

**FINAL COPY**  
**Torrance County Board of Commissioners**  
**Regular Commission Meeting**  
**February 14, 2024**  
**9:00 AM**

Commissioners Present:

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

Others Present:

**JANICE BARELA – MADAM COUNTY MANAGER**  
**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 February 14, 2023, Regular Commission Meeting to order at 9:06AM.

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

**Invocation lead by: Samuel Schropp – County Commissioner**

**3. Changes to the Agenda:**

**Janice Barela – Madam County Manager:** Item 13A manager presentation of the Torrance County FY 2023 financial audit, be moved after item 10, where you will be considering a resolution acknowledging and accepting of the Financial Audit Statements and Independent Auditors Report.

Next one, an update on EMWT Regional Water Association, Eddie O'Brien, who's the County's representative, and also EMW Executive Director, needs to get back to his office, I would request to move item 13B before 12A before approvals. Last one is item 11B be deferred it is for approval of submission of LDWI grant application for FY 25. We still need to fine tune a few things on the budget before we have that ready.

4. **PROCLAMATIONS: - None**

5. **CERTIFICATES AND AWARDS:**

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

7. **PUBLIC COMMENT and COMMUNICATIONS**

**Samantha O'Dell - County Emergency Manager:** Our LEPC/ Local Emergency Planning Committee meetings is held every 4<sup>th</sup> Tuesday of each month, here in the Commission room at 9AM. We started holding these since January. The purpose of this is to ensure first responders and citizens are prepared for an accidental chemical release and to increase the public's knowledge of access to information on presence of hazardous chemicals in our communities, and release of hazardous chemicals into the environment. It is a federal law requiring that we have these meetings at a minimum of four times a year. We had 48 people attend the meeting in person. We will also start having a zoom option for individuals that want to participate. We are working on updating the bylaws, and start working on the qualifications of the committee and electing individuals into those positions as we move forward.

**Tracy Master – Resident:** I am sharing an email that was sent to administration and Human Resources on December 8 of 2022. Good morning, Over the last several months, we've seen a great number of employees, many of them long-term leaving the county. While turnover is normal in any organization, it seems the number has been especially high lately. There have been issues filling many of these positions. With a loss of each long-term employee there is a loss of years of

knowledge and experience. This is problematic for the county government and could also have a negative impact on the community. Is there something we can do to determine what is happening? I know HR probably does exit interviews, but it's too late at that point to fix any problems if there are any. I hate seeing so many of my colleagues leaving. I was wondering if we could have some kind of survey in which you could gauge what is happening. Are they with department heads? Are they having issues with elected officials in their offices? Are they dealing with general job dissatisfaction? As one of the oldest employees, it breaks my heart to see the county lose so many talented and experienced people? Thank you for your time and consideration. There was no response to this email, but I recognize it may have been buried in the 1000s of emails that come into administration. In the 14 months since that email was written. Torrance County has lost numerous department heads including two Human Resource Directors, one Grant Coordinator, one Finance Director, one Domestic Violence Coordinator, one Animal Services Director, one DWI coordinator, one community monitor, one Fire Chief, and one Deputy County Manager. Although a third of us have left to retire, that leaves several department who have left for other reasons. I didn't even include the multiple non-department head employees who have also left. I just asked you to please figure out what is happening. Thank you.

**Jason Quintana - President of Manzano Land Grant and President of**

**Manzano Acequia Association:** I wanted to give an update. The Board had approved for us to get money to replace some old water pumps and meters within our system. The meters have been replaced, but the issue is, it was our understanding that hardware would be included. Some of those setters are still bad. Those new meters might end up in the same situation. The one pump that was replaced has a lot of rust on the pipe itself. Now we're having issues with rust, this could cause contamination. The issue now is that the casing needs to be cleared. Those casings were not checked before the new pump was installed. Months ago, I had approached the Commission about the extra fire equipment that the county had, and asked if they could be stationed in some of the mountain communities. So we have something to put out a fire while we're waiting for help. Last I was told, we needed to attend wildland training. Does anyone have information on it?

**Samuel Schropp-County Commissioner:** I've been following this for the Commission and County Manager. One of the things that I hope this Commission is prepared for, which I've asked Mr. Quintana is to get all of the parts in place if this well fix doesn't work. Mr. Lopez told me that they were pumping at 60 gallons per minute apiece, and now the two are pumping at 45 gallons a minute. We may come to a point where the well needs to be re-cased or well drilled. I wanted this before the Commission, so that we can get that done as quickly as possible. Mr.

Lopez took me around the cans that protect the meters down into their bad pieces that weren't included in the work order. We are working with the County Manager. As for the extra fire equipment, we have a new Fire Chief. The Chief is finding his way through what qualifications we have, and what storage we have for that equipment. I still support this project. There are things that have to be worked through, we just can't give a piece of equipment to the land grants, have it sit outside with tires rotting and pumps freezing. We have a contract with the Interagency Fire Service or the State Forestry Department. We cannot have unqualified people on the equipment. Those are the things that we're going to have to work through.

**Jason Quintana - President of Manzano Land Grant and President of Manzano Acequia Association:** To answer your question on the storage right now, they've been sitting outside for years.

**Ryan Schwebach-County Chairman:** This is just simply a matter of keeping the meeting running. Do you have time to stay here until we get to discussion?

**Jason Quintana - President of Manzano Land Grant and President of Manzano Acequia Association:** Sure.

**Janice Barela-Madam County Manager:** In order to maintain the agenda. I will bring it up as part of the Manager's report.

## **8. APPROVAL OF MINUTES**

**A. COMMISSION:** Request approval of minutes of the January 29, 2024, Special Meeting of the Board of County Commissioners.

### **Action Taken:**

**Ryan Schwebach – County Chairman:** Motion to approve minutes of the January 29, 2024, Special 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 2024-04, Acknowledgement and Acceptance of Torrance County’s Financial Statements and Independent Auditors’ Report for the Year Ended June 30, 2023.

**Action Taken:**

**Ryan Schwebach – County Chairman:** Motion to approve Resolution 2024-04, Acknowledgement and Acceptance of Torrance County’s Financial Statements and Independent Auditors’ Report for the Year Ended June 30, 2023.

**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**

**B. GRANTS/DWI:** Request approval of Resolution 2024-\_\_\_\_, Approval of Submission of LDWI Grant Application for FY25.

**Action Taken:**

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

**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. FINANCE/GRANTS:** Request approval of Resolution 2024-05, Delegating Amanda Lujan as the Local Project Coordinator for Torrance County’s Arts in Public Places Projects for the County’s Capital Appropriations.

**Amanda Lujan - Grants Administrator:** As the resolution states, state statute dictates that a certain percentage of all capital appropriations for projects over \$100,000, some of that is designated for arts and public places. Right now the county has eight projects that require arts in public places. For that process to occur we select artwork for those locations. The biggest one being the road shop, we have about \$10,000 for the shop. The state has a process in place for how we acquire the artwork. I would be designated as the local project director. We create a committee to select the piece and then go from there.

**Action Taken:**

**Ryan Schwebach – County Chairman:** Motion to approve Resolution 2024-05, Delegating Amanda Lujan as the Local Project Coordinator for Torrance County’s Arts in Public Places Projects for the County’s Capital Appropriations.

**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**

## 12. APPROVAL

**A. PLANNING & ZONING:** Giraud Investments, LLC appeal of the January 3, 2024, Planning and Zoning Board decision to deny the application for summary review to create a Type 5 Subdivision. Tim Oden of Oden & Associates, Acting Agent. (Public Hearing)

### **Action Taken:**

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

**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**

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

**Tim Oden – President and General Manager of Oden & Associates:** Yes, My name is Tim Oden. I'm president and General Manager of Oden & Associates who is the agent for Giraud Investments, LLC on this appeal that you have before you today. I believe when the Planning and Zoning first considered this subdivision submittal, we had submitted the wrong water availability report for Six, 10 acre lots. This is a 60-acre parcel on Lexco road south and McNabb on the west side of Lexco Rd. Zoning district is RR. The board recommended tabling the applications and either come back with fewer lots or more water reports. We came back the next month with five lots that comply with the water availability report that was submitted. I had a conflict of schedule on that meeting and asked to table again. In the meantime, we'd received letters from Danny and Linda Mock dated November 14, and 15, complaining about the project in general, water drainage and wandering fence lines. At the next scheduled meeting, we revised the application again and resubmitted the plat with three 20-acre tracts. The board heard that application. My impression of what happened at that meeting is in your packet. I feel the board denied the application for reasons other than what they're required to do. All the submittals that are required by the county were submitted.

**Samuel Schropp-County Commissioner:** From the minutes the plat done in 2021 showed a 25-foot private easement, the plat of the boundary, Roger Scussel had previously shown as a 35-foot public easement. Mr. Oden repeated there were mistakes on this plat. Have those mistakes been corrected?

**Tim Oden – President and General Manager of Oden & Associates:** That plat was the property to the north. Not this property.

**Samuel Schropp-County Commissioner:** Okay. If it is not a private easement, it is a public easement. There were corrections done to the plat in 2021, that probably needed to be corrected. Have they been corrected?

**Tim Oden – President and General Manager of Oden & Associates:** That plat is property that Mocks owned to the north of this property? Done by another surveyor. Mrs. Mock pointed out what she felt like the one on the fence was on the property line with corners removed. The plat that she was citing adjoins this property. My response was there were several errors in that plat done by another survey company, and they should be corrected.

**Samuel Schropp-County Commissioner:** Isn't it important that that's corrected before this Commission approves this project that you're proposing to us.

**Tim Oden – President and General Manager of Oden & Associates:** It's not a part of the application at all.

**Samuel Schropp-County Commissioner:** I understand, it's not a part of the application, but this Commission continues to deal with appeals and problems that have come up at times in the past that we've let pass by and now we have other people coming in and saying the roads are not right. I've got people in my district calling about easements. All of these kinds of things that get kicked down the road need to be resolved now. Or they're going to come up again in the future, and at that point it is going to cost landowners money to resolve. Since I started buying property, I didn't get a survey. I've gotten accurate surveys every time after that, because it's cost me a lot of money when I didn't do it. So, this is better resolved now than 10 years down the road when properties change hand and now there are lawsuits.

**Tim Oden – President and General Manager of Oden & Associates:** The property mentioned is owned by the neighbor. It is not part of this property. This particular applicant has no authority or ability to do anything about the survey that they have on their property.

**Samuel Schropp-County Commissioner:** Would you agree that it is important to have a property line defined and agreed upon by the adjoining owners?

**Tim Oden – President and General Manager of Oden & Associates:** I think you already have that. The property to the north is the exact dimensions and bearings and distances on their line as there is on this one. There is no disagreement in the boundary. There are some minor errors in their plat, they show that this particular quarter that she's complaining about was set by me. I didn't do the plat. I pointed out to them that I think there are some inaccuracies in the plat that their surveyor should address. This is not a boundary issue. As I understand it,



their dimensions are exactly the same as this one. We are talking about the same corner. The corner shown on their plot was mislabeled.

**Samuel Schropp-County Commissioner:** That is a legal document and should be accurate before anybody moves forward.

**Tim Oden – President and General Manager of Oden & Associates:** Ours is accurate.

**Samuel Schropp-County Commissioner:** I'm not disputing the accuracy I'm disputing the record for the future.

**Ryan Schwebach-County Chairman:** Do we have a boundary issue. or do we have a water available issue? We have this appeal before us, because he was denied by Planning and Zoning on the basis of what?

