

**FINAL COPY**  
**Torrance County Board of Commissioners**  
**Special Commission Meeting**  
**January 29, 2024**  
**9:00 AM**

Commissioners Present:

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

Others Present:

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

1. **Call Meeting to order.**

**Ryan Schwebach – County Chairman:** Calls the January 29, 2023, Regular Commission Meeting to order at 9:03AM.

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

**Invocation lead by:** Kavin McCall – County Commissioner

3. **Changes to the Agenda:**

**Janice Barela – Madam County Manager:** Defer agenda item 12A.

4. **PROCLAMATION: - None**

5. **CERTIFICATES AND AWARDS:**

**A. SAFETY COMMITTEE: Safety Award for 2023**

**Julie Gravel-Pickering – Safety Compliance Officer:** Every year Torrance County Safety Committee recognizes our safety conscious employees with our Safety Incentive Program. This program recognizes that our employees are exposed to on-the-job hazards of varying levels of exposure. These employees are rewarded for their safe work behavior in proportion to the amount of risks that they are exposed to on the job. We have three different levels, low, medium, and high. Low would be for our office workers, medium is a combination of our office and field workers and high will be our field workers. These employees are nominated by their coworkers on an annual basis based on their safety behavior and their best work practices. The safety committee reviews these nominations and then grant the safety performance awards. I am here today to congratulate these three people. I'm presenting these awards based on the criteria that was sent out by the safety committee. I'm very proud to announce these awards to these three people. Low risk award to Cassandra Knoten, medium risk to Justice Wietz and high risk to James Solomon.

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

7. **PUBLIC COMMENT and COMMUNICATIONS**

**Linda Jaramillo – County Clerk:** The proclamation for the General Election will be proclaimed today by the Secretary of State. The Primary Election on June 4, 2024, and the General Election November 5, 2024. I will post this in its entirety on my website. When I publish it, I will only publish our local races in Torrance County. We have Commission District Three, Treasurer and County Clerk. Thank you.

**8. APPROVAL OF MINUTES**

**A. COMMISSION:** Request approval of minutes of the January 10, 2024, Regular Meeting of the Board of County Commissioners.

**Action Taken:**

**Ryan Schwebach – County Chairman:** Motion to approve minutes of the January 10, 2024, Regular Meeting of the Board of County Commissioners.

**Samuel Schropp-County Commissioner:**

Seconds the motion.

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

**9. APPROVAL OF CONSENT AGENDA**

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

**Action Taken:**

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

**Kevin McCall – County Vice Chairman:** Seconds the motion.

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

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

**11. ADOPTION OF RESOLUTION:**

**A. MANAGER:** Request approval of Resolution 2024-03, Budget Adjustment Resolution

**Tracy Sedillo-Deputy County Manager:** We are requesting to increase the budget by \$820,024. There are several grants that we've received awards for that were not in the original budget. Those are our EMS allotment monies, DA Warrant Service money, Fire Allotment Grants, and the Traffic Safety Grants. In addition to this there is the National Opioid settlement that were not in the original budget.

## 12. APPROVAL

**A. DISPATCH:** Request approval to create and hire PRN position to fill in at Dispatch as needed, to include setting salary. **Deferred**

**B. MANGER:** Discussion and possible action regarding project management services.

**Janice Barela-Madam County Manager:** This is before you today per your request. You had asked at the next commission meeting that you be presented with options for Project Management services. Before you as a scope of work, and it's titled Torrance County in New Mexico is seeking letters of interest. This is in the event that we were to put this out to advertisement just to accept letters of interest. In the event that the Commission would prefer to go out to RFP for services, we would use this as a scope of work. The difference between the two is, if we go with the letters of interest, then we are capped at \$60,000, for professional services for one year. If we go out to RFP for services, then we won't have to monitor that as closely and would not have to cut somebody off if they've exceeded the \$60,000, and we still have projects moving. My recommendation is that we do move forward with an RFP for services. We currently have availability through our on-call engineers to get the same services provided for us. All that is listed is available, but it would be at an additional cost. For example, if we were to utilize an on-call engineer for architectural services or design, they would be in charge of the technical support, and also going through the bidding phase. Once we enter into the construction phase, then we would be going into a new contract with an on-call engineer for construction services, which includes the project management. We

would be paying extra for it either way. Having somebody through an RFP service would be able to give us additional services on the front end of things not necessarily starting with the architectural part of it but all the way through the construction.

