its employees are eligible to work in the U.S. as verified by Form I-9, Immigration & Naturalization Service Employment Eligibility.

ARTICLE 22: REMEDIES FOR NON-COMPLIANCE

For the reasons listed below, special conditions may be imposed, reimbursements may be partially or wholly withheld, the award may be wholly or partly suspended or terminated, or future awards, reimbursements and award modifications may be withheld. The NMDHSEM may institute the following, but is not limited to, withholding authority to proceed to the next phase of a project, requiring additional or more detailed financial reports, additional project monitoring, and/or establish additional prior approvals. The NMDHSEM shall notify the subrecipient of its decision in writing stating the nature and the reason for imposing the conditions/restrictions, the corrective action required and timeline to remove them, and the method of requesting reconsideration of the imposed conditions/restrictions. The subrecipient must respond within five days of receipt of notification. See [2 C.F.R. § 200.399](#).

- Unwillingness or inability to attain project goals.
- Unwillingness or inability to adhere to the Special Conditions section of this subgrant agreement.
- Failure or inability to adhere to grant guidelines and federal compliance requirements.
- Improper procedures regarding contracts and procurements.
- Inability to submit reliable and/or timely reports.

- **Threat Hazard Identification Risk Assessment (THIRA)** - All subrecipients must complete and/or revise their THIRA every three years and submit to NMDHSEM no later than October 31 of that year. www.fema.gov/sites/default/files/2020-04/CPG201Final20180525.pdf
- **Stakeholder Preparedness Report (SPR)** - All subrecipients must complete and/or revise their SPR every year and submit to NMDHSEM no later than October 31st of that year. www.fema.gov/sites/default/files/2020-04/CPG201Final20180525.pdf
- **Tactical Interoperable Communication Plan (TICP)** - All subrecipients must complete and/or revise their local and/or regional Tactical Interoperable Communication Plan every year and submit to the New Mexico Statewide Interoperability Coordinator (SWIC) and your Local Preparedness Coordinator.
- **Emergency Operations Plan (EOP)** - All subrecipients must have a current, fully promulgated All Hazards Emergency Operations Plan (EOP); compliant with Developing and Maintaining Emergency Operations Plans, Comprehensive Preparedness Guide (CPG) 101, September 2021, Version 3.0; and approved by NMDHSEM and must update at least once every two years. Sub-recipients are required to complete and include the NMDHSEM provided EOP crosswalk when submitting their EOPs to their Local Preparedness Coordinator for approval.
- **National Qualification System (NQS) - National Qualification System (NQS)** - All subrecipients and their beneficiaries must achieve Phase 3 NQS Implementation Objectives outlined on Attachment 3. Subrecipients must have issued PTBs to incident workforce personnel, which they designate, and ensure incident workforce personnel show progress in working towards task endorsements and minimum training requirements.
- **Integrated Preparedness Plan (IPP)** - Subrecipients must have a current multi-year Integrated Preparedness Plan that identifies preparedness priorities and activities. The current multi-year IPP must be submitted to the NMDHSEM Training and Exercise Unit before April 1 of each year.
- All subrecipients are required to conduct one exercise to test the capabilities of equipment purchased with past or current federal preparedness grants. All AAR/IP and/or AAR/IP input forms must be sent to the NMDHSEM Training and Exercise Unit no later than 60 days after the exercise. Contact the DHSEM Point of Contact for more information.
- All SHSGP performance activities will be monitored by the assigned point of contact on a quarterly basis or as needed to ensure subrecipients are conducting progressive activities to ensure project completion within the specified performance period.
- Personnel hiring, overtime, and backfill expenses are permitted under this grant to perform allowable HSGP planning, organization, training, exercise, and equipment activities. All subrecipients of HSGP funds, including SHSGP, UASI, and OPSG allocations, may not use more than 50% of their awards to pay for personnel activities unless a waiver is approved by FEMA through NMDHSEM. For more information on the 50% personnel cap, please see FEMA IB 421b, Clarification on the Personnel Reimbursement for Intelligence Cooperation and Enhancement of Homeland Security Act of 2008 (Public Law 110-412) https://www.fema.gov/sites/default/files/2020-04/Price_Wavier_Act_Clarification_IB_421A_Final_06-04-19.pdf.
- **Program Performance Reporting Requirements (PPR) and Financial Progress Reports (FPR)** – Subrecipients are responsible for providing performance reports to the State Administrative Agency, NMDHSEM, on a quarterly basis. Final financial reports are due 15 days after the end of performance period. The PPR and

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The DHS Office for Civil Rights and Civil Liberties will consider, in its discretion, granting an extension to the 30-day deadline if the recipient identifies steps and a timeline for completing the tool. Recipients must request extensions by emailing the request to CivilRightsEvaluation@hq.dhs.gov prior to expiration of the 30-day deadline.

C. Standard Terms & Conditions

- I. **Acknowledgement of Federal Funding from DHS**
Recipients must acknowledge their use of federal award funding when issuing statements, press releases, requests for proposal, bid invitations, and other documents describing projects or programs funded in whole or in part with federal award funds.
- II. **Activities Conducted Abroad**
Recipients must coordinate with appropriate government authorities when performing project activities outside the United States obtain all appropriate licenses, permits, or approvals.
- III. **Age Discrimination Act of 1975**
Recipients must comply with the requirements of the Age Discrimination Act of 1975, Pub. L. No. 94-135 (codified as amended at 42 U.S.C. § 6101 *et seq.*), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.
- IV. **Americans with Disabilities Act of 1990**
Recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, Pub. L. No. 101-336 (1990) (codified as amended at 42 U.S.C. §§ 12101– 12213), which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.
- V. **Best Practices for Collection and Use of Personally Identifiable Information**
Recipients who collect personally identifiable information (PII) as part of carrying out the scope of work under a federal award are required to have a publicly available privacy policy that describes standards on the usage and maintenance of the PII they collect. DHS defines PII as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy Template as useful resources respectively.
- VI. **Civil Rights Act of 1964 – Title VI**
Recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964, Pub. L. No. 88-352 (codified as amended at 42 U.S.C. § 2000d *et seq.*), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21. Recipients of an award from the Federal Emergency Management Agency (FEMA) must also comply with FEMA’s implementing regulations at 44 C.F.R. Part 7.
- VII. **Civil Rights Act of 1968**
Recipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. No. 90-284 (codified as amended at 42 U.S.C. § 3601 *et seq.*) which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex, as implemented by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units— i.e., the public and

Recipients must comply with the requirements of the Energy Policy and Conservation Act, Pub. L. No. 94-163 (1975) (codified as amended at 42 U.S.C. § 6201 *et seq.*), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

- XVI. Federal Debt Status
All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129.)
- XVII. Federal Leadership on Reducing Text Messaging while Driving
Recipients are encouraged to adopt and enforce policies that ban text messaging while driving recipient-owned, recipient-rented, or privately owned vehicles when on official government business or when performing any work for or on behalf of the Federal Government. Recipients are also encouraged to conduct the initiatives of the type described in Section 3(a) of E.O. 13513.
- XVIII. Fly America Act of 1974
Recipients must comply with Preference for U.S. Flag Air Carriers (a list of certified air carriers can be found at: [Certificated Air Carriers List | US Department of Transportation, https://www.transportation.gov/policy/aviation-policy/certificated-air-carriers-list](https://www.transportation.gov/policy/aviation-policy/certificated-air-carriers-list)) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974, 49 U.S.C. § 40118, and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.
- XIX. Hotel and Motel Fire Safety Act of 1990
Recipients must ensure that all conference, meeting, convention, or training space funded entirely or in part by federal award funds complies with the fire prevention and control guidelines of Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. § 2225a.
- XX. John S. McCain National Defense Authorization Act of Fiscal Year 2019
Recipients, subrecipients, and their contractors and subcontractors are subject to the prohibitions described in section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. L. No. 115-232 (2018) and 2 C.F.R. §§ 200.216, 200.327, 200.471, and Appendix II to 2 C.F.R. Part 200. The statute – as it applies to DHS recipients, subrecipients, and their contractors and subcontractors – prohibits obligating or expending federal award funds on certain telecommunications and video surveillance products and contracting with certain entities for national security reasons.
- XXI. Limited English Proficiency (Civil Rights Act of 1964, Title VI)
Recipients must comply with Title VI of the Civil Rights Act of 1964, (42 U.S.C. § 2000d *et seq.*) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the [DHS Recipient Guidance](#) and additional resources on <http://www.lep.gov>.
- XXII. Lobbying Prohibitions
Recipients must comply with 31 U.S.C. § 1352 and 6 C.F.R. Part 9, which provide that none of the funds provided under a federal award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification. Per 6 C.F.R. Part 9, recipients must file a lobbying certification form as described in Appendix A to 6 C.F.R.

denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

- XXX. Reporting of Matters Related to Recipient Integrity and Performance General Reporting Requirements: If the total value of any currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of the federal award, then the recipient must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated by reference.
- XXXI. Reporting Subawards and Executive Compensation
For federal awards that equal or exceed \$30,000, recipients are required to comply with the requirements set forth in the government-wide award term on Reporting Subawards and Executive Compensation set forth at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated by reference.
- XXXII. Required Use of American Iron, Steel, Manufactured Products, and Construction Materials
Recipients of an award of Federal financial assistance from a program for infrastructure are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless:

- a) all iron and steel used in the project are produced in the United States--this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
- b) all manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and
- c) all construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

Waivers

When necessary, recipients may apply for, and the agency may grant, a waiver from these requirements. The agency should notify the recipient for information on the process for requesting a waiver from these requirements.

- a) When the Federal agency has determined that one of the following exceptions applies, the awarding official may waive the application of the domestic content procurement preference in any case in which the agency determines that:
 - 1) applying the domestic content procurement preference would be inconsistent with the public interest;
 - 2) the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or

XXXIX. Whistleblower Protection Act
Recipients must comply with the statutory requirements for whistleblower protections at 10 U.S.C § 470141
U.S.C. § 4712.

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equipment)? If so, receipts and proof of payment must be submitted. (e.g., system generated ledger, canceled check, Electronic Funds Transfer (EFT) confirmation, or P-Card back up documentation which will include receipt with vendor, copy of credit card statement showing expense charged, and payment to credit card Company for that statement).

OTHER:

- If EHP form needed – has copy of it and approval from USDHS/FEMA been included?

MATCHING FUNDS

- Contributions are from non-federal funding sources.
- Contributions are from cash.
- Contributions are from in-kind contributions which may include training investments.
- Contributions are not from salary, overtime, or other operational costs unrelated to EMPG eligible activities.

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ATTACHMENT 4 Glossary and Definitions

After–Action Report/Improvement Plan (AAR/IP): The AAR/IP is a document that generally includes an exercise overview, analysis of capabilities, and a list of corrective actions. The AAR/IP should include an overview of performance related to each exercise objective and associated capabilities. Homeland Security Exercise and Evaluation Program (HSEEP), January 2020.

Authorized Equipment List (AEL): The FEMA Authorized Equipment List (AEL) is a list of approved equipment types allowed under FEMA’s preparedness grant programs.

Backfill: The act of filling a position left by another employee who has been moved to another role.

Conduct of Exercise: Involves activities such as preparing for exercise play, managing exercise play, and conducting immediate exercise wrap-up activities. For a discussion-based exercise, conduct entails presentation, facilitation, and discussion. For an operations-based exercise, conduct, encompasses all operations occurring between the designated Start of the Exercise (StartEx) and End of the Exercise (EndEx). Homeland Security Exercise and Evaluation Program (HSEEP), January 2020.

Disallowed costs: Those charges to a federal award that the federal awarding agency or pass-through entity determines to be unallowable, in accordance with the applicable federal statutes, regulations, or the terms and conditions of the federal award. 2 C.F.R. 200.1 Disallowed costs.

Equipment: Tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the non-federal entity for financial statement purposes, or \$10,000. 2 C.F.R. 200.1 Equipment.

Exercise: An event or activity delivered through discussion or action to develop, assess, or validate capabilities to achieve planned objectives. Types of exercises are seminar, workshop, tabletop, full scale, and functional. Homeland Security Exercise and Evaluation Program (HSEEP), January 2020.

Expenditures: Charges made by a non-federal entity to a project or program for which a federal award was received. 2 C.F.R. 200.1 Expenditures.

Federal Award: The federal financial assistance that a recipient receives directly from a federal awarding agency or indirectly from a pass-through entity. 2 C.F.R. 200.1 Federal award.

Federal Share: The portion of the federal award costs that are paid using federal funds. 2 C.F.R. 200.1 Federal share.

Homeland Security Grant Program (HSGP): One of three grant programs that constitute the DHS/FEMA focus on enhancing the ability of state, local, tribal, and territorial governments, as well as nonprofits, to prevent, protect against, respond to, and recover from terrorist attacks. The HSGP program includes: State Homeland Security Program (SHSP); Urban Area Security Initiative (UASI); and Operation Stonegarden (OPSG).

Improvement Plan (IP): A document that includes a consolidated list of corrective actions, responsible parties, and a timeline for completion. Homeland Security Exercise and Evaluation Program (HSEEP), January 2020.

Integrated Preparedness Plan (IPP): A document for combing efforts across components of the Integrated Preparedness Cycle to make sure that a jurisdiction/organization has the capabilities to handle threats and hazards. Homeland Security Exercise and Evaluation Program (HSEEP), January 2020.

Subrecipient: An entity, usually but not limited to non-federal entities, that receives a sub-award from a pass-through entity to carry out part of a federal award; but does not include an individual that is a beneficiary of such award. A subrecipient may also be a recipient of other federal awards directly from a federal awarding agency. 2 C.F.R. 200.1 Subrecipient.

Supplanting: When a state or unit of local government reduces state or local funds for an activity specifically because federal funds are available (or expected to be available) to fund that same activity. When supplanting is not permitted, federal funds must be used to **supplement** existing state or local funds for program activities and may not replace state or local funds that have been appropriated or allocated for the same purpose. Additionally, federal funding may not replace state or local funding that is required by law. If a question of supplanting arises, the applicant or grantee will be required to substantiate that the reduction in non-federal resources occurred for reasons other than the receipt or expected receipt of federal funds. US Department of Justice Office of Justice Programs, Grants 101.

Threat: Information expressing intent to conduct illegal activity often derived from intelligence sources, the overall context, a specific event or series of events, or observation of suspicious activity.

Threat and Hazard Identification and Risk Assessment (THIRA): Standard process for identifying community-specific threats and hazards and setting targets for each core capability identified in the National Preparedness Goal. Threat and Hazard Identification and Risk Assessment (THIRA) and Stakeholder Preparedness Review (SPR) Guide, Comprehensive Preparedness Guide, CPG 201, 3rd Edition, May 2018.

Unity of Effort: Coordination and cooperation among all organizational elements, even though they may not be part of the same command structure, to achieve success.

Urban Area Security Initiative (UASI): The HSGP program that assists high-risk urban areas' efforts to build, sustain, and deliver the capabilities necessary to prevent, prepare for, protect against, and respond to acts of terrorism.

Vulnerability: The protective measures in place are less than the protective measures needed to mitigate risk.

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NOFO: Notice of Funding Opportunity

OPSG: Operation Stonegarden

POP: Period of Performance

PPR: Performance Progress Report

PTE: Pass-through entity

RFA: Request for Approval

RFP: Request for Proposals

SPR: Stakeholder Preparedness Review

SHSGP: State Homeland Security Grant Program

sUAS: Small Unmanned Aircraft System (sUAS)

SWIC: Statewide Interoperability Coordinator

THIRA: Threat and Hazard Identification and Risk Assessment

TICP: Tactical Interoperable Communication Plan

UASI: Urban Area Security Initiative

USDHS: United States Department of Homeland Security

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BUDGET/PROJECT WORKSHEET

Name of Jurisdiction: Tennessee County Total Awarded: \$290,300.00
 Name of Grant: FY2024 State Homeland Security Grant Program (SHSFP) Grant Number: 2024SHSFP00000000
 Project Title: Dispatch Center Upgrade

Project Number	Line Item #	Project Name and Description	ALB #	Quantity	Soft Targets & Crowded Places	Domestic Violence	Community Preparedness	Intelligence & Information	Radiation Security	Chemical Security	LETA	TOTAL PROJECT AWARD	Funding	Organization	Equipment	Training	Exercise	CURRENT BUDGET		
1	1	Dispatch Center Upgrade (Budget Department State 2024 HHS System (\$240,300))	DEPT OF TNSF		\$ -	\$ -	\$ -	\$ -	\$ 240,300.00	\$ -		\$ 240,300.00	\$ -		\$ 240,300.00	\$ -	\$ -	\$ 240,300.00		
2		Upgrade Homeland Radar (Software Upgrade for 20 radars) (\$50,000)	DEPT OF TNSF		\$ -	\$ -	\$ -	\$ -	\$ 50,000.00	\$ -	YES	\$ 50,000.00	\$ -		\$ 50,000.00	\$ -	\$ -	\$ 50,000.00		
TOTAL PROJECT AWARD												\$ 290,300.00	\$ -	\$ 290,300.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 290,300.00

The Grant approved award amount is a funding allocation, and shall be interpreted as expenditure authorizations or approvals. Approval from NHDISEM's Grant Management Bureau is required for all purchases regardless of any application review. All budget and project revisions must be received and approved by the NHDISEM Grant Manager and/or their designee to ensure that the proposed budget revisions meet all federal and state eligibility requirements. Budget/Project revisions must meet the original approved scope of work with the approved application and approved budget worksheet.

The sign recipient is responsible for all expenditures that occur (1) outside of the grant period of performance, (2) not approved by the Grant Management Bureau.

Sub-Recipient Initials: _____
 Sub-Recipient Designer Signature: _____
 Date: _____
 Grant Manager: _____
 Date: _____



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 11 E



Torrance County

Job Description

Job Title: Finance Manager

Department: Finance

Reports Directly to: Finance Director

We conform to all the laws, statutes, and regulations concerning equal employment opportunities and affirmative action. We strongly encourage women, minorities, individuals with disabilities and veterans to apply to all of our job openings. We are an equal opportunity employer and all qualified applicants will receive consideration for employment without regard to race, color, religion, gender, sexual orientation, gender identity, or national origin, age, disability status, Genetic information & Testing, Family & Medical Leave, Protected Veteran status, or any other characteristic protected by law. We prohibit retaliation against individuals who bring forth any complaint, orally or in writing, to the employer or the government, or against any individuals who assist or participate in the investigation of any complaint or otherwise oppose discrimination.

Summary:

Under the direction of the Finance Director, provides management, organization and proper administration with respect to Federal and State law, State Statutes and County Policies, of all operations and activities related to the support of the Finance and Purchasing Departments. Acts as assistant to the Finance Director, including preparation and maintenance of current budget, annual audit and other finance duties as assigned. Provides financial information and assistance to a variety of departments; and to provide information and assistance regarding departmental policies and procedures.

Responsibilities:

- Cooperates and coordinates with staff, supervisors and others in preparation of various documents, some accounting, data processing and clerical knowledge to work activities.
- Ensures department administrative functions run smoothly by working effectively with all members of the Finance Department.
- Apply math skills in processing large volumes of data.
- Position will type letters, perform filing, maintain file information in an orderly manner, and ensure accuracy of all documents.
- Assist in a variety of department operations perform special projects and assignments as directed.

- Assists with a variety of department payroll related functions including handling confidential employee information
- Assure that purchases do not exceed budgeted amounts.
- Distribute reports to Department Heads and Elected Officials.
- Assist in budget process, preparations and coordination with department budgets.
- Assists with Maintaining current budget.
- Work directly with the Finance Director to ensure account balances.
- Process line-item transfers.
- Assists with Journal Entry process.
- Approves purchase requisitions at Finance level.
- Assists with purchase order change process.
- Assists with annual external audit.
- Assists with the County's indigent Health Care Program (IHC) with individual County residents and participating health care providers to ensure proper administration with respect to State Statute, County Policy, community needs and provider access.
- Assists in updating and maintaining the IHC program policy, HIPPA policy and Indigent Burial/Cremating policy and procedure manual.
- Assists with administering the IHC claims process to ensure compliance with County Policy and procedures, State Statutes and timely payment of claims.
- Assists with issuing and reporting 1099's.
- All other duties as assigned.

Operations Manager top skills & proficiencies:

- Finance and Accounting Skills
- Leadership, and Dependable
- Conflict Management
- Business Negotiation
- Organized and Detail Oriented
- Decision-Making
- Data Entry Skills and Data Processing Skills
- Reporting Skills
- Budget Development
- Critical Thinking and Problem Solving Skills
- Communication Skills
- Delegation
- Team Work

- Stress Tolerance
- Basic knowledge of IT related matters

Preferred Knowledge:

- Knowledge of GAAP and GASB.
- Knowledge of accounts payable practices, warrants, and various other billings.
- Knowledge of methods, tools and functions of public sector finance best practices.
- Knowledge and experience with word processing, excel, QuickBooks, etc...
- Knowledge of principals of local government organization, budget development and operations.

Preferred Experience:

- Bachelor's degree in Business Management or Accounting
- Or Five (5) years of experience directly related to budget, accounts payable/receivable, and Accounting.
- Must have a valid New Mexico driver's license, must be insured for liability purposes.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or logical assignment to the position.

EMPLOYEE DECLARATION

I have read the above position specifications. I understand the demands and expectations of the position described and, to the best of my knowledge, believe I can perform these duties.

Printed Name

Signature

Date

Finance Department Proposed Salary Structure

Previous Salary for Finance Director	\$ 68,120.00
Current Salary Assistant Finance Director	\$ 57,720.00
Current Salary Financial Analyst	\$ 44,200.00
Total	\$ 170,040.00

Proposed Salary Assistant Finance Director	\$ 62,000.00	
Proposed Salary Finance Manager	\$ 56,000.00	\$ 60,000.00
Current Salary Financial Analyst	\$ 44,200.00	
Total	\$ 162,200.00	\$ 166,200.00

Salary Savings	\$ 7,840.00	\$ 3,840.00
-----------------------	--------------------	--------------------

**All positions above will be hourly employees (annual amounts will be converted to hourly rate)



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 11 F

Finance Department Proposed Salary Structure

Previous Salary for Finance Director	\$ 68,120.00
Current Salary Assistant Finance Director	\$ 57,720.00
Current Salary Financial Analyst	\$ 44,200.00
Total	\$ 170,040.00

Proposed Salary Assistant Finance Director	\$ 62,000.00	
Proposed Salary Finance Manager	\$ 56,000.00	\$ 60,000.00
Current Salary Financial Analyst	\$ 44,200.00	
Total	\$ 162,200.00	\$ 166,200.00

Salary Savings	\$ 7,840.00	\$ 3,840.00
-----------------------	--------------------	--------------------

**All positions above will be hourly employees (annual amounts will be converted to hourly rate)



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 11 G



Unauthorized/Non-Conforming Purchase Notice

Date: 11/04/2024

Department: Manager

Employee: Misty Witt

Purchase Amount: 132.78

Date of Purchase: 10/03/2024

Vendor: Pitney Bowes

Explanation of purchase and why prior authorization was not received or why purchase was non-conforming (invoices and documentation must be attached to this notice):

This purchase was for postage machine supplies (tape strips).
No purchase order was in place for postage machine supplies
prior to purchase. There is a purchase order in place for the
postage machine lease, but that PO does not include supplies.

Department Head Signature

For Finance Use Only			
Purchase reviewed by Finance?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date reviewed: _____	Initials: _____
Line Item: _____	Funds available in budget?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Procurement Code followed?	<input type="checkbox"/> Yes <input type="checkbox"/> No	TC Policy followed	<input type="checkbox"/> Yes <input type="checkbox"/> No

Payment Approved Denied

Commission Signature

Date



- Go to pitneybowes.com/signin
- Make a payment
 - **Live chat for immediate account support**
 - For account management/maintenance
 - Sign up for Autopay - **no more late fees**
 - Sign up for Paperless Billing
 - Still need help? Call 844-256-6444

Account Number	0015859284
Invoice Number	1026197229
Order Date	Oct 03 2024
Invoice Date	Oct 04 2024
AMOUNT DUE Nov 3 2024	\$132.78

DETAILS OF YOUR CHARGES Order date: Oct 03 2024
 Order # 0012340517

0012462389 TORRANCE COUNTY, 205 9TH ST, ESTANCIA, NM, 87016

Description	Quantity	Unit	Unit Price	Total
TAPE STRIPS (300 PER BOX) # 625-0	2	EA	\$66.39	\$132.78
			Total tax	\$0.00
			AMOUNT DUE	\$132.78

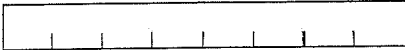
To pay by mail, complete and send the coupon below. Please allow 7-10 business days for mail and processing time.

Pitney Bowes
 27 Waterview Drive
 Shelton, CT 06484

Pitney Bowes payment coupon
 If you've chosen to pay by mail, please include
 this payment coupon with your payment.

Account #: 0015859284
 Invoice date: Oct 4, 2024
 Payment amount due: \$132.78

Invoice #: 1026197229
 Due date: Nov 03, 2024



1000001585928401026197229200001327800

0015859284

PITNEY BOWES INC
 PO BOX 981039
 BOSTON MA 02298-1039

TORRANCE COUNTY
 DEBORAH ROMERO
 PO BOX 48
 ESTANCIA NM 87016-0048

Important information

This transaction is governed by the terms and conditions of the applicable Pitney Bowes agreement, current as of the date of this invoice unless otherwise agreed to in writing by the parties.

Payment

If we do not receive your payment by the Payment Due Date, late fees will apply. If your payment is returned, you're liable for any charges we incur. If you make a partial payment of the payment due, it doesn't change your contract or obligations to us.

You can pay your bill:

- QUICKEST WAY TO PAY: pitneybowes.us/signin
- By check, made payable to Pitney Bowes Inc and sent with this *payment coupon* to:
PITNEY BOWES INC
PO BOX 981039
BOSTON MA 02298-1039



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item

No. 11 H

**Department of Finance and Administration
Local Government Division - DWI Grant Program
FY25 Special Application**

County / Municipality: Torrance

Program Coordinator: Deanna Lopez

	<u>Current FY25 Grant Budget</u>	<u>Special Application Request</u>	<u>Total Amended Grant Request</u>
Community Wellness & Outreach	100,000.00	27,215.52	127,215.52
Treatment		21,000.00	21,000.00
Alternative Sentencing		0.00	0.00
Program Administration		10,000.00	10,000.00
Total	<u>100,000.00</u>	<u>58,215.52</u>	<u>158,215.52</u>

The resolution adopted in the FY25 LDWI application by the governing body authorizes the applicant to file this application for assistance from the State of New Mexico.

To the best of my knowledge, the information presented in this application is true and correct.

Tracy Sedillo
Signature of County/City Manager

9.5.24
Date

Tracy Sedillo, Interim County Manager

Printed Name/Title

For DFA Use Only	
Is the county eligible? <u>Yes</u>	Are the expenses appropriate and allowable, per guidelines? <u>Yes</u>
Application rating: <u>High</u>	Recommended Funding : \$ <u>58,215.52</u>
<u>Comments:</u>	
Reviewed By: <u>Malia Melhoff</u>	



Torrance County Grant Review Form

Meeting Date 11/5/24

Be prepared to discuss all items below with the Grants Committee.

Committee Action			
Approved	<input checked="" type="checkbox"/>	Approved with Conditions	<input type="checkbox"/>
		Not Approved	<input type="checkbox"/>
Conditions to be Met	NONE		
Grant Name	Special Application	Agreement Number	
Amount Awarded	\$ 58,215.52	Match Amount	\$5,821.55
Reason for Grant Committee Review	Application Approval		Grant Term
	New <input type="checkbox"/>	Award Acceptance	
	Renewal <input type="checkbox"/>	New <input type="checkbox"/>	FY25
		Amendment <input checked="" type="checkbox"/>	
		Renewal <input type="checkbox"/>	
Requesting Department:	DWI	Funding Department	
Type of Grant	Reimbursement <input checked="" type="checkbox"/>	Disbursement <input type="checkbox"/>	Pass Through <input type="checkbox"/>
Funding Type If other, please explain.	State <input checked="" type="checkbox"/>		
	Federal <input type="checkbox"/>		
	Private <input type="checkbox"/>		
	Other <input type="checkbox"/>		
Program/Project Summary (include specific deliverables. i.e., 55 hours of staff training, 50 youth through Teen Court, 2 miles of road paved, 16 deputies paid, etc.)	\$27215.52 for Community Wellness and Outreach \$21000.00 for Treatment \$10000.00 for Program Administration		
Program/Project Budget Summary	\$27215.52 for Community Wellness and Outreach \$21000.00 for Treatment \$10000.00 for Program Administration		
Impact of Funding	Increase DWI Grant funding		
Committee Notes	M.A.R. just got a police chief, More training		



Torrance County Grant Review Form

Reporting Information What documents are required for reporting? (i.e., funder generated form, payment packets, paychecks, employee salary and benefit reports, program reports, etc.)	Monthly <input type="checkbox"/>	How are reports submitted?	Email <input checked="" type="checkbox"/>
	Quarterly <input checked="" type="checkbox"/>		Online Platform <input type="checkbox"/>
	Annually <input type="checkbox"/>		Other <input type="checkbox"/>
	Other <input type="checkbox"/>		
Funding Agency Contact Information	Erica Gutierrez DWI Program Manager Local Government Division, LDWI c. 505-372-9830 erica.gutierrez1@dca.nm.gov		

External Compliance with Funding Agencies		
Is your department up to date with reporting of all your current grants?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Has your department been non-compliant with any reporting, or other items in the last year?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Internal Compliance with Grants Policy and Procedure		
Has your department submitted all required items to the Grants Department for current grants?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Has your department been non-compliant with any portion of the Grants Policy in the last year?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Legal Requirements			
Are there any additional legal requirements for this grant? If yes, please explain.	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>

Finance and Planning			
Will this grant require new contracts?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Will this grant require a change to existing contracts/vendors?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Will this grant require a budget change before the Commission?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Is this project in the ICIP or other County plan?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Does this project/program currently have pending grant applications or other funding sources?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>

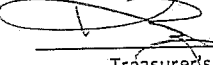
Agenda Request Form	Date Submitted <u>11/4/24</u>	Commission Meeting Date	<u>11/13/24</u>
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Commission Action	Approved <input type="checkbox"/>	Rejected <input type="checkbox"/>	Deferred <input type="checkbox"/>	Changes <input type="checkbox"/>	Resolution #	
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Comments or Concerns	
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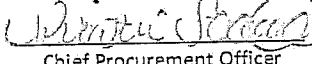
Line Item Request	Date Submitted <u>DONE</u>	Line Item Numbers Created	Date <u>DONE</u>
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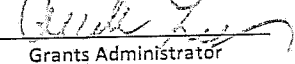

County Manager's Office

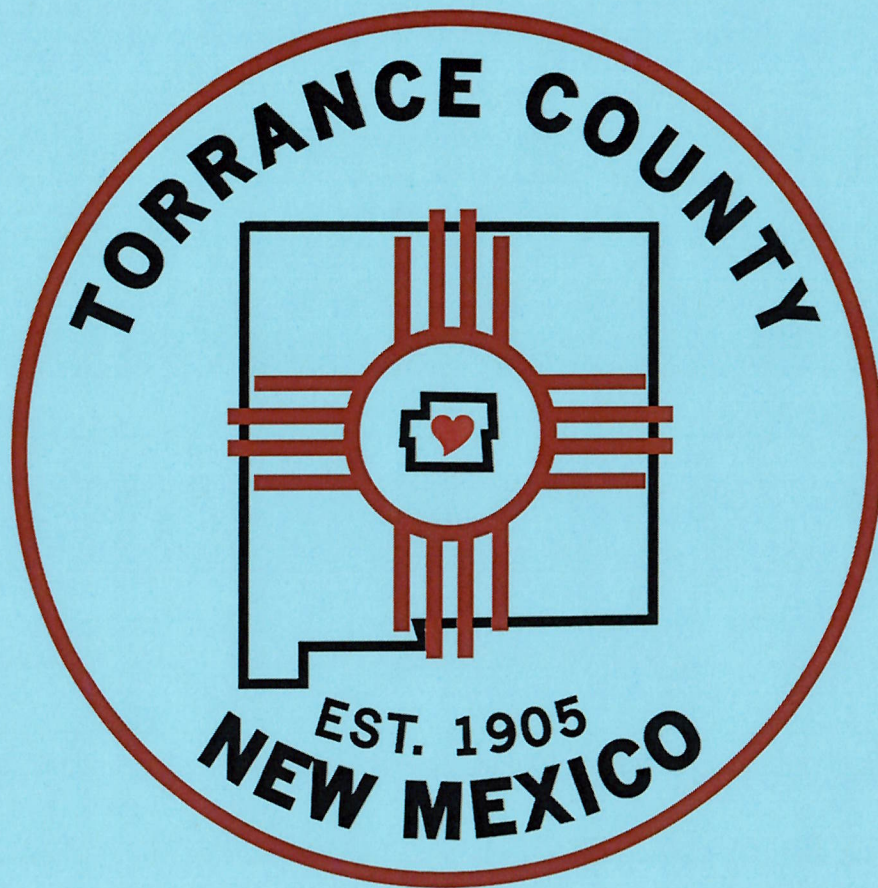

Treasurer's Office


Requesting Department


Finance Office


Chief Procurement Officer


Grants Administrator



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item

No. 11 I



9621 Coors Blvd. NW
 Albuquerque, NM 87114
 PHO. 505.843.9600
 www.melloydodge.com

GUARANTEED 12 MONTHS OR 12,000 MILES, WHICHEVER OCCURS FIRST.