**Tim Oden – President and General Manager of Oden & Associates:** I don't know, I'm not really sure why it was denied. That's part of the problem. I think that's one of the basis of appeal. I believe they arrived at the wrong conclusion, based on water information that's not required to be submitted.

**Donald Goen-County P & Z Director:** Water was one of the issues. One of the things that was brought up about the availability in the area was the fears of existing wells running dry. The state statute for the Office of the State engineer, if a residential well is applied for a permit shall be issued. In Section 23, of the Torrance County Ordinance, it says an opinion may be requested. In my opinion, the action didn't call for requesting an opinion from the Office of the State engineer. It was pointed out that in the subdivision regulations for Torrance County, under section 4.2.1, plat transmittals. Within 10 days after the date that preliminary plat is deemed complete, the county's zoning clerk shall forward a copy of the preliminary plat supporting documentation to the following state and local agencies by certified mail, return receipt requested with the request for review and opinion. Then it goes on to list the respective agencies that may be contacted. Under section 4.2.3 agency response, the state and local agencies shall have 30 days from the receipt of the preliminary plat review and return an opinion. In light of that, after the meeting, I had reached out to my contacts with the OSE, I spoke with the director of their domestic water use department, she referred me to another individual. The OSE response was, we had something in our ordinance that was directing a state agency, dictating to them of what they would and would not do. In their opinion, because now we're at three 20 acre lots, the possibility of three additional residential wells was considered to be insignificant and did not warrant them allocating resources or manpower to issuing an opinion in this specific case. I was trying to find out where I would send the certified letter to and who would be the point of contact. What was said was that I could send that letter if I chose to, would we receive a response within 30 or 45 days, probably not. Would we ever receive a response? Probably not. In regard to the water, from the OSE standpoint,

it's insignificant. What ended up occurring at the meeting was questions about the application, a new application being submitted that reflected the three lots instead of the original six. On the agenda, all it says is type five subdivision. It doesn't designate how many and it was a given from the November meeting, that the application was going to be amended. Whether that was a new water report or whether that was revision of the number of parcels, that was up to the applicant to make that decision, and they did by reducing the number of parcels. A motion had been made on the action, a couple of the Board member's intention was to revise that motion, that was not allowed. In my opinion that was in error, they should have that option to revise their motion if they choose to. The board members voted no. They were compelled to do so because of not being able to allow those conditions to be added to or the revisions to be made to that motion.

**Ryan Schwebach-County Chairman:** This is a public hearing, and anyone who wishes to speak on this matter, will be able to speak before the decision is made. At this time, the applicant that is filing the appeal is presenting his case, we will then ask anybody who wants to oppose it. Or general public comment concerning this matter? What specifically was the appeal in the motion, that is the part I'm not understanding. They voted no. Once that was turned down the applicants only option is to appeal it or present a different type of application?

**Donald Goen-County P & Z Director:** Once the motion is made and voted upon. Their only option is to appeal. They were going to make changes, they were going to revise the original motion, and we're not allowed to do so.

**Ryan Schwebach-County Chairman:** What was the proposed revision of the original motion?

**Tim Oden – President and General Manager of Oden & Associates:** As I stated in my letter, they felt like the application should be amended and resubmitted and Mr. Goen and I pointed out in the minutes that the application was for a type five subdivision that has not changed. It's still a type five, regardless of whether there are six slots and three lots, ladies on the Board, thought that the application should be amended, and they wanted to condition the approval on changing the application so that it read three lots.

**Samuel Schropp-County Commissioner:** For Mr. Garcia, in this appeal, we are only allowed to rule on the issues of appeal. Is that correct?

**Michael I. Garcia-County Attorney:** Yes. Along those lines, and with respect to the Planning and Zoning Board, I think we actually have a quorum in here. I do recommend against them testifying here, because it's sort of like the judge, before going to the appellate court and talking about what happened. Your decision is better based on the testimony of the appellant and anybody who was here in opposition.

**Samuel Schropp-County Commissioner:** For clarification. My line of questioning about boundaries and concerns. That is not what we're being asked to rule on in this appeal it is just solely whether the process was done properly. They could have amended that motion at the time.

**Ryan Schwebach-County Chairman:** The way the ordinance is set up, if an applicant is denied, he has option to appeal in which case right now we are acting as a quasi-judicial body. The question beforehand. Do we uphold planning and zonings decision to deny it, or do we reverse the decision?

**Samuel Schropp-County Commissioner:** What I'm trying to get to is the reason for the appeal and is it a procedural reason or are there facts that we need that we need to rule on?

**Ryan Schwebach-County Chairman:** It is a procedural reason. We don't have a reason why it was denied.

**Samuel Schropp-County Commissioner:** I'm familiar with appeals and federal courts, and an attorney will pick out something that was done procedurally wrong, and request an appeal, they don't relitigate the entire case. They rule on the piece. Whether it was a procedural or judicial misconduct, you don't go through the whole thing again. I'm trying to narrow this down as to what it is we are hearing.

**Michael I. Garcia-County Attorney:** At the risk of testifying myself, I'm going to try to avoid that. I think that a helpful way to understand it is for you all to consider what the application was for, and if the grounds for denying it were proper.

**Samuel Schropp-County Commissioner:** We don't really litigate the whole process. First the propriety of the ruling?

**Michael I. Garcia-County Attorney:** Yes, I think that's the clearest, simplest way to approach it.

**Ryan Schwebach-County Chairman:** As far as the county is concerned, this application fell within our ordinance on a legal subdivision?

**Donald Goen-County P & Z Director:** Yes.

**Ryan Schwebach-County Chairman:** The boundaries in the plat, on our authority to say this an accurate boundary plat, warranty deed, or whatever that entails is all accurate?

**Donald Goen-County P & Z Director:** Yes.

**Ryan Schwebach-County Chairman:** The requested division to take the 60 acres to three 20-acres is within our ordinance.

**Donald Goen-County P & Z Director:** Yes

**Ryan Schwebach-County Chairman:** The size of the land is not so small that it taps into a different water system.

**Donald Goen-County P & Z Director:** It does not.

**Ryan Schwebach-County Chairman:** Is there any talk of a shared water system that would then go into our ordinance on what a shared water system entails that we're responsible for administrating?

**Donald Goen-County P & Z Director:** Not at the present time. The question wasn't whether there was immediate development planned or not. It was that they were applying for a land division and had submitted, in my opinion the appropriate documentation to do so.

**Ryan Schwebach-County Chairman:** When the plat was presented for this application, are we responsible and make sure it's accurate? Are we responsible and make sure that it's signed off by proper engineers, surveyors licensed that sort of thing?

**Donald Goen-County P & Z Director:** The surveyors certify the plat. Once the appeal period passes, I'm the first to sign off, I have the criteria that I look at. Then the Assessor's Office has the criteria that they look at, goes through rural addressing, and also through the Treasurer's Office. There's several different departments that have their own requirements that they look at. The accuracy of the plat is the responsibility of the surveyor, he's putting his stamp on it, saying that this is true to the best of his knowledge and ability.

**Ryan Schwebach-County Chairman:** Is it the county's responsibility to sign off on a well permit?

**Donald Goen-County P & Z Director:** No, that is that is totally under the purview of the Office of the State engineer.

**Ryan Schwebach-County Chairman:** Is responsibility of the county concerning water to a residence?

**Donald Goen-County P & Z Director:** We don't have the ability to enforce that.

**Ryan Schwebach-County Chairman:** Do we guarantee residents have water?

**Donald Goen-County P & Z Director:** No

**Ryan Schwebach-County Chairman:** Do we allow a building permit without water?

**Donald Goen-County P & Z Director:** No, they have to demonstrate a water source be that a community water system, or a well permit, would be issued by the Office of the State Engineer, or if they choose to haul water under Section 19 of the ordinance, they have to have a system that's been signed off by a New Mexico state licensed engineer or architect. Part of the criteria that goes into that is it's based on ISO Fire Flow calculations; domestic water use to ensure that they have the ability to provide for their own water needs. if they choose to haul their own water.

**Ryan Schwebach-County Chairman:** On the subdivisions plans, Are there any plans for development?

**Donald Goen-County P & Z Director:** No present plans for development. That would be addressed at that time if, it was to be developed. The application would be submitted, then at that time, those factors would be evaluated.

**Ryan Schwebach-County Chairman:** If there does come a time, when the State Engineer, who is solely responsible for administering permits within this state determines that there's not enough water availability, or it's going to be detrimental, that is a decision of the State Engineers office and not ours. Is that correct?

**Samuel Schropp-County Commissioner:** Yes, sir. That is correct. It is not the authority, or the job of the Planning and Zoning to take into account water use or the effects it might or might not have on the water table in the county.

**Donald Goen-County P & Z Director:** In certain situations it can be. That doesn't typically apply to residential water use.

**Michael I. Garcia-County Attorney:** There may also be an opponent, here to speak. You will want to make sure that you also allow time for that.

**Ryan Schwebach-County Chairman:** Mr. Oden, to summarize, you're asking for this Commission to overturn the decision of the Planning and Zoning Board to allow this application to divide a 60-acre plot into three 20-acre plots?

**Tim Oden – President and General Manager of Oden & Associates:** Yes.

**Ryan Schwebach-County Chairman:** Anyone who wishes to speak in opposition to this matter, please come forward. (no one came forward in opposition) We have the information. It's time for us to make a decision. I'm under some assumptions on why it was denied. It's been answered that this application to divide this was well within the ordinance and the property owners. Everything involved in the application process is correct.

**Donald Goen-County P & Z Director:** That is my opinion. Yes.

**Ryan Schwebach-County Chairman:** There's assumptions on why it was denied, I don't think it does anybody any good to go on assumptions on why but what I see before us right now, there's no reason to deny this application.

**Samuel Schropp-County Commissioner:** I agree.

**Ryan Schwebach-County Chairman:** Is there anyone else that wishes to speak on this topic for or against? Please come to the podium, you need to be sworn in.

**Michael I. Garcia-County Attorney:** State your name for the record.

**Linda Gallegos-Chief Deputy Assessor:** Linda Gallegos, Torrance County Chief Deputy Assessor

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

**Linda Gallegos-Chief Deputy Assessor:** Yes. My question is simply for thought because these plats come before me for review and signature. Expanding on Commissioner Schropp's concern about the easement to the north. What is the access for ingress and egress for this subdivision?

**Tim Oden – President and General Manager of Oden & Associates:** Lexco Road is on the east side of the entire 60-acres. Access is on Lexco.

**Ryan Schwebach-County Chairman:** We have heard testimony for this, I'll make a motion to end public comment.

(A member of the P&Z Board speaks)

**Michael I. Garcia-County Attorney:** I've never seen it cause anything but problems when the deciding Board below testified in the appeal. I've never seen it do anything but cause problems. So I recommend against it.

**Ryan Schwebach-County Chairman:** I'm going to have to take my attorney's advice.

**Michael I. Garcia-County Attorney:** State your name for the record.

**Jason Quintana:** Jason Quintana

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

**Jason Quintana:** Yes, Under New Mexico Statutes Chapter 47, Property Law Article Six county subdivisions, section 47-6-9, subdivision regulatory county authority and it gives a list of the requirements of the county to be able to subdivide. Someone might want to look at it to make sure that there isn't other issues. It talks about annual water usage. etc.

**Samuel Schropp-County Commissioner:** In reading through the minutes the water usage was addressed. It's not in the power of Planning and Zoning in this county to rule based on water.

**Jason Quintana:** It talks about not just water, but wastewater how to set up the system and all the planning that needs to happen in accordance with that.

**Samuel Schropp-County Commissioner:** I'm sure that our ordinances are parallel and are very close to the state statutes. Would that be a fair assumption?