**Kevin McCall – County Vice Chairman:** If you recall, this is what I was bringing up at two or three meetings ago, when we were approving lots of funding sources for different projects. Our administrators are already packed with lots going on. I feel like we need to help them. I see lots of projects ahead of us. I'm seeing management needed in that regard of construction.

**Ryan Schwebach – County Chairman:** I agree 100%. Right now we have possibly three or four major projects that we have coming up. We need somebody knowledgeable to discuss and push our architects to get the jobs done. To be realistic, somebody within the industry that's trusted by our contractors. The problem with RFP is it's six weeks out.

**Toni Lowery-Chief Procurement Officer:** 60 days from start to finish, not counting the protest period.

**Ryan Schwebach – County Chairman:** A letter of interest is less than \$60,000. If we get the right letter of interest, we could do it at the next meeting. What I propose we do is go forward with both. I don't want to be married to one guy. It may be two guys on different projects. I don't want to look at in-house contractors that we are using for other services. I don't like the concept being married to individuals simply because they're approved by the state.

**Janice Barela-Madam County Manager:** Our on-call engineers aren't on call because of being on the statewide price agreement. It is because we went out to RFP for services, and we have five of them that responded to that and that the Commission accepted.

**Ryan Schwebach – County Chairman:** They can answer a letter of interest. The \$60,000 is up at the fiscal year. This calendar year correct?

**Janice Barela-Madam County Manager:** It's a calendar year, within one year under the contract.

**Ryan Schwebach – County Chairman:** I do not justify \$60,000, because when we get to the construction phase, that's going to be a different management. Some of these firms have management within it, or the architect is including it. I see a different role with this individual, in which case, an RFP, or letter of interest. We may have to get somebody who's a little bit more expensive now before that RFP goes forward. However, if they're that expensive, we're not going to hire him again. At the end of the day, we have to get this moving.

**Samuel Schropp-County Commissioner:** I haven't approached him; this is just throwing this out as a letter of interest. Gilbert Sanchez has a degree in Civil Engineering lives here in the county is very flexible on his ability to appear at

meetings, he's retired, he may not want to take this much on. But a letter of interest may find someone equivalent to Gilbert, local or close by, that can fulfill your expectations.

**Ryan Schwebach – County Chairman:** That would be great. If they're competent. I think we need to hone in on our scope of work, we need to be very clear on what we want from this individual to do on a contractual basis.

**Samuel Schropp-County Commissioner:** The people on staff are overworked, and very few have the construction background or skills, reading blueprints, and understanding layouts, that we require. We don't need someone necessarily with a degree. We do need someone with a very strong background in construction and the ability to read blueprints and layout projects.

**Ryan Schwebach – County Chairman:** I agree with that. Where we're at right now is waiting for designs. Where are they at on designs?

**Janice Barela-Madam County Manager:** We have a Notice of Obligation that has been returned to us. We can start moving forward on the fairgrounds. A lot of the delay has occurred at the state because of so many projects being awarded. Their staff has had difficulty getting the agreements out across the state. We got the Lieutenant Governor involved in this as well, which started moving our projects forward a bit more quickly.

**Kevin McCall – County Vice Chairman:** I couldn't agree with you more Commissioner. In the next six months, it's a very different type of person than what we need once the construction has started.