WARRANTY RECALL SCC

WARRANTY DISCLAIMER: Any warranties on the products sold hereby are those made by the manufacturer. The seller, MELLOY DODGE RAM FIAT, hereby expressly disclaims all warranties, either expressed or implied, including any implied warranty of merchantability or fitness for a particular purpose, and MELLOY DODGE RAM FIAT neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of said products, for any reason.

CELL: 505-352-4100

CUSTOMER NO. 11026	ADVISOR EDDIE WILSON	TAG NO. 193	INVOICE DATE 09/12/24	INVOICE NO. DOCS599591
TORRANCE COUNTY PO BOX 48 205 S NINTH STREET ESTANCIA, NM 87016 MPROPP@TCNM.US RESIDENCE PHONE 505-246-4773	LABOR RATE	LICENSE NO.	MILEAGE 117,768	COLOR BRIGHT WHIT
	YEAR / MAKE / MODEL 18/DODGE TRUCK/RAM 2500/ST CREW CAB	DELIVERY DATE 06/11/18		DELIVERY MILES 16
	VEHICLE I.D. NO. 3 C 6 U R 5 C J 7 J G 2 8 2 9 4 3	SELLING DEALER NO.		PRODUCTION DATE
	F.T.E. NO.	P.O. NO.	R.O. DATE 08/08/24	
BUSINESS PHONE	COMMENTS			
505-246-4773	MO: 117768			

LABOR & PARTS

J# 1 09DOZ05ENG ENGINE TECH(S):437 1400.00
 C/S NO CRANK/START
 VEHICLE BODY WIRING HARNESS SWELLED UP FROM OLD BATTERY ACID THAT CUSTOMER SPILLED IN VEHICLE. VOLTAGE WAS PRESENT IN WIRING CIRCUIT EVEN CIRCUITS UNPLUGGED AND ISOLATED. WAS ABLE TO DUPLICATE CUSTOMER CONCERN. RAN DIAG AND DETERMINE KIN MODULE FAILED. R&R KIN MODULE BUT VEHICLE WOULD NOT START. RAN DIAG AGAIN AND DETERMINE RFH FAILED. R&R RFH MODULE AND VEHICLE DID NOT WANT TO PROGRAM. DETERMINE KEY FOB WAS BAD AND ATTEMPTED TO PROGRAM KEY. REPEATED DIAG AGAIN AND DETERMINE WIRING CIRCUITS HAD VERY LOW VOLTAGE BUT DID NOT KNOW WHERE THE VOLTAGE WAS COMING FROM. OPEN AREA WHERE THE WIRING HARNESS SITS AND TECH NOTICE CARPET WAS WET AND HARNESS WIRES WERE SWELLED UP CUSTOMER ADMITTED THEY SPILLED BATTERY ACID IN THE BACK SEAT A WHILE BACK. R&R VEHICLE BODY WIRING HARNESS AND VEHICLE CARPET. VERIFIED REPAIR AND VEHICLE IS NOW OPERATING AS DESIGN.

PARTS	QTY	FP	NUMBER	DESCRIPTION	LIST PRICE	UNIT PRICE	PRICE
JOB # 1	1		68271986-AC	SWITCH IG 08035031	189.99	151.20	151.20
JOB # 1	1		68363202-AC	RECEIVER 08059057	181.99	145.31	145.31
JOB # 1	1		68508720-AA	TRANSMITT 08059057	186.99	148.96	148.96
JOB # 1	1		68340631-AE	WIRING BO 08015002	1260.99	1008.68	1008.68
JOB # 1	1		6NS67DX9-AB	CARPET FL 23079001	840.99	672.01	672.01
JOB # 1 TOTAL PARTS							2126.16
JOB # 1 TOTAL LABOR & PARTS							3526.16

TERMS: STRICTLY CASH, MAJOR CREDIT CARDS OR APPROVED CHECKS.

NOT RESPONSIBLE FOR LOSS OR DAMAGES TO VEHICLE OR ARTICLES LEFT IN VEHICLE IN CASE OF FIRE, THEFT, OR ANY OTHER CAUSE BEYOND OUR CONTROL.

SHOP SUPPLIES

A CHARGE IS INCLUDED FOR SUPPLIES USED ON YOUR VEHICLE. APPLICABLE SUPPLY ITEMS ARE: NUTS, BOLTS, WASHERS, TAPE, PINS, AEROSPRAY, SHELLAC, SOLVENTS, RAGS, CARBURETOR CLEANER, TOWELS, SOLDER, BATTERY CLEANER, WIRE, WINDOW SEALER, ETC.

WASTE MANAGEMENT FEES

MAINTAINING AND REPAIRING YOUR CAR INEVITABLY INVOLVES THE USE OF CHEMICALS AND THE GENERATION OF WASTE INCLUDING SOLVENTS, OILS, CAUSTICS, LEAD, PAINTS, ETC. THESE MUST BE MANAGED AND DISPOSED OF IN STRICT COMPLIANCE WITH NATIONAL, STATE, AND LOCAL REGULATIONS. WE SUPPORT THESE REGULATIONS BECAUSE WE CARE ABOUT A CLEAN, SAFE ENVIRONMENT. A CHARGE IS INCLUDED ON THIS INVOICE FOR WASTE MANAGEMENT.

J# 2 40DOZ14A LQF SYN 7QT TECH(S):437 35.46
 CUSTOMER REQUEST LUBE OIL AND FILTER LUBED AND CHANGED OIL AND FILTER Synthetic Oil & Filter Change 6.4L 14/18

PARTS	QTY	FP	NUMBER	DESCRIPTION	LIST PRICE	UNIT PRICE	PRICE
JOB # 2	1		4892339-BE	FILTER EN 09057006	13.45	10.09	10.09
JOB # 2	7		68523970-AA	OIL OW40 01081090	13.35	10.01	70.07
JOB # 2 TOTAL PARTS							80.16
JOB # 2 TOTAL LABOR & PARTS							115.62

Thank You!

FOR BRINGING YOUR CAR TO US FOR SERVICE

J# 3 90DOZ MULTI-POINT INSP TECH(S):437 0.00
 PERFORM MULTI-POINT INSP Multi-Point Inspection All COMPLETE

PARTS	QTY	FP	NUMBER	DESCRIPTION	LIST PRICE	UNIT PRICE	PRICE
JOB # 3 TOTAL PARTS							0.00
JOB # 3 TOTAL LABOR & PARTS							0.00

G.O.G. & SUPPLIES

JOB # 1	631AEFRT	105.00
JOB # 1	DX9ABFRT	250.00

The registered and registered Company Employee



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item

No. 11 J



2025 TORRANCE COUNTY Employee Calendar

- Pay Period Ends
- Payday
- Holidays/Admin Observed
- 1/2 Day Holidays
- Commission Meetings
- Planning & Zoning Meetings



January						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

February						
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March						
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April						
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May						
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June						
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July						
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August						
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31						

September						
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October						
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November						
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December						
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21	22	23	24	25	26	27
28	29	30	31			



2025

TORRANCE COUNTY

First Responder Employee Calendar

- Pay Period Ends
- Payday
- Holidays/Admin Observed
- 1/2 Day Holidays
- Commission Meetings
- Planning & Zoning Meetings



January						
S	M	T	W	T	F	S
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February						
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March						
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30	31					

April						
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May						
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June						
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29	30					

July						
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27	28	29	30	31		

August						
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24	25	26	27	28	29	30
31						

September						
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14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

October						
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12	13	14	15	16	17	18
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26	27	28	29	30	31	

November						
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23	24	25	26	27	28	29
30						

December						
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7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 11 K



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 11 L

The continuation of the appeal for the conditional use permit on 70 Akin Farm Rd.

N. Estancia NM 87016

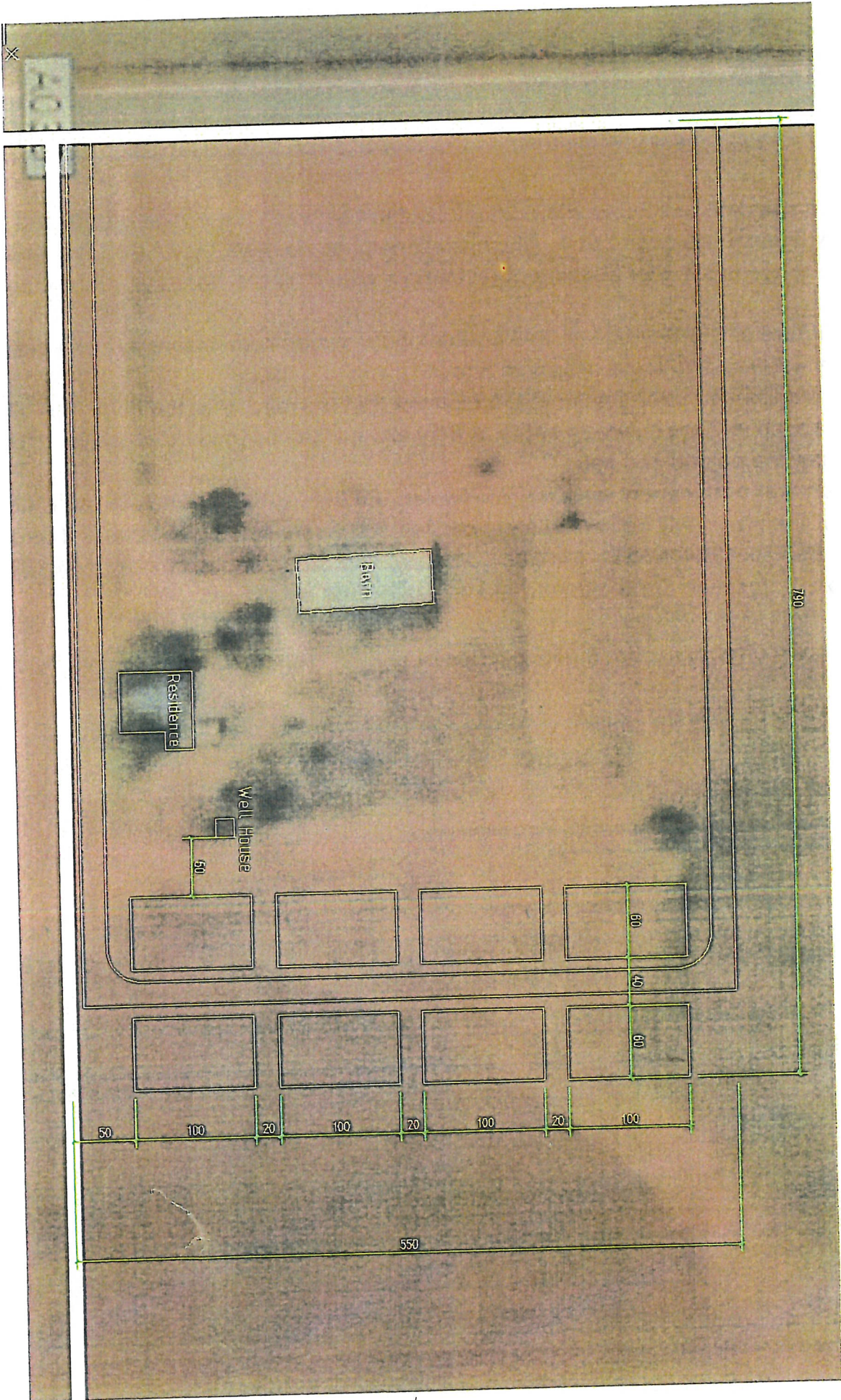
10-21-2024

Greetings, on the last commission meeting on October 9, 2024, The commission has requested four additional items:

1. A revised site plan to achieve a maximum distance between the operation site and the neighbor's property. Please see page 1 to 4. The closest neighbor is more than 1,000 feet away; further than the responsible odor abatement distance required by the majority of municipalities of this country.
2. The structure of the warehouse. The double doors design is to ensure a zero leakage of light from the warehouse. Please see page 5 to 7.
3. The most advanced odor abatement equipment that is available in the field. The business entity is Ecosorb, an affiliate business entity of EcoLab, and has been in business for over 30 years. Please see the page 8 and page 9.
4. The treatment of the spent material. All the spent material, the potting soil, and the trunk and leaves of the plants will be hauled away by the solid waste service company. The service entity is Estancia Valley Solid Waste Service Company, 249 Side Winder, Moriarty, NM 87035; Please see page 10. for their State required guidelines in their operations

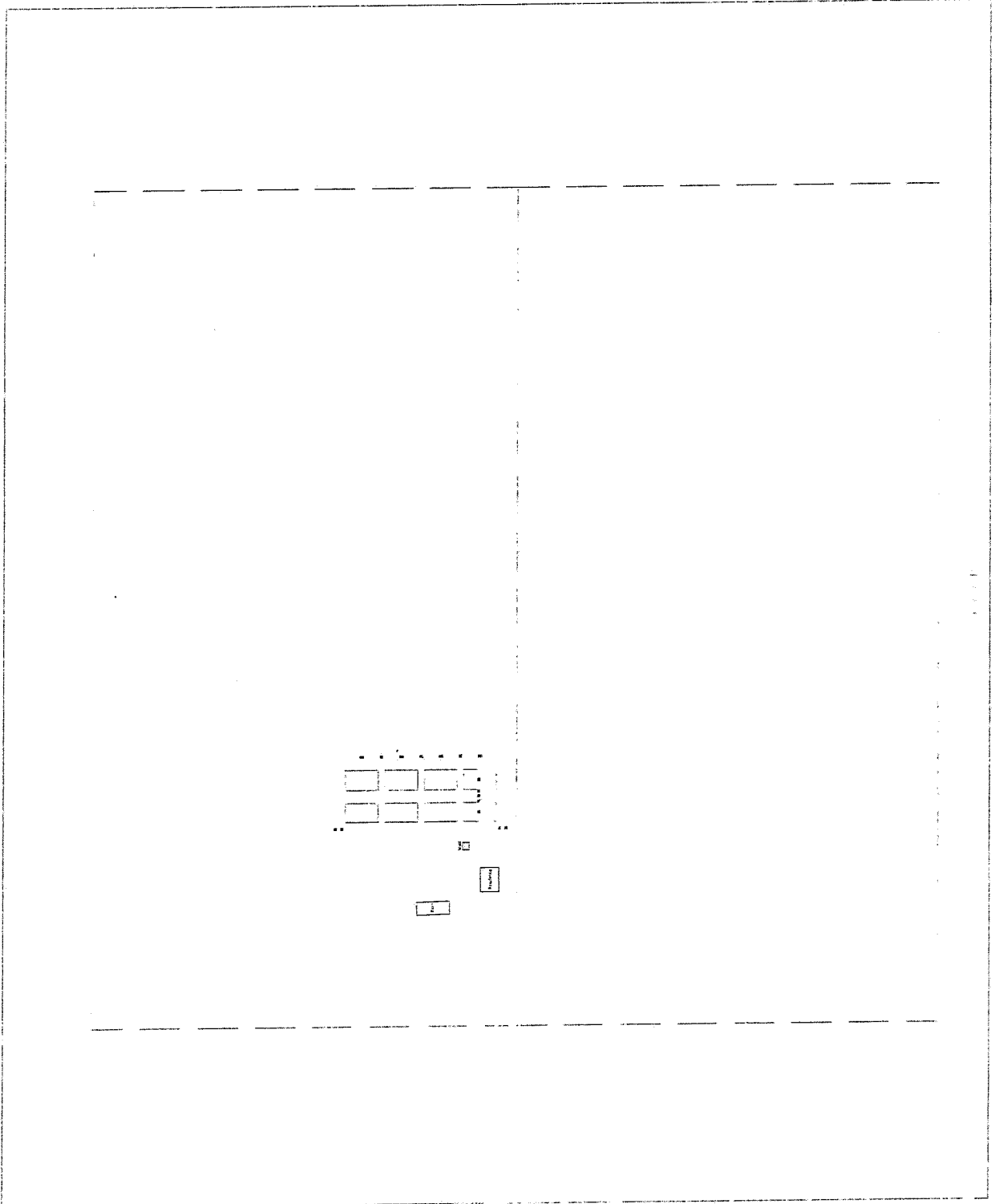
The application will offer to accept the inspection of the site from Torrance County P&Z officials in the future

The septic tank will be only for sanitation usage.



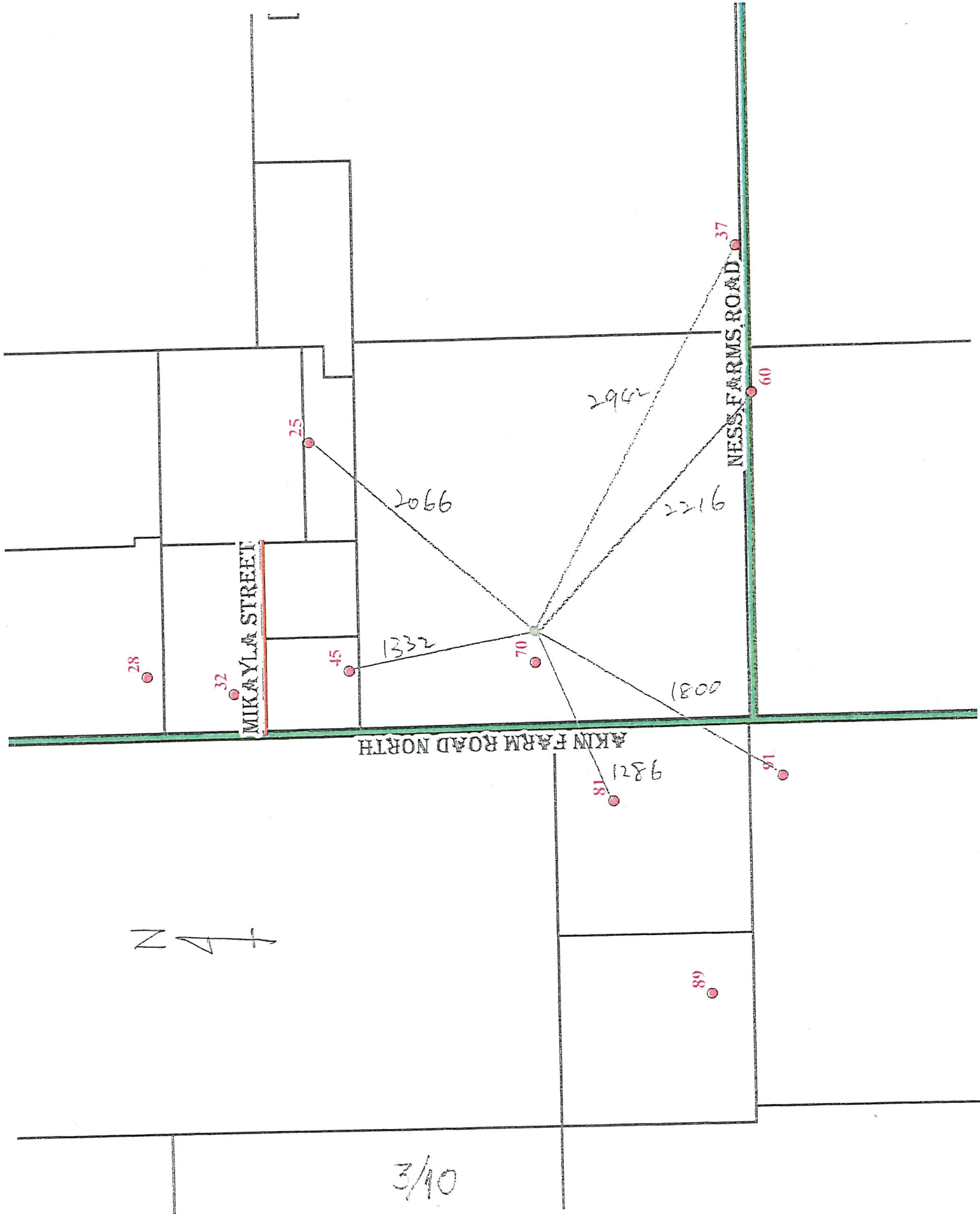
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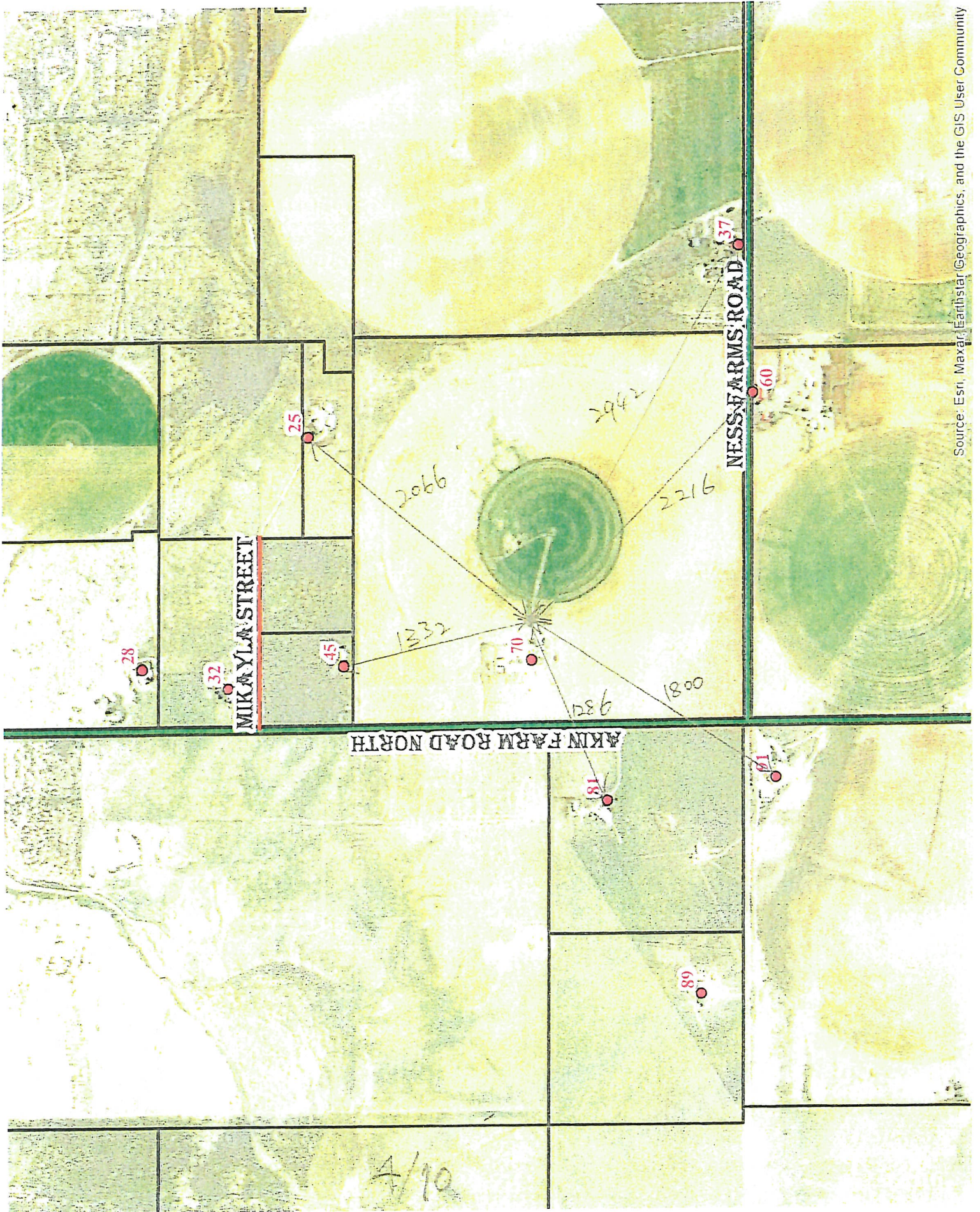
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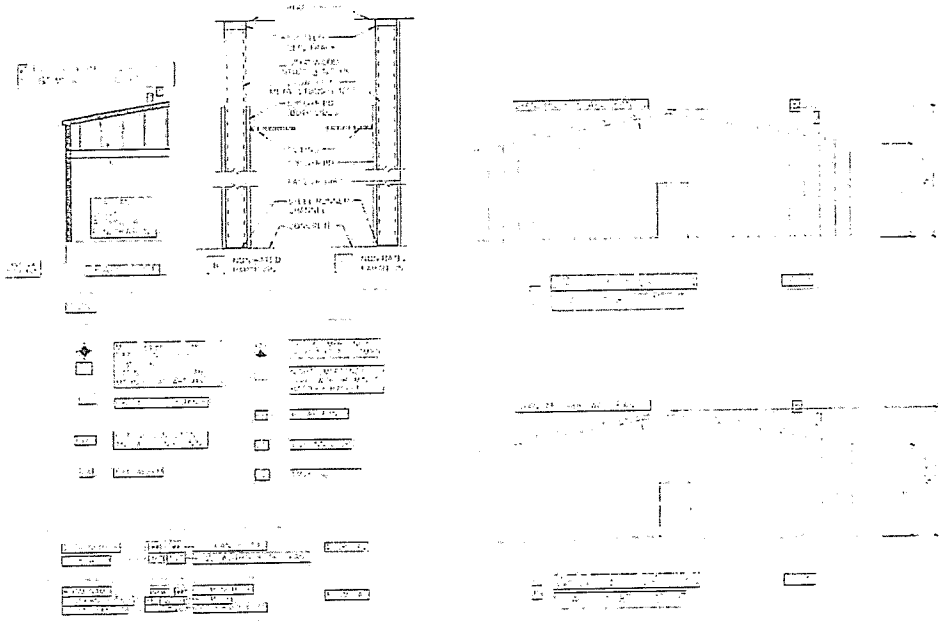
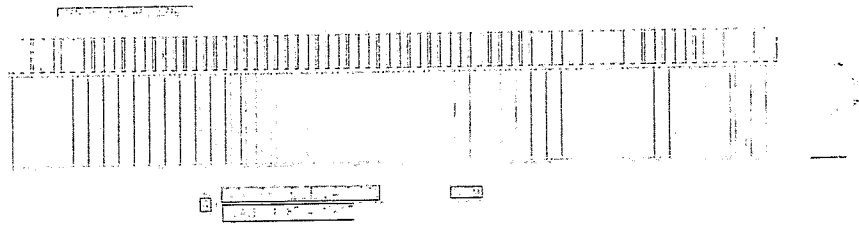
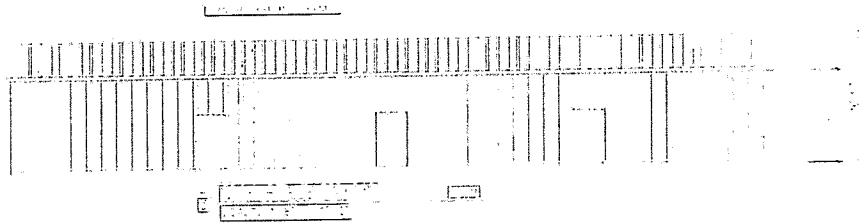
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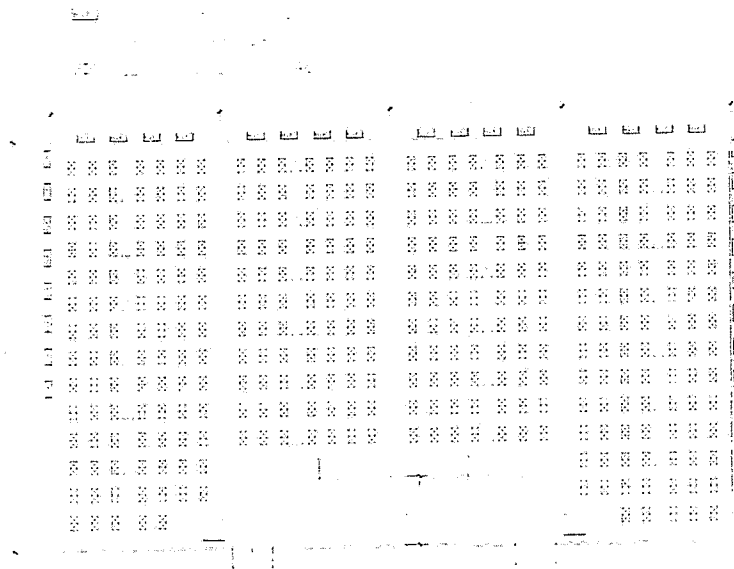
Metal Warehouses without windows

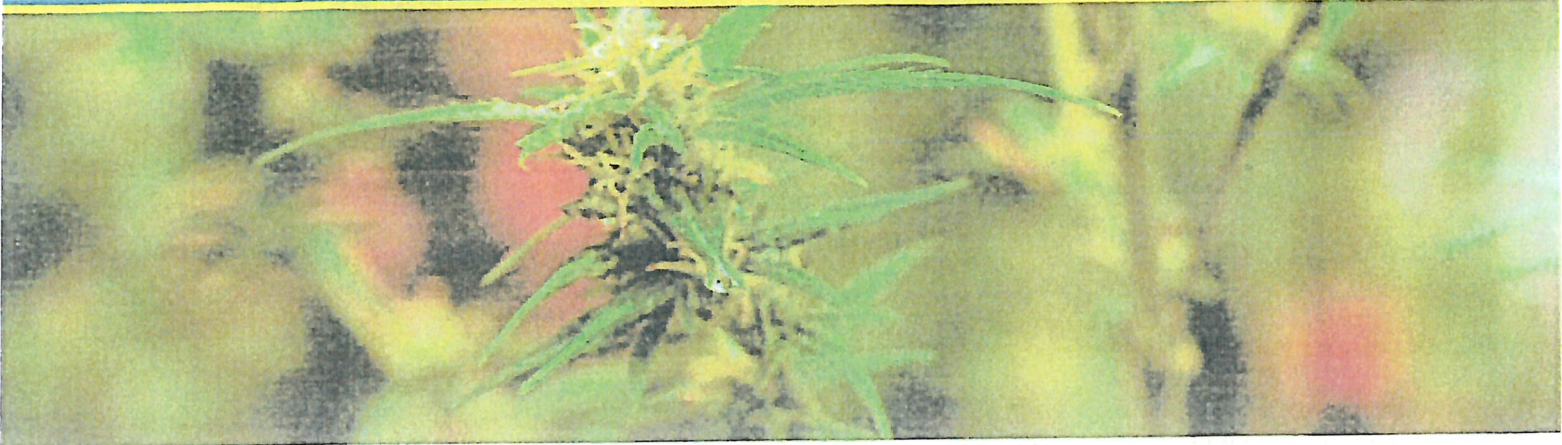
60' x 100' x 15' (Center Top) Roof
8 Sets.