**Donald Goen-County P & Z Director:** That is a fair statement.

#### **Action Taken:**

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

**Action Taken:**

**Ryan Schwebach – County Chairman:** Motion to overturn the decision of the Torrance County Planning & Zoning Board concerning this matter.

**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. FIRE:** Request changes and/or additions to the existing Nominal Fee/Pay Per Call Program Policy.

**Jim Winham - County Fire Chief:** I'm requesting a change in the nominal fee for the volunteer on on-call or pay per call nominal fee. We're looking at increasing these fees to be consistent with other area municipal fire departments that are paying their volunteers. We have not come close to going over the budget we have established for this. I do not believe that this request will take us over the allotted funds that we have right now. To summarize, we currently pay \$25 each, anytime a volunteer runs on an EMS or a fire call. We are asking to increase that by \$25 to \$50 each. That would be \$50 for Fire, \$50 for an EMS call. We have also added inspections into this which was not there before. If a volunteer works on an inspection for a building commercial or for a private residence, etc., that would also be a \$50. In addition to that, we've also asked you to increase the on-shift call pay. If a member works eight hours or more on a career staff, for example, EMS, they have the credentials and qualifications to do that, they'd be paid a flat fee of \$75. Currently, we pay a nominal fee for our Assistant Chiefs on the volunteer side, they are paid a flat fee if they meet the criteria for the month. We're asking to increase that to \$850 per month for both our operations and support chiefs. The reason for the request is we've changed their jobs. For example, one is an Operations Chief, that's over all, six districts. The other one is a Support Services Chief, which does all the paperwork, ISO, etcetera. For all six districts in the past, they were only responsible for half of those. That would be an increase of \$1000 each on one of those operations. I'd also like to make a note that one of those Chiefs is dual slotted as a Battalion Chief. There's not extra pay, he's getting just one pay for that. Particularly not for Battalion Chief and Assistant Chief. We've also added a Division Chief of Special Operations from the volunteer side that will oversee our technical rescue program, materials, radiological responses, etc. He is also a Battalion Chief, he'll be dual slotted, and we're asking for \$750

monthly fee for the Divisional Chief position, I would like to point out, they do have to meet the criteria to get paid, which to establish from this guideline, you can't double dip. If you're an Assistant Chief, and you're making that flat fee, \$850 a month, you do not get an additional pay per call. They have the choice of doing one or the other. Last time this program was changed was in May of 2021 and was approved by this Commission.

**Samuel Schropp-County Commissioner:** We're going to be coming up on our budget cycle. Do you have a quarterly estimate or a yearly estimate of what this will increase? I understand you have the money in your budget?

**Jim Winham - County Fire Chief:** We're looking at \$2,500 a year, and we were slotted for at \$88,000 per year. We have not come close to that in the last four or five years looking on historical records. In addition, House Bill 88, which is going to be tasked out of committee and going to go to the floor provides money for volunteer recruitment and retention, some of that money also can go into this coffer to.

**Ryan Schwebach – County Chairman:** What's the process of when a volunteer runs a call, it's approved before they run a call by a chief or how does that work?

**Jim Winham - County Fire Chief:** If they respond on a call, then it's documented through either EMS report through an inference report, and then the Battalion Chief oversees that, and it's turned in by the 10th of the month. As long as they meet the criteria, they have done their training and have their qualifications, and everything's not expired, then they're paid that nominal fee. It comes to the Deputy Chief who looks at it first, it's sent to my office looked at, and then it's approved before it's sent to be paid. We make sure that they meet those qualifications prior to being paid.

**Kevin McCall-County Vice Chair:** If you're considered volunteer, and yet, we're paying them, at what point is there a level of payment before you become career staff versus volunteer?

**Jim Winham - County Fire Chief:** It's not a per hour or per shift, it's just a nominal fee, that they're actually training, and that they're responding on particular type calls. You may be on a fire call for four or five, six hours, which you're only getting a flat fee of \$50 for that call. This is the practice style in the state of New Mexico, it's not seen as it's being paid.

**Samuel Schropp-County Commissioner:** There doesn't come a certain amount of calls, or hours in a month that crosses you over into a career. Career is career and volunteer is volunteer. The amount of hours that volunteer serves in a month will not classify them as career.

**Jim Winham - County Fire Chief:** Not that I'm aware of, because we're not paying per hour, it's not a salary, it's a fee. Hence the term nominal fee for their participation.



**Kevin McCall-County Vice Chair:** Are these individuals subject to paying taxes on this?

**Jim Winham - County Fire Chief:** They have to turn in their W4 and I9.

**Kevin McCall-County Vice Chair:** I'm making sure as these numbers are creeping up, that we are within volunteer standards and we the Commission doesn't do something outside of that.

**Action Taken:**

**Ryan Schwebach – County Chairman:** Motion to for approval.

**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**

**C. FINANCE/GRANTS:** Request approval of Agreement for Capital Appropriation Project A23H2070 in the amount of \$31,000 to purchase and equip vehicles for the Estancia Senior Center in Estancia in Torrance County. (Reversion date 6/30/2025)

**Amanda Lujan - Grants Administrator:** This is an intergovernmental agreement with Aging and Long-Term Services Division. We got capital funding from them to buy vehicles (small SUV) for all three of our senior centers in the amount of \$31,000. I'm asking for approval of the agreements so that we can start working with them to determine what their needs are, what the vehicles are and start the procurement process.

**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**

**D. FINANCE/GRANTS:** Request approval of Agreement for Capital Appropriation Project A23H2071 in the amount of \$31,000 to purchase and equip vehicles for the Moriarty Senior Center in Moriarty in Torrance County. (Reversion date 6/30/2025)

**Amanda Lujan - Grants Administrator:** Same for Moriarty.

**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**

**E. FINANCE/GRANTS:** Request approval of Agreement for Capital Appropriation Project A23H2073 in the amount of \$31,000 to purchase and equip vehicles for the Mountainair Senior Center in Mountainair in Torrance County. (Reversion date 6/30/2025)

**Amanda Lujan - Grants Administrator:** Same for Mountainair.

**Action Taken:**

**Ryan Schwebach – County Chairman:** Motion for approval.

**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**

**F. FINANCE/GRANTS:** Request approval of Agreement for Capital Appropriations Project A23H2072 in the amount of \$76,050 for renovations to the Mountainair Senior Center in Mountainair in Torrance County. (Reversion date 6/30/2027)

**Amanda Lujan - Grants Administrator:** This is to continue the work we've been doing on the Mountainair Senior Center. Repairing the sub floors, carpet, and parking lot. A lot of this is to bring it up to safety code required by the State. We have completed quite a bit of work, right now we are waiting for this year's appropriation. We just got our last appropriation signed so we have more money to go through with the redoing of the sub floor. Then we are going to start working on the carport because there's some ice and snow hazards. The rest of the floor has been repaired and some of the sidewalks. I'm going with James next week so that we can get an update on work with the contractors for the next phase.

**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**

**G. GRANTS/DWI:** Request approval and signature for Statement of Assurances for LDWI Grant Application for FY25.

**Amanda Lujan - Grants Administrator:** We do this every year for the DWI grant. It's required by DFA and it is a Statement of Insurance of Assurances. We have to certify compliance with certain DWI Program requirements. Procurement Code, HIPAA, because it's a DWI Program, various things that we have to complete to get the Grant.

**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**

**H. GRANTS/DWI:** Request approval and signature for Memorandum of Understanding (MOU) between Torrance County and Department of Finance and Administration (DFA) Local DWI (LDWI).

**Amanda Lujan - Grants Administrator:** This is the Memorandum of Understanding that goes along with those statements of assurance that we will be working with DFA for the LDWI grant.

**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**

**I. FINANCE/GRANTS:** Request to accept Wilson & Company’s proposal for the new Torrance County Administration Building, specifically for Architectural and Engineering Design Services, and authorizing County Manager Janice Barela to sign a contract with Wilson & Company for such services.

**Janice Barela-Madam County Manager:** We asked our on-call engineers to provide us with updated proposals for these services. In a timely manner, Wilson & Company gave us their updated proposal. They came out and met with us in here in the building. I did receive a late proposal from Bohannon Huston, that amount is significantly larger by at least \$300,000 than what Wilson & Company has proposed. Today, we have with us a representative, a project manager/architect from Wilson & company. His name is Brett Beaty, He is available to answer any questions. The proposal is on your desk. On page three, you'll see the estimated building costs for Torrance County Administrative Building, I'd like to bring your attention to Item F in the table, it says design professional fees, basic services, a percent, it has it at 6.6% of the project, the project is estimated total \$9,858,084.28, whenever they priced out the project. The total amount, including the New Mexico GRT comes to \$544,379.14. That's for the design and professional fees. On the fourth page, there is included some of these description of services

and administration. On this page, and I'll read them, are also included in that amount of the \$544,000+? There's programming validation, schematic design phase, design, development, phase, construction document phase, bidding, and negotiation, and construction administration. There's also an acceptance phase, and 11-month correction period inspection. We talked about preliminarily, I had a visit with him in regard to the plans that this Commission had to hire a Project Manager to help with the projects, he saw that as a benefit to just work closely with what they're doing in this project.

**Kevin McCall-County Vice Chair:** What size of building did you design? At this point, as a Commissioner, I still can't tell you what the square footage needs to be. I'm a little remiss to see a number of 5 million. What is it designed for?

**Brett Beaty - Architect with Wilson & Company:** What we've gone with is the information that was provided to us, part of that arrives out of what you're using today. There is an approximate program area of about 23,500 square feet. Part of what we need to do first is sit down and talk with the different user groups, the people who are going to actually be using these facilities and department heads, the manager, the different folks, staff of Torrance County to figure out if this 23,449, accurate? Does it need to be adjusted does one space need to be a little larger? That's how we arrive at the final number. We haven't designed anything yet. What we've done is taken the information available to us and then create a scenario where we're looking at an approximate building size, cost per square foot given today's market and what the time periods we're looking at. It's about scope, schedule, and budget.

**Kevin McCall-County Vice Chair:** As we see the need for more, how does that affect your final number, we're going to be at the 6.6% of the total cost of the building is that going to be your architectural design fee?

**Brett Beaty - Architect with Wilson & Company:** We only use percentage of overall construction as a check. A lot of it's based on effort, it's based on experience, it's not a one for one comparison. We know that the building's going to change when we get into program development. Now, if it's adding offices, it's probably not going to have that great effect on us, the actual contract price may be a little bit lower or higher once a contractor is engaged, we'll have to look at what that means, there's going to be a discussion, the idea is that we want to form a partnership with you as a county, as the governing body, as the folks that make the decisions and the community itself to give you the best administration building we can give you for the value that you're looking for. Your pocketbook is only so deep. We need to find a building that matches and aligns with your needs and your budget to give you the maximum value. That's our intent. If you decide to add a police station on the back of it, and then want to put a new public library on the east end of it, we're going to have a discussion about that change in scope. That's

not what we originally had intended and neither did you. There's an understandable discussion that needs to happen at that point.

**Ryan Schwebach-County Chairman:** Summarize exactly what you're going to do, then we start designing and building take it from there.