**Ryan Schwebach – County Chairman:** I agree, for example I assume, Mr. Burbo talked to you individually. That's the type of individual I need. The reason I say that is because he is our financial advisor. He is working on some stuff for us, he has contacted each of the Commissioners, and got our feelings just like our Manager does. In a 15-minute phone call that man can explain to each of us what is going on, and we understand it. Then we can give them direction individually because we have a concept. It's those little things we need to understand. That's the kind of individual I'm looking for.

**Samuel Schropp-County Commissioner:** I agree. Commissioner McCall had the blueprints out for the kitchen at the fairgrounds when we caught the outlet in the wrong place. We need someone who can read blueprints, check daily or weekly, whatever is appropriate and make sure that things are being laid out according to the blueprints. So, we don't wind up cutting a concrete floor to move an outlet where it should have been to begin with. And be able to give one answer to the contractor and explain to us why that answer was given.

**Ryan Schwebach – County Chairman:** The scope of work; experience in the commercial construction industry that have been in there projects in a Management level. The purpose of this right now is to be the liaison between our designers and

the Commission. Preferably, somebody who has been in the state of New Mexico for a long time, somebody who knows the people in the industry, knowing the context makes a big difference.

**Samuel Schropp-County Commissioner:** Let's move on to the next phase, what would we expect out of someone from laying the project out on the ground and following it through to come to completion?

**Janice Barela-Madam County Manager:** I think that's what the scope of work that I provide, you would end up doing. There's three different headings, one is under construction, project management, construction observation inspection, and then project administration. The last part is a consultation. This goes back to what you were talking about liaison, somebody explaining things and making sure that they provide qualified expertise on the subject matter.

**Kevin McCall – County Vice Chairman:** Let me see if I'm clear here with the other two Commissioners. Are we thinking letters of interest to get the ball rolling ASAP, have Tony start working on RFP. Here's where I'm kind of confused. If we get a Letter of Interest, and we have somebody moving on this project, and then we get an RFP, and we have another person? Is it the same person? If it's a different person, how do they hand it off?

**Ryan Schwebach – County Chairman:** The same person can also put in an RFP.

**Kevin McCall – County Vice Chairman:** What do we do, if it's not the same RFP contractor, as it is the letter of interest, make that change?

**Ryan Schwebach – County Chairman:** Just because he signed a letter of interest below the \$60,000 and wants to apply for the overall construction management. Maybe we'll do an RFP at that point.

**Samuel Schropp-County Commissioner:** So you're saying the LOI would apply to one project, or what we have going into time? If that person wanted to come in the entirety of construction projects in the future, we would go with an RFP.

**Ryan Schwebach – County Chairman:** That's correct.

**Janice Barela-Madam County Manager:** I also want to remind you that when we go out to RFP, there's no guarantee that the individual that's awarded this job through the letter of interest will be selected, because there is a proper unbiased way of going through the RFP process that a committee does selection on certain criteria, and they may or may not be awarded that at the end.

**Kevin McCall – County Vice Chairman:** In reading this scope of work. I would also like to spend a little more time with this and as to what an architect designs. What are they on the hook for so we're not double paying. An architect can be project managers but to a certain level, I'm looking for that next level of person. I want to spend a little more time reading this RFP. I can be ready by next week.

**Ryan Schwebach – County Chairman:** With a letter of interest, we're looking more of a consultant type on an hourly basis, and within that, they need to take

notes on conversations they have with commissioners. With contractors at this point, it would be architects, timeframes, dated expected schedules, and that communication to be brought to the Commission at this point on a biweekly basis. What I expect to finish the scope of work is to get this Commission to the point of choosing a contractor and move forward with the project. Once we make that decision, and he helps these contractors, get the presentation to us and get the blueprints to us, then his scope of work is done. Once we decide on that project, and what it looks like, there's a different bidding process for the project manager. I'm not in the construction world, but I'm in it enough to know that if there is not constant phone calls from somebody who knows how to talk the language, you're going to get pushed around, we need somebody who can push back. Is that enough information to put a scope of work together?