6/10



Sketch_0620.pdf





ECOSORB CNB FORMULATIONS:
Designed Especially for Cannabis Odors

The strong odors produced by growing cannabis can be difficult to manage. Created by the plant's oils (terpenes), odors are strongest when the flower is budding. Some odors from cannabis farms have been detected more than a mile from their source.

Complaints of cannabis odors have increased in some areas by as much as 87% since growing marijuana became legal. In Denver, 30% of odor complaints are cannabis-related. Local governments and clean air agencies are now enacting laws and issuing fines (in the tens of thousands of dollars) to limit odors.

Ecosorb® CNB Formulations are a natural odor remover designed for cannabis grow room, greenhouse, or processing facility odor control. Our blend of natural plant oils eliminates odor-causing chemical compounds in cannabis — including cannabinoids, terpenes, and sesquiterpenes — without the drawbacks of other odor mitigation techniques.

Ecosorb products do not contain harsh chemicals or synthetic fragrances. They do not mask odors and are safe for use around people and animals, even facilities near residential or commercial areas. Additionally, the distribution of Ecosorb requires no added water, thanks to advanced Vapor Phase technology.

8/10

INDEPENDENT TESTING PROVES ECOSORB EFFECTIVE & SAFE

TEST 1: EFFICACY

SCS Engineers hired odor emissions specialists to test air samples from an active California cannabis facility using Ecosorb CNB Formulations to mitigate exhaust odors.

RESULTS

- 20% of treated air samples showed minimal increase in odor intensity*
- 80% of treated air samples showed no increase in odor intensity*
- 98.7% of cannabis odors eliminated

*Compared to baseline samples

TEST 2: SAFETY

CPF Associates completed an assessment to measure potential health impact of Ecosorb CNB Formulations.

RESULTS

100% of emissions are below the available health-protective criteria

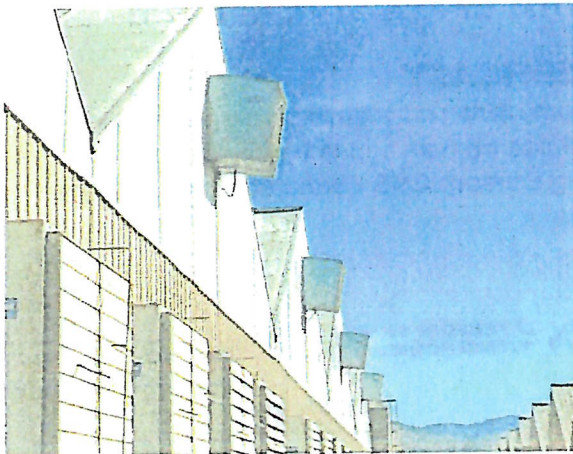
ZERO toxic air contaminants (TACs) as identified by the State of California

LOWER toxicity levels than chronic and acute inhalation criteria

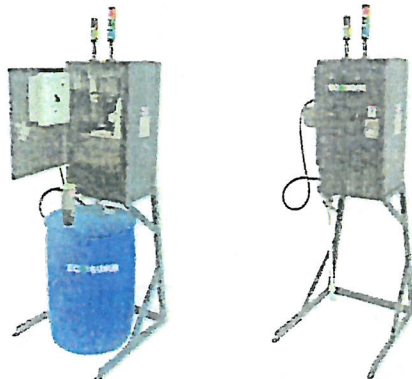
CNB APPLICATIONS



Ecosorb technology can be engineered to absorb odors from escaping air exhaust.



Odor mitigation solutions can also be placed at indoor facilities with roof exhaust.



75 CFM
Innovative Vapor Phase Technology allows for implementation without need for added water.

CASE STUDIES

SCARGO LABS: HEMP & CBD PROCESSING FACILITY

75 CFM + CNB Formulation

Scargo Labs produces up to 1,000 Kg/month of CBD oil and a growing catalog of CBD products from their 25,000 sq. ft. Oakland, California headquarters (which borders schools and neighborhoods).

The facility had five government agencies knocking on their door within the first month of opening, and a nearby school complained that students were getting sick from its exhaust.

RESULTS

Before Ecosorb was used, they were in the process of being evicted because of the smells produced by their facility. However, since Ecosorb's technology and chemistry were implemented, the smell has been completely eradicated.

NATURE'S REMEDY: CANNABIS GROWING OPERATION

450 CFM Vapor System + CNB 100

When cannabis enterprise, Nature's Remedy, planned their new state-of-the-art, 4,000 square foot marijuana cultivation operation in Lakeville, Massachusetts, they knew odor control would be a definite need.

As part of their permitting process, owners had to guarantee they would not emit "noxious, harmful, hazardous" odors into the surrounding neighborhood, as required by the special regulations in Lakeville's zoning bylaws, specifically the odors escaping the building.

RESULTS

The company invested "a small fortune" on an internal charcoal filtration system to remove odors before the air recirculates inside the facility. To ensure absolutely zero odors became a nuisance to the area, Ecosorb engineers installed a perimeter vaporization system on the roof to act as a polishing agent. The system continuously mists dry vapor CNB 100 natural odor eliminator to scrub leftover odors from the air before it leaves the vicinity.

Nature's Remedy and, more importantly, their neighbors have been pleased with the results.

9/10
"We want to be good neighbors."

– John Brady, Nature's Remedy Principal



LANDFILLS,...

**New Mexico Administrative Code
Title 20 - ENVIRONMENTAL
PROTECTION
Chapter 9 - SOLID WASTE
Part 6 - SOLID WASTE FACILITY
AND COMPOSTING FACILITY
CLOSURE AND POST-CLOSURE
REQUIREMENTS
Section 20.9.6.9 - CLOSURE AND
POST-CLOSURE REQUIREMENTS
FOR MUNICIPAL AND SPECIAL
WASTE LANDFILLS, AND
MONOFILLS**

Universal Citation: [20 NM Admin Code 20.9.6.9](#)

Current through Register Vol. 35, No. 13, July 16, 2024

A. Owners and operators of municipal landfills and special waste landfills shall begin closure within 30 days after the landfill receives the final receipt of waste or within 30 days after approval of the closure and post-closure care plan, whichever is later.

- (1) Owners and operators shall install a final cover system which consists of the following:
 - (a) for municipal and special waste landfills (except monofills) that are not lined and

TORRANCE COUNTY

NOTICE OF ACTION ON Tract A within the SWY
Section 32, T. 10N, R. 8E known as 70 Akin Farmland.
FOR Continuance of Appeal, P+Z Board Denial
of Comd. Use Permit for Commercial Greenhouse

THE COUNTY ZONING BOARD HAS SCHEDULED A PUBLIC MEETING ON (DATE/TIME)

_____ THE COUNTY HAS SCHEDULED A PUBLIC MEETING ON (DATE/TIME)

_____ THE COUNTY HAS SCHEDULED A PUBLIC HEARING ON (DATE/TIME)

NOVEMBER 13, 2024

AT THE COUNTY ADMINISTRATIVE BUILDING
FOR INFORMATION CALL (505) 544-4391 OR FAX (505) 384-5294

THIS SIGN SHALL BE POSTED

FROM 10-29-2024 TO 11-14-2024

IT IS ILLEGAL FOR AN UNAUTHORIZED PERSON TO REMOVE OR TAMPER WITH THIS SIGN. ~~10/29/2024~~ 11/16/2024



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 12 A

2024 ORDINANCE REVISION REFERENCE SHEET

SECTION 4. DEFINITIONS.

Section 4.B.4 "Appeal Period" - the fourteen day (14) period beginning on the day of the signing of the Planning and Zoning Board's Findings and Conditions. [REV: Ord. No. 2020-06, 7/8/20]

Section 4.B.6 "Commercial Greenhouses" are enclosed spaces used for the growth of plants where ventilation and/or grow lights are used, with the intent of trade. [REV: Ord. No. 2020-06, 7/8/20]

Section 4.B.45 "Temporary" For purposes of this ordinance temporary constitutes 60 days or less. [REV: Ord. No. 2020-06, 7/8/20]

Section 4.B.48.A For purposes of this Ordinance plastic sheeting materials or mesh shall not constitute an acceptable visual barrier. [REV: Ord. No. 2020-06, 7/8/20]

Section 6. General Provisions

Section 6.E.3 There shall be no exterior storage of materials unless completely enclosed by a six (6) foot wall, [REV: Ord. No. 2020-06, 7/8/20]

Section 6.H.1 Minimum lot size for a Residential kennel shall be one (1) acre,
[REV: Ord. No. 2020-06, 7/8/20]

Section 6.H.2 Minimum lot size for a Commercial kennel shall be five (5) acres,
[REV: Ord. No. 2020-06, 7/8/20]

Section 6.D.1.C A parcel where a cemetery is to be placed shall be at least 5 acres in area.
[REV: Ord. No. 98-5, 9/13/98; Ord. No. 2008-003, 4/23/08; Ord. No. 2020-06, 7/8/20]

Section 6.K Recreational Vehicles. Full time living in Recreational Vehicles shall not be allowed except in permitted Recreational Vehicle parks. [REV: Ord. No. 2020-06, 7/8/20]

~~Section 6.L. Commercial horticultural operations involved with the cultivation and harvesting of medical cannabis are prohibited within the bounds of Types 1, 2, & 3 subdivisions as defined in Article 2 of the Torrance County Subdivision Regulations. In Types 4 & 5 subdivisions a Conditional Use Permit may be required, however the operation shall be centered on at least 100 acres. [REV: Ord. No. 2008-003, 4/23/08] Will be struck.~~

Section 8. Conservation District

Section 8.D.5 Commercial Greenhouse operations are prohibited in this zone.
[REV: Ord. No. 2020-06, 7/8/20]

~~Section 8.D.6 Commercial horticultural operations involved with the cultivation and harvesting of medical cannabis are prohibited within the bounds of Types 1, 2, & 3 subdivisions as defined in Article 2 of the Torrance County Subdivision Regulations. In Types 4 & 5 subdivisions a Conditional Use Permit may be required, however the operation shall be centered on at least 100 acres. Will be struck~~

SECTION 8.1 AGRICULTURAL DISTRICT (A).

Section 8.1.D.C A parcel where a cemetery is to be placed shall be at least 5 acres in area. [REV: Ord. No. 98-5, 9/13/98; Ord. No. 2008-003, 4/23/08; Ord. No. 2020-06, 7/8/20]

Section 8.1.D.4 Commercial Greenhouse operations are prohibited within the bounds of Types 1 & 2 subdivisions as defined in Article 2 of the Torrance County Subdivision Regulations. A Conditional Use Permit shall be required in all other areas within this zone. [REV: Ord. No. 2020-06, 7/8/20]

~~Section 8.1.D.5 Commercial horticultural operations involved with the cultivation and harvesting of medical cannabis are prohibited within the bounds of Types 1, 2, & 3 subdivisions as defined in Article 2 of the Torrance County Subdivision Regulations. In Types 4 & 5 subdivisions a Conditional Use Permit may be required, however the operation shall be centered on at least 100 acres. Will be struck~~

SECTION 9. AGRICULTURAL PRESERVATION DISTRICT (AP-5, AP-10 & AP-40).

Section 9.1.D.C A parcel where a cemetery is to be placed shall be at least 5 acres in area. [REV: Ord. No. 98-5, 9/13/98; Ord. No. 2008-003, 4/23/08; Ord. No. 2020-06, 7/8/20]

Section 9.D.4 Commercial Greenhouse operations are prohibited within the bounds of Types 1 & 2 subdivisions as defined in Article 2 of the Torrance County Subdivision Regulations. A Conditional Use Permit shall be required in all other areas within this zone. [REV: Ord. No. 2020-06, 7/8/20]

~~Section 9.D.6 Commercial horticultural operations involved with the cultivation and harvesting of medical cannabis are prohibited within the bounds of Types 1, 2, & 3 subdivisions as defined in Article 2 of the Torrance County Subdivision Regulations. In Types 4 & 5 subdivisions a Conditional Use Permit may be required, however the operation shall be centered on at least 100 acres. Will be struck~~

SECTION 10. PREPLATTED LANDS DISTRICT (PL).

Section 10.C.2 The Zoning Board may determine that a Variance, instead of a Conditional Use Permit, is more appropriate for a proposed development in this zone district. [REV. Ord. No. 2020-06, 7/8/20]

10.D.5 Commercial Greenhouse operations are prohibited within this zone. [REV: Ord. No. 2020-06, 7/8/20]

SECTION 11. RURAL RESIDENTIAL DISTRICT (RR).

Section 11.4.D 1 acre (minimum): No more than one (1) horse or cow or an equivalent number of sheep or goats. Equivalency is determined as one (1) horse or cow equals three (3) goats or three (3) sheep or combination thereof. [REV: Ord. No. 2020-06, 7/8/20]

Section 11.B.5 Residential Kennel, subject to the regulations of the Torrance County Animal Control Ordinance and provisions listed under Section 6 of this ordinance. [REV: Ord. No. 2020-06, 7/8/20]

Section 11.C.1.C There shall be no exterior storage of materials unless completely enclosed by a six (6) foot wall, [REV: Ord. No. 2020-06, 7/8/20]

Section 11.D.4.D The above described restriction does not apply to animals for non-commercial use as follows:

1) A lot of minimum 1 acre in area, may support no more than one (1) horse or one (1) cow or an equivalent number of sheep or goats. Additional non-commercial livestock units are allowed based upon one (1) horse or cow unit or equivalent per each additional acre of land.

[REV: Ord. No 2020-06, 7/8/20]

Section 11.D.5 Commercial Greenhouse operations are prohibited within this zone. [REV: Ord. No. 2020-06, 7/8/20]

SECTION 12. MINOR DEVELOPMENT DISTRICT (D-1).

Section 12.C.15 Greenhouse, nursery, landscaper; [REV: Ord. No. 2020-06, 7/8/20]
(moved from Section 12.B.32 Permissive Uses to Section C Conditional Uses 12.C.15)

Section 12.D.8 Commercial Greenhouse operations are prohibited within the bounds of Types 1 & 2 subdivisions as defined in Article 2 of the Torrance County Subdivision Regulations. A Conditional Use Permit shall be required in all other areas within this zone. [REV: Ord. No. 2020-06, 7/8/20]

SECTION 13.0 MAJOR DEVELOPMENT DISTRICT (D-2)

Section 13.C.9 Greenhouse, nursery, landscaper; [REV: Ord. No. 2020-06, 7/8/20]
(moved from Section B Permissive Uses: all permissive uses allowed in D-1 to Section C Conditional Uses)

Section 13.D.8 Commercial Greenhouse operations are prohibited within the bounds of Types 1 & 2 subdivisions as defined in Article 2 of the Torrance County Subdivision Regulations. A Conditional Use Permit shall be required in all other areas within this zone. [REV: Ord. No. 2020-06, 7/8/20]

SECTION 13.1 MAJOR DEVELOPMENT DISTRICT, UNDETERMINED IMPACT AND ADULT LAND USES (D-3). [REV: Ord. No. 2001-2, 3/14/01]

Section 13.C.1 Commercial Greenhouse operations are prohibited within the bounds of Types 1 & 2 subdivisions as defined in Article 2 of the Torrance County Subdivision Regulations. A Conditional Use Permit shall be required in all other areas within this zone. [REV: Ord. No. 2020-06, 7/8/20]

Section 13.C.2 Cannabis product retail or wholesale outlets and lounges. [REV: Ord. No. 2020-06, 7/8/20]
(moved from permissive use) {called out as conditional within D-1 and D-2}

SECTION 14.0 VILLAGE COMMUNITY PRESERVATION DISTRICT (VCP).

[REV: Ord. No. 2001-2, 3/14/01]

Conditional Uses. The following uses may be allowed in this zone district only District and business, service and commercial establishments, primarily intended to service local residents. [REV: Ord. No. 2001-2, 3/14/01]

14.C. The following uses may be allowed in this zone district only upon permit granted by the Zoning Board: All Conditional Uses allowed in the RR District for business, service and commercial establishments, primarily intended to service local residents.

[REV: Ord. No. 2020-06, 7/8/20]

14.D.4 Commercial Greenhouse operations are prohibited within this zone.

[REV: Ord. No. 2020-06, 7/8/20]

SECTION 14.1 RURAL COMMUNITY PRESERVATION DISTRICT (RCP). [REV:

Ord. No. 2001-2, 3/14/01]

Section 14.D.5 Commercial Greenhouse operations are prohibited within this zone.

~~Section 14.D.6 Commercial horticultural operations involved with the cultivation and harvesting of medical cannabis are prohibited within the bounds of Types 1, 2, & 3 subdivisions as defined in Article 2 of the Torrance County Subdivision Regulations. In Types 4 & 5 subdivisions a Conditional Use Permit may be required, however the operation shall be centered on at least 100 acres. Will be struck.~~



TORRANCE COUNTY ZONING ORDINANCE

Adopted by the Board of County Commissioners of Torrance County on
March 21, 1990
[Including revisions to: November 13, 2024)

TORRANCE COUNTY
BOARD OF COUNTY COMMISSIONERS

ORDINANCE NO. 2024-

TORRANCE COUNTY ZONING ORDINANCE AMENDMENTS

WHEREAS, the current version of the Torrance County Zoning Ordinance was last revised in 2020; and,

WHEREAS, substantially identical to the original version passed in 1990, it did not adequately address Commercial Greenhouse operations; and,

WHEREAS, the 2020 version of the Torrance County Zoning Code did not directly address full time living in RV's; and,

WHEREAS, substantially identical to the original version passed in 1990, clarification was needed regarding private cemeteries; and,

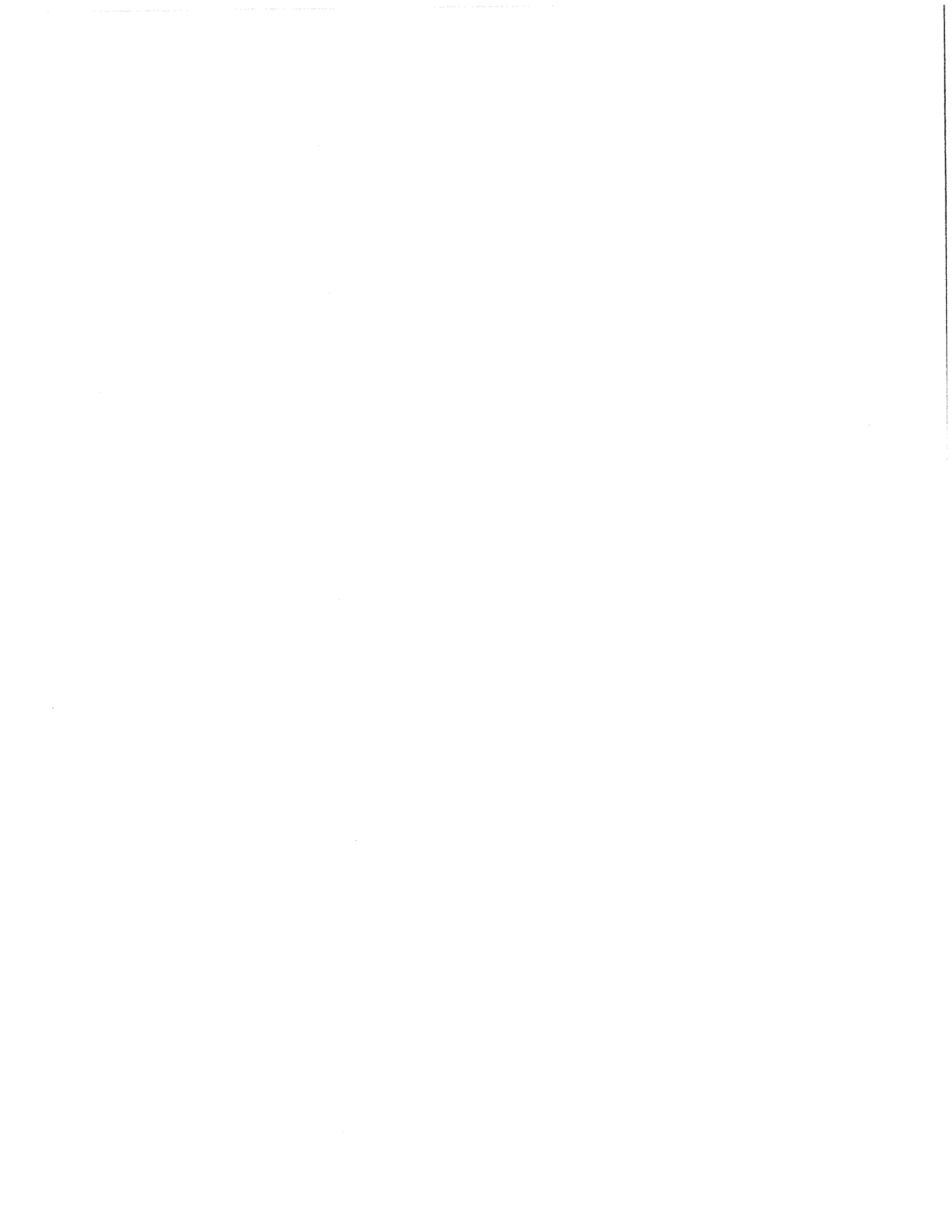
WHEREAS, substantially identical to the original version passed in 1990, clarification was needed regarding fence and wall requirements: and,

WHEREAS, substantially identical to the original version passed in 1990, clarification was needed regarding residential and commercial kennels.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF TORRANCE COUNTY, NEW MEXICO that the Torrance County Zoning Ordinance of 1990, last revised July 8, 2020 is hereby amended to read:

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**ZONING ORDINANCE
FOR
TORRANCE COUNTY, STATE OF NEW MEXICO**

AN ORDINANCE ESTABLISHING COMPREHENSIVE ZONING REGULATIONS AND A ZONING MAP FOR THE UNINCORPORATED AREAS OF TORRANCE COUNTY, NEW MEXICO; AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF.

SECTION 1. TITLE.

These regulations shall be known as the "TORRANCE COUNTY ZONING ORDINANCE" and shall be referred to herein as "this Ordinance".

SECTION 2. PURPOSE.

The provisions of this Ordinance are designed to promote health and the general welfare of the County; to secure safety from fire, flood, and other dangers; to protect local water resources; to facilitate adequate provisions for transportation, solid waste management, water and wastewater systems, schools, parks and other community requirements; to conserve the value of property; and to provide for the compatible development of land and other natural resources in the County. This Ordinance shall be interpreted to be in accordance with the current Torrance County Comprehensive Land Use Plan.

[REV: Ord. No. 95-4, 6/10/95; Ord. No. 2008-003, 4/23/08]

SECTION 3. JURISDICTION.

This Ordinance shall apply to all or any portion of the territory within the County that is not within the zoning jurisdiction of an incorporated municipality or any joint municipal-county extraterritorial zoning authority, and is not held in trust or ownership by the Federal Government or the State of New Mexico. Boundaries delineating the zoning jurisdiction of the County shall be as indicated on the adopted "Torrance County Zoning Map" and amendments hereto, which are made a part of this Ordinance as if described herein.

SECTION 4. DEFINITIONS.

A. Word Forms. Words used in the present tense include the future tense, and words used in the future tense include the present tense. The singular number includes the plural number, and the plural number includes the singular number. The Words "shall" and "must" are mandatory, and the word "may" is permissive.

B. Definitions. The following definitions apply to this Ordinance:

1. "Accessory Uses and Structures" are customarily accessory but clearly incidental and subordinate to principal uses and structures on a premises.
[REV: Ord. No. 95-11, 11/10/95]
2. "Agricultural use - low intensity" means certain agricultural uses such as irrigated croplands and limited livestock management other than dairies, feedlots, or other activities which require special consideration by the Planning & Zoning Board and/or County Commission.
[REV: Ord. No. 2008-003, 4/23/08]
3. "Agricultural use - high intensity" means those agricultural uses such as, but not limited to, dairies and feedlots which require special consideration by the Planning and Zoning Board and/or the County Commission.
[REV: Ord. No. 2008-003, 4/23/08]
4. "Appeal Period" - the fourteen day (14) period beginning on the day of the signing of the Planning and Zoning Board's Findings and Conditions.
[REV: Ord. No. 2020-06, 7/8/20]
5. "Boarding, Rooming, or Lodging House" means a building other than a hotel or restaurant where lodging, with or without meals, is provided for compensation. This definition includes a "Bed and Breakfast" enterprise.
6. "Building" means any relatively permanent enclosed structure having a roof. Buildings meeting New Mexico Regulation & Licensing Construction Industries Division size standard for a required building permit are subject to the provisions specified in Section 19.F.1 of this ordinance.
[REV: Ord. No. 2008-003, 4/23/08]
7. "Commercial Greenhouses" are enclosed spaces used for the growth of plants where ventilation and/or grow lights are used, with the intent of trade.
[REV: Ord. No. 2020-06, 7/8/20]
8. "Conditional Use" means a use which may be or become a nuisance or hazard to neighboring properties if proper safeguards are not taken. Such uses require individual review and approval by the Zoning Board.
[REV: Ord. No. 2008-003, 4/23/08]

9. "County" means Torrance County, New Mexico.
10. "County Commission" means the Board of County Commissioners of Torrance County, New Mexico.
[REV: Ord. No. 2008-003, 4/23/08]
11. "Dwelling Unit" means a structure or part of a structure containing one or more connected rooms designed for and occupied by no more than one family for living and sleeping purposes.
12. "Dwelling Unit, Singular" means a dwelling unit which is not physically connected to any other dwelling unit.
13. "Dwelling Unit, Multiple" means a structure containing two or more dwelling units.
14. "Dwelling Unit, Cluster" means a development pattern consisting of a grouping of dwelling units on a portion of available land, reserving not less than 40 percent of the development site as protected and permanent open space.
[REV: Ord. 2008-003, 4/23/08]
15. "Family" means one or more persons living together in a dwelling unit, provided that unless all members are related by blood, marriage, adoption, or legal assignment, no such family shall include or contain more than 5 unrelated persons.
16. "Feedlot" means a place for cattle, sheep, swine, or other such animals, which are restricted and confined to pens or corrals where feeding is other than grazing and which is operated as a year-round enterprise. For purposes of this Ordinance, a Small Feedlot shall contain from 20 to 200 head of animals, and a Large Feedlot shall contain more than 200 head of animals. A Small Feed lot shall be centered on at least 100 acres. A Large Feedlot shall not be allowed, except in a special use zone.
[REV: Ord. No. 2008-003, 4/23/08]
17. "Flea Market" means an occasional or periodic sales activity held within a building, structure, or open area where groups of individual sellers offer goods, new and used, for sale to the public. A flea market shall not include temporary residential garage sales lasting no more than three days per six-month period, and seasonal agricultural produce stands.
[REV: Ord. No. 94-2, 2/9/94]
18. "Floor Area" means the total area of all floors of a building.
19. "Floor Area Ratio" means the relationship of the floor area to the lot area, computed by dividing the floor area by the lot area.

20. "Height" means the vertical distance measured from the lowest ground elevation of a structure to the highest point of a structure.
[REV: Ord. No. 94-2, 2/9/94; Ord. No. 2008-003, 4/23/08]
21. "Home Occupation" means a business, commercial, or manufacturing activity that is clearly a secondary use of the premises for a dwelling unit, and which results in a product or service for financial gain. Whenever a dwelling unit and/or its premises are used for a home occupation and there is no outside appearance or other off-site evidence of the conduct of a home occupation, the Zoning Director may find such a home occupation as a permissive use in any zone district, subject to the requirements of this Ordinance and business registration requirements. However, any home occupation that exhibits an outside appearance when viewed from a street or an adjoining property, with the exception of a sign as regulated by this Ordinance, or produces an off-site impact on surrounding lands shall require a Conditional Use Permit subject to special requirements provided by this Ordinance.
[REV: Ord. No. 94-2, 2/9/94; Ord. No. 95-5, 6/10/95; Ord. No. 97-2, 3/26/97; Ord. No. 2008-003, 4/23/08]
22. "Horticultural Operations" means the cultivation and harvesting of plants.
[REV: Ord. No. 2008-003, 4/23/08]
23. "Immediate Family Member" means family relations up to and including the Grandparent, Parent, Brother, Sister, and Child, whether by blood, marriage, adoption, or legal assignment. Relationships of half-blood shall be recognized as natural relationships so long as the step relationship is legally extant at the time of a family transfer of land. Land divisions for the purpose of achieving a family transfer shall be subject to the exemption procedures of the Torrance County Subdivision Regulations.
[REV: Ord. No. 95-11, 11/10/95; Ord. No. 2008-003, 4/23/08; Ord. No. 2008-003, 4/23/08]
24. "Kennel" means any building or buildings or land designed or arranged for housing dogs, cats, and other household pets, and where grooming, breeding, boarding, training, or selling animals is conducted. For purposes of this Ordinance, the housing or boarding of more than five (5) dogs or cats in any combination thereof over the age of three (3) months shall constitute a kennel. In addition to complying with the requirements of this Ordinance, Kennels must comply with the requirements of the Torrance County Animal Control Ordinance.
[REV: Ord. No. 94-2, 2/9/94; Ord. No. 95-5, 6/10/95; Ord. No. 2008-003, 4/23/08]

25. "Liquid Waste Disposal Regulations" means the Liquid Waste Disposal Regulations adopted by the Environmental Improvement Board of New Mexico and administered by the New Mexico Environment Department.
26. "Livestock" means all domestic or domesticated animals that are used or raised on a farm or ranch, including the carcasses thereof, and exotic animals in captivity and includes horses, asses, mules, cattle, sheep, goats, swine, bison, ostriches, emus, rheas, camelids and farmed cervidae (deer). For purposes of determining the number of livestock on a lot, one (1) horse or cow equals three (3) goats or three (3) sheep or combination thereof.
[REV: Ord. No. 2008-003, 4/23/08]
27. "Lot" means a parcel of real property described by deed, or a tract of land described by metes and bounds on a plat and recorded in the County Clerk's records in accordance with appropriate laws, and with access to public right-of-way.
[REV: Ord. No. 2001-2, 3/14/01; Ord. No. 2008-003, 4/23/08]
28. "Mobile Home" (also known as Manufactured Housing) means a transportable structure, at least 8 feet by 32 feet, built to be towed on its own chassis, and designed to be used as a movable dwelling unit for connection to permanent utilities.
29. "Mobile Home Park" means an un-platted tract of land under one ownership on which spaces are leased or rented for occupancy for 30 days or more by mobile homes, and which contains a centralized system of connections for utility services.
[REV: Ord. No. 95-5, 6/10/95]
30. "Nonconformities" are any structures or portions thereof, or uses of any land or structures, or lots which do not conform to the regulations of this Ordinance but which lawfully exist on the effective date of the regulations to which it does not conform.
31. "Permissive Use" means a use which is allowed in a particular zone district.
32. "Poultry" means domestic fowl, such as chickens, turkeys, ducks, and geese, but does not include any animal defined as livestock.
[REV: Ord. No. 2008-003, 4/23/08]
33. "Premises" means any lot or combination of contiguous lots held in single ownership, together with the development thereon.
34. "Recreational Vehicle" means a vehicle which is designed or used as temporary living quarters for recreation, camping, or travel and which may be a self-propelled motor vehicle or designed to be towed or mounted on a motor vehicle.