**Brett Beaty - Architect with Wilson & Company:** What we want to know first is, what is going to be the purpose of this project? We want to talk with the building committee, and that's going to be partially your responsibility. What we would really like is, is a group of three to five individuals who have a vested interest in this building, have some institutional knowledge of what's going on with it, and where they're going. This community is tied in so that we can go through and ask questions about what it should look like how it should feel, what should the aesthetics be, or are there are specific materials that need to be involved, which parts of the building are public, and which parts are more private and more controlled. There's security issues, there are infrastructure issues that we want to address. We going to create a program verification, that is both the technical requirements for the building, but also the aesthetic and personal requirements for the building. These buildings last 60 or 80 years. This is what I get excited about folks because I'm an architect, we're going to do something that's going to be a value to your community for the next six decades, at a minimum. That's a great moment, we don't always get those opportunities to build new buildings like that. A lot of times all communities are kind of lined out the same. You make do with what you can as long as you can you keep adding to it, painting it, clocking it, doing whatever, until it no longer functional. What we want to do is try to do is design the best building and that's going to be a collaboration between us and you. We're architects, we have the technical experience, and we're the subject matter experts on putting a building together, but I don't know, a single thing about what an Assessor does, but I really want to know how your Assessor works and how they function, what they need to have as far as an interface with the public. So we're going to get into the design. Then we're going to have regular meetings with the building committee, and in intervals and we'll come back, and we'll present our progress to the Commission or if you want to see it ahead of times, if you say, what's going on with that, and we get a call, can you come out next Wednesday and present your progress, we can do that too. The idea is that we're going to try to create a set of construction documents or contract documents that a contractor can build from, that tries to control risk for the county as a body and tries to make a building that can be built for a reasonable amount. Normally we come out once a month to meet on site to look at the work and evaluate it based on a pay application. The contractor wants to get paid 20%. Does the building look like it's 20% finished? In my best judgment does it look like it's being built appropriately? Is the workmanship good? Are they using the right materials? Are they using the

products and materials and systems that were outlined in the construction documents? We are there to enforce the contract. My role at that point after construction is to start to enforce that contract to protect you and protect us.

**Samuel Schropp-County Commissioner:** That covers some of what we've been talking about with project managers and trying to find a Project Manager that can juggle all of these things, we will have oversight through this architectural firm. Do you liaise with the Commission or the County Manager during that building period. Why do we need a chiller on the roof that is \$50,000 more than the other one? Is that the type of advice that you would give as part of this contract?

**Brett Beaty - Architect with Wilson & Company:** What we would be concerned with is as building. It sounds like your needs are a little bit greater and broader. You need somebody with some experience and technical knowledge that can help you liaison with all of your different projects that are going to unfold.

**Samuel Schropp-County Commissioner:** What I'm asking about is, if we have four other projects going, do we rely upon you to be a quasi-project manager on this one?

**Brett Beaty - Architect with Wilson & Company:** On the project that we have a contract with? Yes. We could also certainly talk about providing project management services if that's something you're interested in for those other projects. It's something that's within our realm of what we do. It would somewhat make sense because I plan on being invested, after this contract is signed, being invested for up to three or four years, a year of design a year or so of construction, and then there's a year of warranty period. I plan on being connected to this community for three years at least. As part of that I could do other things if I come out. I believe what we're talking about, is this one contract for this one, right? Yes. I will manage this project completely. What we were talking about in terms of a project manager from your side is a better match, when we go to meetings, I have somebody that I can talk to that has some technical knowledge and has some experience that fully represents the County, but someone that's employed by the county or is hired directly by the county as a third party would be a better liaison. In a lot of our counties, that doesn't happen. I talked to the facilities director or whoever the Parks and Rec director is or somebody else that has a little bit of knowledge, in those areas. I can give you some names, of dedicated project managers, and that seems to work really well for them because that's somebody to keep track of the paper, work schedules, who the contractors are and it could be all projects, not just vertical building projects, but also bridge projects on roads or guardrail replacement or road widening. So you have somebody that has their pulse on every project going on within your county, that at least you have one person you can talk to, that's on your site.

**Samuel Schropp-County Commissioner:** We are shopping for a project manager, we need to understand just exactly what it is that we require, and what your duties are. So I understand fully what you've explained to me now.

**Kevin McCall-County Vice Chair:** This was very helpful. I think it's a great starting point, I don't think by any means I'm ready to approve a contract today. I look at Bohannon Huston, and the size of the building is similar at 24,000 square feet. They're proposing that same building is going to cost 14 million. I know there's an opinion, but I'm saying today, until I dive in and ask some questions I am not ready to approve today. I'm glad we're having this discussion because it needed to happen. I think it's a little premature until I get my head wrapped around your numbers, maybe some other numbers as to approval.

**Brett Beaty - Architect with Wilson & Company:** Most people don't know this because they're not in that particular industry. The construction industry has been really hammered the last four years. We have seen construction numbers go to places that I didn't think I'd ever see. An architect from Denver, who had just worked on the big Veteran's Hospital was talking about it's over \$400 a square foot and I thought that's insane. What on earth cost \$400 a square foot. Over this last year, we've had projects come in at \$400 or \$500 a square foot they were \$200, \$275, four or five years ago. Out in Grants, they bid a school at \$800 a square foot and the State paid for it. We bid another school 68,000 square feet about seven months later, it came in at 35 million. It came in quite a bit under it came in about \$360 or \$380. Numbers are all over the board. Shipping is still a nightmare on some things you'll order wood doors one day and it's 12 weeks turnaround and you order them the next day, they tell you they can't get them to you for six months, or they wait four months and then tell you that they're out of business. We had that happen with a company, they had been stringing the contractor along telling him it was on the truck, and the company was declaring bankruptcy. I don't know what the real number is for your building. What I do know is that I believe in a holistic kind of design approach, I don't really want to see a lot of flashy stuff without the meat on the bones on the inside. Putting chrome on the outside and not giving the right stuff on the inside. It's not a good trade off. It's got to be a complete building. Bohannon Huston is a good firm, they are across the street from us, they can do the job, I have no doubt. What we all use the numbers for these things it's a little questionable right now is going to cost what it costs on that day when we bid it. In that day when we bid it is probably 16 months from now. We have no idea to tell us what that's really going to look like. What we can do is work smart and as we look at it, maybe there's a portion of the building that we phase to, and to make sure that we can build the first phase within the budget you have or there are there are other approaches. We do that as a team. We do that as a collection. It's not a



decision by me or my boss or the extra work for me is a decision between the team that's going to actually work on this building together.

**Kevin McCall-County Vice Chair:** I think it really comes down to this point, how big is the building? When we don't even know that, I was involved in a department head meeting, of course, every department head wanted more square footage than I thought they needed. So of course, you know, we got to come to some sort of agreement as to what the square footage of the building will be. I think that's number one. There's a lot to be talked about before we sign a contract. I'm excited that we're having this conversation it needed to happen.

**Ryan Schwebach-County Chairman:** I have to agree with Commissioner McCall, I'm not ready to make a decision now. But, I'm getting really close. I'll be contacting you along with Bohannan Huston, having some of these conversations you coming out is very beneficial on understanding this design process, much better concept. How long is this concept good for, time wise?

**Brett Beaty - Architect with Wilson & Company:** Don't worry about it expiring, if it's 2027 and you call me up and say where we can sign this, we have a conversation about that.

**Ryan Schwebach-County Chairman:** It's extremely important to me that we remain in budget. That's top 10 on my list. We've had these conversations on what we felt we could afford and what needed to happen, we got to stay within our lane. Moving forward with that I'll be looking at options that they can either go into phase two, downsize, whatever the case may be. I like the fact that you said I'm not looking for anything fancy. I'm looking for practical and efficient. Thank you.

**No Action Taken**

### **13. DISCUSSION**

(Agenda item 13A moved after agenda item 10)

- A. MANAGER:** Presentation of the Torrance County FY2023 Financial Audit – TKM, LLC, formerly Kubiak, Melton & Associates, LLC. (Joe Ortiz)

(Presentation in packet in Clerk's Office)

**Joe Ortiz – Audit Manager:** My name is Joe Ortiz, I'm your returning audit manager from the prior year from TKM, LLC. We changed from Kubiak Melton & Associates to TKM, LLC. The report is under our original name. Daniel Trujillo still remains the audit partner. He is now the managing partner of our firm. He does oversee all the audit engagements and signs off on final approval. We also had Don Whitman helping out with the non-attest services. In the non-attest service, we prepare your financial statements for you. You also have myself and Richard, he was the one in charge on the engagement. There were a handful of other individuals that worked on the engagement throughout the audit. Under audit standards, we have certain responsibilities, certain things we'd have to follow, especially under yellow book audit. The state of New Mexico requires a yellow book audit in accordance with the state audit rule. First and foremost, we're here to form and express an opinion on the financial statements and give reasonable assurance. In doing so we consider things like materiality, risk-based approach, sampling, and look at transactions. Throughout the engagement, we're also required to communicate certain significant matters that come up related to the audit or any county matters. We are required to communicate any particular matters related to compliance, compliance with contracts, compliance with state law, compliance to suit audit rule, and grants requirements. We are required to maintain our auditors independence. As you all know, you have to have an objective view coming into the audit. Every year we do a test of independence with our engagement team making sure there's no type of relationships within the county and the auditors. We also look at making sure we're keeping that unpredictable procedures, so we're looking with fresh set of eyes and the finance team doesn't necessarily know exactly what depth. At the end of the engagement, we have certain management responsibilities where were management assumes responsibility for the financial statements. We've prepared them for you. They're based solely on the numbers that were provided by the team. All the disclosures are developed based on those numbers that were provided by the team. At the end of senior management representation letter saying we take responsibility for these numbers. We give you access to everything. Management is also responsible for designing and implementing internal controls around your finances, your compliance contracts, grants, and regulations. You're also required to be able to prepare GAAP financial statements, generally accepted accounting principle financial statements. Again, you do that as a non-attest service, but couldn't do that without the information that's provided by the finance team and the Treasurer's office. We are required to communicate with you uncorrected misstatements, and correct misstatements. There are some that are related to the findings. However, there's a typo there and I'll discuss that when we get to the findings. There was one finding with the corrected misstatement. There were no uncorrected misstatements.

These are misstatements that are not significant enough to impact financial statements. However, we're required to communicate them, so you are aware what's going on and making sure you know that we pass on a transaction of \$5,000. It's not going to impact financial statement users decision making abilities. But we're required to let you know that we did pass on those, along with management's approval. Disagreements with management, there were none. All throughout the engagement, if there were some we would have to have a meeting, potentially get you all involved, and come to an agreement. Significant issues discussed with management prior to retention. Throughout the year, you know, Deputy County Manager Tracy Sedillo will give me a call. Sometimes the County Manager gives us a call and asks questions related to compliance, accounting matters, different best practices. However, that's not a condition of the engagement. We do it as a professional courtesy to the county. We appreciate those calls, because it shows good tone at the top that you guys have been proactive about these questions related to your finances, and overall best practices. There were no difficulties encountered in performing the audit, I do want to highlight something here. As the madam before me mentioned, there was some turnover in a key financial position. Overall, the audit went well. Usually when we have turnover like that, we expect some major speed bumps, there were none that I could think of this year. I want to give them kudos. They made sure that Deputy County Manager and County Manager Barela and their team are doing a good job throughout the changes including the accounting systems change. That's usually a red flag for auditors. Everything went well, considering all those different changes. Consultation with other accountants, we're not aware of any. This is more around opinion shopping. If we said you're getting this finding, and your management didn't agree with it, they could ask another auditor. We would have to make sure they have all the same facts and circumstances. We have to come to their conclusions. Nothing like that came up, that we are aware of. We have fair value inputs, estimated lives of capital assets. Financial statement disclosures that are significant to you. Overall, they're clear, consistent, and neutral, the net pension and OPEB liability, you will continue to have those significant financial disclosures in your financial statements. Capital assets will continue to be on accounts receivable and you also have some leases that you implemented last year. With that standard of GASB 87 there are surrounding leases, which was a pretty big standard. This year, you also adopted and implemented GASB 96. This is from the Governmental Accounting Standards Board. It was a pretty complex standard surrounding your IT subscriptions. It was treated in the same manner as leases. If you had a significant material lease that you're entered into, or a subscription, it would go on the book as an asset and a liability. Your financial statements weren't significantly impacted by that. There is no accrual of any kind of liability or assets that are related to it. However, you did