**Janice Barela-Madam County Manager:** I believe so. I can take each one of your suggestions individually, and authorize me to come up with a final, that will work. I have, somebody with commercial construction industry with preference given to somebody that's been working within the state of New Mexico for a long time. They have experience in construction. We're looking hopefully for management level, but it's not a deal breaker if they don't have it, somebody who is an apprentice type as well. We're looking at a liaison between the contractors working with architectural construction companies and the Commission and also working through the County Manager for times that the Commission is not available. We're looking at being able to work closely with timelines and understanding what's required to meet those timelines and having a schedule put in place. I'm thinking about some of the things that you all have talked about in regard to this. Letting them know that we're dealing with funding and deadlines with the appropriations. Having that in the letter or the scope of work would be important to us to help them understand the money could possibly be returned if it's not handled in a timely manner.

**Samuel Schropp-County Commissioner:** I would add to that this person is going to have to be familiar with plumbing, HVAC, electrical systems, concrete, and actual construction of the walls. They have to have enough knowledge to advise this Commission and advise the contractor. I went through the carpenter's apprentice school, but I know nothing about HVAC. We've got people who work construction, but do they know the old general contracting concept of construction?

**Kevin McCall – County Vice Chairman:** They need to be a general contractor.

**Ryan Schwebach – County Chairman:** We need a brief resume, what is your experience at what level, need their price on an hourly basis. If they're hired, we are going to need conversations, contacts, timeframes, that all needs to be put in an organized format that this Commission can look at and track.



The purpose of this individual is to get us to the ability to confidently select a set of plans to give out for bid.

**Kevin McCall – County Vice Chairman:** Starts with design.

**Janice Barela-Madam County Manager:** I plan to send it to each one of you individually. That way, if I miss something based on our conversation, I can make sure that it's included. I have taken good notes and I have some ideas for how to move forward.

**Action Taken:**

**Ryan Schwebach – County Chairman:** Motion to have Torrance County Manager, Janice Berela to move forward in collecting Letters of Interest for Project Management services. in the design phase of current Torrance County projects.

**Kevin McCall – County Vice Chairman:** Seconds the motion.

**Ryan Schwebach – County Chairman:** Amendment - Have County Manger Finalize the Scope of Work.

**Kevin McCall – County Vice Chairman:** Seconds the motion.

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

**MOTION CARRIED**

### 13. DISCUSSION

A. **MANGER/GRANTS:** County projects update.

**Janice Barela-Madam County Manager:** I would like to let you know that behind the scenes, you see her here and there, attends Commission meetings and explains about that ICIP different projects we have. Amanda Lujan does so much more than that. She has done an amazing job of tracking our projects, and also following up on all the funding reporting that's required for our notice of obligation being submitted, and hounding somebody trying to get back the documents that we need. The state is hearing from her on a regular basis. They've gotten to know Amanda very well. We're so thankful for that. That's covering the financial side of

things, and also giving what we have before you today is going to be a breakdown for each one of the projects that we have. I asked her to present that for us today. **Amanda Lujan - Grants Administrator:** The spreadsheet that I'm going to be going through is on the projects. On the second page of your handout is a summary of how the IGA process works. We do the ICIP, the appropriation, then the scope of work, then the grant agreement, not always in a timely fashion. One thing as Janice mentioned, I wanted to highlight was the Notice of Obligation. Now, this is really important, because if we start work without a Notice of Obligation, they will not reimburse us from the Appropriation Funding. Until I get the approved document back to create a PO, we are on hold, to create the Notice of Obligation. I need a quote from the company, then submit it to the state. They submit it based on their timeline. The State Project Managers are each managing about 260 projects. Our Project Manager has been, pretty responsive, she's canceled a few meetings, but she will respond to emails, etc. She's been very supportive, but they are very overwhelmed. I communicate with her regularly. We are working on developing a relationship so we can get things moving. She got anywhere from one to two notices of all the Notices of Obligation for me on almost every project. She's kind of catching up on that. The next part is the request for reimbursement, that's where we actually request the money. They write us a check for what we've done, then, any special conditions, etc. The next part is the quarterly reporting, the State has a new system that we have to report quarterly on all of our projects. Our current project are the road shop, Duran water system, admin building, fairgrounds, ambulance items, 911 security, Mountainair, Estancia and Moriarty Senior Centers, McIntosh water rights and EMWA water rights. I would very much like a Project Manager to come tell me yes, this has been done now you can pay. (There was a projection malfunction, please see spreadsheets in packet.) Amanda reviewed the spreadsheet with the Commission and public.