35. "Right-of-way" means dedicated public land deeded, reserved by plat, or otherwise acquired by the County, municipalities, or the State for use by the public for the movement of people, goods, and vehicles.
36. "Roadway" means that portion of a right-of-way or a private easement which is primarily devoted to vehicular use.
37. "Salvage Yard" means an enclosed building or outside area where used or secondhand materials are bought, sold, exchanged, stored, processed, or handled. Such materials include but are not limited to metals, paper, textiles, glass, 3 or more unregistered motor vehicles (excluding agricultural equipment), and components of motor vehicles. This definition does not include solid waste transfer stations or sanitary landfills.
[REV: Ord. No. 94-2, 2/9/94; Ord. No. 2001-2, 3/14/01; Ord. No. 2008-003, 4/23/08]
38. "Setback" means the required distance between every building or structure and a boundary line of the lot upon which it is located. Setbacks shall consist of an open space, unoccupied and unobstructed by any part of a building or structure, except as otherwise provided in this Ordinance. Setbacks shall not apply to walls, fences, and free-standing signs, unless a building or structure creates a visual obstruction to vehicles passing or accessing the property upon which such building or structure is located.
[REV: Ord. No. 94-2, 2/9/94]
39. "Setback, Front" means the minimum allowable distance between a structure and the boundary line of the lot, upon which such structure is located, bordering on a roadway. No more than one front setback shall be designated on corner lots or double frontage lots. For any roadway easement less than 60 feet in width, setback shall be measured from a point located 30 feet from the centerline of the roadway easement.
[REV: Ord. No. 94-2, 2/9/94]
40. "Setback, Rear" means the minimum allowable distance between a structure and the boundary line of the lot, upon which such structure is located, which is opposite and most distance from a roadway and does not intersect with a roadway. On double frontage lots, the rear setback shall be designated on the opposite side of the lot from the designated front setback.
[REV: Ord. No. 94-2, 2/9/94]
41. "Setback, Side" means the minimum allowable distance between a structure and the boundary line of the lot, upon which such structure is located, which intersects a roadway. On corner lots, a side setback shall be designated along the lot line bordering a roadway that is not designated as the front setback.
[REV: Ord. No. 94-2, 2/9/94]

42. "Shopping Center" means an integrated retail commercial development occupying a site of 3 or more acres under a single ownership, control or interest, and containing 5 or more connected stores or a total gross floor area in a single structure which is greater than 25,000 square feet.
43. "Structure" means anything constructed, placed, or erected on the ground or which is attached to something located on the ground. For purposes of this Ordinance, the term "structure" does not include vehicles, vegetation, or public utility poles.
44. "Supplemental Residential Dwelling Unit" means a secondary or auxiliary structure used for residential purposes on land not within a previously approved subdivision for use by family members or guests and which may not be leased or rented.
[REV: Ord. No. 2001-2, 3/14/01]
45. "Temporary" For purposes of this Ordinance temporary constitutes 60 days or less.
[REV: Ord. No. 2020-06, 7/8/20]
46. "Travel Trailer or Recreational Vehicle Park" means an area of land used for transient commercial parking of occupied travel trailers, pick-up campers, converted buses, recreational vehicles, tents, or any other similar devices used for temporary portable housing.
47. "Variance" means a relaxation of the terms of this Ordinance where such relaxation will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the results or actions of the applicant, a literal enforcement of this Ordinance would result in unnecessary hardship. As used in this Ordinance, a variance may be authorized only for area, height, dimension, distance, setback, walls, off-street parking, and off-street loading requirements. Financial gain or loss shall not be the only determining factor in deciding a variance.
48. "Wall" means a solid wall or fence which is visually solid, or a suitable screen of landscaping intended to provide a visual barrier. Materials used in the construction of a wall or fence shall not pose health or safety hazards to the community and shall not be disruptive to the character of surrounding properties.
[REV: Ord. No. 94-2, 2/9/94]
- a. For purposes of this Ordinance plastic sheeting materials or mesh shall not constitute an acceptable visual barrier.
[REV: Ord. No. 2020-06, 7/8/20]

49. "Zone District" means a section of the County, designated in the text of this Ordinance and delineated on the Torrance County Zoning Map, in which requirements for the use of land and building and development standards are prescribed. Boundaries of zone districts shall follow existing property lines unless clearly otherwise shown on the Zoning Map, in which case, such boundary shall be defined by dimension and distance from existing property lines.
50. "Zoning Board" means the Torrance County Planning and Zoning Board.
[REV: Ord. No. 2008-003, 4/23/08]
51. "Zoning Enforcement Officer" means the official person designated by the Zoning Director as the enforcement officer of this Ordinance.
[REV: Ord. No. 2008-003, 4/23/08]
52. "Zoning Director" means the official person designated as the principal administrator and enforcement officer of this Ordinance.
[REV: Ord. No. 2008-003, 4/23/08]

SECTION 5. INTERPRETATION

- A. Interpretation of Ordinance. No structure shall be constructed, placed or maintained, and no land use commenced or continued within the jurisdiction of this Ordinance except as authorized by this Ordinance and amendments thereto. The provisions of this Ordinance are held to be minimum requirements to carry out the purpose of this Ordinance and are not intended to interfere with any other laws, covenants, or ordinances. Whenever any provisions of this Ordinance are more or less restrictive than other laws, covenants, or ordinances, then whichever is more restrictive shall govern. However, the County shall not enforce private covenants, unless such private covenants are incorporated into an approval of a subdivision by the County Commission.
[REV: Ord. No. 94-2, 2/9/94; Ord. No. 2008-003, 4/23/08]
- B. Interpretation of Zoning Map. Where, due to illegibility of the Zoning Map or other irregularity, there is any uncertainty as to the intended location of any zone district boundaries, interpretation concerning the exact location of such boundaries shall be determined by the Zoning Board.
[REV: Ord. No. 2008-003, 4/23/08]
- C. Interpretation of Land Uses. The County Commission shall render interpretations of land uses in any zone district not expressly enumerated in this ordinance, subject to the following standards and procedures:

1. Request for Interpretation. Any request for an interpretation of a use of land not specifically listed herein shall be submitted to the Zoning Board through the Zoning Director. The Zoning Director may create forms for such an application.
2. Following the receipt of a request for interpretation of land use, the Zoning Board shall recommend an interpretation of land use for the applicant at their next scheduled meeting. The Zoning Board recommendation shall be transmitted to the County Commission for consideration at the next scheduled Commission meeting. The County Commission shall approve, deny, or modify the Zoning Board's recommended interpretation.
3. The interpretation of land use shall be documented and a letter summarizing the interpretation shall be mailed to the applicant, and shall explain the reasons upon which the interpretation is based.
4. Guidelines. Interpretations shall be governed by the following conditions:
[REV: Ord. No. 2008-003, 4/23/08]
 - a. No use interpretation shall allow the establishment of any use which was previously considered and rejected by the County Commission.
 - b. No use interpretation shall permit any use in a zone district that is not in accordance with the stated intent for that zone district.
 - c. No use interpretation shall permit any use in a particular zone district unless that use is substantially similar to other uses permitted in that zone district.
 - d. If the proposed use is more similar to an identified conditional use in a zone district, then any use interpretation shall specify conditional use requirements in accordance with this Ordinance.
 - e. Any use that is allowed by right or as a conditional use following a use interpretation shall comply with all standards and requirements imposed by this Ordinance.

SECTION 6. GENERAL PROVISIONS

- A. Access to Structures. All structures shall be located such that safe and convenient access is provided for use of the structure, fire protection, and any required off-street parking or loading.
- B. Height Regulations. Any structure may not exceed 80 feet in height unless granted a variance in accordance with this Ordinance. This restriction does not apply to public utility poles.
[REV: Ord. No. 94-2, 2/9/94; Ord. No. 2008-003, 4/23/08]

C. Mobile Home Installation. No mobile home shall be occupied unless it is connected to adequate utilities, provided with skirting of a durable material if not installed at ground level, and stabilized and anchored, all in accordance with the regulations promulgated by the Manufactured Housing Act of New Mexico [60-14-1 et seq., NMSA 1978]. No mobile home manufactured before the current federal HUD standard (1976 as of this printing) shall be installed anywhere in the jurisdiction of Torrance County. As noted in Section 19.F.1, a Torrance County Mobile Home Development Permit is required before any mobile home is placed on a property.

[REV: Ord. No. 2008-003, 4/23/08]

D. Water and Wastewater Requirements. All lots and all structures located thereon shall be in compliance with applicable statutes as well as any regulations established by the New Mexico Environment Department and the New Mexico State Engineer's Office concerning water, wastewater and liquid waste disposal.

[REV: Ord. No. 2008-003, 4/23/08]

E. Home Occupations. All property owners of lands containing home occupations must file a complete copy of the Torrance County Business Registration Application with the Zoning Director for each home occupation. In order to designate a home occupation as a Permissive Use, the property owner may file a written statement with the Zoning Director declaring that the home occupation will not create any off-site impacts or a non-residential appearance. Upon confirmation of no outside appearance or other off-site evidence of the conduct of a home occupation, the Zoning Director may find such a home occupation as a permissive use in any zone district. The Zoning Director shall inform the property owner in writing of such a finding and the date of such a finding. However, any home occupation that exhibits an outside appearance when viewed from a street or an adjoining property, with the exception of a sign as regulated by this Ordinance, or produces an off-site impact on surrounding lands, shall require a Conditional Use Permit subject to special requirements provided by this Ordinance. Additionally, any home occupation found to be permissive that later exhibits an outside appearance when viewed from a street or an adjoining property, with the exception of a sign as regulated by this Ordinance, or produces an off-site impact on surrounding lands, shall require a Conditional Use Permit subject to special requirements provided by this Ordinance.

[REV: Ord. No. 97-2, 3/26/97; Ord. No. 2008-003, 4/23/08]

The following restrictions apply to Home Occupations, whether authorized as a permissive use by the Zoning Director or as a conditional use by the Zoning Board:

[REV: Ord. No. 2008-003, 4/23/08]

1. Not more than 40 percent of the floor area of the dwelling unit, nor more than 800 square feet of an accessory building, shall be used in the conduct of the home occupation,

2. No more than three (3) non-resident employees shall be stationed on the premises,
3. There shall be no exterior storage of materials unless completely enclosed by a six (6) foot wall,
[REV: Ord. No. 2020-06, 7/8/20]
4. No equipment or process shall be used in a home occupation which creates a nuisance such as noise, vibration, lighting, fumes, odors, or electrical interference detectable to the normal senses off the premises,
5. If there is an occasional requirement to park additional vehicles or to provide temporary outside storage of equipment or materials on the premises, then such arrangements or conditions shall be stated fully on the permit application,
6. There shall be no sales or traffic in connection with a home occupation that would disrupt the residential nature of the neighborhood, and
7. There shall be no change in the outside appearance of the building, or other visible evidence of the conduct of a home occupation other than one (1) unobtrusive sign not to exceed six (6) square feet in size.

F. Non-Commercial Cemetery. A parcel used as a Non-Commercial Cemetery, such as a family burial ground, shall be at least 5 acres in area.
[REV: Ord. No. 2008-003, 4/23/08]

G. Public Utility Structure. Excluding towers for cell phone communications, electrical power lines, and telephone communications, a parcel used for essential public utility distribution structures or for communication structures or facilities shall be at least 5 acres in area.
[REV: Ord. No. 2008-003, 4/23/08]

H. Kennels. Kennels are subject to the Torrance County Animal Control Ordinance and the following minimum standards:
[REV: Ord. No. 2008-003, 4/23/08]

1. Minimum lot size for a Residential kennel shall be one (1) acre,
[REV: Ord. No. 2020-06, 7/8/20]
2. Minimum lot size for a Commercial kennel shall be five (5) acres,
[REV: Ord. No. 2020-06, 7/8/20]
3. All animals shall be contained on the premises in a manner that prevents escape of kennel animals or entry by other animals,
4. All animal containment structures, including outdoor runs, shall maintain a setback of no less than 50 feet from any property line.

5. Animal quarters shall be designed and maintained to ensure safe, healthy, and sanitary conditions for all animals on the premises, and
6. Facilities shall be operated and maintained to discourage the concentration and breeding of insects and rodents.

I. Small Feedlots. Small Feedlots are subject to the following minimum requirements:
[REV: Ord. No. 2008-003, 4/23/08]

1. Areas devoted to livestock shall be maintained to discourage the concentration and breeding of insects and rodents that are detrimental to human habitation; and
2. It shall be unlawful for an owner or keeper of livestock to allow livestock to run at large on public rights-of-way.

J. Setbacks. Unless otherwise specifically provided herein, all structures shall be located with a front and rear setback of at least 25 feet and side setback of at least 15 feet from the lot or property line, roadway right-of-way, or roadway easement. All corner lots shall maintain a minimum 20 foot sight angle for roadway intersections.
[REV: Ord. No. 2001-2, 3/14/01; Ord. No. 2008-003, 4/23/08]

K. Recreational Vehicles. Full time living in Recreational Vehicles shall not be allowed except in permitted Recreational Vehicle parks.
[REV: Ord. No. 2020-06, 7/8/20]

SECTION 7. ESTABLISHMENT OF ZONE DISTRICTS.

A. Zone Districts. For the purpose of this Ordinance, the following zone districts are established: Conservation District (C), Agricultural District (A), Agricultural Preservation District (AP-5, AP-10, & AP-40), Pre-platted Lands District (PL), Rural Residential District (RR), Minor Development District (D-1), Major Development District (D-2), Major Development District, Adult Land Uses (D-3), Village Community Preservation District (VCP), Rural Community Preservation District (RCP) and Special Use District (SU).
[REV: Ord. No. 95-9, 10/13/95; Ord. No. 95-11, 11/10/95; Ord. No. 2001-2, 3/14/01; Ord. No. 2008-003, 4/23/08]

B. Zoning Map. The boundaries of the zone districts shall be shown on the adopted "Torrance County Zoning Map". The original copies of the zoning map and this Ordinance, and subsequent amendments thereto, shall be maintained by the County Clerk of Torrance County. Zoning maps shall be made available for public reference by the Zoning Director. There is a fee for a copy of an enlarged zoning map and a copy of the Zoning Ordinance set by the County Commission. A schedule of fees is available from the Zoning Director.
[REV: Ord. No. 2001-2, 3/14/01; Ord. No. 2008-003, 4/23/08]

SECTION 8.0. CONSERVATION DISTRICT (C).

A. Intent. This zone protects and preserves areas within the County which are characterized by their limited access, minimal development, limitations on water resources, natural beauty, fragile environment and native wildlife populations. Dispersed, very low density residential development and low intensity agricultural activities are allowed. Other agriculturally related activities may be allowed. Commercial uses will not be allowed except on a case by case basis in which the primary concern of the Zoning Board will be to minimize the environmental impact on the area. Development may be considered within a 1 mile buffer zone where the "C" Zone joins an incorporated municipality and density or minimum lot size or use within the buffer area may be dictated by the standards set for the adjoining area.

[REV: Ord. No. 95-11, 11/10/95; Ord. No. 97-2, 3/26/97; Ord. No. 2008-003, 4/23/08]

B. Permissive Uses. Any of the following permissive uses are allowed in this zone district:

1. Low intensity agricultural operations such as livestock grazing and related ranching activities;
[REV: Ord. No. 95-5, 6/10/95; Ord. No. 95-11, 11/10/95]
2. Horse breeding, boarding and training;
3. Other low intensity production agriculture;
4. Cultivation and harvesting of plants and croplands;
5. Wood cutting and other activities related to harvesting trees;
6. Singular residential dwelling unit provided it is in compliance with the requirements of the New Mexico Liquid Waste Disposal Regulations; and
7. Accessory uses and structures necessary to carry out the above listed permissive uses.
8. Kennel, subject to the regulations of the Torrance County Animal Control Ordinance and provisions listed under Section 6 of this ordinance.
[REV: Ord. No. 95-11, 11/10/95; Ord. No. 2001-2, 3/14/01]

C. Conditional Uses. The following uses may be allowed in this district only upon permit granted by the Zoning Board:

1. Home occupations provided they are confined to the residence or accessory structure, are clearly a secondary use of the structure and present no visual impact to neighbors as viewed from adjoining property or public thoroughfare;

2. Small Bed and Breakfast operations limited to two guest bathrooms;
3. Horseback riding stables, provided sufficient land exists to support the number of animals maintained;
4. Dude ranch or other agricultural work experience operation;
5. Outfitters;
6. Essential public utility distribution structures;
[REV: Ord. No. 95-11, 11/10/95]
7. Communication structures and facilities; and
[REV: Ord. No. 90-4, 6/12/99]
8. One supplemental residential dwelling unit allowed on a parcel meeting district minimum standards; 2 supplemental residential dwelling units allowed on a parcel of at least eighty acres or 1/8 section.
[REV: Ord. No. 2001-2, 3/14/01]

D. District Standards. The following standards apply to all land use within this zone district:

1. Minimum parcel size will be forty acres or 1/16 section, whichever is the smaller of the two, with the following exceptions:
[REV: Ord. No. 2008-003, 4/23/08]
 - a. Parcels smaller than the minimum parcel size which existed upon the effective date of these standards shall be allowed to remain and may be transferred at a future date by sale, inheritance or other legal means provided that such parcels are not divided into smaller parcels except as allowed by Section 8.0.C.1.b. regarding collateral for a mortgage. These non-conforming parcels may be reconfigured through legal means of survey so long as the resulting parcel is not smaller than the original parcel.
[REV: Ord. No. 2008-003, 4/23/08]
 - b. Lending institutions may accept as collateral for a mortgage of a home on the property in question, any portion of that property provided it is not less than 5 acres in size with the understanding and knowledge that they can take legal title to and resell such smaller portion of land on which the mortgaged home exists in the event the mortgagee defaults on the mortgage. The lending institution is otherwise bound by the minimum parcel size standards provided herein. Once the mortgage is released, the land division shall automatically be vacated. A statement reflecting the requirement of such automatic vacation shall appear on the plat showing the land division.
[REV: Ord. No. 2001-2, 3/14/01]

- c. A parcel where a cemetery is to be placed shall be at least 5 acres in area.
[REV: Ord. No. 98-5, 9/13/98; Ord. No. 2008-003, 4/23/08; Ord. No. 2020-06, 7/8/20]
 - d. Excluding towers for cell phone communications, electrical power lines, and telephone communications, a parcel used for essential public utility distribution structures or for communication structures or facilities shall be at least 5 acres in area.
[REV: Ord. No. 90-4, 6/12/99; Ord. No. 2008-003, 4/23/08]
 - e. One supplemental residential dwelling unit is allowed on a parcel meeting district minimum standards. If a parcel is at least eighty acres or a 1/8 section in area, then up to two supplemental residential dwelling units are allowed on such a parcel.
[REV: Ord. No. 2001-2, 3/14/01; Ord. No. 2008-003, 4/23/08]
2. In the event contiguous parcels within the zone are assembled, any of which may be less than the smaller of forty acres or 1/16 section, no future land division of that assembled parcel will be allowed, except as noted in paragraph 8.0.C.1.b. & c. supra, if any portion of the land division will result in a parcel of less than forty acres or 1/16 section. It is the intent of these standards to restrict parcel size within this zone to a minimum of forty acres or 1/16 section and where possible to reassemble smaller existing parcels into larger parcels more closely approaching the forty acre, 1/16 section minimum.
[REV: Ord. No. 2008-003, 4/23/08]
 3. This change will not affect any subdivision plans which have been submitted to the Zoning Board prior to the effective date of this section.
[REV: Ord. No. 95-11, 11/10/95; Ord. No. 2008-003, 4/23/08]
 4. A proposed land use must comply with Section 23, pertaining to water usage.
[REV: Ord. No. 97-7, 6/27/29]
 5. Commercial Greenhouse operations are prohibited in this zone.
[REV: Ord. No. 2020-06, 7/8/20]

SECTION 8.1 AGRICULTURAL DISTRICT (A).

- A. Intent. This zone district is intended to preserve large areas of land traditionally used for farming and ranching operations and other agricultural uses. This district is characterized by arid rangeland, extreme limitations on water resources and minimal development. The standards prescribed for this district are intended to preserve the traditional uses of the land and thereby protect the business of agriculture and related work. Development may be considered within a 1 mile buffer zone where the "A" Zone joins another zone district and density or minimum lot size or use within the buffer area may be dictated by the standards set for the adjoining area.
[REV: Ord. No. 95-11, 11/10/95]

B. Permissive Uses. Any of the following permissive uses are allowed in this zone district:

1. Livestock grazing and related ranching activities;
2. Horse breeding, boarding or training activities;
3. Other livestock raising and breeding operations to include exotic birds and exotic wildlife; as long as such use is not a Feedlot.
[REV: Ord. No. 2001- 2, 3/14/01]
4. Cultivation and harvesting of plants and croplands;
5. Wood cutting and other activities related to harvesting of trees;
6. Livestock related training facilities, e.g. Rodeo training facilities, roping arenas, vet training facilities, etc.;
7. Single residential dwelling units subject to the provisions of Section 19 (F) of this Ordinance; and
8. Accessory uses and structures necessary for the conduct of normal agricultural production including dwelling units for hired help and family members.
[REV: Ord. No. 95-11, 11/10/95]
9. Kennel subject to the regulations of the Torrance County Animal Control Ordinance and provisions listed under Section 6 of this ordinance.

C. Conditional Uses. The following uses may be allowed in this zone district only upon permit granted by the Zoning Board:

1. Veterinary hospitals;
2. Home occupations provided they are clearly secondary to the agricultural use of the property;
3. Dude ranches or working ranch vacations/experiences;
4. Small Bed and Breakfast operations limited to two guest bathrooms;
5. Roadside stands which sell locally produced agricultural products or locally made home crafted items;
6. Convenience services along a highway such as a service/gas station, or restaurant; and

7. Essential public utilities distribution structures.
[REV: Ord. No. 95-11, 11/10/95]
8. Communication structures and facilities;
[REV: Ord. No. 90-4, 6/12/99]
9. One supplemental residential dwelling unit allowed on a parcel meeting district minimum standards, 2 supplemental residential dwelling units allowed on a parcel of at least eighty acres or 1/8 section.
[REV: Ord. No. 2001-2, 3/14/01]
10. A Small Feedlot centered on at least 100 acres. A Feedlot is subject to the following requirements:
 - a. Areas devoted to livestock shall be maintained to discourage the concentration and breeding of insects and rodents that are detrimental to human habitation; and
 - b. It shall be unlawful for an owner or keeper of livestock to allow livestock to run at large on public rights-of-way.
[REV: Ord. No. 2001- 2, 3/14/01]

D. District Standards. The following standards apply to all land uses within this zone district:

1. Minimum parcel size will be 40 acres or 1/16 section, whichever is the smaller of the two, with the following exceptions:
[REV: Ord. No. 2008-03, 4/23/08]
 - a. Parcels smaller than the minimum parcel size which existed on the effective date of these standards shall be allowed to remain and may be transferred at a future date by sale, inheritance or other legal means provided that such parcels are not divided into smaller parcels except as may be allowed by Section 8.1.C.1.b. regarding collateral for a mortgage. These non-conforming parcels may be reconfigured through legal means of survey so long as the resulting parcel is not smaller than the original parcel.
 - b. Lending institutions may accept as collateral for a mortgage of a home on the property in question, any portion of that property provided it is not less than five acres in size, with the understanding and knowledge that they can take legal title to and resell such smaller portion of land on which the mortgaged home exists in the event the mortgagee defaults on the mortgage. The lending institution is otherwise bound by the minimum parcel size standards provided herein. Once the mortgage is released, the land division shall automatically be vacated. A statement reflecting the requirement of such automatic vacation shall appear on the plat showing the land division.
[REV: Ord. No. 2001-2, 3/14/01]

- c. A parcel where a cemetery is to be placed shall be at least 5 acres in area.
[REV: Ord. No. 98-5, 9/13/98; Ord. No. 2008-003, 4/23/08; Ord. No. 2020-06, 7/8/20]
 - d. Excluding towers for cell phone communications, electrical power lines, and telephone communications, a parcel, or a portion thereof, which shall be used for essential public utility distribution structures or for communication structures or facilities shall be at least 2.5 acres in area.
[REV: Ord. No. 90-4, 6/12/99; Ord. No. 2008-003, 4/23/08]
- 2. A one mile buffer zone will be established around the periphery of the "A" zone where it comes in contact with another zone district. Within the buffer zone, the Zoning Board may allow development to take place which is consistent with the zone district to which it joins.
[REV: Ord. No. 95-11, 11/10/95; Ord. No. 2008-003, 4/23/08]
 - 3. A proposed land use must comply with Section 23, pertaining to water usage.
[REV: Ord. No. 97-7, 6/27/97]
 - 4. Commercial Greenhouse operations are prohibited within the bounds of Types 1 & 2 subdivisions as defined in Article 2 of the Torrance County Subdivision Regulations. A Conditional Use Permit shall be required in all other areas within this zone.
[REV: Ord. No. 2020-06, 7/8/20]

SECTION 9. AGRICULTURAL PRESERVATION DISTRICT (AP-5, AP-10 & AP-40).

A. Intent. This zone district is intended to protect and preserve areas of suitable agricultural soil for agricultural and agriculture-related uses. The standards prescribed for this district are intended to preserve the open character of the area and thereby to protect the business of agriculture. The minimum lot size in this zone district shall be either five acres (AP-5), ten acres (AP-10), or forty acres (AP-40), as indicated on the Zoning Map.

B. Permissive Uses. Any of the following permissive uses are allowed in this zone district:

- 1. One singular dwelling unit per lot;
[REV: Ord. No. 95-5, 6/10/95; Ord. No. 97-8, 6/27/97]
- 2. Cultivation and harvesting of plants and croplands;
[REV: Ord. No. 95-5, 6/10/95; Ord. No. 97-8, 6/27/97]
- 3. Raising, breeding, management and sales of livestock, excluding pigs, as long as such use is not a Feedlot.
[REV: Ord. No. 2001-2, 3/14/24]

- a. AP-5 districts have the following restrictions on the number of livestock used as pleasure animals or animals for personal use according to lot size; minimum 1 acre: No more than one (1) horse or one (1) cow or an equivalent number of sheep or goats.
 - b. Equivalency is determined as one (1) horse or cow equals three (3) goats or three (3) sheep or combination thereof.
 - c. Additional livestock units allowed is based upon one (1) horse or cow unit per each additional acre of land.
 - d. Exception: Livestock including pigs temporarily raised for educational purposes by children belonging to a recognized organization such as 4H or Future Farmers of America.
4. Kennel, subject to the regulations of Torrance County Animal Control Ordinance and provisions listed under Section 6 of this ordinance.

C. Conditional Uses. The following uses may be allowed in this zone district only upon permit granted by the Zoning Board:

- 1. One supplemental residential dwelling unit allowed on a parcel meeting district minimum standards; in the AP-5 and AP-10 zone districts, a temporary supplemental residential dwelling unit may only be used so that reasonably necessary medical or other care-taking services may be provided by a resident of the other on-site residential dwelling unit; in the AP-40 zone district, 2 supplemental residential dwelling units allowed on a parcel of at least eighty acres or 1/8 section.
[REV: Ord. No. 2001-2, 3/14/01]
- 2. Home occupation, subject to the following provisions:
[REV: Ord. No. 95-5, 6/10/95]
 - a. Not more than 40 percent of the floor area of the dwelling unit, nor more than 800 square feet of an accessory building, shall be used in the conduct of the home occupation,
 - b. No more than three (3) non-resident employees shall be stationed on the premises,
 - c. There shall be no exterior storage of materials unless completely enclosed by a wall,
 - d. No equipment or process shall be used in a home occupation which creates a nuisance such as noise, vibration, lighting, fumes, odors, or electrical interference detectable to the normal senses off the premises,

- e. If there is an occasional requirement to park additional vehicles or to provide temporary outside storage of equipment or materials on the premises, then such arrangements or conditions shall be stated fully on the permit application,
 - f. There shall be no sales or traffic in connection with a home occupation that would disrupt the residential nature of the neighborhood, and
 - g. There shall be no change in the outside appearance of the building, or other visible evidence of the conduct of a home occupation other than one (1) unobtrusive sign not to exceed six (6) square feet in size;
3. Farm equipment stores, animal feed stores, tack shops, and other agricultural support services;
 4. Large-scale commercial processing of agricultural products;
 5. Business, service, and commercial establishments, primarily serving agricultural and agricultural-related uses;
[REV: Ord. No. 2001-2, 3/14/01]
 6. Veterinary hospitals;
[REV: Ord. No. 94-2, 2/4/94]
 7. Essential public utility distribution structures;
 8. Communication structures and facilities; and
[REV: Ord. No. 90-4, 6/12/99]
 9. A Small Feedlot shall be centered on at least 100 acres. A Feedlot is subject to the following requirements:
[REV: Ord. No. 2001-2, 3/14/01]
 - a. Areas devoted to livestock shall be maintained to discourage the concentration and breeding of insects and rodents that are detrimental to human habitation; and
 - b. It shall be unlawful for an owner or keeper of livestock to allow livestock to run at large on public rights-of-way.