have to analyze quite a bit of information and also adapt the accounting. That brings us to the financial statement opinion, unmodified opinion. Your team is constantly communicating with you through observation of your minutes. You shouldn't expect anything less, again, some kudos to the team for being able to pivot around a change in IT, accounting software, a change in finance positions and Tracy Sedillo coming from the Treasurer's Office to work in the County Manager's Office. Making sure that that's highlighted, and I want the citizens to know you do see some of this turnover and management is pivoting in order to address those risks. However, there are some findings. There was one related to financial closure and material adjustments. This was surrounding two invoices, specifically around inmate housing, CoreCivic invoices. I do want to clarify that the county operates on a cash basis. That means you had cash and hit expenses right throughout the year. However, when it comes to standard it requires you to be on the modified accrual basis and the full accrual. At the end of the year, the county goes through all the invoices, all their expenses and are reviewing these expenses and these invoices to ensure that they're being captured in the correct fiscal year. These two were missed. These are not indicative of fraud or anything like that. However, in order for your financial statements to be US GAAP, generally accepted accounting principles in financial statements, we have to accrue them and identify them. If the auditor identifies them, they come up as a finding. This is a common finding with counties, schools, anyone who's operating on a cash basis, just because the county your size has a lot of transactions in and out at any given moment. That's a lot of invoices to be reviewing. Your team, unfortunately, wasn't able to capture these two. They went through their proper approval process. It wasn't captured in the right time period.

Last year, there was one binding related cash appropriations in excess of available cash. That's saying the county had more expenses budgeted than there were anticipated revenues, and there wasn't enough cash to cover it. You resolved that this year. So there is no finding related to that. The report was dated November 30, 2023. We received an okay to print January 10, 2024, from the Office of the State Auditor. Then we received the release letter shortly after January 17, 2024. Five days later became public information. That report dates a little close to the deadline, however, we like to give the county time to review the financial statements. We had our exit conference. Any questions or concerns? Comments?

**Kevin McCall-County Vice Chair:** I have a technical question. Government institutions can use an auditor for six years? How many more years do we have with your firm?

**Joe Ortiz – Audit Manager:** It used to be six years; the new State Auditor changed it to eight years. This was our fourth year, so we'll probably have to go out for quotes. If you choose to, we'd love to do it again. Auditors get comfortable and

management gets comfortable. They want a cool off period to have another set of eyes.

**B. COMMISSION:** Update on EMWT Regional Water Association.  
(Torrance County Representative to the Board, Eddie O'Brien)

( This agenda item was moved after agenda item 11C)

**Eddie O'Brien – County Representative on the EMWT water board, general manager for EMW Gas:** My name is Edward O'Brien. The county representative on the EMWT water board as well as the General Manager for EMW Gas. I'm here to give you an update. As of December, we signed a contract with Bohannan Huston to be our on-call engineer. On May 12, 2023, the New Mexico Water Trust Board awarded \$491,050 to the design of the new company for the water system, water storage tanks, transmission lines, looping the distribution system at a 100% grant. We have not received that money at this time, due to the fact that we're not in good standings with the Secretary of State. The reason that we're not in good standing with them right now is there was a slight communication problem with who was actually going to be taking care of the books for EMWT. Right now EMW Gas has a couple of employees that are dedicated to that, they are trying to help out as much as possible when they have free time away from their daily work with the gas company. We did contact the Department of Finance, there is a lady over there that is helping us right now. She's got all the paperwork that she needs to get us into compliance for 2023 as well as start 2024. One of the biggest hurdles EMWT has right now is that we don't have a designated employee for that company to continue with the management, running the day-to-day operations and making sure things are getting done in a timely manner. EMW Gas is trying to help out, but it's hit and miss with what's being done and what's not. Also, at the beginning of the month, Chairman Bobby Ortiz, Vice Chairman Steve Anaya, and board member Mike Anaya met with the Governor in her office. She is going to be giving EMWT a little over \$600,000 to purchase Sunset acres and the water rights that come with that water system. She will not release that money until we are in good standings again, with the Secretary of State. We're hoping to have all that taken care of by our next board meeting, which is in two weeks from now. She's also planning on dedicating \$12 million to EMWT next year for the construction of the company and the water system.

**Samuel Schropp-County Commissioner:** EMWT is formed as a rural water district?

**Eddie O'Brien – County Representative on the EMWT water board, general manager for EMW Gas: Yes**

**Ryan Schwebach-County Chairman:** It appears to me that we're at a point in time, that it does require a full-time manager. We've kind of touched on this as Commissioners at the last meeting on possibly bringing somebody in to really take this project and move forward, similar to what we talked about with Project Managers. Would you entertain looking into a project manager to clean up the paperwork side of the EMWT to where we have a very clear, precise concept of what it is that they're doing. Would you guys be opposed to that?

**Samuel Schropp-County Commissioner:** Before we started, I have a statement a position statement. At the last meeting I criticized the management of EMWT and its inability to move the system for the equitable distribution of water forward. Teddy Roosevelt said and I'm paraphrasing, if you complain without a solution, all you're doing is whining. Last week in a phone call with Jacob Trujillo at Congresswoman Stansberry's office regarding the funding for a new EMS fire station. Mr. Trujillo asked me why Torrance County hadn't applied for any of the \$200 million of state funding that was available for water projects in New Mexico. My answer was that the EMWT is not a part of Torrance County government. So that question should be addressed to EMWT. Water and the distribution of water in the Estancia basin is a very contentious issue full of distrust and misinformation. I was invited to speak at a Farm Bureau meeting about EMWT proposed north south trunk line. When I spoke to acronym EMWT and the plan for distributing water, the room erupted in shouting. When I walked out, they were loudly discussing a resolution calling for a ban on exporting water from the Estancia Basin. The scheme by an absentee landowner in the early 2000s to export physical water to Santa Fe, using public funding created a well-placed fear for the people in Torrance County, regarding the distribution and use of a resource that is essential of life. After watching the KOAT news story, about 9 million gallons of water being used to test the fuel storage tanks in Moriarty that distrust is well placed. Most of you have heard me tell the success of the Calhoun County rural water district and the speed at which it was up and running. The exchange with Mr. Trujillo caused me to look at the differences between EMWT and the Calhoun County rural water system. I concluded that the differences is in the way that EMWT and the Calhoun County rural water districts are organized. In front of you are a number of documents to New Mexico Statutes Chapter 73 special districts article 21 - Water and Sanitation Districts and New Mexico Statutes Chapter 73 - , special districts article 21 Water and Sanitation Districts 73 - 21 - 3 purpose of Water and Sanitation Districts. I'm sure you all aware of these statutes so I include them as a reference for your review when you have time. EMWT has laid out a plan for the administrative and other duties of EMWT to be taken over by Torrance

County government. I call to your attention paragraphs four and five of that plan, in which the document calls for Torrance County to be responsible for managing and overseeing EMWT project. At the last meeting, we discussed hiring a project manager to oversee current projects because we don't have the staff to perform those tasks in-house. Torrance County government does not need staff to take on the additional administrative duties either. This is just not going to work. By the very proposal which EMWT has presented, it is admitting that it is incapable of moving this project forward. It is time for EMWT to step aside for a new approach. I proposed the formation of a Torrance County Rural Water District under the requirements of chapter 73 - special districts article 21. This reorganization would bring transparency, oversight, and accountability to a system of water distribution that is currently lacking with EMWT. That in itself would be the first step in building trust in the management of a resource which is reaching a tipping point in the Estancia Basin and needs to be addressed immediately. Rural water districts as publicly held utilities are a business model which has been successful all across the US and it will work here as well. As a rural water district the entity can issue revenue bonds overseen by the Public Service Commission on rates and different other conditions. There are defined legal remedies for the users of the water district to address their grievances through the district courts. They would smooth away USDA to help us make this work. We are already getting water Trust Board help, but we would have a destination as right now we do not for the \$480,000 and it would be a public versus a private utility. In the 2000s when the well-intentioned founders of EMWT brought up this concept, privatization of utilities, privatization of other jobs that government at that time was running was a very popular concept. However, I held stock in an American Water Company which was the company that ruined pipes in Flint, Michigan, when they without oversight, changed the intake water location and had to mix chemicals in order to make that water work and potable. It rotted out the calcium and it poisoned 1000s of people. That's my position on EMWT. That very acronym causes all rational conversation to go away. When you have a ship or a boat that continues to encounter hard luck, you change the name.

**Ryan Schwebach-County Chairman:** Does EMWT mimicked on the same formation of the EMW?

**Eddie O'Brien – County Representative on the EMWT water board, general manager for EMW Gas:** Exactly the same.

**Ryan Schwebach-County Chairman:** Neither companies have ever been a for profit company, that being said, the water district may be more appropriate than what is proposed by EMWT? I can't answer that question because I'm not familiar with a water district. The amount of backing to form where EMWT is from the State and Engineering Interstate Stream Commission and from the Water Trust

Board, from multiple Governor's Office that directed this volunteer board to move forward with this concept. I honestly can't say which one's right. I'm not opposed to looking into it. So I can be clear Commissioner Schropp, what I'm hearing is you recognize the issues with the EMWT and name only but not in purpose. Is that correct? You're not opposed to the concept of a water system?

**Samuel Schropp-County Commissioner:** You are correct on that. We have to move this forward, we're at a critical juncture, and we have to do something better than we're doing now.

**Janice Barela-Madam County Manager:** Back in August 2023. There was a fiscal administration agreement that was drafted but never brought before the Commission. It was preliminary discussions that the county would take over as a fiscal agent for EMWT to provide the financial support, not to give them money, but to help them with their procurement, making sure that everything's done with the grant agreement that they have with the Water Trust Board and helping them get in right standing with the Secretary of State's office. Taking the load off of EMW gas and putting it on Torrance County to make sure that everything's being done properly and having some type of oversight for their finances. The heading on page two for this section is Article Three responsibilities of Fiscal Administrator and on the following page four and five reads as follows. Ensure that requisitions are supported by certification by the borrower/grantees, project architect, engineer, or such other authorized representative of the borrower/grantee that the amount of the disbursement request represents the progress of design, construction acquisition, or other project related activities accomplished as of the date of the disbursement request. That was number four. Number five, monitor construction of an approved project for compliance with the requirements of the final approved contract and the plans and specifications. I did not fully vet out this agreement. I did not bring it before the Commission. It never really became a conversation between me and any of you, other than to let you know that Bobby Ortiz initially discussed this. I'm not sure who drafted this, Mr. O'Brien, did you or do you know who did?

**Eddie O'Brien - County Representative on the EMWT water board, general manager for EMW Gas:** No, I did not write it. A communication problem that we were talking about earlier is that EMW gas was under the impression that the county was going to take it over. That's why our CPO stopped communication with the state as far as the paperwork. Going through the paperwork looking for the grant documents, I found this and saw that it had been executed. When I saw that your name was on it. That's why I brought it to your office to see if it was something that you guys had brought up. Where that document actually originated from I had no idea at this time.