## B. MANAGER'S REPORT

**Janice Barela-Madam County Manager:** I am very honored to introduce to you all in person if you haven't already met him, our new Torrance County Fire Chief Jim Winham.

**Jim Winham - County Fire Chief:** It's my honor to be associated with this great Fire Department. I haven't been here very long, but I can tell you the men and

women of the Torrance County Fire Department, both career and volunteers are very dedicated individuals, who frankly surprised me with their technical abilities. I'm very proud to lead this organization. We have a lot of work to do, and we will have a roadmap that we will provide to the County Manager and to the Commissioners here and step by step processes. We will begin to improve in all aspects. Excellence in service is going to be our motto. Thank you very much for this opportunity.

**Janice Barela-Madam County Manager:** I attended along with many other staff members, the New Mexico Counties Legislative Conference, and on the last day they give out the awards for safety. I wanted to show the Commission what the County received. We received Safety Award Honorable Mention to Torrance County Division Two for achieving a positive claim trend and for lowering our frequency of Workers Compensation Claims for 2023 that comes in the form of an award of certificate nicely framed. The second one is a RAP award for 2023 presented to Torrance County for successfully completing year 15 of the New Mexico County's Risk Awareness Program, and reducing Workers Compensation claims by 75%, auto claims by 10%, and Law Enforcement claims by 40%. I'm very proud of our staff and the efforts that they've made to be safe every single day. This is a reflection of daily working to make sure that everybody goes home every day. Thank you to the staff for finishing your RAP weekly sessions that you have to go through and all the reporting that's required. Thank you, Julie Gravel-Pickering, for staying on top of everybody making sure everybody gets the material that they need and that that gets completed and reported in a timely manner. We did have a gap one year where we did not follow through and report everything, even though the staff was doing the training that they needed to do. This should have been year 16 that the County participated, one year did not get properly reported in time. They also gave out an award to counties that had no findings on their audits, we're looking forward to next year being on that list.

**Samuel Schropp-County Commissioner:** What this really is reflecting is money. More than that, it's reflecting the drop in lost time injuries among the staff. That requires diligence and hard work every day to make happen. So thank you to every individual member of the staff in working safely.

**Janice Barela-Madam County Manager:** I'd like to make the community and the Commission aware that there is a Senate House Bill 21, that's been introduced at the Legislature. This is for Local Firefighting Recruitment. You are very familiar

with Law Enforcement Recruitment Funds that have helped the County pay additional monies or to find additional positions with Law Enforcement. This would be very similar to that. This bill is requesting \$35 million to go into the General Fund, it would be in FY 25 through FY 27. There are several bills that have been introduced. DFA has in the budget that they would like to provide funding for this. There's a House Bill, and then a Senate Bill. One of them is strictly going towards paying for career staff not taking into consideration volunteers. This Senate bill is being endorsed by the State Fire Marshal. They have asked Torrance County to provide support for this because it does help fund volunteers and it's not going strictly toward career staff. He asked for a letter of support. I'll be drafting that up and provide it to the state. The Senate Finance Committee is going to hear it next. It already passed the Health Committee.