D. District Standards. The following standards apply to all land uses within this zone district:

1. Minimum lot size shall be five acres where identified as AP-5 on the Zoning Map, ten acres where identified as AP-10 on the Zoning Map, and forty acres where identified as AP-40 on the Zoning Map; a parcel used for essential public utility distribution structures or for communication structures or facilities may be 5 acres or larger, with the following exceptions:
[REV: Ord. No. 99-1, 4/10/99; Ord. No. 2001-2, 3/14/01; Ord. No. 2008-003, 4/23/08]
 - a. Parcels smaller than the minimum parcel size that existed on the effective date of these standards shall be allowed to remain and may be transferred at a future date by sale, inheritance or other legal means provided that such parcels are not divided into smaller parcels except as may be allowed by Section 9.C.1.b. regarding collateral for a mortgage. These non-conforming parcels may be reconfigured through legal means of survey so long as the resulting parcel is not smaller than the original parcel.
[REV: Ord. No. 2008-003, 4/23/08]
 - b. Lending institutions may accept as collateral for a mortgage of a home on the property in question, any portion of the property provided it is not less than five (5) acres in size, with the understanding and knowledge that they can take legal title to and resell such smaller portion of land on which the mortgaged home exists in the event the borrower defaults on the mortgage. The lending institution is otherwise bound by the minimum parcel size standards provided herein. Once the mortgage is released, the land division shall automatically be vacated. A statement reflecting the requirement of such automatic vacation shall appear on the plat showing the land division.
 - c. A parcel where a cemetery is to be placed shall be at least 5 acres in area.
[REV: Ord. No. 98-5, 9/13/98; Ord. No. 2008-003, 4/23/08; Ord. No. 2020-06, 7/8/20]
2. AP-5 districts have the following restrictions on the number of livestock used as animals for personal use according to lot size:
[REV: Ord. No. 2008-003, 4/23/08]
 - a. On lots that do not conform to the district minimum standard but are at least 1 acre in area, there shall be no more than one (1) horse or one (1) cow or an equivalent number of sheep or goats.
 - b. On lots that exceed the district minimum standard for acreage, additional livestock units are allowed based upon one (1) horse or cow unit per each additional acre of land.

- c. Exception: Livestock, including pigs, temporarily raised for educational purposes by children belonging to a recognized organization such as 4H or Future Farmers of America are not restricted.
3. A proposed land use must comply with Section 23, pertaining to water usage.
[REV: Ord. No. 97-7, 6/27/97]
4. Commercial Greenhouse operations are prohibited within the bounds of Types 1 & 2 subdivisions as defined in Article 2 of the Torrance County Subdivision Regulations. A Conditional Use Permit shall be required in all other areas within this zone.
[REV: ORD. No. 2020-06, 7/8/20]

SECTION 10. PREPLATTED LANDS DISTRICT (PL).

- A. Intent. This zone district provides for the appropriate development of pre-platted subdivisions which are not considered adequate by current planning or environmental standards. This zone district is comprised of certain Type 1 and Type 2 subdivisions platted and placed on record with the County Clerk prior to 1973, often held in multiple ownership, and substantially or totally undeveloped. This zone district is established to encourage and promote private land readjustment through techniques such as subdivision re-platting or lot consolidation, followed by a change to a more appropriate zone district, if necessary.
- B. Permissive Uses. All Permissive Uses allowed in the RR District.
- C. Conditional Uses. The following uses may be allowed in this zone district only upon permit granted by the Zoning Board:
[REV: Ord. No. 2001-2, 3/14/01]
 1. All Conditional Uses allowed in the RR District.
[REV: Ord. No. 2001-2, 3/14/01]
 2. The Zoning Board may determine that a Variance, instead of a Conditional Use Permit, is more appropriate for a proposed development in this zone district.
[REV. Ord. No. 2020-06, 7/8/20]
- D. District Standards. The following standards apply to all land uses within this zone district:
 1. Lots shall not be further subdivided or re-platted into lots smaller than the nearest prevailing zone district.
[REV: Ord. No. 2008-003, 4/23/08]

2. In the event that contiguous lots within a specified area are assembled for readjustment and a master plan or site plan for future development is proposed, then such area shall be subject to the setback requirements established for the RR zone district.
[REV: Ord. No. 95-5, 6/10/95]
3. A proposed land use must comply with Section 23, pertaining to water usage.
[REV: Ord. No. 97-7, 6/27/97]
4. Commercial Greenhouse operations are prohibited within this zone.
[REV: Ord. No. 2020-06, 7/8/20]

SECTION 11. RURAL RESIDENTIAL DISTRICT (RR).

A. Intent. This zone district accommodates rural residential development and certain agricultural uses such as irrigated croplands and limited livestock management. Large-lot residential land subdivision is characteristic of this district.

B. Permissive Uses. Any of the following permissive uses are allowed in this zone district:

1. One singular dwelling unit per lot subject to the provisions of Section 19 (F) of this Ordinance;
2. Accessory uses and structures;
3. Cultivation and harvesting of croplands;
4. Raising, breeding, and sales of livestock, subject to the following requirements:
 - a. Areas devoted to livestock shall be maintained to discourage the concentration and breeding of insects and rodents which are detrimental to human habitation, and
 - b. It shall be unlawful for any owner or keeper of livestock to allow such livestock to run at large on public right-of- way;
 - c. Such land use shall not constitute a Feedlot and the number of livestock on the parcel shall not exceed an average density of one head per two acres.
[REV: Ord. No. 2001-2, 3/14/01]
 - d. This does not apply to pleasure animals or animals for personal use which are subject to the following restrictions on numbers according to lot size;

- e. 1 acre (minimum): No more than one (1) horse or cow or an equivalent number of sheep or goats. Equivalency is determined as one (1) horse or cow equals three (3) goats or three (3) sheep or combination thereof.
[REV: Ord. No. 2020-06, 7/8/20]
 - f. Additional livestock units allowable is based upon one (1) horse or cow unit per each additional acre of land.
 - g. Exception: Livestock including pigs temporarily raised for educational purposes by children belonging to a recognized organization such as 4H or Future Farmers of America.
5. Residential Kennel, subject to the regulations of the Torrance County Animal Control Ordinance and provisions listed under Section 6 of this ordinance.
[REV: Ord. No. 2020-06, 7/8/20]

C. Conditional Uses. The following uses may be allowed in this zone district only upon permit granted by the Zoning Board:

- 1. Home occupation, subject to the following provisions:
[REV: Ord. No. 95-5, 6/10/95]
 - a. Not more than 40 percent of the floor area of the dwelling unit, nor more than 800 square feet of an accessory building, shall be used in the conduct of the home occupation,
 - b. No more than three (3) non-resident employees shall be stationed on the premises,
 - c. There shall be no exterior storage of materials unless completely enclosed by a six (6) foot wall,
[REV: Ord. No. 2020-06, 7/8/20]
 - d. No equipment or process shall be used in a home occupation which creates a nuisance such as noise, vibration, lighting, fumes, odors, or electrical interference detectable to the normal senses off the premises,
 - e. If there is an occasional requirement to park additional vehicles or to provide temporary outside storage of equipment or materials on the premises, then such arrangements or conditions shall be stated fully on the permit application,

- f. There shall be no sales or traffic in connection with a home occupation that would disrupt the residential nature of the neighborhood, and
 - g. There shall be no change in the outside appearance of the building, or other visible evidence of the conduct of a home occupation other than one (1) unobtrusive sign not to exceed six (6) square feet in size;
2. Religious and educational institutions;
 3. One temporary supplemental residential dwelling unit allowed on a parcel meeting district minimum standards so that reasonably necessary medical or other care-taking services may be provided by a resident of the other on-site residential dwelling unit;
[REV: Ord. No. 2001-2, 3/14/01]
 4. Essential public utility distribution structures;
 5. Boarding, rooming, or lodging house for no more than 12 residents;
[REV: Ord. No. 2001-2, 3/14/01]
 6. Residential group training home for developmentally or physically handicapped, and residential nursing home, providing for no more than 12 persons at any one time; and
[REV: Ord. No. 2001-2, 3/14/01]
 7. Day care or child care services as regulated by the New Mexico Children Youth and Families Department.
[REV: Ord. No. 2001-2, 3/14/01]
 8. Kennel, Commercial or Foster/Rescue, subject to the regulations of the Torrance County Animal Control Ordinance and provisions listed under Section 6 of this ordinance.
[REV: Ord. No. 2008-003, 4/23/08]
- D. District Standards. The following standards apply to all land uses within this zone district:

1. Minimum lot size shall be two and one-half acres for dwelling units served by individual private wells, and one acre for dwelling units with connections to a centralized water system. For purposes of determining minimum lot size, the calculation of acreage shall include common easements and private roadways for ingress and egress for adjoining lots. A shared domestic well permitted under Section 72-12-1 NMSA 1978 does not qualify as a "centralized water system."
[REV: Ord. No. 2001-2, 3/14/01; Ord. No. 2008-003, 4/23/08]

2. A proposed land use must comply with Section 23, pertaining to water usage.
[REV: Ord. No. 97-7, 6/27/97; Ord. No. 2008-003, 4/23/08]
3. Inoperable vehicles or vehicles which have no current registration or licensing stored on a parcel of land are limited to two (2) on a 1/2 acre lot. Additional inoperable or un-registered vehicles may be allowed at one (1) per additional acre of land but in no case shall exceed five (5) regardless of parcel acreage. Inoperable vehicles stored on a property shall be kept from view, enclosed behind a six (6) foot wall, and have body parts and glazing intact.
[REV: Ord. No. 2008-003, 4/23/08]
4. Raising, breeding, management, and sales of livestock, subject to the following requirements:
 - a. Areas devoted to livestock shall be maintained to discourage the concentration and breeding of insects and rodents which are detrimental to human habitation;
 - b. It shall be unlawful for any owner or keeper of livestock to allow such livestock to run at large on public right-of-way;
 - c. The number of livestock on a parcel shall not exceed an average density of one head per two acres;
[REV: Ord. No. 2001-2, 3/14/01]
 - d. The above described restriction does not apply to animals for non-commercial use as follows:
 - 1) A lot of minimum 1 acre in area, may support no more than one (1) horse or one (1) cow or an equivalent number of sheep or goats. Additional non-commercial livestock units are allowed based upon one (1) horse or cow unit or equivalent per each additional acre of land.
[REV: Ord. No 2020-06, 7/8/20]
 - 2) Exception: Livestock, including pigs, temporarily raised for educational purposes by children belonging to a recognized organization such as 4H or Future Farmers of America are not restricted.
[REV: Ord. No. 2008-003, 4/23/08]
5. Commercial Greenhouse operations are prohibited within this zone.
[REV: Ord. No. 2020-06, 7/8/20]

SECTION 12. MINOR DEVELOPMENT DISTRICT (D-1).

A. Intent. This zone district provides for commercial and business uses intended to serve the surrounding neighborhoods on a day-to-day basis including retailing and personal services. Development in this zone district shall be characterized as low intensity or small-scale, and shall not be detrimental to nearby residential uses.
[REV: Ord. No. 95-9, 10/13/95]

B. Permissive Uses. Any of the following permissive uses are allowed in this zone district:
[REV: Ord. No. 95-9, 10/13/95]

1. Accounting, bookkeeping, CPA;
2. Ambulance service, rescue service;
3. Antique dealers;
4. Appliance sales, service, and repair;
5. Art gallery or museum;
6. Bakery, confectionery;
7. Ballrooms, dancing instruction;
8. Bank, ATM, Savings and Loan, Credit Union;
9. Barber or beauty shop;
10. Books, video, compact-disk sales, service, and rental;
11. Bowling alley, video game arcade;
12. Carpet, floor coverings, cleaning and sales;
13. Ceramics sales;
14. Clinic (dental or medical), hospital, sanatorium, nursing home;
15. Clothing or dry goods sales;
16. Club, lodge (without liquor license);
17. Data processing, computers, electronics, sales, service, repair;
18. Dermagraphics Studio;
19. Department store, variety store, sales;
20. Drug store, pharmacy, cosmetics, sales;
21. Dwelling unit (singular) one unit per lot subject to the provisions of Section 19 (F) of this ordinance;
22. Dwelling unit (multiple) subject to the following provisions;
 - a. Gross density for any lot shall not exceed three dwelling units per acre,
 - b. The above stated gross density may be exceeded only upon permit granted by the New Mexico Environment Department if site conditions are suitable for compliance with the Liquid Waste Disposal Regulations, and
 - c. If centralized water and sewer systems are available to the site, then a floor area ratio of 0.3 is permitted for each lot;

23. Dwelling unit (cluster) subject to the following provisions:
 [REV: Ord. No. 2008- 003, 4/23/09]
 - a. A site development plan shall be provided to adequately describe a unified scheme for residential and other supportive land uses which cover any size acreage,
 - b. The site development plan shall include written statements and information describing types and locations of structures, utilities, internal circulation and traffic impact, landscaping and site drainage, and a development phasing schedule if appropriate,
 - c. The gross density of a cluster development shall not exceed two dwelling units per acre, however, structural densities shall be in accordance with the water supply well and wastewater treatment standards set by the New Mexico Environment Department,
 - d. A portion of the land within a cluster development, comprising no less than 40 percent of the development site, shall be designated as open space for the common use of the residents or for preservation of an environmentally sensitive area,
 - e. Ownership of the common area shall be clearly defined with appropriate covenants forbidding future partition, and the responsibility for improvements and maintenance of the common area shall be established with a procedure for funding such improvement and maintenance of the common area;
24. Dwelling, boarding, rooming, or lodging houses for no more than 12 residents;
25. Equipment and tools, rental, sales, or service;
26. Floral shop, plant store;
27. Food products, sales or storage
28. Food store, grocery store, convenience store,
29. Funeral home, mortuary
30. Gift shop, crafts store, curios shop;
31. Glass products, sales, service, installation;
32. Gunsmith, gun sales and service;
33. Hardware sales;
34. Hospital equipment and supplies, sales and services;
35. Home furnishings, sales and services;
36. Ice cream store;
37. Interior decorator;
38. Janitorial service and supplies;
39. Jewelry, sales and manufacture;
40. Kennel, subject to regulations of the Torrance County Animal Control Ordinance and the provisions listed under Section 6 of this Ordinance;
41. Laboratory, dental or medical;
42. Laundromat, dry cleaner;
43. Library (Public);
44. Linen supply, sales, and service;
45. Locksmith;

46. Music store;
47. Offices, professional, semi-professional, administrative, clerical.
48. Office equipment and supplies, sales, and services.
49. Parcel, package, delivery services;
50. Pest control, exterminator;
51. Photographic (equipment, supplies, studio) sales, service, repair;
52. Piercing Studio or Tattoo Parlor;
53. Printing;
54. Reducing salon, health spa, aerobic exercise, racquetball court;
55. Restaurant, cafe, cafeteria, delicatessen, catering;
56. Shoes, boots, sales, repair;
57. Sporting goods, sales, services, rental;
58. Tailor shop;
59. Theater;
60. Vehicle parts, sales, supplies; and
61. Watch repair, sales, and service.

C. Conditional Uses. The following uses may be allowed in this zone district only upon permit granted by the Zoning Board:
 [REV: Ord. No. 95-9, 10/13/95, Ord. No. 2020-06, 7/8/20]

1. Accessory buildings;
2. Automobile, truck, trailer, camper, RV, boat, sales, service, repair, rental;
3. Bars, lounges, package liquor sales;
4. Bus (common carriers) depot;
5. Cabinets, furniture, upholstery, manufacture, sales, and services;
6. Cable TV, receiving center, distribution center, service center;
7. Cannabis product retail or wholesale outlets and lounges;
8. Churches, places of worship;
9. Club, lodge (with liquor license);
10. Construction contractor, building trade contractor, storage, sales, and service;
11. Dwelling, temporary watchman or caretaker;
12. Farm supplies or equipment, sales and service;
13. Fireworks stand (temporary), sales;
14. Gasoline service station, commercial garage subject to the following regulations;
 - a. All major repair work on vehicles shall be conducted within an enclosed building,
 - b. A solid wall or fence at least six feet high is erected between the activity and any abutting residential zone districts, and
 - c. Outdoor storage of not more than three vehicles awaiting repair per enclosed service bay, provided such storage area is enclosed by a solid wall or fence at least six feet high;

15. Greenhouse, nursery, landscaper;
[REV: Ord. No. 2020-06, 7/8/20]
16. Home occupation;
17. Hotel, motel, motor lodge;
18. Motorcycles, sales, service, repair, rental;
19. Offices, temporary;
20. Ornamental iron products, sales, assembly, repair;
21. Pawn shop, surplus, salvage goods, second-hand store, sales, trades (indoor only);
22. Recreation hall, billiard parlor;
23. Restaurant (with liquor license);
24. Signs, sales and manufacture;
25. Storage sheds, rental;
26. Storage (outside), rental, warehousing, rental;
27. Taxidermist; and
28. Telephone switching facility (toll or local).

D. District Standards. The following standards apply to all land uses within this zoning district:

1. Minimum lot size shall be as determined by the New Mexico Environment Department in order to comply with Liquid Waste Disposal Regulations;
2. All structures shall be located with a front setback of no less than 25 feet, unless otherwise specified in this Ordinance;
3. Non-residential buildings shall be situated no less than 25 feet from any lot in residential use, unless otherwise specified in this Ordinance;
4. Any non-residential activity in this zoning district that requires outdoor storage of supplies or material, other than living plants, must provide an outdoor storage area enclosed by a six (6) foot wall or fence of sufficient structure to conceal the outdoor storage area;
[REV: Ord. No. 95-9, 10/13/95]
5. Dwelling units (multiple) are subject to the following provisions:
 - a. Gross density for any lot shall not exceed three dwelling units per acre;
 - b. The above stated gross density may be exceeded only upon permit granted by the New Mexico Environment Department if site conditions are suitable for compliance with the Liquid Waste Disposal Regulations; and
 - c. If centralized water and sewer systems are available to the site, then a floor area ratio of 0.3 is permitted for each lot.
[REV: Ord. No. 2008-003, 4/23/08]

6. Dwelling units (cluster) are subject to the following provisions:
[REV: Ord. No. 2008-003, 4/23/08]
 - a. A site development plan shall be provided to adequately describe a unified scheme for residential and other supportive land uses which cover any size acreage;
 - b. The site development plan shall include written statements and information describing types and locations of structures, utilities, internal circulation and traffic impact, landscaping and site drainage, and a development phasing schedule if appropriate;
 - c. The gross density of a cluster development shall not exceed two dwelling units per acre, however, structural densities shall be in accordance with the water supply well and wastewater treatment standards set by the New Mexico Environment Department;
 - d. A portion of the land within a cluster development, comprising no less than 40 percent of the development site, shall be designated as open space for the common use of the residents or for preservation of an environmentally sensitive area; and
 - e. Ownership of the common area shall be clearly defined with appropriate covenants forbidding future partition, and the responsibility for improvements and maintenance of the common area shall be established with a procedure for funding such improvement and maintenance of the common area.
[REV: Ord. No. 2008-003, 4/23/08]
7. Gasoline service station or a commercial garage is subject to the following regulations:
 - a. All major repair work on vehicles shall be conducted within an enclosed building;
 - b. A solid wall or fence at least six feet high is erected between the activity and any abutting residential zone districts; and
 - c. Outdoor storage of not more than three vehicles awaiting repair per enclosed service bay, provided such storage area is enclosed by a solid wall or fence at least six feet high.
[REV: Ord. No. 2008-003, 4/23/08]
8. A proposed land use must comply with Section 23, pertaining to water usage.
[REV: Ord. No. 97-7, 6/27/97]

9. Commercial Greenhouse operations are prohibited within the bounds of Types 1 & 2 subdivisions as defined in Article 2 of the Torrance County Subdivision Regulations. A Conditional Use Permit shall be required in all other areas within this zone.
[REV: ORD. No. 2020-06, 7/8/20]

SECTION 13.0 MAJOR DEVELOPMENT DISTRICT (D-2)

A. Intent. This zone district accommodates the major business activities in the area, including highway-related commercial activities, office and entertainment facilities, wholesale and retail sales, and service providers. The land uses within this district shall be developed with adequate transportation access and appropriate design to minimize any negative impacts to abutting lands.
[REV: Ord. No. 95-9, 10/13/95]

B. Permissive Uses. Any of the following permissive uses are allowed in this zone district:
[REV: Ord. No. 95-9, 10/13/95]

1. Accessory buildings subject to the provisions of Section 19 (F) of this Ordinance;
2. All permissive uses allowed in the D-1 zone district;
3. Animal shelter, animal pound, animal kennel subject to the provisions of Section 6 of this Ordinance and the Torrance County Animal Control Ordinance;
4. Auction house (excluding livestock);
5. Automobile, truck, trailer, camper, RV, boat, sales, service, repair, rental;
6. Bars, lounges, package liquor sales;
7. Bottling plant;
8. Bus (common carriers) depot;
9. Cabinets, furniture, upholstery, manufacture, sales, services;
10. Cable TV, receiving center, distribution center, service center;
11. Candle, manufacture;
12. Car wash;
13. Club, lodge (with liquor license);
14. Cold storage plant;
15. Construction contractor, building trade contractor, storage, sales, service;
16. Dairy products, wholesale;
17. Farm supplies or equipment, sales, service;
18. Hotel, motel, motor lodge;
19. Liquor wholesaler;
20. Lumber yard, sales and storage, firewood sales and storage;
21. Masonry, plastics, fiberglass, sales and service;
22. Mobile home sales, service, repair;
23. Motorcycle, sales, service, repair, rental;
24. Moving and transfer company (including warehouse);

25. Ornamental iron products, sales, assembly, repair;
26. Pawn shop, surplus, salvage goods, second-hand store, sales, trades (indoor only);
27. Radio or microwave transmission, repeater, multiplexing, dispatching;
28. Recreation hall, billiard parlor;
29. Restaurant (with liquor license);
30. Shopping center;
31. Signs, sales, manufacture;
32. Skating rink;
33. Storage sheds, rental;
34. Taxidermist; and
35. Veterinary hospital (small animals).

C. Conditional Uses. The following uses may be allowed in this zone district only upon permit granted by the Zoning Board;
[REV: Ord. No. 95-9, 10/13/95]

1. Amusement parks, carnival, circus;
2. Cannabis product retail or wholesale outlets and lounges;
3. Ceramics, manufacture;
4. Churches, places of worship;
5. Dwelling, temporary watchman or caretaker;
6. Fireworks stand (temporary), sales;
7. Flea market subject to the following requirements:
 - a. Adequate off-street parking shall be provided to contain the largest anticipated crowd,
 - b. The site shall be kept free of litter and adequate refuse containers shall be provided,
 - c. Overnight storage of merchandise shall be prohibited, and
 - d. Adequate sanitary facilities (rest rooms) either portable or permanent shall be provided on site for use by patrons;
8. Gasoline service station, commercial garage subject to the following regulations:
 - a. All major repair work on vehicles shall be conducted within an enclosed building
 - b. A solid wall or fence at least six feet high is erected between the activity and any abutting residential zone district, and
 - c. Outdoor storage of not more than three vehicles awaiting repair per enclosed service bay, provided such storage area is enclosed by a solid wall or fence at least six feet high;
9. Greenhouse, nursery, landscaper
[REV: Ord. No. 2020-06, 7/8/20]
10. Home occupation;
11. Laboratory, research;
12. Offices, temporary;
13. Radio or television station;

14. Storage (outside), rental, warehousing, rental;
15. Telephone switching facility (toll or local);
16. Truck terminal and maintenance;
17. Utility company, service center, storage;
18. Veterinary hospital (large animals); and
19. Welding shop.

D. District Standards. The following standards apply to all land uses within this zoning district:

1. Minimum lot size shall be as determined by the New Mexico Environment Department in order to comply with Liquid Waste Disposal Regulations;
2. All structures shall be located within a front setback of no less than 25 feet, unless otherwise specified in this Ordinance;
3. Non-residential buildings shall be situated no less than 25 feet from any lot in residential use, unless otherwise specified in this Ordinance;
4. Any non-residential activity in this zoning district that requires outdoor storage of supplies or materials, other than living plants, must provide an outdoor storage area enclosed by a wall or fence of sufficient structure to conceal the outdoor storage area;
[REV: Ord. No. 95-9, 10/13/95]
5. Flea markets are subject to the following requirements;
[REV: Ord. No. 2008-003, 4/23/08]
 - a. Adequate off-street parking shall be provided to contain the largest anticipated crowd,
 - b. The site shall be kept free of litter and adequate refuse containers shall be provided,
 - c. Overnight storage of merchandise shall be prohibited, and
 - d. Adequate sanitary facilities (rest rooms) either portable or permanent shall be provided on site for use by patrons;
6. Gasoline service station or a commercial garage is subject to the following regulations:
[REV: Ord. No. 2008-003, 4/23/08]
 - a. All major repair work on vehicles shall be conducted within an enclosed building,

- b. A solid wall or fence at least six (6) feet high is erected between the activity and any abutting residential zone district, and
 - c. Outdoor storage of not more than three vehicles awaiting repair per enclosed service bay, provided such storage area is enclosed by a solid wall or fence at least six (6) feet high; and
7. A proposed land use must comply with Section 23, pertaining to water usage.
[REV: Ord. No. 97-7, 6/27/97]
8. Commercial Greenhouse operations are prohibited within the bounds of Types 1 & 2 subdivisions as defined in Article 2 of the Torrance County Subdivision Regulations. A Conditional Use Permit shall be required in all other areas within this zone.
[REV: ORD. No. 2020-06, 7/8/20]

SECTION 13.1 MAJOR DEVELOPMENT DISTRICT, UNDETERMINED IMPACT AND ADULT LAND USES (D-3).

[REV: Ord. No. 2001-2, 3/14/01]

A. Intent. This zone is intended to allow the uses and apply the standards described in the D-2 District with the addition of a conditional use and additional standards and procedures for Adult Land Uses.

B. Permissive Uses. The following permissive uses are allowed in this zone district:

- 1. All permissive uses allowed in D-2 District;

C. Conditional Uses. The following uses may be allowed in this zone district only upon permit granted by the Zoning Board: All conditional uses allowed in the D-2 District and Adult Land Uses, as described and authorized in Subsection E below.

[REV: Ord. No. 2008-003, 4/23/08]

- 1. Commercial Greenhouse operations are prohibited within the bounds of Types 1 & 2 subdivisions as defined in Article 2 of the Torrance County Subdivision Regulations. A Conditional Use Permit shall be required in all other areas within this zone.
[REV: Ord. No. 2020-06, 7/8/20]

- 2. Cannabis product retail or wholesale outlets and lounges.
[REV: Ord. No. 2020-06, 7/8/20]

D. District Standards. The following standards apply to all land uses within this zone district: All the District Standards required in the D-2 District.

E. Additional Standards and Procedures for Adult Land Uses. In addition, the following standards and procedures apply to the below-defined Adult Land Uses that are lawful as conditional uses in the D-2 District:

1. DEFINITIONS:

1) Adult Amusement Establishment.

a. An establishment which provides amusement or entertainment which is distinguished or characterized by an emphasis on material depicting, describing, or relating to specified sexual activities or specified anatomical areas;

1) Specified Anatomical Areas, means:

a) Less than completely and opaquely covered by clothing:

(1) Human genitals or pubic region;

(2) Buttock; and

(3) Female breast below a point immediately above the top of the areola; and

b) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

2) Specified Sexual Activities, including the following:

a) Human genitals in a state of sexual stimulation or arousal;

b) Acts of human masturbation, sexual intercourse, or sodomy; and

c) Fondling or other erotic touching of human genitals, pubic region, buttock, or female breast.

b. An establishment which features topless dancers, exotic dancers, strippers, male or female impersonators, or similar entertainment; or

c. An establishment which, upon payment of a fee, provides an escort or a partner to its patrons; or

d. An establishment which, upon payment of a fee, provides its patrons with a male or female model fully or partially clothed or nude for the purposes of demonstrating body oils, body lotions or devices.

- 2) Adult Bookstore. An establishment having a substantial or significant portion of its stock in film, video tapes, trade books, magazines, and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas, or an establishment with a segment or section devoted to the sale or display of such material.
- 3) Adult Photo Studio. An establishment which, upon payment of a fee, provides photographic equipment or models for the purpose of photographing specified anatomical areas.
- 4) Adult Theater. A theater used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas for observation by patrons therein.
- 5) Adult Land Use(s). Any one, any combination, or all of the following uses: Adult Amusement, Adult Bookstore, Adult Photo Studio, Adult Theater.

2. PROCEDURES FOR OBTAINING CONDITIONAL USE PERMIT

- a. Application. In addition to the requirements described in Section 21.B & C of the Zoning Ordinance, an applicant seeking approval for an Adult Land Use defined above must show that the proposed land use satisfies the Approval Requirements stated below, and must provide the following information:
 - 1) The name, address, telephone number, principal occupation, and age of the applicant;
 - 2) The name, address and principal occupation of the managing agent or agents of the business;
 - 3) The business name, business address and business telephone number of the establishment or proposed establishment, together with a description of the nature of the business;

- 4) Whether the business or proposed business is the undertaking of a sole proprietorship, partnership or corporation. If a sole proprietorship, the application shall set forth the name, address, telephone number and principal occupation of the sole proprietor. If a partnership, the application shall set forth the names, addresses, telephone numbers, principal occupations and respective ownership shares of each partner, whether general, limited or silent. If a corporation, the application shall set forth the corporate name, a copy of the articles of incorporation, and the names, addresses, telephone numbers and principal occupations of every officer, director and shareholder (having more than ten percent of the outstanding shares), and the number of shares held by each;
 - 5) The names, addresses, telephone numbers and principal occupations of every person, partnership or corporation having any interest in the real property utilized or to be utilized by the business or proposed business;
 - 6) A description of all other business enterprises (sales or services), which shall occur on the premises;
 - 7) Whether the applicant, anyone having a ten percent or more ownership interest in the business or proposed business has:
 - a) ever had a business license denied, revoked or charges filed therefore, and if so, the application shall state the name of the business, date, jurisdiction, and outcome of any hearing,
 - b) ever owned or operated an Adult Land Use business, and if so, the name of the business and address, dates involved and position or interest therein,
 - c) been convicted within five years of application or renewal, of any felonious crime (and if so, shall state the person involved, the charge, date, court and disposition of the charges).
- b. Time Limits. Review by the Zoning Board shall be advisory to the County Commission which shall decide whether to grant or deny the Application. The County shall render its decision according to the following time limits:
- 1) An Application submitted 15 or more days prior to the next regularly scheduled Zoning Board monthly meeting shall be heard at that meeting;
 - 2) Unless Applicant requests or consents to a deferral, the Zoning Board shall render its oral recommendation at the time of its meeting and, within 7 days following the meeting, the Zoning Board shall submit a written Recommendation to the County Commission;

- 3) Directly following the Zoning Board meeting, the County Commission shall call for a public meeting by notification of the time and place of the public hearing published in the next available newspaper of general circulation in the County at least 15 days prior to the hearing; and
- 4) The hearing of the Application shall take place at the next regularly scheduled bi-weekly meeting of the County Commission following the expiration of the 15-day notice period. Upon conducting its public hearing, the County Commission shall render either an oral or written decision, either to approve or deny the Conditional Use Permit, at the conclusion of the hearing. If the Commission makes only an oral decision, it may adopt a written decision at its next regularly scheduled meeting.

From the date of submission of a completed application, a decision of the County Commission must be made within 60 days. If a decision is not rendered, either approving or denying the Conditional Use Application, within the 60-day period, the Application will be approved and issued as a matter of law. Any time that lapses during a deferral requested by or consented to by the Applicant shall be excluded from the calculation of the 60-day period.