**Samuel Schropp-County Commissioner:** My recollection last, at the time of this was that it was possible this would come up as an agenda item depending on what the board at EMWT decided to do with it. According to Mayor Dean of Willard, that on the night that this was supposed to be heard, EMWT couldn't present a quorum, so it died. So once again, EMWT is a great concept. Before long, we're going to have to have this blue line and we're going to have to have laterals running out to the east and west in order to efficiently manage our water and provide water and old property values. A Torrance County rural water district is a better form in which to do that, in my opinion. You have to get with land resource planning associates and a county attorney to work out the details and transfer what assets and monies there are and grant retitled. In talking with Javier Sanchez is having a hard time with his wells, and it's been a year that he's trying to get a permit in a critical management area where I live. I told him that I had water permits to sell. It would expedite the process with the OSC if we reset it, we were buying water rights to be transferred to a public entity which was going to benefit the entirety of the people in the district. So there are a number of advantages in renaming, getting rid of the acrimony surrounding EMWT and setting this up in a transparent, regulated form, so that we can start moving forward quickly. There's going to be a subdivision come up in Planning and Zoning and water is going to be an issue with that as well. My belief is that rural water district is the way to go. It would be similar to Estancia Valley Solid Waste. It would be a separate office, a standalone with its own employees to run the thing. We don't have the staff here or the expertise to do that.

**Ryan Schwebach-County Chairman:** I agree with almost everything you're saying. I am hung up on a water district because when you start defining a water district, I don't know the pros and cons and potential consequences. Because now we're talking about some of the mingles with the State Engineers Interstate Stream Commission. It may be a better way to go. The volunteers both with admin and the board on EMWT is overwhelmed. I feel as a county, we need to look at facilitating that to get this moving, regardless of what it's named. We can't make a decision today, but I would like enough of a discussion to where we can make a decision at the next meeting where you can relay that to the current EMWT board.

**Eddie O'Brien – County Representative on the EMWT water board, general manager for EMW Gas:** As soon as we're back in compliance, I will come back and do another update.

**Ryan Schwebach-County Chairman:** You need an individual that's knowledgeable enough with organization that is currently there to get it into good standing. Not on a full-time position. We need to ask some questions concerning the differences in a water district. There are pros and cons. I'm not for or against

either. I like the way this is structured, because all the municipalities have a say at the table. That can be in any form or fashion. Those are the two things we need to rectify now. The first one, just to make sure EMWT gets in good standing. Is accounting willing to hire on a contract basis or to look at that to get them in good standing. The second one, get the information to figure out whether we keep EMWT as it is, or we change how it looks as a water district. I would like you to relay this information to your board. We need to move this forward because of the timeframe on the monies that have been presented to us but more importantly, on the amount of people that are hauling water. These residents deserve a resolution.

( Agenda item 12 A heard here)

**C. SHERIFF:** Sheriff's Office update.

**David Frazee-County Sheriff:** It's been a while since we had an opportunity to come in and give you an update. We are trying to be more transparent than in the past, so we've provided you with some documents. Those documents are timestamps of last year. There is one document that is updates for traffic crashes that we've had up to date this year. Last year we had 320 accidents that we investigated. We're on track currently to match that same amount we continue the way we're going. I also have brought to you a copy of our five-year plan, intended to get that to you in prior occasions and just have not been able to do that with you until today. Likely just give you a little brief update on the criminal statutes, there's 110 different categories. I'm not going to go into all of them. I have provided you the sheets of paper that tells you what they are. If any of the community would like them drop by the office, we will provide them. We are one deputy short of being fully staffed at this time, we had hired him, and but he elected to go to another department. We've got two vehicles, we're in the process of ordering and buying, because of the strike last year, they're difficult to come by. We're trying to get all of the paperwork in order that we need to do the work and get all those vehicles and then we'll be in good shape. Some short-term goals that I would like the Undersheriff to address with you.

**Stephanie Reynolds-County Undersheriff:** The document that you have before you is a five-year plan, it is a bipartisan document that is something that the Sheriff generated prior to my appointment, we are working together to try to attain short goals, goals that we can accomplish monthly, quarterly, and annually within that document. Some of the things that we have already began to implement are within

our department, we have started meeting with our command staff monthly, we're getting their input on how we can best run the department, as far as what they believe their needs are. What equipment they may think that they need, that type of thing, what is attainable right now. We have also implemented what initially started out to be monthly meetings with our staff as a whole turned out to be hard. It's hard to get us all together, as we are on staggering shifts. In those meetings, our goal is to build that camaraderie among our deputies. That has been severely lacking. The other thing that we do is, we pick a policy, and we break it down, make sure that everybody understands that policy, whether that be an SOP policy within our department or a county ordinance, something is discussed with our deputies, make sure that everybody understands why and how that pertains to them. We provide a training, firearms, or something like that. It's been brought to me recently that we need to go over some defensive tactics, our use of force module. That will be our next goal.

**David Frazee-County Sheriff:** Every deputy is up to date with all the training that they had. That wasn't the case with prior administration. We are able to cover the county 24/7 with the deputies that we have.

**Stephanie Reynolds-County Undersheriff:** We have a community resource team that we have started to utilize a little bit better. The purpose of this team is to be more proactive in the community opposed to what law enforcement is used to being reactive. We have started doing warrant roundups, getting a list of all the warrants that we have in our community. We are working with our sister agencies and the DA's office. We do have a grant that was obtained, and we're working within that. That's how it's paying a lot of this overtime to do these warrant roundups. They are doing really well.

**Samuel Schropp-County Commissioner:** With the budget season coming up. What are you doing to promote recruitment?

**David Frazee-County Sheriff:** We are certainly going to be asking for more deputies and some more supervision. We need better supervision on a day-to-day basis outside first-line supervisors. We are now actively recruiting using social media and community events.

**Stephanie Reynolds-County Undersheriff:** I recently attended a training out of state, it is almost unheard of that departments are fully staffed. There's a shortage for deputies and law enforcement nationwide. One of our deputies is extremely talented in graphic design. He has put together a couple of things that we will be utilizing. It's very eye catching. Our deputies are not supervised, and I say that as there's not a supervisor 24 hours on the streets with our deputies. That is highly concerning for me and the Sheriff. There's several state statutes that mandate a supervisor make a supervisory call; we do not have that. So that is going to be at our budget discussion this year.

**David Frazee-County Sheriff:** One example of that is if we have a high-speed pursuit, and there is no supervisor to call it off, there's some liability involved.

**Ryan Schwebach-County Chairman:** This five-year plan was put together over the last year. It starts here with population and the decline of the population within this county. On just the pure financial standpoint, we have a declining population and are having an ask for more funds within the Sheriff's Department. Sadly, as we all know, declining population usually means a depressed economy. I would like you to expand a little bit on that. Is this coming from stats, or is it coming from observations?

**David Frazee-County Sheriff:** Census Bureau.

**Ryan Schwebach-County Chairman:** Are we seeing a major increase in property crimes, low income are crimes from individuals that are attracted to this area for lower costs, and to escape higher persecution and other areas.

**David Frazee-County Sheriff:** Not only that reason, but yes, that is correct. Also because we have an issue where the crime is being pushed out of Bernalillo County, and the criminals are entering our county and therefore they're committing crimes in our county. One of the issues that I've been complaining about is that the state believes that we normally patrol the highways, we are called into Albuquerque to help them. That pushed the people out this way. Not only that, but then the freeways in supervised with police presence, and people are starting to drive a lot more dangerously, and so we're having a lot more crashes on the freeway, more than half of our crashes are on I-40. That means that our deputies are tied up on I-40 and we are not able to patrol the county.

**Stephanie Reynolds-County Undersheriff:** In speaking with our State Police, we have made an arrangement that during inclement weather. I can contact our captain out of Albuquerque, and he will have a team on standby, if crashes become egregious like they have in the past. At the last big storm, they did help, and it was great. For everyday regular patrol, they are not available to us.

**Ryan Schwebach-County Chairman:** I've heard probably two or three times within this conversation pressure from Albuquerque. Reality is decisions Albuquerque has made, decisions State Police has made, decisions that is costing this declining population more money to put up with their rubbish. Is there any avenue that we can address, not necessarily your office, but the information to explain it at a state level, because when you get down to it, there is an intermingling of state agencies. State Police used to be leaned on pretty hard. They're part of the community. They're responsible for what's going on I-40. Is it really right that the citizens pay that much extra for the decisions of other's. What can be done to it? That's a question for anybody listening. We're talking about an increased budget, increased personnel. If everything else within the state stays the course, we're going to be having this conversation at the end of this five-year plan.

**Stephanie Reynolds-County Undersheriff:** One good thing that we do have, that we've worked pretty diligently on is our relationships between our communities within the County and even outside of our County. We have assistance from Bernalillo County, and Guadalupe County's. We have had assistance from Moriarty Police Department, Estancia Police Department, Estancia has been known to help us all the way into Moriarty area and toward Mountainair. If we continue to build these relationships, at least the deputies on patrol, our first line, do have that backup, and we're not as afraid of them being on the streets alone. However, I would not expect for any of their departments to supervise our deputies. Just as I would not want our supervisors to supervise any of their officers. For that reason, we are all hurting for our first responders in our law enforcement. We are doing the best that we can with this what we have right now.

**David Frazee-County Sheriff:** Mountainair is trying their best to hire a Chief, they had someone, but they backed out. We are doing a background on an applicant now.

**Ryan Schwebach-County Chairman:** Thank you. That's a very informative and I appreciate this.

**D. EMERGENCY MANAGEMENT:** Discussion/Presentation of proposed Emergency Management building remodel.

**Samantha O'Dell-County Emergency Manager:** I've put together this presentation with some pictures for the Commissioners to be able to see the building in Moriarty. We had some conversation previously about why we're not using it as an emergency shelter. I'm not sure how many of the Commissioners have had the opportunity to tour the buildings. (see pictures in packet) The building is primarily being used for storage, we have several vehicles, the mobile command, and sheltering equipment. Animal Control also has kennels, and we have phones in there from the all of the offices from whenever the phones were replaced. We have various items in their store at the moment. Pictures for outside of the building taken for Route 66. To show the issues with the outside lighting of the building. The first picture is looking at the building. The black area in the middle is the building. You can see the lights on the other side of I 40 around it. The second picture is looking at the gate, no lighting. The only utilities that are being paid for is electricity. We are paying \$381.12 a month to heat the bathrooms. We like to have water to wash hands when we are there. We're going through the

sheltering trailer right now. When we're up there working through that, it's nice to have the ability to have the bathrooms. So in this very rough draft outline, it shows three offices, a small kitchen area, the bathrooms, and I realized after I put this together, I did not label the bay area on the right. So essentially half of the building would be a bay area. That large area in the middle would be our emergency operations center that could also be used for a conference room, trainings, etc. We have been using the Commission room, and currently EOC at dispatch for multiple things, LEPC meetings and monthly volunteer meetings. We've been teaching CPR about every two months. We've been using the rooms frequently. That would be another thing that we could potentially use in this area. Then the next slide is ADA requirements for having a shelter in the building to kind of show why we could not use it currently. That's something that we could potentially look at moving down the line with if we wanted to. I'm not sure that the frequency that we need to shelter that it would be worth going the route of make it shelter appropriate.

**Samuel Schropp-County Commissioner:** It's a lot more than I think anybody on this Commission is expected to do to that building in order to it or activate emergency shelter. The Sheriff brought up how much time our deputies are having to spend on the interstate, especially in inclement weather. What about a substation, Our deputies get out and get covered with grime and have a place that they could change clothes and go back on shift at the north end of the county. A substation rolled in with the Emergency Managers requirements.