### **C. COMMISSIONERS' REPORTS**

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

**Kevin McCall-County Vice Chair:** Last Tuesday, County Manager and myself traveled to Santa Fe to meet with our Legislators. I had reached out to Senator Schmedes on Monday asking about Junior Appropriations money and he said, “Oh, by the way that has to go through COG.” I sent that to Janice, and we scrambled and found out the deadline that it had to be submitted was on that Tuesday, by 5pm. Janice and I did very quick work. When we left Tuesday morning to go to Santa Fe, we had zero Junior Appropriations money, and I was a little frustrated that it happened that fast and didn't have a proper notification prior to traveling there. When we left on Tuesday late afternoon, I was very pleased to announce that we did quick work. Senators Schmedes reappropriated even though he had already appropriated his Junior Appropriations money but after we met with him, he made some changes. I'm happy to say that the Road Department will receive \$200,000 of his Junior Appropriation money, Representative Lord, we were able to get her to appropriate to the Sheriff's Department \$160,000. In that days of work, Janice and I gathered up \$360,000 of money that we didn't think we had a chance to get that morning. We appreciate the Mid Region Council of Governments for working with us very quickly. There's still a chance that can be vetoed but at least those are looked at. Thank you, Amanda, for the notebooks that we presented to our Legislators. We had a sit-down meeting with all four of our Legislators, they were

very impressed with the notebook and our organization. The very first page gave our ICIP and our rankings. That is to be announced later, because Capital Outlay deadline is not until next week. Legislators still have some time to appropriate those funds. I also attended the Department of Transportation meeting in Moriarty. I spoke up in public comment talking to the DOT Commissioners about my concern about our statewide roads in Torrance County. Secretary Serna asked for a ride along. I want to show many of my concerns of at least District One, if you guys have some concerns, I will take them forth to the Secretary. Pretty neat, if we have a Secretary of Transportation come down to Torrance County and have a ride along. He verbally committed to that. I'll reach out to him and get that ride along done.

**Ryan Schwebach – County Chairman:** Make sure you get them on HWY 41 through to Willard in the afternoon, that would be even better. Make sure he understands the traffic on that. What it puts on a Fire Chief and our paramedics, on our recovery services. Explain to them how many people are now realizing that they either need to come down to 285, 41 or 60, just to avoid that highway. We all know it's a major problem. With the windmills, these roads are going to see a lot more traffic.

**Samuel Schropp-County Commissioner:** I would ask that they begin building shoulders on these roads, especially 41, from Willard on through, got a lot of heavy equipment moving there. The way they're paving, it's a drop off. It's only going to get worse. We need someplace for our emergency responders to be able to pull safely off the road and do their work, people in the community to be able to pull off and change a tire. Right now we don't have lines out there marking edges, don't have shoulders and the paint on the dividing line is worn out.

## 2) Ryan Schwebach - County Chairman, District 2

**Ryan Schwebach-County Chairman:** This time of year, I always feel guilty, because Mr. McCall comes up here, and he's talking about what he's done up in Santa Fe, I feel guilty, because obviously I haven't been up there. I have been talking to Representatives. I want to give you a little insight into why that's a consistent deal. When Kevin and I, long before we got in Office, we talked about being a Commissioner and the time restraints. This was one of the first times within this County that you had guys that still had families, kids in school and not retired. Time restraints was a big issue for even deciding to become a Commissioner. That's where we took a different approach on several things. One of them was beefing up our manager stuff, the responsibilities, and operating procedures. In those conversations Commissioner McCall agreed that he would

have time to go to Santa Fe and has been very effective. I want you to know that he has done very well for this County, and the residents in all three districts. My role has been within the County. I think that's why by default, I've been Chairman, I get a lot of phone calls from our County Manager and various department heads on little things, the ongoing things and that's what consumes a lot of my time. Allowing the staff to step up to a whole new level of professionalism is why awards like this come in, and that's why we have no findings on our audits. That's why when we have a Chief from out of state, make a comment he's impressed with the staff we have, this Chief has seen a lot, his comment means a lot. I appreciate it. It's the behind the scenes working that makes the true difference, and it makes Commissioner McCall's job easier when he goes to Santa Fe. I think it's importance for people to understand the process. Now, I have Commissioner Schropp here, He has fallen in very well into the distribution of the individual strategies, strengths, weaknesses, and he's done very well in what he's done over at the prison. He has brought a lot of insight to things, I appreciate it.