[REV: Ord. No. 2008-003, 4/23/08]

3. APPROVAL REQUIREMENTS

The approval standards of Section 21.D of the Zoning Ordinance shall be satisfied if the Application meets all of the following Approval Requirements:

- a. The proposed land use will not violate any civil or criminal law otherwise applicable, including, but not limited to, this Ordinance and the applicable building, fire and health regulations; criminal code sections 30-9-14, -14.1, -14.2 & -14.3 NMSA 1978 prohibiting indecent exposure, indecent dancing, indecent waiting and aggravated indecent exposure; and the Liquor Control Act, sections 60-3A-1, et seq., NMSA 1978, and all regulations promulgated there- under;
- b. The closest edge or corner of the building proposed for an Adult Land Use is at least 2000 feet from the closest edge or corner of any building approved for another Adult Land Use, as measured in a straight and the most direct line;
- c. The closest edge or corner of the building proposed for an Adult Land Use is at least 1000 feet from the closest edge or corner of any conforming residential dwelling, as measured in a straight and the most direct line, except that this provision may be waived if the owner(s) of any residential dwelling(s) located closer than the minimum separation distance consents in writing to the proposed use;

- d. The closest edge or corner of the building proposed for an Adult Land Use is at least 300 feet from the closest edge or corner of any conforming commercial structure and has a side setback of at least 150 feet, as measured in a straight and the most direct line, except that this provision may be waived if the owner(s) of any commercial structure(s) or property located closer than the minimum separation distance consent in writing to the proposed use;
- e. The closest edge or corner of the building proposed for an Adult Land Use is at least 2000 feet from the closest edge or corner of any church or from its grounds, whichever is closer, as measured in a straight and the most direct line. Church "grounds" are any developed, fenced or enclosed outside area used by church members proximate to a church;
- f. The closest edge or corner of the building proposed for an Adult Land Use is at least 2000 feet from the closest edge or corner of any primary or secondary school or from its grounds, whichever is closer, as measured in a straight and the most direct line. School "grounds" are any developed, fenced or enclosed outside area used by school children proximate to a school;
- g. The Applicant, whether an individual or any of the stockholders, officers or directors, if a corporation, or any of the partners, if a partnership, including limited partners, or the manager or other person principally in charge of the operation of the business, or any person receiving, or having a right to receive any sum from, or percentage of the profits due to an interest in or sale of the business, has not been convicted within a five-year period immediately prior to the application, of any crimes involving fraud, consumer fraud or intent to defraud, prostitution;
- h. Neither the applicant nor any ten percent corporation shareholder nor a corporate officer has had a revocation of a business license for violations of code regulations relating to Adult Land Uses within the preceding two years;
- i. The land use will meet the parking requirements of Section 17; and
- j. The applicant has provided all required information.

4. APPEALS

An appeal to the District Court for the County of Torrance may be made within 30 days after a denial.

5. OPERATION REQUIREMENTS AND RESTRICTIONS.

Once the Applicant has received a permit for an Adult Land Use, the permittee shall abide by the following requirements and restrictions:

- a. Signs. In addition to the sign regulations stated in Section 18 of this Ordinance, any sign advertising an Adult Land Use shall not contain any emphasis, either by wording, picture or otherwise, on matters related to specified sexual activities or specified anatomical areas.
- b. Exterior Display. No Adult Land Uses shall be conducted in any manner that permits the observation of any material depicting, describing or relating to specified sexual activities or specified anatomical areas, from any public way or from any property not permitted for the Adult Land Use. This provision shall apply to any display decoration, sign, show window or other opening.
- c. Employee Records. The permittee shall at all times maintain and retain for the preceding three years the legal names/aliases and addresses of all persons employed as dancers by the permittee.
- d. Employee Age Minimum. The permittee shall not employ or allow as a dancer a person under the age specified by state law or regulation where alcohol is consumed.
- e. Admittee Age Minimum. No person under the age of 18 years shall be admitted where a nonalcoholic Adult Land Use is permitted. No person under the age of 21 years shall be admitted where an Adult Land Use with a liquor license is permitted. No employee of an Adult Land Use establishment shall allow any minor to loiter around or to frequent the establishment or to allow any minor to view a permitted Adult Land Use.
- f. Consumption of Alcohol. No permittee shall serve, sell, distribute or suffer the consumption or possession of any intoxicating liquor, or any beverage represented as containing any alcohol, upon the permitted premises without a valid liquor license.
- g. Display of Licenses. The permittee shall conspicuously display all licenses required by this Ordinance.
- h. No Dancing in Concealed Areas. All dancing permitted as part of an Adult Amusement Enterprise shall take place within an area which is visible immediately upon entrance to the establishment premises, or is visible immediately from the entry room area of the establishment's premises; however, no permitted dancing shall be visible to or from any outside or unpermitted areas.
- i. Contact Limitation. No dancer shall touch, fondle or caress any patron and no patron shall touch, fondle or caress any dancer on either the dancer's or patron's genitals, pubic region, buttock or female breast.

j. Advertisement Disclaimer. Any Adult Land Use establishment that does not have a liquor license and which uses the words that imply the availability of alcoholic liquor on the premises, such as "bar," or "lounge" or "saloon," in any advertisement or name must state in all such advertisements that alcoholic beverages are not sold or allowed on the premises.

k. Posted Warning. All Adult Land Use establishments shall post at each entrance door, and not more than five inches above each entrance doorway if no door is present during hours of operation, and in at least three places behind any bar a sign with letters not less than three inches high stating:

"PROSTITUTION IS UNLAWFUL"

All Adult Land Use establishments that are not licensed to sell alcoholic beverages shall post at each entrance door, and not more than five inches above each entrance doorway if no door is present during hours of operation, and in at least three places behind the bar a sign with letters not less than three inches high stating:

"ALCOHOL IS NOT SOLD HERE"

The letters for all such signs must be black on a yellow background and the sign at each entrance door and behind the bar must be between four and six feet above floor level. Each sign must be located and illuminated sufficient to be visible by a person with normal eyesight or eyesight corrected to 20/20, thirty feet from the sign.

l. The permittee shall maintain at least 10 foot candles of light in the public portions of the establishment, including aisles, at all times. However, if a lesser level of illumination in the aisles shall be necessary to enable a patron to view the adult entertainment in a booth, room or cubicle adjoining an aisle, a lesser amount of illumination may be maintained in such aisles, provided, however, at no time shall there be less than one (1) foot candle of illumination in said aisles, as measured from the floor.

m. The permittee must meet the parking requirements of Section 17.

6. RESPONSIBILITIES OF THE OPERATOR

a. It is the responsibility of the permittee to assure that the requirements of this Ordinance are satisfied in the exercise of the permit for an Adult Land Use. Every act or omission by an employee constituting a violation of the provisions of this Ordinance shall be deemed the act or omission of the permittee, if such act or omission occurs either with the authorization, knowledge, or approval of the permittee, or as a result of the permittee's negligent failure to supervise the employee's conduct, and the permittee shall be punishable for such act or omission in the same manner as if the permittee committed the act or caused the omission.

- b. Any act or omission of any employee constituting a violation of the provisions of this Ordinance shall be deemed the act or omission of the permittee for purposes of determining whether the permittee's permit shall be revoked, suspended or renewed.
- c. The permittee shall insure compliance of the establishment and its patrons with the provisions of this Ordinance.

7. RENEWAL

After the first issuance of a Conditional Use Permit for an Adult Land Use, the permit shall terminate upon the first-year anniversary of its issuance, unless it is renewed. Once the permit is renewed, it shall terminate upon the five-year anniversary of its most recent renewal, unless renewed again. There is no limit to the number of times a permit may be renewed. Any application for renewal must comply with the rules and regulations in effect at the time the application for renewal is submitted.

SECTION 14.0 VILLAGE COMMUNITY PRESERVATION DISTRICT (VCP).

[REV: Ord. No. 2001-2, 3/14/01]

A. Intent. This zone district preserves residential clusters in established unincorporated communities, and is intended to protect development of historic significance. This district allows residential development with necessary commercial, business, and other non-residential activities which serve local residents. The district regulations permit future development consistent with the existing character of the community, subject to health and safety standards.

B. Permissive Uses. Any of the following permissive uses are allowed in this zone district:
[REV: Ord. No. 95-5, 6/10/95; Ord. No. 97-8, 6/27/97; Ord. No. 2001-2, 3/14/01]

1. One singular dwelling unit per lot, provided it is in compliance with the requirements of the New Mexico Liquid Waste Disposal Regulations and the provisions of Section 19 (F) of this Ordinance;

2. Accessory uses and structures provided the structures are compliant with Section 19 (F) of this Ordinance.

3. Kennel, subject to the regulations of the Torrance County Animal Control Ordinance and the provisions of Section 6 of this Ordinance.

C. Conditional Uses. The following uses may be allowed in this zone district only upon permit granted by the Zoning Board: All Conditional Uses allowed in the RR District for business, service and commercial establishments, primarily intended to service local residents.

[REV: Ord. No. 2001-2, 3/14/01, Ord. No. 2020-06, 7/8/20]

D. District Standards. The following standards apply to all land uses within this zone district:

1. Minimum lot size for dwelling units served by individual private wells shall be two and one-half net acres. Minimum lot size for dwelling units served by a centralized water system shall be as determined by the New Mexico Environment Department in order to comply with Liquid Waste Disposal Regulations. For purposes of determining minimum lot size, the calculation of acreage shall include common easements and private roadways for ingress and egress for adjoining lots. A shared domestic well permitted under Section 72-12-1 NMSA 1978 does not qualify as a "centralized water system";

[REV Ord. No. 2001-2, 3/14/01; Ord. No. 2008-003, 4/23/08]

2. All structures shall be located with a front setback of no less than 15 feet;

3. A proposed land use must comply with Section 23, pertaining to water usage; and
[REV No. 97-7, 6/27/97]

4. Commercial Greenhouse operations are prohibited within this zone.

[REV: Ord. No. 2020-06, 7/8/20]

SECTION 14.1 RURAL COMMUNITY PRESERVATION DISTRICT (RCP).

[REV: Ord. No. 2001-2, 3/14/01]

A. Intent. This zone protects and preserves areas within the County which are characterized by their limited access, minimal development, limitations on water resources, natural beauty, fragile environment and native wildlife populations. Dispersed, very low density residential development and low intensity agricultural activities are allowed. Other agriculturally related activities may be allowed. Commercial uses will not be allowed except on a case-by-case basis in which the primary concern of the Zoning Board will be to minimize the environmental impact on the area. Development may be considered within a 1 mile buffer zone where the "RCP" Zone joins an incorporated municipality and density or minimum lot size or use within the buffer area may be dictated by the standards set for the adjoining area.

[REV: Ord. No. 2008-003, 4/23/08]

B. Permissive Uses. Any of the following permissive uses are allowed in this zone district:

1. Low intensity agricultural operations such as livestock grazing and related ranching activities;
2. Horse breeding, boarding and training;
3. Other low intensity production agriculture;
4. Cultivation and harvesting of plants and croplands;
5. Woodcutting and other activities related to harvesting trees;
6. Singular residential dwelling unit provided it is in compliance with the requirements of the New Mexico Liquid Waste Disposal Regulations and the provisions of Section 19 (F) of this Ordinance; and
7. Accessory uses and structures necessary to carry out the above-listed permissive uses.
8. Kennel, subject to the regulations of the Torrance County Animal Control Ordinance and the provisions of Section 6 of this Ordinance.

C. Conditional Uses. The following uses may be allowed in this district only upon permit granted by the Zoning Board:

1. Home occupations provided they are confined to the residence or accessory structure, are clearly a secondary use of the structure and present no visual impact to neighbors as viewed from adjoining property or public thoroughfare;
2. Small Bed and Breakfast operations limited to two guest bathrooms;
3. Horseback riding stables, provided sufficient land exists to support the number of animals maintained;
4. Dude ranch or other agricultural work experience operation;
5. Outfitters;
6. Essential public utility distribution structures;
7. Communication structures and facilities; and
8. One supplemental residential dwelling unit allowed on a parcel meeting district minimum standards; 2 supplemental residential dwelling units allowed on a parcel of at least eighty acres or 1/8 section.

D. District Standards. The following standards apply to all land use within this zone district:

1. Minimum parcel size will be forty acres or 1/16 section, whichever is the smaller of the two, with the following exceptions:
 - a. Parcels smaller than the minimum parcel size which existed upon the effective date of these standards shall be allowed to remain and may be transferred at a future date by sale, inheritance or other legal means provided that such parcels are not divided into smaller parcels except as allowed by Section 14.1.C.1.b. regarding collateral for a mortgage. These non-conforming parcels may be reconfigured through legal means of survey so long as the resulting parcel is not smaller than the original parcel.
[REV: Ord. No. 2008-003, 4/23/08]
 - b. Lending institutions may accept as collateral for a mortgage of a home on the property in question, any portion of that property provided it is not less than 5 acres in size with the understanding and knowledge that they can take legal title to and resell such smaller portion of land on which the mortgaged home exists in the event the mortgagee defaults on the mortgage. The lending institution is otherwise bound by the minimum parcel size standards provided herein. Once the mortgage is released, the land division shall automatically be vacated. A statement reflecting the requirement of such automatic vacation shall appear on the plat showing the land division.
2. In the event contiguous parcels within the zone are assembled, any of which may be less than the smaller of forty acres or 1/16 section, no future land division of that assembled parcel will be allowed, except as noted in paragraph 0.1.b. & c. supra, if any portion of the land division will result in a parcel of less than forty acres or 1/16 section. It is the intent of these standards to restrict parcel size within this zone to a minimum of forty acres or 1/16 section where possible to reassemble smaller existing parcels into larger parcels more closely approaching the forty acre, 1/16 section minimum.
3. This change will not affect any subdivision plans which have been submitted to the Zoning Board prior to the effective date of this section.
[REV: Ord. No. 2008-003, 4/23/08]
4. A proposed land use must comply with Section 23, pertaining to water usage.
5. Commercial Greenhouse operations are prohibited within this zone.
[REV: Ord. No. 2020-06, 7/8/20]

SECTION 15. SOLID WASTE MANAGEMENT DISTRICT (SW)

A. Intent. This zone district provides for the siting, development, and operation of solid waste facilities in Torrance County. The boundaries of this zone district shall be defined as needed on a case-by-case basis following the amendment procedures and siting criteria provided in this Ordinance. Disposal of solid waste within Torrance County shall be regulated in accordance with all relevant laws including this Ordinance, the Torrance County Solid Waste Management Ordinance (Ord. No. 94-12), and all other applicable municipal, county, state, and federal laws pertaining to solid waste. Furthermore, no solid waste facility shall be established or operated without first obtaining a Solid Waste Facility Permit from the County Commission in accordance with the procedures set forth in this Ordinance.
[REV: Ord. No. 95-4, 6/10/95; Ord. No. 2008-003, 4/23/08]

B. Solid Waste Definition. The specific terms, "solid waste" and "solid waste facility" as defined by the Torrance County Solid Waste Management Ordinance (Ord. No. 94-12) are hereby adopted and incorporated herein by reference and made a part of this Ordinance.

C. Application for Zoning Amendment. Each application for a zone change to establish a Solid Waste Management District must be accompanied by a facility development report and site plan of sufficient size and scale in order to show:
[REV: Ord. No. 95-4, 6/10/95]

1. Boundaries of the proposed district and existing land uses and structures within the proposed district and within 500 feet of the proposed district boundaries;
2. Routes and design specifications of all proposed access roadways and/or railways within the proposed district and within one mile of the proposed district boundaries;
3. Existing topography, and re-grading plans if applicable, within the proposed district at a contour interval of two feet, based on mean sea level datum. All natural watersheds, watercourses, and floodplains shall be identified in accordance with the siting criteria established for this zone district;
4. Hydro-geologic data sufficient to define the groundwater level or water table underlying the proposed district. Such data shall be confirmed by the N.M. State Engineer Office in writing;
5. Location and estimated pumping rates of all water wells, including abandoned wells, within the proposed district and within 500 feet of the proposed district boundaries;

6. The proposed design and operation of the solid waste facility in detail, with supporting narrative to adequately describe the facility in terms of any impact to water resources, air quality, surrounding properties and land use, and local transportation systems;
7. Documentation of ownership and financial interests of the proposed solid waste facility; and
8. Location and dimensions of all proposed land use activities including structures, landscaping, on-site traffic circulation, and any other improvements to the land.

D. Special Permit Required. No person shall operate a solid waste facility without a Solid Waste Facility Permit issued by the County Commission in accordance with the procedures and criteria set forth in this Ordinance. Torrance County and the Torrance County Solid Waste Authority shall be exempt from filing and renewal fees as specified in this Ordinance. The purpose of the permit procedure is to ensure that the solid waste facility is in compliance with the regulations established by this Ordinance. The procedure for obtaining a Solid Waste Facility Permit shall be as follows:

[REV: Ord. No. 95-4, 6/10/95; Ord. No. 2008-003, 4/23/08]

1. Any operator of a solid waste facility must submit an initial application with filing fee to the Zoning Board on a prescribed form obtainable from the Zoning Director. The initial application filing fee shall be \$2,500 to cover the site inspection, technical review, and related administrative costs of the County.
[REV: Ord. No. 2008-003, 4/23/08]
2. The Solid Waste Facility Permit shall be subject to expiration and renewal after a period of one year. At least 30 days prior to the expiration date of a Solid Waste Facility Permit, an application for renewal may be submitted and processed in the same manner as the initial application. A filing fee of \$1,000 must be submitted with an application to renew a Solid Waste Facility Permit. The purpose of the filing fee is to cover ongoing site inspection and related administrative costs of the County. Operators of existing facilities may continue to operate provided they apply for a permit 30 days before the anniversary date of the existing permit and upon proof of continued compliance with the requirements of this Ordinance.
3. Upon receipt of a Solid Waste Facility Permit application, the Zoning Board shall review the application to determine compliance with this Ordinance at a regularly scheduled meeting. The Zoning Board may request information regarding the operation of the solid waste facility as deemed appropriate. The Zoning Board may also request comments in writing from relevant state or federal agencies regarding the operation of the solid waste facility.

[REV: Ord. No. 2008-003, 4/23/08]

4. The Zoning Board shall prepare and transmit a recommendation in writing to the County Commission within 7 days after their review of the application is completed. The County Commission shall review the application, the recommendations of the Zoning Board, and any relevant public comment at a regularly scheduled meeting. Upon determining that the application for the solid waste facility is in compliance with this Ordinance, the County Commission shall grant a Solid Waste Facility Permit.

[REV: Ord. No. 2008-003, 4/23/08]

5. Renewal of a Solid Waste Facility Permit may be denied for failure to comply with this Ordinance, making any misrepresentation or omission of any relevant fact in the application, or for failure to comply with any other applicable municipal, county, state, or federal laws pertaining to solid waste.

E. Siting Criteria. This zone district shall be subject to the following siting criteria:

[REV: Ord. No. 95-4, 6/10/95]

1. District boundaries shall be no closer than 10,000 feet from any airport or aviation facility subject to regulation by the Federal Aviation Administration;
2. District boundaries shall be no closer than two miles from perennial streams or wetlands as designated by the U.S. Fish and Wildlife Service;
3. This district, or any portion thereof, shall not be located within any 100- year floodplain as designated by the Federal Emergency Management Agency;
4. No solid waste facility shall be established within a natural watercourse with visible evidence of the occasional flow of water; and
5. No solid waste facility shall be established where the ground water or the water table is less than 100 feet below the surface of the land or the bottom surface of any proposed pit, whichever is more restrictive.

F. Operational Criteria. This zone district shall be subject to the following operational criteria:

[REV: Ord. No. 95-4, 6/10/95]

1. Solid waste facilities shall be designed and operated to minimize blowing litter both on-site and off-site. Durable fencing shall be installed at least 6 feet in height around active areas for purposes of debris retention and site security;
2. Solid waste facilities shall be provided with all-weather access roads built to a standard adequate to bear anticipated traffic generated by the facility;
3. Solid waste facilities shall be designed and operated to minimize soil erosion and to mitigate storm-water runoff pollution; and

4. Solid waste facilities shall be monitored in accordance with state and federal standards to detect the release of gaseous, liquid, or solid pollutants from the solid waste facility.

G. Water Usage. A proposed land use must comply with Section 23, pertaining to water usage.

[REV: Ord. No. 97-7, 6/27/97]

SECTION 16. SPECIAL USE DISTRICT (SU)

A. Intent. This zone district provides for singular developments which require special consideration because of their magnitude, unusual nature, infrequent operations, questionable impact on surrounding property, or other such reason. The boundaries of this zone district shall be defined as needed on a case-by-case basis following the amendment procedures provided in this Ordinance. Special conditions may be imposed by the County Commission following recommendation by the Zoning Board. The County Commission may not grant a zone change for establishment of a Special Use District unless satisfactory provisions have been made:

[REV: Ord. No. 2008-003, 4/23/08]

1. To assure that compatibility of property uses shall be maintained in the general area;
2. To preserve the integrity and character of the area in which the Special Use District will be located, and the utility and value of property in the Special Use District and in adjacent zone districts; and
3. To assure that the Special Use District will not become detrimental to the public health, safety, or general welfare of the County.

B. Application. Each application for a zone change to establish a Special Use District must declare the proposed use and, unless otherwise specified, must be accompanied by a site development plan of sufficient size and scale in order to:

1. Show boundaries and topography of the property to be developed;
2. Show the proposed size, location, use, and arrangement of all structures, signs, parking and loading areas, drainage facilities, landscaping, and traffic and pedestrian circulation routes; and
3. Indicate the location, type, use and size of structures on adjacent properties within 100 feet of the proposed Special Use District boundary.

C. Removal of Zones. In the event that a use authorized as a Special Use District is permanently discontinued, the Special Use District may be canceled and removed under the provisions for an amendment to this Ordinance. That area delineated by a discontinued Special Use District shall be rezoned to the prevailing zone district as determined by the County Commission following recommendation by the Zoning Board.

[REV: Ord. No. 2008-003, 4/23/08]

D. Uses Allowed in Special Use District. A Special Use District may be authorized only for uses designated by the County Commission that are not permissive or conditional uses as defined by the Zone Districts enumerated above. Designated uses for this zone district which are subject to specific requirements or regulations are prescribed as follows:

[REV: Ord. No. 2008-003, 4/23/08]

1. Airports, airstrips and heliports subject to the following requirements:
[REV: Ord. No. 2008-003, 4/23/08]
 - a. Application for airport development shall be accompanied by a site plan showing: boundary lines including approach zones; runway layout with aprons, taxi strips, and parking and tie-down area; locations and heights of all buildings, structures, trees, and overhead wires within the airport boundary and the approach zones and also within 100 feet outside of such boundary; and other pertinent data such as topography and grading plan, drainage, water and sewer services, and access roadway,
 - b. The planned airport area shall be sufficient to meet Federal Aviation Administration requirements for the class of airport proposed, and
 - c. Any buildings or other structures in the proposed airport development shall be at least 100 feet from any right-of-way or lot line;
2. Commercial or cooperative cemetery, mausoleum, or crematory;
3. Correction, detention, or penal institution;
4. Dairies, slaughter houses, and Large Feedlots containing more than 200 head of animals;
5. Fuel wholesalers and storage (gasoline, liquefied petroleum) provided that all facilities shall not be within 500 feet of any dwelling unit unless sufficient blast, explosion, or fire confinement structures are installed according to appropriate State regulatory agencies;
6. Hospital, sanatorium, nursing home, or mental institution;

7. Limited industrial activities subject to the following regulations:
[REV: Ord. No. 95-5, 6/10/95]
 - a. The manufacturing, processing, assembling, renovating, treatment, storage, or warehousing of raw materials, goods, merchandise, or equipment shall be conducted within an enclosed building and/or within an area completely enclosed by a wall,
 - b. No building for manufacturing purposes shall be located less than 150 feet from any existing dwelling unit, except for a resident caretaker dwelling,
 - c. Any process using explosive material shall not be located within 500 feet of any dwelling unit unless sufficient blast, explosion, or fire confinement structures are installed according to appropriate State regulatory agencies,
 - d. All buildings on a manufacturing site shall not cover an aggregate area of more than 40 percent of such site, and
 - e. All manufacturing activities shall be conducted in accordance with State and Federal environmental standards;
8. Mining, processing, or stockpiling of rock, sand, gravel, clay, or similar materials; provided it complies with the following requirements for land rehabilitation:
 - a. Backfilling shall be made with non-noxious and non-combustible materials, and
 - b. Peaks and depressions of the land resulting from the operation shall be reduced to a surface which is in substantial conformity to the surrounding topography and measures are taken to minimize erosion;
9. Mobile Home Park, subject to the following requirements:
 - a. The maximum density of the Mobile Home Park shall be subject to the approval of the New Mexico Environment Department; however, if public water and sewer systems are available, then maximum density of the Mobile Home Park shall be 6 mobile homes per acre,
 - b. No mobile home shall be located within 40 feet of any other mobile home,
 - c. Any mobile home shall be located at least 25 feet from the right-of-way line of any roadway and at least 25 feet from any property line of the Mobile Home Park, and
 - d. All interior roadways shall be at least 25 feet wide, and shall be either paved or graveled;

10. Wind Energy Facilities, subject to the following requirements:
- a. Purpose: The County encourages the development of businesses that harness wind energy. The purpose of this special use district is to foster the development of the County's wind power resources while preserving traditional land uses.
 - b. Findings: The County finds that wind energy is an abundant, renewable and nonpolluting energy resource and that its conversion to electricity will reduce our dependence on nonrenewable energy resources and decrease the air and water pollution that results from the use of conventional energy sources. Wind energy systems also enhance the reliability and power quality of the power grid, reduce peak power demands and help diversify the state's energy supply portfolio. Wind energy power plants stimulate economic development directly and indirectly.
 - c. Wind Energy Facility Permit: If the County Commission approves a special use district for a Wind Energy Facility, the County Commission shall also issue to the applicant a Wind Energy Facility Permit. The Wind Energy Facility Permit shall specify additional conditions that apply to the Wind Energy Facility.
 - 1) Wind Energy Facility Permit. Prior to any change in ownership or controlling interest of any entity owning a wind energy facility permitted in Torrance County, application shall be made to the Zoning Board, requesting transfer of the wind energy facility siting permit. Approval of such transfer shall be conditioned upon explicit agreement by the new permittee to comply with all provisions of this Ordinance and the original permit. The application may be in letter form and shall be signed by the authorized representatives or agents of both the current permittee and the prospective permittee.
 - d. Definitions:
 - 1) Wind Energy Facility: An electricity-generating facility consisting of two or more wind turbines under common ownership or operating control that includes substations, MET towers, cables/wires and other building accessories to such facility, whose main purpose is to supply electricity to off-site customer(s).
 - 2) Permittee: The developer, owner or operator of a Wind Energy Facility who applies for a special use district and receives a Wind Energy Facility Permit.
 - e. Additional Information to be submitted with the application:

- 1) The applicant and landowner's name and contact information.
- 2) The Assessor's parcel map numbers, existing use and acreage of the site parcel.
- 3) A survey map at an appropriate scale showing the proposed location of the wind energy facility (including access roads) as it relates to the boundaries of the parcel, adjacent ownerships and existing residences/schools, churches, hospitals, or libraries to a distance of 2,000 feet (or other measure).
- 4) A survey map at an appropriate scale showing any federal, state, county or local parks, recognized historic or heritage sites, state-identified wetlands or important bird areas as identified in federal, state, county, or local GIS databases or other generally-available documentation.
- 5) Standard drawings of the wind turbine structure, including the tower, base and footings, drawings of access roads, and including an engineering analysis and certification of the tower, showing compliance with the applicable building code.
- 6) Data pertaining to the tower's safety and stability, including safety results from test facilities.
- 7) Proposal for landscaping and screening.
- 8) A completed Environmental Assessment Report.
- 9) A project visibility map, based on a digital elevation model, showing the impact of topography upon visibility of the project from other locations, to a radius of three miles from the center of the project. The scale used shall depict the three-mile radius as no smaller than 2.7 inches, and the base map used shall be a published topographic map showing man-made features, such as roads and buildings.
- 10) No fewer than four color photos, no smaller than 4" by 6", taken from each of the four cardinal directions from locations within a three-mile radius from the site.
- 11) Images of the photos from paragraph 10 above shall be computer-enhanced to simulate the appearance of the as-built site facilities as they would appear from the locations where the photos were taken.

f. Additional Approval Standards:

1) Safety:

- a) The minimum distance between the ground and any part of the rotor blade system shall be thirty (30) feet.
- b) Wind turbine towers shall not be climbable up to 15 feet above ground level by external ladders.
- c) All access doors to wind turbine towers and electrical equipment shall be lockable.
- d) Appropriate warning signage shall be placed on wind turbine towers, electrical equipment and wind energy facility entrances.
- e) Wind energy facilities shall not be artificially lighted, except to the extent required by the FAA or other applicable authority.
- f) All wind turbines shall conform to industry standards for automatic braking, governing or feathering to prevent uncontrolled rotation, over-speeding and excessive pressure on the tower structure, rotor blades and turbine components.
- g) As a condition of approval, prior to the construction of the facility the applicant shall submit to the County proof of insurance [in an amount to be determined by the County in consultation with the County's insurer], to cover damage or injury that might result from the failure of a tower or towers or any other part or parts of the generation and transmission facility.
- h) Any wind energy system found to be unsafe by a local, state or federal agency shall be repaired by the owner to meet federal, state and local safety standards or removed within six months.
- i) If any turbine is not operated for a continuous period of 12 months, the owner shall notify the County within 30 days of such occurrence and shall set forth reasons for the operational difficulty and propose a corrective action plan. The corrective action shall be completed within 6 months. If the corrective action is not completed, the County may require removal of the inoperative turbine and tower.

2) Siting and Installation:

- a) To the extent practicable, the facility shall combine transmission lines and points of connection to local distribution lines.
- b) To the extent practicable, the facility shall connect to existing substations, or if new substations are needed, minimize the number of new substations.
- c) Electrical controls and control wiring and power lines shall be wireless or underground except where wind farm collector wiring is brought together for connection to the transmission or distribution network, adjacent to that network.

3) Setbacks:

- a) Each wind turbine shall be set back from the nearest property line a distance no less than 1.1 times its total height, unless appropriate easements are secured from adjacent property owners.
- b) Each wind turbine shall be set back from the nearest public road a distance no less than 1.1 times its total height, determined at the nearest boundary of the underlying right- of-way for such public road.
- c) Each wind turbine shall be set back from the nearest above-ground public electric power line or telephone line a distance no less than 1.1 times its total height, determined from the existing power line or telephone line.

4) Nuisance:

- a) Audible noise due to wind energy facility operations shall not exceed fifty (50) dBA for any period of time, when measured at any occupied residence, school, hospital, church or public library existing on the date of approval of the wind energy facility.
- b) The applicant shall minimize or mitigate any interference with electromagnetic communications, such as radio, telephone or television signals caused by any wind energy facility.
- c) No individual tower facility shall be installed in any location where its proximity with fixed broadcast, retransmission or reception antenna for radio, television or wireless phone or other personal communications systems would produce electromagnetic interference with signal transmission or reception.