**Ryan Schwebach-County Chairman:** I'd like to go back to your floorplan. What do you see with Emergency Management and the use of this building.

**Samantha O'Dell-County Emergency Manager:** The intentions based on this plan would be to have all of the Emergency Management equipment and personnel including Safety there in that building. That would allow us to have all the equipment storage items, mobile command, sheltering equipment, all of that there with our offices, we're still having some issues with not getting over there frequently enough to get vehicles started. Maintenance is helping us with that when they are up in that area. It would eliminate some of those issues, it would also eliminate some of the issues of somebody needs something from there, we would have everything in one location. We have items scattered throughout the county right now. We also do have storage trailers in McIntosh that we have items stored in. The goal would be to have all of the emergency management items in one location, with our offices with everything there so that we could work there, four days a week, and anytime that we're called in for any additional items.

**Ryan Schwebach-County Chairman:** If it is costing us \$350 for two bathrooms, what is it going to cost to keep the whole building warm.

**Samantha O'Dell-County Emergency Manager:** The bathrooms are currently being kept warm by a wall heater that's placed in each of the bathrooms. Those use

a significant amount of electricity, there is a natural gas line that is up to the building that's not in the building. So that's potentially something that could be looked at. We have the two large heaters, one of them is not functioning, not sure what it would take to get it functioning. The other one we're not using because everything is hooked up to propane. I don't want to just blow through propane in that large open area.

**Ryan Schwebach-County Chairman:** You have been here long enough as Emergency Manager you understand where and when your demands are in your day-to-day tasks. Is the location an ideal location.

**Samantha O'Dell-County Emergency Manager:** The majority of the items that were called out for are in the northern part of the county. If we're called out to another area, most of the call are weekends and evenings. We are responding from home, not from our office. We both live in the northern area, and we're driving past that building, anytime that we're responding to anything. We can easily stop and pick up whatever items are needed, and then continue to the south side or wherever in the county that were needed.

**Kevin McCall-County Vice Chair:** I would suggest, move all the supplies up there to where they are in one location. We need a ballpark figure on cost of what this might cost to build out. I'm absolutely excited about getting it built out and using it, or the constituents of our county being able to utilize it.

**Ryan Schwebach-County Chairman:** Commissioner Schropp mentioned a substation for deputies. Do you foresee that being an issue?

**Samantha O'Dell-County Emergency Manager:** I don't think that would be an issue.

**Ryan Schwebach-County Chairman:** Would that be a benefit? Yes or no? I'm asking the Sheriff.

**David Frazee-County Sheriff:** Yes.

**Samantha O'Dell-County Emergency Manager:** If that's something that we're going to look at, I will meet with the Sheriff so we can make sure that we are meeting the needs of their department.

**Samuel Schropp-County Commissioner:** The whole building does not have to be heated to be a livable level. We have conference room and insulated offices; those things would cut down on the utility costs. You wouldn't have to insulate the entire shell just the parts that you build inside it.

**Ryan Schwebach-County Chairman:** In the event of emergency, this would become the central organization or maybe not but have the ability to be?

**Samantha O'Dell-County Emergency Manager:** It would have that ability to. Yes.

**Kevin McCall-County Vice Chair:** There is fiber. There is high speed internet out front.

**Amanda Lujan - Grants Administrator:** We met with the architects for the new fire station that Melanie Stansbury may be funding this year. There may be opportunity for an EOC in that building as well. We are also thinking of building a new senior center and Moriarty. Maybe at some point we need to come up with a plan, it would help with funding and grants, etc. I think that that's something to consider for the future so that we aren't necessarily duplicating work.

**Samantha O'Dell-County Emergency Manager:** My goal of this presentation was to get my thoughts out to the Commission so that we could discuss what everybody's thoughts were and come to an agreement or plan. I keep hearing shovel ready projects are needed. I want a shovel ready project.

**Kevin McCall-County Vice Chair:** I think you need to tell us now that you've been here long enough that that's where you want home to be and a reason for why this is the best place. I need a breakdown as to what the pros and cons are. If we don't move on this building, my vote is to sell it.

**Ryan Schwebach-County Chairman:** Yes. Keep in mind with that liquidation concept, we have other potential projects going on. there's other potential sites, you heard two of them today. So honest feedback from what would be the best down the road.

**Kevin McCall-County Vice Chair:** I foresee you being in that county administration building with an EOC there. The new administration building was not on the radar. I want that to be on your radar, as you're giving us this presentation as to where you need to be the most effective Emergency Manager.

**Samantha O'Dell-County Emergency Manager:** What I would like to do is put together some thoughts on pros and cons for each location and bring that back at the next meeting. Thank you.

## **E. MANAGER'S REPORT**

- 1) Update on SB 145 – Public Bodies & Federal Immigration Violation
- 2) Update on proposed projects for Congressional funding.

**Janice Barela-Madam County Manager:** The Road Superintendent Leonard Lujan met with the Estancia Municipal School District personnel. The school district identified some county roads that they would like to see improved. These are best routes. The road department completed the improvements on five of the identified roads. When the weather improves, they will complete the last two roads



Leonard will get with the other school districts once these are completed. He was unable to be here today but want to make sure I provide that update for the Commission.

1) In regard to legislation. Commissioner McCall and I were very active in fighting against Senate Bill 145. This is a bill that was introduced, trying to make sure Torrance County ends its contract along with two other counties with ICE for detaining immigrants. I'd like to read the fiscal impact report that was on the New Mexico Legislative website. Senate Bill 145 prohibits public bodies or individuals acting on their behalf from entering into or renewing any type of agreement, including inter-governmental ,service agreements, which we have with ice to detain individuals for federal civil immigration violations. In the event of an existing agreement, the public body must terminate that agreement no later than May 15, 2024. The bill also prohibits these same entities from selling, trading, leasing, or otherwise disposing of a building to facilitate such activities, or using public funds or assets, receiving per diem or any other payments or otherwise taking any financial or other actions relating to the such activities. Since it does not have an effective date, it would go into effect 90 days after the legislature adjourns, which is how they got the May 15th, 2024, deadline if enacted. Significant issues with the Attorney General advised this bill may violate the Supremacy Clause. That means that the state could not interfere with a federal government contracting with the county. It also goes on to state that New Mexico border authority reports it may need to partner with US Customs and Border Protection of the US General Services Administration on infrastructure projects at the US ports of entry, where individuals are temporarily detained. It expresses concern, the bill is not specific enough to differentiate between temporary detention of individuals at US ports of entry and other detention facilities. It also knows that it is currently working on a project with these federal agencies for a sidewalk and parking lot that are connected to a facility where immigration laws are enforced, and questions whether that project would be impacted under this bill. It continues on to state that the Attorney General would have to defend this law. So, the way that this bill went through the legislature, it is not germane to a 30-day session, which means that there is no money tied to it. That would be part of the budget. So, we'd have to have a call from the Governor to be introduced for consideration. This bill did receive a call from the Governor. It was referred to two committees in the Senate. The first one was heard in the Senate Health and Public Affairs Committee on February 1, 2024. Commissioner McCall and I testified in opposition to the bill. It passed on party lines. Then it went to the second Committee, which was the Senate Judiciary on February 3<sup>rd</sup>. Due to family issues, I was not able to attend. My understanding is it also passed on party lines. It was heard on the floor on February

6, 2024. It failed to pass the Senate. So the bill died. I would like to show appreciation to Senator Greg Schmedes, who was in very close communication with us through this entire process. I was able to also work closely with other Republican Senators on this issue, all of which were very supportive. When it came down to the final vote, it was 18 in favor 21 against that's how it died on the floor. The following Democrats voted against this bill. Senators Pete Compos of Las Vegas, Joe Cervantes of Las Cruces, Roberto Bobby Gonzalez of Ranchos de Taos, Martin Hickey of Albuquerque, George Munos of Gallup, and Benny Shindo of Jemez Pueblo there were additional Democrats who left the chamber and therefore were not in their seats to vote. Those were Senators Katie Duhigg, of Albuquerque, Saya Correa Hemphill of Silver City and Senator Liz Stefanics of Cerillos who represents Torrance County. I wanted to make sure that I showed a proper appreciation for those senators who either voted against or stepped out of the chambers, and were not there for voting, this is not an issue that's going away. We had a reprieve for one year and we need to start working on this before that point. I know in the past, as we've talked about the budget, it's become a concern for you. Stating what if we no longer have CoreCivic available, and we have to begin transporting our inmates to another facility. We know from the past in 2017, whenever the prison closed down it cost the county an additional \$2.5 million. We do need to start looking at that in this current budget. Sheriff, I know that was not included in your update, and when you're doing your five-year plan, but we should look at that as a possible option and what that means for your department. It might not be a bad idea to start entering into some agreements with other detention facilities, to house some of our inmates and have those in place. If this happens and that is passed, it is going to impact three different counties, which means we have Cibola County, who also houses their inmates in their CoreCivic facility. They would also be looking for bedding. Detention facilities around the state, counties that run them feel they'll be the first one to tell you that they're understaffed as well. So, trying to find other locations to house our inmates may be challenging. That's why I may decide to work towards getting that done ahead of time. There is discussion throughout this process that ICE can also contract directly with CoreCivic to have this same type of services done. If that occurs, Torrance County would get out of the middle of it, they would be able to contract directly. My hopes is that we would still be able to house our inmates. I'd like to show appreciation to Commissioner Schropp, all the times that you've been going in and checking this facility, not only are you doing it at odd times, and every time is unannounced, but you've gone in during on holidays, evening, morning, middle of the day, and you've inspected it's blistering heat outside to make sure that we have air conditioning in there, that's adequate and whenever it's freezing outside, you've gone to check make sure your heating is adequate in there. Anytime the non-

governmental organization has complained to you about any problems that were there, I'll give an example stating that the Correction Officers beat up somebody, Commissioner Schropp would go over and would investigate that himself asking to see the video footage of this. All of these things have been in place where we are taking some good oversight to make sure that with us being part of this contract, that we're making sure they're being treated properly. If it goes straight and takes out the county from this, we no longer have access to that part of the prison. We would only be able to inspect the county side. I would hope that in the event that this is heard by anybody else that has authority or would want to try to bring this up again, that give us an opportunity to have a seat at the table, let us continue having some of this oversight and be able to check this and not just try to shut down everything. There are a lot of the detainees that are being housed in tents underneath bridges. There is a concern for that, at least we have people here who have a warm bed, have meals every day, they are kept safe. So, there's that aspect of it. I also appreciate Senator Scharer. He's asked the question if you have as many as 7000 immigrants that are coming across the border, and how is the background check being conducted to be able to vet everybody out. They're saying that they do it right there on the spot and able to get that done immediately. Then the question came up. There's another bill that's been introduced that says it takes 14 days to do a background check if you want as a citizen of the United States, or citizen of New Mexico, to purchase a firearm. Why is the delay different? There were good discussions that came up. I wanted to make the public aware that this is something that caught us by surprise, that it got a message from the Governor. As soon as we found out, we took action on this, and we're visiting very closely with our Legislators. I felt a lot of relief when the Senate failed to pass it.