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

**Samuel Schropp-County Commissioner:** I've got something that ties into a bunch of what we've been talking about here today with EMWT and the amount of time that we each have to devote to this job. On a day 'before our last meeting, I received a call from Mike Anaya, asking me to write a letter to the Governor in support of appropriating money to EMWT in this Legislative session. My oath as a County Commissioner requires me to exercise fiduciary responsibility under the penalty of sanctions, which can be fines or jail time. I refused to write that letter; I was conflicted about this. What came up at the May 10, 2023, meeting, when we were going to appropriate money to EMWT. EMWT is not an entity in good standing with the New Mexico Secretary of State's Office for failing to file the required quarterly reports. That puts the Commission in a bad place. Filing a quarterly report is a simple process with a fee of \$20, yet no one at EMWT is capable of performing the oversight necessary to accomplish this simple task. At the May 10, 2023, meeting of this Commission, Estancia Mayor, Nathan Dial brought the complete EMWT file from the Secretary of State's Office and presented it to this Commission. The file is full of miss filings and failures to comply with the regulations, which are required to ensure that taxpayer money is being used properly and to prevent corruption and malfeasance. I am not accusing anyone or any entity of malfeasance, merely pointing out the regulations which as Chairman Schwebach pointed out a while back, keep an honest man honest. Does

anyone here believe that this Governor in this political climate is going to approve funding for a corporation that is not in good standing with the state. At the May 10, 2023, meeting in which Bobby Ortiz was given the opportunity to explain and rebut Mayor Dials presentation to this Commission, Mr. Ortiz nearly came to blows with Jason Quintana in the lobby before Mayor Dean of Willard intervened. This is the current leadership of EMWT. To the people of McIntosh, if you want a water system in your community, you have to become involved in the process. As Chairman Schwebach said at the last meeting, attend meetings, learn the process, and become a board member. The people of McIntosh are according to Chairman Schwebach, and in the August 16, 2023, meeting with Congresswoman Stansbury, five years from the time the ground is broken to having a water system in place. That is the best case. That is at least 15 years after EMWT was incorporated in 2014. I was involved in a rural water system in Illinois that was connecting residents in seven years from the time of the grants. The difference, citizens got involved and got their neighbors signed up for service as part of the county's match on the grant. If the people of Torrance County and especially McIntosh want a rural water system, the people of Torrance County and McIntosh are going to have to make it happen. It's not enough to come to a Commission meeting every other month and accuse Commissioner Schwebach of all kinds of conspiracies to steal your water, then leave. Chairman Schwebach is urging you to get involved, you are all going to have to step up if you expect anything in this county to change for the better. Thank you.

**Kevin McCall-County Vice Chair:** While we were in Santa Fe, Torrance County does have a good reputation as far as spending the appropriations. I put my neck out to one Representative and said I promise you if you appropriate money to us, and I was speaking for our number one ranking at the fairgrounds, it will be spent. He kind of had a little bad taste in his mouth about monies that have been given and have never been appropriated. Thank you to our staff, and I still want to continue to keep that good reputation in Santa Fe with our Legislators.

**15. EXECUTIVE SESSION:**

**16. Announcement of the next Board of County Commissioners Meeting:  
February 14, 2024, at 9:00 AM**

17. **Signing of Official Documents**

18. **Adjourn.**

**Action Taken:**

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


**Kevin McCall – County Vice Chairman:** Seconds the motion.

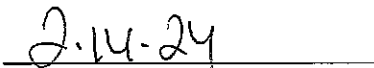
**Roll Call Vote:** Samuel Schropp – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: -Yes:


**MOTION CARRIED**

**Meeting adjourned at 10:45 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](http://torrancecountynm.org))