5) Environmental and Visual:

- a) Wind turbines shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the wind energy facility.
- b) The design of the buildings and related structures shall, to the extent reasonably possible, use materials, colors, textures, screening and landscaping that will blend the facility into the natural setting and existing environment.
- c) No individual tower facility shall be installed at any location that would substantially detract from or block the view of the major portion of a recognized scenic vista, as viewed from any public road right-of-way or publicly- accessible parkland or open space within the County.
- d) Wind turbines shall be set back at least 2,500 feet from important bird areas as identified by [state, feds].

6) Restoration of Property:

- a) As a condition of approval of a special use district for a Wind Energy Facility, within one year of the termination or abandonment of leases, easements or operations of a Wind Energy Facility, the permittee shall cause, at its own expense, the restoration of the land to its pre-facility condition.

[REV: Ord. No. 2008-003, 4/23/08]

11. Solar Energy Facilities, subject to the following requirements:

- a. Purpose: The County encourages the development of businesses that harness solar energy. The purpose of this special use district is to foster the development of the County's solar power resources while preserving traditional land uses.
- b. Findings: The County finds that solar energy is an abundant, renewable and nonpolluting energy resource and that its conversion to electricity will reduce our dependence on nonrenewable energy resources and decrease the air and water pollution that results from the use of conventional energy sources. Solar energy systems also enhance the reliability and power quality of the power grid, reduce peak power demands and help diversify the state's energy supply portfolio. Solar energy power plants stimulate economic development directly and indirectly.

c. Solar Energy Facility Permit: If the County Commission approves a special use district for a Solar Energy Facility, the County Commission shall also issue to the applicant a Solar Energy Facility Permit. The Solar Energy Facility Permit shall specify additional conditions that apply to the Wind Energy Facility.

1) Solar Energy Facility Permit. Prior to any change in ownership or controlling interest of any entity owning a solar energy facility permitted in Torrance County, application shall be made to the Zoning Board, requesting transfer of the solar energy facility siting permit. Approval of such transfer shall be conditioned upon explicit agreement by the new permittee to comply with all provisions of this Ordinance and the original permit. The application may be in letter form and shall be signed by the authorized representatives or agents of both the current permittee and the prospective permittee.

d. Definitions:

1) Solar Energy Facility: An electricity-generating facility consisting of any solar collector, as defined in the New Mexico Solar Rights Act, NMSA 1978, § 47-3-1 through 47-3-5, as amended, or combination of solar collectors under common ownership or operating control that includes substations, cables/wires and other building accessories to such facility, whose main purpose is to supply electricity to off-site customer(s).

2) Permittee: The developer, owner or operator of a Solar Energy Facility who applies for a special use district and receives a Solar Energy Facility Permit.

e. Additional Information to be submitted with the application:

1) The applicant and landowner's name and contact information.

2) The Assessor's parcel map numbers, existing use and acreage of the site parcel.

3) Demonstration:

4) A survey map at an appropriate scale showing the proposed location of the solar energy facility (including access roads) as it relates to the boundaries of the parcel, adjacent ownerships and existing residences/schools, churches, hospitals, or libraries to a distance of 2,000 feet (or other measure).

- 5) A survey map at an appropriate scale showing any federal, state, county or local parks, and recognized historic or heritage sites, as identified in federal, state, county, or local GIS databases or other generally- available documentation.
- 6) Standard drawings of a solar collecting device structure(s), including the bases and footings, drawings of access roads, and including an engineering analysis and certification showing compliance with the applicable building code.
- 7) Data pertaining to the solar collecting device's safety and stability, including safety results from test facilities.
- 8) Proposal for landscaping, screening, and storm water management.
- 9) A completed Environmental Assessment Report.
- 10) A project visibility map, based on a digital elevation model, showing the impact of topography upon visibility of the project from other locations, to a radius of three miles from the center of the project. The scale used shall depict the three-mile radius as no smaller than 2.7 inches, and the base map used shall be a published topographic map showing man-made features, such as roads and buildings.
- 11) No fewer than four color photos, no smaller than 4" by 6", taken from the each of the four cardinal directions from locations within a three-mile radius from the site.
- 12) Images of the photos from paragraph 10 above shall be computer-enhanced to simulate the appearance of the as-built site facilities as they would appear from the locations where the photos were taken.

f. Additional Approval Standards:

- 1) Safety:
 - a) The solar energy facility has been designed and would be operated to prevent the misdirection of concentrated solar radiation onto nearby property, public roads or other areas accessible by the public.
 - b) The solar energy facility has been designed and would be operated to protect public safety, including development and implementation of a plan of operating procedures to prevent public access to hazardous areas, including appropriate warning signage on electrical equipment and at the solar energy facility entrances.

- c) The solar energy facility is not located adjacent to, or within the control zone, of any airport.
- d) During the operation, all chemicals or solvents used to clean photovoltaic panels or heliostats would be low in volatile organic compounds and the operator would use recyclable or biodegradable products to the extent possible.
- e) Any component of the solar energy facility found to be unsafe by a local, state or federal agency shall be repaired by the owner to meet federal, state and local safety standards or removed within six months.
- f) If the solar energy facility is not operated for a continuous period of 12 months, the owner shall notify the County within 30 days of such occurrence and shall set forth reasons for the operational difficulty and propose a corrective action plan. The corrective action shall be completed within 6 months. If the corrective action is not completed, the County may require removal of the solar energy facility.

2) Siting and Installation:

- a) To the extent practicable, the facility shall combine transmission lines and points of connection to local distribution lines.
- b) To the extent practicable, the facility shall connect to existing substations, or if new substations are needed, minimize the number of new substations.
- c) Electrical controls and control wiring and power lines shall be wireless or underground except where solar collector wiring is brought together for connection to the transmission or distribution network, adjacent to that network.

3) Environmental and Visual:

- a) The design of the buildings and related structures shall, to the extent reasonably possible, use materials, colors, textures, screening and landscaping that will blend the facility into the natural setting and existing environment.
- b) No solar energy facility shall be installed at any location that would substantially detract from or block the view of the major portion of a recognized scenic vista, as viewed from any public road right-of-way or publicly-accessible parkland or open space within the County.

- c) No solar energy facility shall cause unnatural flooding of adjacent properties.

4) Restoration of Property

- a) As a condition of approval of a special use district for a Solar Energy Facility, within one year of the termination or abandonment of leases, easements or operations of a Solar Energy Facility, the permittee shall cause, at its own expense, the restoration of the land to its pre-facility condition.

[REV: Ord. No. 2008-003, 4/23/08]

12. Major power generation facilities including fuel-fired power plants as well as region-serving developments of solar or wind-driven energy generators.

[REV: Ord. No. 94-2, 2/9/94]

13. Planned Area Development (PAD), subject to the following requirements:

- a. A PAD shall incorporate a unified planning scheme for residential comprised of singular, multiple, and/or cluster dwelling units and other supportive land uses which cover an area of 40 acres or more,

[REV: Ord. No. 2008-003, 4/23/08]

- b. A PAD may be constructed in increments provided a development phasing schedule showing anticipated initiation and completion of each phase is documented, and provided each phase includes a site development plan as required for this zoning district and is reviewed and approved prior to development as a separate but component plan of the PAD,

- c. A Supportive Data Document shall be required and shall contain statements and information concerning the following:

[REV: Ord. No. 2008-003, 4/23/08]

- 1) purpose and intent of the PAD,
- 2) internal and external land use relationships,
- 3) distribution, type, and intensity of land uses,
- 4) development phasing schedule, if applicable,
- 5) proposed public features,
- 6) projected traffic impact when PAD is fully built out, and
- 7) consideration of the view shed among all other factors.

- d. The gross density of the PAD shall not exceed 3 dwelling units per acre, unless the dwelling units are served by public water and/or sewer systems, in which case the maximum gross density may be increased to a density which is appropriate for the area as determined by the Zoning Board;
[REV: Ord. No. 2008-003, 4/23/08]
 - e. A portion of the land within a PAD may be designated as open-space common area for resident use, provided ownership of the common area is clear, with appropriate covenants forbidding partition for future sale and development, and provided the maintenance responsibility for the common area is definite, and a method is provided for funding such maintenance of the common area;
 - f. Minimum lot size shall be one-and-one-half acres, or shall be subject to approval by the Zoning Board in areas where public water and sewer systems are available; and
[REV: Ord. No. 97-2, 3/26/97; Ord. No. 2008-003, 4/23/08]
 - g. All building setbacks within the PAD shall be subject to approval by the Zoning Board.
[REV: Ord. No. 2008-003, 4/23/08]
14. Salvage yards for scrap material, including automobile bodies, provided that:
[REV: Ord. No. 95-5, 6/10/95]
- a. All activities are conducted within an enclosed building or within an area completely enclosed by a wall,
 - b. Outside storage of salvage materials or automobile bodies may not be stacked higher than the surrounding wall,
 - c. Any walls surrounding outside storage of materials shall be located with a front setback of no less than 50 feet, and
 - d. The entire site for a salvage yard shall not exceed five acres;
15. Shopping Centers, subject to the following requirements:
- a. The shopping center site shall be located with direct access to a State or Federal arterial highway, or a designated County arterial road,
 - b. All buildings must be placed at least 30 feet from any property line of the shopping center land,
 - c. At least 10 percent of the required off-street parking area shall be landscaped and maintained in a clean and healthy condition,

- d. The exterior lighting of all buildings, structures, and surrounding grounds shall provide illumination for safety purposes, and shall be placed and screened to the extent possible such that it does not shine directly or reflect into any adjoining residential properties or public roadways,
 - e. Loading docks and outside storage areas shall be screened from public roadways and abutting residential properties,
 - f. Any shopping center proposal for an ultimate development containing more than 100,000 square feet of floor area shall include a traffic impact analysis of traffic generated by the shopping center and its effect on the surrounding roadway system, and
 - g. No shopping center shall cause unnatural flooding of adjacent properties from storm water runoff.
16. Travel Trailer or Recreational Vehicle Park provided it complies with the following requirements:
- a. The minimum park size shall be 2 acres,
 - b. The park site shall be graded, drained, and free of rubbish,
 - c. The park site shall have a wall, fence or planted area, 6 feet in height, that buffers the site from adjoining areas, and
 - d. The park shall contain individual campgrounds and each campground shall be at least 1,000 square feet in area with adequate parking such that no portion of any vehicle extends into a road within the park.

E. Water Usage. A proposed land use must comply with Section 23, pertaining to water usage.

[REV: Ord. No. 97-7, 6/27/97]

SECTION 16.1. TEMPORARY LAND USE OR SPECIAL EVENT PERMIT

Incidental or infrequent uses/events such as but not limited to circuses, fairs, carnivals, and outdoor sales that are commonly associated with a business or club which include but is not limited to civic, fraternal, charitable, religious, and patriotic organizations or temporary outdoor sales, or other commercial uses, may be allowed in "D" zone districts or on properties with an active Conditional Use or Special Use permit. Temporary Land Use or Special Event Permits shall be issued by the Planning and Zoning Director or designee, and shall be subject to the following conditions:

- A. Limitations. A Temporary Land Use or Special Event Permit shall not be issued for events/uses where the duration exceeds forty-five (45) days. The use/event shall not require the construction of permanent facilities or structures that will survive the conclusion of the event or use for which the temporary permit is issued. Applicants/landowners shall be limited to two Temporary Land Use or Special Event Permits per calendar year for a specific property and shall not be issued consecutively. The Planning and Zoning Director shall not issue a Temporary Land Use or Special Event Permit where the use is deemed to be incompatible with surrounding land uses.
- B. Permission. Prior to commencement of the temporary use or special event, the applicant shall provide a notarized statement from the property owner granting permission for the applicant to conduct the temporary use or event at the proposed site.
- C. Licensing. Applicants shall be required to obtain a temporary Torrance County business registration covering the proposed duration of the event/ use. A copy of the temporary business registration shall be submitted with the application.
- D. Safety. Any applicant whose temporary use/special event is deemed to present an increased risk to the public's health, safety, welfare and/or property, shall be required to obtain the approval of the County Sheriff and/or the County Fire Chief. Applicants shall be required to provide detailed plans to address any identified safety concerns that arise from the use/event. Applicants shall be required to bear the cost of any required Fire/EMS or law enforcement services deemed necessary to protect the public.
- E. Appeal. Issuance or denial of Temporary Land Use or Special Event Permits may be appealed to the Board of County Commissioners.

SECTION 17. OFF-STREET PARKING AND LOADING.

- A. Parking and Loading Space Required. There shall be provided on site, when any new building is erected, or change of land use is approved, off-street parking and loading spaces as set forth herein. Existing buildings continuing existing land uses need supply such parking and loading space only to the extent ground space is available on site. [REV: Ord. No. 2001-2, 3/14/01]
- B. Number of Parking Spaces. The minimum number of parking spaces to be provided shall be as follows:
1. Dwelling units: 2 spaces per dwelling unit;
 2. Eating and drinking establishments: one space per 100 square feet of floor area;

3. Industrial, manufacturing, and wholesaling establishments: one space per 2 employees on largest shift;
4. Medical and dental offices, clinics, including veterinary clinics: 5 spaces per doctor;
5. Offices, public buildings, and service establishments: one space per 300 square feet of floor area;
6. Places of public assembly: one space per 5 seats when fully occupied;
7. Retail and commercial business establishments: one space per 200 square feet of floor area;
8. Rooming or boarding house: one space for each 2 rooms; and
9. Additional space for parking may be required to prevent the occurrence of off-site parking along roadways and rights-of-way and on adjoining property.
[REV: Ord. No. 2001-2, 3/14/01]

C. Parking Design Standards. The following standards shall be applied to off-street parking area:

1. All parking spaces shall be provided with adequate circulation and access to a road or street;
2. Each parking space shall consist of an area not less than 9 feet by 20 feet; and
3. Where parking is used for larger vehicles such as semi-tractor trailers, spaces of sufficient size and adequate circulation and access for such vehicles must be provided.
[REV: Ord. No. 2001-2, 3/14/01]

D. Off-Street Loading Requirements. Sufficient off-street loading space shall be provided on all premises which receive or distribute bulk materials by motor vehicle. Off-street loading space shall not be located on designated off-street parking space or public right-of-way.

SECTION 18. SIGN REGULATIONS.

A. Purpose. The purpose of this Section is to allow such signs that will not endanger the public safety, will not obstruct or detract from visibility necessary for traffic safety, and will not be detrimental to the land use objectives set by this Ordinance. No sign shall be placed or erected in Torrance County unless such sign conforms to the regulations herein. In addition, these sign regulations shall be supplemental to the regulations promulgated by the New Mexico Highway Beautification Act [67- 12-1 to 67-12-14 NMSA 1978] concerning the regulation of outdoor advertising along public highways.
[REV: Ord. No. 96-4, 4/27/96]

B. Definition. For purposes of this Ordinance, a sign shall mean a device which is constructed to convey information visually and which is exposed to public view. A sign shall be construed to be a display surface or device containing organized and related elements composed to form a single unit. The following shall not be included in the application of regulations herein:
[REV: Ord. No. 96-4, 4/27/96]

1. Signs bearing only property numbers, postal box numbers, farm and ranch names, or individual names of occupants of premises;
2. Flags, insignia, or signs of any government, including legal notices, identification information, or directional signs;
3. Signs placed by a public utility for the health, safety, welfare, or convenience of the public; and
4. Temporary holiday decorations.

C. Sign Size. The size of signs within the County shall be regulated according to the sign face which shall mean that area of the sign or signs which is enclosed by a continuous line, connecting the extreme points or edges of the sign, but not including structural supports of the sign. On any two-sided sign, only one sign face shall be counted in calculating the design size.
[REV: Ord. No. 96-4, 4/27/96]

D. Business Signs. The following regulations shall apply to all signs relating to business, commercial, industrial, and service activities throughout the County, including both on-premise and off-premise signs:
[REV: Ord. No. 96-4, 4/27/96]

1. For purposes of this Ordinance, an off-premise sign means a sign that is not physically located on the premises to which the sign refers;

2. For any free-standing sign, attached to an independent supporting structure which is not an integral part of a building, the sign face shall not exceed 800 square feet if located within 350 feet of the right-of-way line of an Interstate Highway. Free-standing signs which are not located within 350 feet of the right-of-way line of an Interstate Highway shall not exceed 300 square feet of sign face;
3. Building-mounted signs shall not exceed 100 square feet of sign face per tenant, unless the building is located within 350 feet of the right-of-way line of an Interstate Highway wherein a building-mounted sign shall not exceed 300 square feet of sign face per tenant;
4. No more than one on-premise, free-standing sign adjacent to each abutting roadway may be allowed. In any case of multiple enterprises on the premises, one free-standing sign may be allowed for each enterprise provided that no single sign shall exceed 800 square feet of sign face and the aggregate of all free-standing signs shall not exceed a sum of 1200 square feet of sign face on the premises;
5. Signs may be illuminated by any manner, provided there is no direct or reflected light onto highways or into residential areas;
6. Free-standing signs shall not exceed 30 feet in height, however, free-standing signs located within 350 feet of the right-of-way line of an Interstate Highway may be constructed to a maximum of 80 feet in height. Building-mounted signs shall not exceed the height of the building unless granted a variance in accordance with this Ordinance; and
7. One non-illuminated sign is allowed for each home occupation permitted by the County, provided that no such sign shall exceed six square feet of sign face;
8. All free-standing business signs are required to display a County Business License number and must pay a one-time fee of \$25 (twenty-five dollars) to cover administrative and inspection costs.

E. Auxiliary Signs. The following regulations for auxiliary signs shall apply County-wide:
[REV: Ord. No. 96-4, 4/27/96]

1. Signs visible from public right-of-way directing and guiding traffic and parking on private property shall not exceed ten square feet of sign face, may be illuminated by any manner provided there is no direct or reflected light onto highways or into residential areas, and shall display no advertising matter. For an enterprise which provides services to commercial trucking, such signs may be allowed that will not exceed 150 square feet of sign face, will not exceed 20 feet in height, and will not exceed 20 feet in length;
2. Informational signs intended to identify name, location, activities, or occupant of non-residential premises shall be limited to two signs, each of which shall not exceed 32 square feet of sign face and may be illuminated only by indirect light; and

3. No auxiliary sign shall be higher than its distance to the nearest point on the property line, but in no case higher than the height of the highest building on the premises.

F. Temporary Signs. Requirements for temporary signs which are placed for a limited period of time are as follows:

[REV: Ord. No. 96-4, 4/27/96]

1. No temporary sign may be placed unless identification of the responsible agent is clearly posted on the sign;
2. Signs relating to the sale, lease, or development of real estate shall comply with the following regulations:
 - a. One on-premise sign per lot is permitted, provided that no such sign face shall exceed ten square feet,
 - b. Off-premise signs directing or leading prospective buyers to real estate for sale or lease shall be limited to no more than five signs for each property, provided that no such sign face shall exceed ten square feet,
 - c. Signs promoting or advertising subdivisions for sale shall not have a sign face greater than 32 square feet, and
 - d. All real estate signs shall be removed within five days after the property is sold;
3. Signs relating to a political campaign prior to an election may be permitted on any lot provided such signs shall not be placed more than 90 days prior to the election and shall be removed within 10 days following the election;
4. Temporary signs which are not related to a political campaign shall be placed for a maximum of 90 days, which may be extended no more than twice for periods of 60 days each, following separate written requests for renewal to the Zoning Director;
[REV: Ord. No. 2008-003, 4/23/08]
5. No temporary sign shall be higher than its distance to the nearest point on the property line, but in no case higher than the height of the highest building on the premises; and
6. Temporary signs shall be non-illuminated and shall not exceed 32 square feet of sign face.

G. Prohibited Signs. The following signs are prohibited within the County:

[REV: Ord. No. 96-4, 4/27/96]

1. Signs located within dedicated public right-of-way or an easement for a roadway;

2. Signs applied to trees, rocks, or other natural objects;
3. Signs which are or may become a public safety hazard.

H. Nonconforming Signs. Any sign that does not comply with a regulation concerning sign dimensions, number, and location as stated herein, but which existed prior to the effective date of such sign regulation, shall be considered a nonconforming sign and shall be subject to the following requirements:

[REV: Ord. No. 96-4, 4/27/96]

1. The nonconforming sign shall not be expanded or extended; and
2. Routine maintenance of a nonconforming sign is allowed.

SECTION 19. ADMINISTRATION.

A. Administrative Official. A Zoning Director shall be appointed by the County Commission to administer the provisions of this Ordinance. The Zoning Director may also serve in some other capacity as an employee or appointed official of the County.
[REV: Ord. No. 2008-003, 4/23/08]

B. Authority of Zoning Director. The Zoning Director is authorized to take reasonably necessary actions to administer and enforce this Ordinance, including:

1. Conducting inspections of buildings, structures, and the uses of land to determine compliance with this Ordinance;
2. Investigating resident complaints alleging violations of this Ordinance;
3. Issuing notices of violations of this Ordinance;
4. Issuing citations charging violations of this Ordinance;
5. Prosecuting charges for violations, including negotiating and entering into plea agreements, before the Torrance County Magistrate Court.
[REV: Ord. No. 2008-003, 4/23/08]

C. Authority of Zoning Enforcement Officer. The Zoning Director may designate a Zoning Enforcement Officer and delegate the Zoning Director's full authority to enforce this Ordinance to the Zoning Enforcement Officer. If a Zoning Enforcement Officer is so designated, then any restrictions, limitations or requirements placed upon the Zoning Director for the enforcement of this Ordinance shall apply to the Zoning Enforcement Officer.

[REV: Ord. No. 2008-003, 4/23/08]

D. Inspections and Investigations. The Zoning Director shall carry an identification card provided by the County during all inspections and investigations. This provision does not grant right of entry without due process of law if necessary. The Zoning Director shall conduct on-site inspections and collect other relevant information which may be requested by the County Commission or the Zoning Board as necessary to carry out the purpose of this Ordinance.

[REV: Ord. No. 2008-003, 4/23/08]

E. Information and Records. The Zoning Director shall maintain an office to supply the public with information concerning this Ordinance, and shall maintain copies of this Ordinance and the County Zoning Map in an updated form. A "Zoning Action File" shall be maintained and shall contain records of the following:

[REV: Ord. No. 2008-003, 4/23/08]

1. Conditional Use Permits;
2. Variances Allowed Under this Ordinance;
3. Zone District Changes;
4. Special Use Permits;
5. Requests for Use Interpretation;
6. Applications for Amendments to this Ordinance;
7. Certificates of Nonconformance;
8. Zoning Appeals;
9. Zoning Violations and Complaints;
10. Development Review Permits; and
11. Building Permit Applications.

[REV: Ord. No. 97-5, 6/27/97; Ord. No. 2008-003, 4/23/08]

F. Development Review Permit. For purposes of this Ordinance, with respect to any premises within the jurisdiction of Torrance County:

1. No accessory structure or building meeting current New Mexico Regulation & Licensing Construction Industries Division size requirement for a building permit nor mobile home shall be placed, constructed, or installed, nor;

[REV: Ord. No. 2008-003, 4/23/08]

- a. Shall electric service be connected to any accessory structure, building or mobile home if such building or mobile home has not already had electric service previously connected or has not already been issued a Development Review Permit in connection with such electric service, nor;

- b. Shall any building or mobile home be used as a residence if the building has not previously been used as a residence or has not previously been issued a Development Review Permit in connection with such use as a residence, without first being reviewed by the Planning and Zoning Director, and issued a Development Review Permit. In addition to these requirements, an applicant for a Development Review Permit shall:

[REV: Ord. No. 2008-003, 4/23/08]

- 1) Submit a recorded deed or real estate contract that the applicant is the owner in fee simple or equitable title owner of the property or, proof that owner has authorized the application, through lease or other written authority.
- 2) Submit a suitable Building Permit or appropriate documentation establishing the applicant's right to construct a building or residence.
- 3) Submit the appropriate septic permit by the State Environment Department.
- 4) Submit the appropriate well permit issued by the State Engineer's Office or letter of intent from a centralized water system which states the proper legal description for the subject property and confirms there is a sufficient amount of water to provide for potable, sanitary, and fire suppression service to the dwelling or accessory structure. Applications which rely upon water harvesting or hauling water from a source off-premise must have on-premise storage capacity sufficient to provide the services listed above designed by a New Mexico licensed engineer or architect.
- 5) Submit a copy of the (1) New Mexico Registration and Title, or (2) Manufacture Certificate of Origin for a mobile or modular home.
- 6) Submit a statement from the Solid Waste Authority that you will be receiving their services for developments of human occupation.
- 7) Submit a statement from the Torrance County Treasurer showing taxes are paid to date.
- 8) Submit the applicable permit fee to the Planning and Zoning Director.
- 9) Where the property to be developed lies within a special flood hazard area, submit additional information and documentation as provided in the Flood Damage Prevention Ordinance, 92-4, or the Federal Emergency Management Agency (FEMA) National Flood Insurance Program.

[REV: Ord. No. 2008-003, 4/23/08]

2. Upon the review and approval of the Planning and Zoning Director, a Development Review Permit will be issued, a property address can be assigned, and a site inspection will be performed.

[REV: Ord. No. 2008-003, 4/23/08]

G. Violations and Enforcement. Whenever a violation of this Ordinance is discovered or is alleged to have occurred, the Zoning Director shall investigate and inspect the site of the violation or alleged violation and take action as follows:

[REV: Ord. No. 2008-003, 4/23/08]

1. Any person aggrieved by an apparent violation of this Ordinance may file a written complaint with the Zoning Director. Such complaint shall describe the location and circumstances of the apparent violation with specific references to the provisions of this Ordinance which are alleged to have been violated.

[REV: Ord. No. 2008-003, 4/23/08]

2. Whenever the Zoning Director finds probable cause to believe a violation of this Ordinance exists, whether acting on independent initiative or in response to a written complaint, the Zoning Director shall notify the person responsible for the alleged violation. Such notification shall be made in writing to the owner or tenant of the property, indicating the nature of the violation and ordering the action necessary to correct the violation. Corrective action may require discontinuance of illegal use of land, buildings or structures; removal of illegal buildings or structures or of additions, alterations or structural changes thereto; discontinuance of any illegal work being done; or shall require the taking of any other action authorized by this Ordinance to ensure compliance with or to prevent violations of the provisions of this Ordinance. Absence of personal service of the notice of violation shall not constitute a defense when the Zoning Director has made a diligent effort to locate the owner or tenants.

[REV: Ord. No. 2008-003, 4/23/08]

3. Action to correct a violation of this Ordinance shall be completed within 60 days following the date of notification by the Zoning Director. If a violator fails to take corrective action within 60 days, the County shall seek imposition of the penalties set forth in this Ordinance.

[REV: Ord. No. 97-2, 3/26/97; Ord. No. 2008-003, 4/23/08]

SECTION 20. NONCONFORMITIES.

A. Definition. Within the zone districts established by this Ordinance, there exist: lots, structures, or uses of land or structures which were lawful before this Ordinance was passed or amended, but would be prohibited or restricted under the terms of this Ordinance. It is the intent of this Ordinance to allow these nonconformities to continue until they are removed, but not to encourage their survival.

B. Certificate of Nonconformance. Nonconformities shall be identified and issued Certificates of Nonconformance as determined by the Zoning Director. Upon receipt of a written notification from the Zoning Director, it shall be the responsibility of owners of nonconforming property to obtain a Certificate of Nonconformance from the Zoning Director within 60 days after the date of notification.

[REV: Ord. No. 2008-003, 4/23/08]

C. Nonconformities Allowed. A nonconformity existing at the time this Ordinance takes effect may be continued under the Certificate of Nonconformance. The authority to continue a nonconforming use is transferable to the successors and assigns of the owner. The transfer of authority shall be evidenced by transfer of the Certificate of Nonconformance to the successor or assignee. A continuing nonconforming use may also be referred to as a "grandfathered use".

D. Expansion. A nonconformity shall not be enlarged, expanded, or extended. However, the addition of a lawful use to any portion of a nonconforming building shall not be deemed an extension of such nonconforming building.

E. Restoration. If a nonconforming use or structure is damaged or destroyed by any means to an extent of more than 50 percent of its replacement cost at the time of destruction, then restoration must be for a permitted use. Singular dwelling units, however, may be exempt from this restoration requirement if approved by the Zoning Board and the New Mexico Environment Department in order to comply with Liquid Waste Disposal Regulations.

[REV: Ord. No. 2008-003, 4/23/08]

F. Abandonment. Whenever a nonconforming use has been discontinued or abandoned for a period of one year or more, such use shall not thereafter be reestablished, and any future use must be in conformance with the provisions of this Ordinance. Any nonconforming dry land or irrigated farmland shall be exempt from this abandonment requirement.

G. Nonconforming Lot Size. Any lot of record existing prior to the effective date of this Ordinance, which fails to meet the minimum area requirements, may be developed, redeveloped, or improved provided that any other requirements of the lot are in conformance with the provisions of this Ordinance. Unless specifically cited by the Zoning Board, a Certificate of Nonconformance will not be required for nonconforming lots.

[REV: Ord. No. 2008-003, 4/23/08]

SECTION 21. CONDITIONAL USE PERMITS.

A. Approval and Permit Required. Conditional uses established by this Ordinance shall not be allowed without the review and approval of the Zoning Board, which shall be guided in making a decision by the criteria set forth in this section. Anyone seeking a Conditional Use Permit shall provide to the Zoning Director such information as may be reasonably required to determine whether the requested conditional use is consistent with the intent and purpose of this Ordinance.

[REV: Ord. No. 2008-003, 4/23/08]

B. Application. Any request for a Conditional Use Permit shall be submitted with filing fee to the Zoning Director on a prescribed application form obtainable from the Zoning Director. The Zoning Director shall transmit the application and any supplementary information to the Zoning Board for review and consideration at their next regularly scheduled meeting. To the extent possible, all abutting property owners shall be notified of the Zoning Board meeting at which the Conditional Use Permit application will be considered.

[REV: Ord. No. 2008-003, 4/23/08]

C. Posting Signs. The Zoning Director shall post one or more signs on the premises involved, no less than 15 days prior to the date of the Zoning Board meeting at which the Conditional Use Permit application will be considered. The applicant shall maintain the posted sign on the premises until the zoning action is completed. Such posted sign shall provide details of the application and the meeting at which the zoning action will be considered. At least one on-premise sign shall be visible from each road which abuts the premises involved. The applicant is responsible for removing such signs within five days after a decision is made on the Conditional Use Permit. Failure to properly maintain signs is grounds for deferral or denial of the application. It is unlawful for any person, except the applicant or an agent for the applicant or the Zoning Director, to remove any such sign during the period it is required to be maintained under this paragraph.

[REV: Ord. No. 97-6, 6/27/97; Ord. No. 2008-003, 4/23/08]

D. Guidelines. The Zoning Board shall not approve any Conditional Use Permit unless satisfactory provision has been made concerning the following, where applicable:

[REV: Ord. No. 2008-003, 4/23/08]

1. Accessibility to property and proposed structures thereon, with particular reference to automobile and pedestrian safety, traffic control, and emergency access in case of fire, flood, or catastrophe;
2. Off-street parking and loading areas where required, with particular attention to the refuse and service areas;
3. Water and liquid waste facilities, with reference to soil limitations, locations, and public health;
4. The economic, noise, glare, or odor effects of the conditional use on adjoining properties;
5. General compatibility with adjacent properties; and
6. A proposed land use must comply with Section 23, pertaining to water usage.

[REV: Ord. No. 97-7, 6/27/97]

E. Limitations. Conditional Use Permits issued in accordance with this Ordinance shall be considered permanent, with the following exceptions:

[REV: Ord. No. 95-5, 6/10/95]

1. For any conditional uses that have an exceptional tendency, because of their nature or character, to create an adverse impact on neighboring properties, the Zoning Board may limit the term of the permit to a specified length of time after which the permit shall expire and may be renewed. An application for renewal of the Conditional Use Permit may be submitted and processed in the same manner as the original application, with reduced filing fee.
[REV: Ord. No. 2008-003, 4/23/08]
2. Where there has been a significant change in the physical extent, operations, or character of a permitted conditional use, the Zoning Board may require a renewal of the original Conditional Use Permit. Significant change shall be determined by the Zoning Board, based on a scheduled review of the Conditional Use Permit.
[REV: Ord. No. 2008-003, 4/23/08]
3. An approved Conditional Use Permit shall become void one (1) year after the date of approval if the rights and privileges granted thereby have not been utilized.
4. An approved Conditional Use Permit shall become void if, after the use has begun, it ceases on the approved site for a continuous period of one (1) year or more.
5. The County Commission may revoke a permit if the requirements and restrictions required by this Ordinance are not met. Before a permit may be revoked, the permittee must be given at least 10 days written notice of the specific charges and be given the opportunity for a hearing before the County Commission.
[REV: Ord. No. 2001-2, 3/14/01; Ord. No. 2008-003, 4/23/08]

SECTION 22. VARIANCES.

- A. Definition. The Zoning Board may approve a variance from the strict application of area, dimension, distance, setback, off-street parking, and off-street loading requirements of this Ordinance in the case of exceptional physical conditions where the strict application of the requirements of this Ordinance would result in a practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of land or building.
[REV: Ord. No. 2008-003, 4/23/08]
- B. Application. Any request for a variance should be submitted with filing fee to the Zoning Director on a prescribed application form obtainable from the Zoning Director. The Zoning Director shall transmit the application and any supplementary information to the Zoning Board for review and consideration at their next regularly scheduled meeting. To the extent possible, all abutting property owners shall be notified of the Zoning Board meeting at which the variance application will be considered.
[REV: Ord. No. 2008-003, 4/23/08]

C. Posting Signs. The Zoning Director shall post one or more signs on the premises involved no less than 15 days prior to the date of the Zoning Board meeting at which the variance application will be considered. The applicant shall maintain the posted sign on the premises until the zoning action is completed. Such posted sign shall provide details of the application and the meeting at which the zoning action will be considered. At least one on-premise sign shall be visible from each road which abuts the premises involved. The applicant is responsible for removing such signs within five days after a decision is made on the variance. Failure to properly maintain signs is grounds for deferral or denial of the application. It is unlawful for any person, except the applicant or an agent for the applicant or the Zoning Director, to remove any such sign during the period it is required to be maintained under this paragraph.
[REV: Ord. No. 97-6, 6/27/97; Ord. No. 2008-003, 4/23/08]

D. Water Usage. A proposed land use must comply with Section 23, pertaining to water usage.
[REV: Ord. No. 97-7, 6/27/97]

E. Requirements. The Zoning Board may impose any necessary requirements in approving a variance to assure that the requested variance:
[REV: Ord. No. 2008-003, 4/23/08]

1. Will cause no significant hazard, annoyance, or inconvenience to the owners or occupants of nearby property; and
2. Will not significantly change the character of the neighborhood or reduce the value of nearby property.

SECTION 23. WATER USAGE.

A. Purpose. Given the effects that water usage associated with a proposed land use may have on water resources within the County, both as to quality and quantity, the purpose of this section is to promote the health, safety and welfare of County inhabitants; to promote the conservation and beneficial use of water resources within the County; and to protect prior existing water rights and interests.
[REV: Ord. No. 97-7, 6/27/97]

B. Application. Every application under the Zoning Ordinance will be evaluated as to its potential effect on water resources within the County. Every application shall contain with it a statement of the water usage associated with or required to carry out the proposed land usage. Either the Zoning Director or Zoning Board shall make an initial review of the associated water usage and shall determine whether the proposed usage is of such an extent or nature that referral for comment to an appropriate public agency is in order.
[REV: Ord. No. 97-7, 6/27/97; Ord. No. 2008-003, 4/23/08]

C. Referral to Public Agency. After an application is deemed complete, the County Zoning Director or Zoning Board may forward a copy of the application to any of the following state or local agencies by certified mail "Return Receipt Requested" with a request for review and opinion:

[REV: Ord. No. 97-7, 6/27/97; Ord. No. 2008-003, 4/23/08]

1. New Mexico State Engineer's Office;
2. New Mexico Environment Department;
3. Soil and Water Conservation District in which the proposed land usage would occur;
4. The Estancia Basin Water Planning Committee; and
5. Such other public agencies as the County deems necessary or appropriate.

D. Agency Response. The state and/or local agencies shall be given forty-five (45) days from their receipt of the application to review and return an opinion regarding its effect on water resources within the County. The Zoning Director shall obtain receipts or other proof showing the date the opinion request was received by each state or local agency. In reviewing an application, the Zoning Board shall consider any timely agency response or comment in making a decision or recommendation on the application.

[REV: Ord. No. 97-7, 6/27/97; Ord. No. 2008-003, 4/23/08]

E. Guidelines. In evaluating a water usage associated with a proposed land use, the County shall consider the following factors, where applicable:

[REV: Ord. No. 97-7, 6/27/97]

1. The effect or impacts on the public safety, health and welfare of County inhabitants, particularly those in the vicinity of the proposed water usage;
2. The potential adverse effects on water quality;
3. Effects on water quantity, including potential impairment of prior existing water uses; and
4. Whether the water use is consistent with conservation and beneficial use of water.

SECTION 24. AMENDMENTS.

A. Amendment. The County Commission may amend any part of this Ordinance, including the zone district boundaries. The County Commission may elect to submit a proposal for amendment to the Zoning Board for review and recommendation made by the Zoning Board.

[REV: Ord. No. 2008-003, 4/23/08]

B. Application. Any request for an amendment to this Ordinance, not originating from the County Commission or from a committee established by the County Commission to propose an amendment, shall be submitted with filing fee to the Zoning Director on a prescribed application form obtainable from the Zoning Director. The Zoning Director shall transmit the application and any supplementary information to the Zoning Board for review and consideration at their next regularly scheduled meeting. The Zoning Board shall prepare and transmit a recommendation in writing to the County Commission within 7 days after their review of the proposed amendment is completed. To the extent possible, all abutting property owners of any land proposed for a zone change shall be notified of the Zoning Board meeting at which a zone change will be reviewed for recommendation to the County Commission. An application to amend the zone map for specific parcel of land must be accompanied by a site development plan, showing to scale and in detail the proposed structures on the site, distance from structures on adjoining properties, ingress and egress, parking and signage. If the application is approved by the County Commission, the land uses on the parcel shall conform to the site development plan and may only be modified by approval of the Zoning Board of a revised plan.

[REV: Ord. No. 2001-2, 3/14/01; Ord. No. 2008-003, 4/23/08]

C. Public Hearing. A public hearing on all applications for a text change to the ordinances or change of the Zone Map, shall be held by the Torrance County Planning and Zoning Board. Notification of the time and place of the public hearing shall be published in a newspaper of general circulation in the County at least 15 days prior to the hearing.

D. Posting Signs. The Zoning Director shall post one or more signs on the premises involved no less than 15 days prior to the date of the Zoning Board meeting at which the amendment application will be considered. The applicant shall maintain the posted sign on the premises until the zoning action is completed. Such posted sign shall provide details of the application and the public hearing at which the zoning action will be considered. At least one on-premise sign shall be visible from each road which abuts the premises involved. The applicant is responsible for removing such signs within five days after a decision is made by the County Commission on the application for amendment. Failure to properly post signs is grounds for deferral or denial of the application. It is unlawful for any person, except the applicant or an agent for the applicant or the Zoning Director, to remove any such sign during the period it is required to be maintained under this paragraph.

[REV: Ord. No. 97-6, 6/27/97]

E. Notification by Mail. Whenever a property owner initiates a zone change for an area of one block or less (or 5 acres or less), notice of the public hearing shall be mailed by certified mail, return receipt requested, to the owners of land within the area proposed to be changed by a zoning regulation and within 100 feet, excluding public right-of-way, of the area proposed to be changed by zoning regulations. Whenever a property owner initiates a zone change for an area of more than one block (or more than 5 acres), notice of the public hearing shall be mailed by first class mail to the owners of land within the area proposed to be changed by a zoning regulation and within 100 feet, excluding public right-of-way, of the area proposed to be changed by zoning regulations. If any notice by first class mail is returned undeliverable, the County shall attempt to discover the owner's most recent address and shall remit the notice by certified mail, return receipt requested, to that address. Notification by mail is not required for County-wide changes, initiated by the County, for purposes of revising or adopting a new zoning category; however such changes are subject to the public notice requirements provided herein for the public hearing to consider an amendment to this Ordinance.

[REV: Ord. No. 97-2, 3/26/97]

F. Procedure. The Zoning Board shall make its decision on each application and shall make a recommendation to the Board of County Commissioners. The Board of County Commissioners shall act to uphold, overturn, or remand the decision to the Zoning Board no later than the next regularly scheduled meeting of the Board of County Commissioners immediately following the Appeal Period.

SECTION 25. APPEALS.

A. Right of Appeal. Anyone aggrieved by a decision of the Zoning Director or the Zoning Board in carrying out the provisions of this Ordinance may appeal such decision to the County Commission. Such appeal must set forth specifically wherein it is claimed there was an error or an abuse of discretion, or where the decision was not supported by evidence in the matter.

[REV: Ord. No. 2008-003, 4/23/08]

B. Application. Any appeal following a decision of the Zoning Director or the Zoning Board shall be made in writing to the County Commission on prescribed forms obtainable from the Zoning Director upon payment of the applicable filing fee. Any appeal not submitted within fourteen (14) days after the decision which is the subject of the appeal shall not be considered by the County Commission.

[REV: Ord. No. 2008-003, 4/23/08]

C. Public Hearing. The decision on an appeal shall be made by the County Commission following a public hearing. Notification of the time and place of the public hearing shall be published in a newspaper of general circulation in the County at least 15 days prior to the hearing.

[REV: Ord. No. 2008-003, 4/23/08]

D. Stay of Proceedings. An appeal shall stay all proceedings in the action unless the Zoning Director or Zoning Board certifies that a stay will cause imminent peril to life or property. Upon such certification, the proceedings shall not be stayed except by order of district court.
[REV: Ord. No. 2008-003, 4/23/08]

E. Decision. An appeal shall be decided within 45 days of the date of application of the appeal. A majority vote of the members of the County Commission is required to reverse, change, or affirm a decision made by the Zoning Director or the Zoning Board.
[REV: Ord. No. 2008-003, 4/23/08]

SECTION 26. FEES.

A. Applications. Any applications required by this Ordinance shall be filed on prescribed forms obtainable from the Zoning Director upon payment of filing fee. Such fees shall not be required where the County or any official thereof is the moving party. The purpose of the filing fee is to cover administrative and processing costs and shall not be refundable.
[REV: Ord. No. 94-2, 2/9/94; Ord. No. 2008-003, 4/23/08]

B. Fees. Fees under this Ordinance are required for the following actions. The Commission shall set the amount of fees by resolution. The Zoning Director shall maintain a copy of the fees resolution and make it available to the public and applicants:
[REV: Ord. No. 2001-2, 3/14/01; Ord. No. 2008-003, 4/23/08]

1. Conditional Use Permit
2. Conditional Use Permit renewal
3. Variance
4. Zone District Change Permit
5. Special Use Permit, including Wind Energy Permit or Solar Energy Permit
6. Request for Use Interpretation
7. Amendment to this Ordinance
8. Appeal
9. Development Review Permit
10. Initial Solid Waste Facility Permit
11. Solid Waste Facility Permit Renewal

12. Enlarged Zoning Maps
[REV: Ord. No. 2008-003, 4/23/08]

SECTION 27. PENALTIES.

Anyone violating any of the provisions of this Ordinance shall upon conviction be subject to a fine not exceeding \$300 or imprisonment for a period not exceeding 90 days, or both such fine and imprisonment. Any violation continued for a period of 30 days after conviction shall be prosecuted and treated as a separate offense.

SECTION 28. SEVERABILITY.

The provisions of this Ordinance shall be deemed to be severe, and should any sentence, paragraph, or provision hereof be declared by the courts to be unconstitutional or invalid, such holding shall not affect the validity of this Ordinance as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

SECTION 29. EFFECTIVE DATE.

This Ordinance shall become effective on the 20th day of April 1990, following publication of title and general summary. Amendments to this Ordinance are effective when adopted by the County Commission according to the laws governing County ordinances.
[REV: Ord. No. 2008-003, 4/23/08]

ORIGINALLY PASSED APPROVED AND SIGNED the 21st day of March 1990, by the Board of County Commissioners of Torrance County, New Mexico.

AMENDED on the 11th day of May 2016, by the Board of County Commissioners of Torrance County, New Mexico.

AMENDED on the 8th day of July 2020, by the Board of County Commissioners of Torrance County, New Mexico, Amendments shall be effective on the 1st day of August 2020.

AMENDED on the 13th day of November, 2024, by the Board of County Commissioners of Torrance County, New Mexico. Amendments shall become effective on the ___ day of _____.

APPROVED AS TO FORM ONLY:

BOARD OF COUNTY COMMISSIONERS:

County Attorney

Ryan Schwebach, Chair

Kevin McCall, Vice Chair

Samuel Schropp, Member



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 12 B

RURAL ADDRESSING ORDINANCE

ORDINANCE NO. 2024-03

RELATING TO RURAL ADDRESSING, PUBLIC SAFETY, EMERGENCY SERVICE, ROAD NAMES, STREET SIGNS, ROAD MAPS AND PENALTIES.

BE IT ENACTED BY THE COUNTY COMMISSION OF TORRANCE COUNTY:

SECTION 1. SHORT TITLE

This Ordinance shall be cited as the "Torrance County 911 Numbering/Rural Addressing Ordinance. "

SECTION 2. LEGISLATIVE INTENT

The purpose of this Ordinance is to provide a physical address, consisting of a number and road name, in predominately rural areas so that all commercial and residential structures can be quickly found and identified by law enforcement, emergency service personnel and utility providers.

SECTION 3. DEFINITIONS

- A. "Building" includes all residential and commercial structures.
- B. "Commission" means the Board of County Commissioners.
- C. "County" means Torrance County, New Mexico.
- D. "County Rural Addresser" means the person employed, appointed, or contracted by the County who has the duty of assigning rural address numbers, directly responsible to Emergency Services.
- E. "Emergency Services" means fire, police, ambulance services, E-911 etc.
- F. "Mile Marker" means a system of mileage indicators displayed alongside county, state and federal highways which start at a zero (0) point of origin and are set at intervals of one mile.
- G. "Person" means an individual, partnership, corporation, public utility association, subdivider, or land developer.
- H. "Physical Address" means the address number assigned by the Addresser, or designee, after measurements have been made on a named road.
- I. "Public Utility" includes, but is not limited to, electric, water, sewer, natural gas, telephone, and cable television companies.
- J. "Unincorporated" means those areas in the County which are located outside any municipal limits or not held in trust or ownership by the Federal Government or State of New Mexico.

SECTION 4. ADDRESSING

- A. The mile marker system or rural addressing shall be used in all unincorporated areas of the County.
- B. All buildings in the unincorporated areas of the County shall be numbered according to their distance from the beginning of the road upon which the building is located, fronts or from which access to the building is provided, unless an alternate system is used. Once the address has been assigned it shall be placed in a conspicuous place forty-two inches from grade. The numbers shall be placed in a manner which is highly visible from the primary access to the property and made of a material which is highly reflective so as to be seen clearly at night.
- C. Route Identification. The route identifier hierarchy is:
 - 1. Interstate Routes
 - 2. U.S. Routes
 - 3. State Routes
 - 4. County Roads
- D. Starting Point. The rural addressing starting point for state highways shall be according to the existing markers. All roads which provide access to more than three buildings shall begin at the point where they branch from another road. If any road loops and has both ends accessed from the same road, the starting point shall be at the lower numbered end of the access road.
- E. All public and private roads and easements which provide access to four or more lots shall be named either in accordance with the name assigned to that area, or as approved by the County. Road names shall be 17 characters or less, including spaces.
- F. The County may change road names to eliminate duplication, mitigate safety concerns, or protect the health and general welfare of County citizens. Approval of name change shall require final approval of the Torrance County Commission.
- G.
 - 1. Road signs shall conform to the minimum standards below regarding visibility size, lettering, and height. These standards shall ensure that road name and addresses are visible night or day by emergency services personnel.
 - 2. Road signs shall be installed and maintained by the County except:
 - A. Land developer or subdivider shall submit a proposed list of road names to the County for approval. Developer, subdivider, or representative must personally meet with the rural addresser. Upon approval, developers, or subdividers at their expense, shall initially place road signs within the development or subdivision, at the beginning of each road, and at each crossroad.

3. The following are the minimum uniform standards for all road signs:
 - A. Background for signs shall be of slightly reflective, green aluminum sheeting of .125 inches.
 - B. Letters shall be highly reflective white and four inches in height.
 - C. The signs shall be placed at least seven feet from ground level when mounted.
- H. All buildings in the unincorporated areas of the County shall be numbered. Numbers shall be assigned to all buildings by the County.
- I. Numbers shall be permanently placed and maintained in a location clearly visible from the road upon which the building is located.
- J. The County shall maintain an official map showing the number of each building in the unincorporated areas of the County.

SECTION 5. ADMINISTRATION OF ORDINANCE

- A. The County Commission shall have the authority to employ, appoint or contract with a competent person or agency for rural Addresser. The Commission shall have the authority to hire, appoint, or contract with additional rural addressers as necessary.
- B. The Rural Addresser shall be responsible for the administration of this Ordinance.

SECTION 6. PROHIBITIONS

- A. Addresses will be issued only upon receipt of a development permit processed by Planning & Zoning.
- B. Addresses will not be issued for vacant lots or utility poles.
- C. Only persons authorized by the County may install road name signs.
- D. No person not authorized by the County shall remove, alter, change, or otherwise deface a road name sign or physical address.
- E. No person shall install or cause to be installed any building required by this ordinance to be assigned an address without first receiving a development permit.
- F. Profane road names are prohibited.

SECTION 7. PENALTIES

Any person who violates any section of this Ordinance shall be guilty of a misdemeanor and may be punished by a fine not exceed Three Hundred Dollars (\$300.00) or by imprisonment in the County Jail for a term not to exceed Ninety (90) days, or both such fine and imprisonment.

SECTION 8. SAVINGS CLAUSE

In the event any part of this Ordinance is held to be unconstitutional, the other parts shall remain unaffected and in force.

SECTION 9. REPEALING CLAUSE

All other conflicting Torrance County Ordinances relating to rural addressing are hereby repealed.

SECTION 10. VARIANCE

The Board of County Commissioners may approve a variance to the requirements of this Ordinance provided that granting of the variance will cause no significant hazard, annoyance, or inconvenience to the owners of nearby property or Sheriff's Department, EMS and Fire.

This ordinance supersedes all previous enactments of the Rural Addressing Ordinance.

PASSED, APPROVED, AND ADOPTED THIS 13th DAY OF November, 2024

**BOARD OF COUNTY COMMISSIONERS
TORRANCE COUNTY, NEW MEXICO**

Approved as to Form only

County Attorney

Ryan Schwebach, Chairman

Kevin McCall, Vice Chairman

Sam Schropp, Member



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 13 A

#87178

QUITCLAIM DEED

P-1288-1289

McIntosh Senior Citizens, Inc.
a New Mexico non-profit corporation
to Torrance County

for consideration paid, quitclaim

whose address is P.O. Box 48
Estancia, NM 87016

the following described real estate in

County, New Mexico.

"See attached Exhibit "A" for legal description".

Subject to reservations, restrictions, easements of record.

Subject to a covenant that for as long as there is a Senior Citizen
Program in existence, the property be used by Torrance County,
its successors or assignee, as a Senior Citizen Center.

WITNESS hand and seal this day of 19

(Seal) Frank E. Walter (Seal)
Frank Walter, Vice President

(Seal) Teresa Barresi (Seal)
Teresa Barresi, Secretary

ACKNOWLEDGMENT FOR NATURAL PERSONS

STATE OF NEW MEXICO
COUNTY OF

The foregoing instrument was acknowledged before me this day of 19
by (Name or Names of Person or Persons Acknowledging)

My commission expires (Seal) Notary Public

ACKNOWLEDGMENT FOR CORPORATION

STATE OF NEW MEXICO
COUNTY OF TORRANCE

The foregoing instrument was acknowledged before me this
day of May 1990
by Frank Walter & Teresa Barresi
Vice President and Secretary of McIntosh Senior Citizens, Inc.
a New Mexico non-profit corporation, on behalf of said
corporation.

My commission expires (Seal)

FOR RECORDER'S USE ONLY
STATE OF NEW MEXICO
County of Torrance
I hereby certify that this instrument was
filed for record on the 16 day
of May A.D., 1990
at 11:30 o'clock A.M. and duly
recorded in book 261 at page 1288-1289
Witness my hand and Seal of office
Linda Hiley Warren
Notary Public, Torrance Co., N.M.
Jay Wayne Deputy

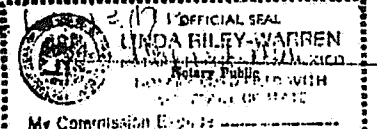


EXHIBIT "A"

P-1289

Lot Nine (9) of ANTELOPE SPRINGS RANCHES, according to book 2, of Maps, page one, filed January 27, 1961, records of Torrance County, New Mexico, lying within the SE 1/4 of Section 1, Township 7 North, Range 8 East, Torrance County, New Mexico.

P-1289

EXCEPT that portion described as follows: Commencing at the SE corner of said Section 1; thence W 1320 feet; thence N 30 feet to the tripoint of beginning; thence W 418 feet; thence N 209 feet; thence E 418 feet; thence S 209 feet to the true point of beginning, and

EXCEPT any portion lying within "one square acre off of the SE corner of the S 1/4 of the W 1/4 of the SE 1/4 of Section 1, Township 7 North, Range 8 East" as described in deed recorded in Book 11, page 156, records of said County, and

EXCEPT the rights of the New Mexico State Highway Department in and to a strip of land 200 feet wide lying 100 feet on each side of and parallel with the following described centerline:

BEGINNING at a point on the North line of said Section 1 from which the N 1/4 corner bears E; a distance of 39 feet; thence S 00 deg. 59' W, along said centerline, 5341.8 feet to Engineer Station 2110 + 62 in the S line of said Section 1, as described in deed recorded in Book 214 of Deeds, page 192, records of said County.

AND EXCEPT

A Certain tract of land being a portion of Lot Nine (9), ANTELOPE SPRINGS RANCHES SUBDIVISION, within the Southeast quarter of Section 1, Township 7 North, Range 8 East, N.M.P.M., Torrance County, New Mexico, as the same is shown and designated on the plat of said Subdivision, filed in the office of the County Clerk of Torrance County, New Mexico, on January 27, 1961, said portion being more particularly described as follows:

BEGINNING at the Southwest corner of said Lot 9, being a point of beginning of the tract herein described, thence N 00 deg. 01' 00" W, 209.0 feet; thence N 89 deg. 56' 15" E, 217.82 feet; thence S 00 deg. 00' 15" E, 209.0 feet; thence S 89 deg. 56' 15" W, 217.78 feet to the point of beginning and containing 1.045 acres, more or less.

We, The Trustees of the First Church of God in McIntosh, with the unanimous consent of the congregation, are hereby authorized to sell the above described property to the McIntosh Senior Citizens, Inc.

Signed:

Amelia Klatt
Emil D. Horvath
Alpha C. Schmiedler

Certification Plaque B

All microphotographic images of documents on this film strip preceding this certificate are of authorized documents in the possession of this agency or were in the possession

#87178

QUITCLAIM DEED

P-1288-1289

McIntosh Senior Citizens, Inc.
a New Mexico non-profit corporation
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Subject to a covenant that for as long as there is a Senior Citizen
Program in existence, the property be used by Torrance County,
its successors or assignee, as a Senior Citizen Center.

WITNESS hand and seal this day of 19

(Seal) Frank E. Walter (Seal)
Frank Walter, Vice President

(Seal) Teresa Barresi (Seal)
Teresa Barresi, Secretary

ACKNOWLEDGMENT FOR NATURAL PERSONS

STATE OF NEW MEXICO

COUNTY OF

The foregoing instrument was acknowledged before me this day of 19
by (Name of Names of Person or Persons Acknowledging)

My commission expires (Seal)

Notary Public

ACKNOWLEDGMENT FOR CORPORATION

STATE OF NEW MEXICO

COUNTY OF TORRANCE

The foregoing instrument was acknowledged before me this day of 19
by Frank Walter & Teresa Barresi

Vice President and Secretary of McIntosh Senior Citizens, Inc.
a New Mexico non-profit corporation, on behalf of said corporation.

My commission expires (Seal)

OFFICIAL SEAL
LINDA RILEY-WARREN
Notary Public
My Commission Expires

STATE OF NEW MEXICO
County of Torrance
I hereby certify that this instrument was
filed for record on the 16 day of
May A.D., 1990
at 11:30 o'clock A.M. and duly
recorded in book 261 at page 1288-1289
Witness my hand and Seal of office
Linda Riley Warren
Notary Public, Torrance Co., N.M.
Jay Wayne Deputy

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EXCEPT any portion lying within "one square acre off of the SE corner of the S 1/4 of the W 1/4 of the SE 1/4 of Section 1, Township 7 North, Range 8 East" as described in deed recorded in Book 11, page 356, records of said County, and

EXCEPT the rights of the New Mexico State Highway Department in and to a strip of land 200 feet wide lying 100 feet on each side of and parallel with the following described centerline:

BEGINNING at a point on the North line of said Section 1 from which the N 1/4 corner bears E, a distance of 39 feet; thence S 00 deg. 59' W, along said centerline, 5341.8 feet to Engineer Station 2118 .62 in the S line of said Section 1, as described in deed recorded in Book 214 of Deeds, page 192, records of said County.

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We, The Trustees of the First Church of God in McIntosh, with the unanimous consent of the congregation, are hereby authorized to sell the above described property to the McIntosh Senior Citizens, Inc.

Signed:

Amelia Klett
Carl D. Korte
Alpha C. Schmeidler

Certification Plaque B

All microphotographic images of documents on this film strip preceding this certificate are of authorized documents in the possession of this agency or noted in the Statement



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item

No. 13 B



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item

No. 13 C

Manzano ARPA Funds

Resolution 2023-11

Pumps and Meters \$ 45,000.00

Yearout Mechanical	\$ (4,368.40)
Yearout Mechanical	\$ (9,365.78)
Yearout Mechanical	\$ (4,364.74)
Yearout Mechanical	\$ (5,679.78)
NM Meters	\$ (3,000.00)
NM Meters	\$ (6,000.00)
NM Meters	\$ (7,143.75)
Funds Remaining	\$ (39,922.45)

Funds Remaining \$ 5,077.55

Estimate for Remaining Meter Parts

\$ 13,088.38

Due to Mountainair for Meter Setters

\$ 762.00

Funds Needed to Complete Meters

\$ 13,850.38

Defecit Funds \$8,772.83

NM Meters Installed	
39 meters	1 meter pending (could not be installed)
2 meter cans	
2 hot taps	
NM Meters Billed	
40 meters	
3 meter cans	
3 hot taps	



BAKER UTILITY SUPPLY CORP.
 4320 2ND STREET N.W.
 ALBUQUERQUE, NM 87107
UNITED STATES
 P: (505) 884-0990
 F: (505) 881-4615

Estimate

BILL TO: CASH SALES

OR EXCHANGES+++NO EXCEPTIONS!!!+++

SHIP TO: CASH SALES

OR EXCHANGES+++NO EXCEPTIONS!!!+++

Order Info	
Quote #:	079690
Order Date:	10/15/2024
Customer #:	AC8840990
Customer PO:	EDDIE/MANZANO
Job Name:	manzano

Shipping Info	
Ship Date:	10/15/2024
Ship Via:	ROUTE 9
Freight Terms:	
Sales Rep:	HA
Entered By:	KRAFTS

Quantity	UOM	Item #	Description	Unit Price	Amount										
36	EA	C17-33-NL	BRASS STRAIGHT CPLG 3/4" - PACK JNT, FIPT x P3-PVC, NL	27.75	999.00										
18	EA	FSCR-105-6	WRAP CLAMP 1.05 x 6" (3/4" STEEL OD) 22 weeks, only comes in length of 3" or 6"	41.45	746.10										
18	EA	PFCC-075	PVC COMP CPLG 3/4"	2.85	51.30										
18	EA	MC-DFW1824FNR	DFW NATURAL 18" x 24" PLASTIC METER CAN W/ RING	145.00	2610.00										
1	EA	MB-COA-LB-DFW-HD	DFW METER BOX 33-7/8" x 23-3/8" x 24" - 1/4" FLOOR PLATE, DEEP LID	995.00	995.00										
18	EA	LID-DFW12AMR	DFW BLUE IMP, POLY, LOCKING LID, 12-5/8", AMR, SOLID	52.00	936.00										
19	EA	VBHH72-12W-MM-33-NL	INLET BALL VLV SETTER 5/8" x 3/4" x 12" - CASCADING DUAL CHECK VLV, 3/4" INTEGRAL MIP T x MIP T, NL	254.00	4826.00										
18	EA	C66-33G-NL	BRASS STRAIGHT CPLG 3/4" - GRIP JNT, PEP x PEP, NL	34.70	624.60										
18	EA	FSC-105-6	SNAP CLAMP 1.05 x 6" (3/4" STEEL OD)	19.35	348.30										
40	LF	DR40-0075	PVC SCH40 PIPE 3/4" x 20' - BELL END	.62	24.80										
<table border="0" style="width:100%"> <tr> <td style="text-align:right">Freight</td> <td style="text-align:right">Subtotal</td> <td style="text-align:right">Sales Tax</td> <td style="text-align:right">Charges</td> <td style="text-align:right">Total Amount</td> </tr> <tr> <td style="text-align:right">0.00000</td> <td style="text-align:right">12161.10000</td> <td style="text-align:right">927.28</td> <td style="text-align:right">.00</td> <td style="text-align:right">13088.38</td> </tr> </table>				Freight	Subtotal	Sales Tax	Charges	Total Amount	0.00000	12161.10000	927.28	.00	13088.38		
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0.00000	12161.10000	927.28	.00	13088.38											

SEE ATTACHED TERMS AND CONDITIONS



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 13 D



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 13 E



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 13 F



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 14 A



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item

No. 15



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 16



TORRANCE COUNTY
COMMISSION MEETING

Agenda Item
No. 17