2) Update on the proposed projects for congressional funding. We still haven't received the application to submit our proposal for funding for congressional funding from Congresswoman Melanie Stansberry Office. In talking to Jacob Trujillo from her office, the field representative for Torrance County, he said last year, the window to open it was towards the end of February, I think is February 22, 2023. We should be expecting that within next couple of weeks. We jumped ahead of that and decided we're going to start working with the architect right away. The county has now had two meetings with the architect, that was the designer for the city of Moriarty's Fire Station. The first one was just a preliminary meeting to see if they would be willing to share their design, they are willing to share it. They're willing to work with us and do some tweaking to the design to meet specifically Torrance County's needs. We enter into a contract with them for \$10,000 to work on the design, using their architectural design, fine tuning it for what Torrance County needs, putting a cost proposal together so that we can

submit that as part of our proposal in requesting the funds. In talking to Jacob we were not given a definite amount of eight to \$9 million. I was thinking about doing was visiting with him and Anna Romero from Senator Ben Ray Lujan. 's Office to see about putting this out to all of our Congressional Delegation, which would be Senator Heinrich, Senator Ben Ray Lujan, and Congresswoman Stansbury. If Congresswoman Stansbury isn't able to fully fund it or decides that this she wants to partially fund it, maybe it can be offset by the senators in a joint project. I didn't want to tie our hands just to one possible funding. It may be open to more. I did find out that once all of the Congressional Delegation received all their proposals for request for funding, they do go off to a retreat, and they talk amongst all of them and cover all their projects and decide what it is that they're going to fund. Congresswoman Stansberry had let us know that the representatives generally have 15 projects that they can fund, there is no limit on the senators projects. There was initial discussion about having the Sheriff's Office in the building. I wanted to explain the reason why we were talking about Emergency Manager possibly being there instead of the Sheriff. We're looking at the location where the new Road Department is as a viable option for a new fire station. I found out it is 5.4 miles away from McIntosh, it is eligible for additional funding as a separate fire station. This is from McIntosh Main Station to this location here by the road shop. It still will require the State Fire Marshal's approval for that site. If that is what we're looking toward, I will start working towards getting that approval. With it being outside of the municipality of the Town of Estancia, that poses a problem for housing the Sheriff's Office there, because the Sheriff as well as every other elected official in the county that has an office, are required to be housed in the county seat and all their documentation with them. The Sheriff's Office could not be in the unincorporated area of the county. On the other side of it. The fire station should not be in a municipality, it needs to be in an unincorporated area. It's not necessarily a good thing to combine them. I have that discussion with the Sheriff, he understood and got that clarification with the architect before Chief Winham met with him yesterday. I also talked to the Sheriff about having a substation up north, that would be beneficial. If we put the substation this close, I don't know that it would be very beneficial because they're so close to their own office. Whenr I talked with Mr. Trujillo from Congresswoman Stansbury's Office, he recommended that we put forward two different proposals, one, that would be not as costly, that is just the bare minimum of what we need and the new fire station that would house the career staff. The other one is to think a little bit more broadly, and how we can provide better way of giving health care to our community after hours. Congresswoman Stansbury appears to be very concerned about the health care for Torrance County, once the clinics closed down the there are no afterhours care, there's not a hospital or urgent care here. The thought was, maybe there could

be additional equipment that they house there, maybe they get more medical supplies to make sure that the fire department/EMS has everything that they need there. There was discussion about possibly including a helipad as part of the design, so that there is a location that doesn't require shutting down the highways or getting onto a football field in order to transport patients with a helicopter in Torrance County. Those are some of the things that we'll be working with our architect.

I'd like to turn the part of my management report over to the conversation that happened earlier with Jason Quintana.

**Samuel Schropp-County Commissioner:** As we started to talk about earlier, in working with Mr. Quintana and Orlando Lopez, regarding the problems with the wells in Manzano. The previous Finance Director had made things easy to move through, some things got lost along the way. What we have now, according to Mr. Lopez, two wells that used to produce 60 gallons a minute, and the two of them now together are producing 45 gallons a minute 20 to 22 and a half, roughly a piece. One pump had been replaced, because the other pump is inside a building, they needed to come back with a boom truck so that they could open the roof and pull that pump. That will be a different purchase order. Part of what Mr. Quintana and I were talking about is that, in the event that one or both of these pumps fail, this Commission is going to have to be ready to move. Mr. Quintana has been working towards getting all of his ducks in a row so that if that does happen, Mutual Domestic Water Association will be ready to move through the county to replace those in a fast manner.

**Jason Quintana - President of Manzano Land Grant and President of Manzano Acequia Association:** When they change the pumps, those pumps work better they pull more water. They're sucking whatever debris or rust is in the casing, and it's gathering on the screens of the pump and then it's slowing down the waterfall. It's not that we don't have enough water because the water is about 11 feet from the surface. It's when the pumps start sucking up the water, they're pushing the rust against the screens. When the pumps were removed, probably needed to actually inspect those casings, and make sure that nothing was left behind. We're not 100% sure that's the issue, because obviously, the casing has not been checked. We do know that for the first 10 minutes, it'll just pull water like crazy and then it started slowing down, that's the new pump. The old pump, that's still there pulls the same amount of water, it's been pulling the whole time, increasing pump capacity. The newer pump is probably agitating all the stuff that's in that casing. I think we still probably need to have that casing inspected, and especially the other one, before we add another pump. At the end of the day, it's all going to have to be pulled out again and checked or should we have gone and

drilled another well and put another case. What are the remedies. Without inspecting that casing, we really don't know.

**Samuel Schropp-County Commissioner:** For the Commission, I ask how much of the money we appropriated in the marathon budget meeting was still available and the county staff was checking up on that for us. We still need the rest of the equipment for the meter installation, the protected cans that the meters sit down in, and different connections that were not included in that purchase order. I expect to see the mountain communities to be asking for some more money, or as they work through the money which we appropriated. We are within budget, and we've got money left, or we're going to have to spend what we have and ask for a little more to complete this out.

**Jason Quintana - President of Manzano Land Grant and President of Manzano Acequia Association:** As far as the installation of the meters, it's not all of them, which there's only 21 total. There is eight that need hardware, and three that need cans. There's not a bunch of them and I think there's still money for that. It was my understanding that because it wasn't specifically stated that those parts couldn't be purchased when the installation was done.

**Samuel Schropp-County Commissioner:** Our new Finance Director is doing things the way they're supposed to be done. It takes a little bit more time as we figure that out.

**Ryan Schwebach-County Chairman:** I'm hearing the county might need to get prepared to drill into well?

**Jason Quintana - President of Manzano Land Grant and President of Manzano Acequia Association:** That will be worst case scenario, but the first thing would be probably pull that pump back out.

**Ryan Schwebach-County Chairman:** Is it a standard practice for Mutual Domestic to depend on the county to replace the well? Is there a plan B in case the county cannot?

**Jason Quintana - President of Manzano Land Grant and President of Manzano Acequia Association:** Mutual Domestic can go to the state for money. What we were seeing as the county goes, the census board was gracious enough to help us with that. We probably missed a step by not inspecting that casing before we just dropped in there.

**Ryan Schwebach-County Chairman:** Is there a plan B as far as the Mutual Domestic?

**Jason Quintana - President of Manzano Land Grant and President of Manzano Acequia Association:** Yeah. We're going to come to the county and the state and ask for help.

**Ryan Schwebach-County Chairman:** How deep are these wells and what size is the casing?

**Jason Quintana - President of Manzano Land Grant and President of Manzano Acequia Association:** It is 120 feet deep and 8-inch casing.

**Ryan Schwebach-County Chairman:** Who is advising you on it?

**Jason Quintana - President of Manzano Land Grant and President of Manzano Acequia Association:** Orlando who couldn't be here, gave me some of the information as far as even in rural waters.

**Samuel Schropp-County Commissioner:** USDA has a contract with a consultant who is advising them on this well at no cost to the MDA. It's a USDA well engineered guy.

**Jason Quintana - President of Manzano Land Grant and President of Manzano Acequia Association:** That well was dug in early 70s, late 60s.

**Ryan Schwebach-County Chairman:** You have a board? Is that correct?

**Jason Quintana - President of Manzano Land Grant and President of Manzano Acequia Association:** Yes, It's made up of the actual members who are part of the water system.

**Ryan Schwebach-County Chairman:** There's monies collected by individual users; you charge for water. Within this board is there a budget operational expenses? Is there any budget tied to these Mutual Domestics for maintaining the mutual domestic?

**Jason Quintana - President of Manzano Land Grant and President of Manzano Acequia Association:** They charged \$20 a month per person, times 18, which isn't a whole lot of money. Most of that money is just on the upkeep of the whole system. I think the last time they upgraded anything was in the 80s.

**Ryan Schwebach-County Chairman:** Is there more room for expansion on the system for more houses? Or is it locked down; it serves however many people in that's it.

**Jason Quintana - President of Manzano Land Grant and President of Manzano Acequia Association:** If they were to expand it, they would probably have to come in and redo the whole system. It's about maxed out for what it is.

**Ryan Schwebach-County Chairman:** Is there a budget on, on what the system collects and spends to maintain it?

**Jason Quintana - President of Manzano Land Grant and President of Manzano Acequia Association:** Orlando would have to answer that, I don't know. I imagine because he's been operating it for 20 some years. When it's something major, they've come to the state before, this time we came to the county because of the federal dollars that were out there. Other than that, it's been running out of time, the whole time.

**Ryan Schwebach-County Chairman:** When I gets more information, we will go down that road.

**Jason Quintana - President of Manzano Land Grant and President of Manzano Acequia Association:** I can have Orlando speak with you.

**Samuel Schropp-County Commissioner:** Fire Chief to catch you up a little bit. When we have access equipment and can go to the state auction. Mr. Quintana is representing the mountain communities and had worked a verbal deal with the previous Chief to take that equipment, rather than have it go to the state auction and sell for pennies on the dollar. Along about in that time, there were some struggles and difficulties. When Mr. Quintana and I talked about this, it gave an opportunity for that equipment to be used by Interagency Fire Service or State Forestry on a lease basis, but you have to have a crew that is wildland certified, you'd have to have a pump man and the rest of it. That is not available at this time. Also Mr. Quintana brought up earlier in reply to my letting the pumps freeze, this equipment would be sitting outside at the present time, I'm pretty sure it's been drained and winterized. I didn't feel comfortable as a Commissioner in going to the rest of the Commission and making this deal when the equipment would sit outside and degrade, and we don't have anybody qualified to stop it. At this time, with a new chief, when you have an opportunity, if we can address those issues, then I'd be happy to come back to the Commission and recommend the transferring of equipment up on the mountain.

**Jason Quintana - President of Manzano Land Grant and President of Manzano Acequia Association:** Our whole intention is to see if we have something on hand to help slow the progression of a fire until the experts can get there. Because that is a long wait and mountains as we've seen before it can turn into a torch in a heartbeat.

**Samuel Schropp-County Commissioner:** It might be a good opportunity to get out a wild lands program going out there amongst the young people.

**Jason Quintana - President of Manzano Land Grant and President of Manzano Acequia Association:** This discussions been ongoing for years. If we could actually do something it'd be great.

## F. COMMISSIONERS' REPORTS

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



**Kevin McCall-County Vice Chair:** How are we coming along on the RFP for the Project Manager?

**Janice Barela-Madam County Manager:** I asked Toni to help me with the scope of work between her being out on one day and then I had a personnel issues to deal with and death in the family that I also was attending to. We don't have it finalized. I haven't visited with her yet. I'm hoping by the end of this week. It wouldn't be the RFP the Commissioners have decided to go towards with the letter of interest. Once we get that finalized, at least to the point where it's reviewed by me and approved by me, I will send out to each one of the Commissioners individually and get your individual feedback. Thank you for authorizing me since you can't communicate with each other, nor should I give you what each other says, allow me the opportunity to have the final say on it and then move forward with it.

2) Ryan Schwebach - County Chairman, District 2

**Ryan Schwebach-County Chairman:** We covered everything I wanted to discuss throughout the meeting.

3) Samuel Schropp – County Commissioner, District 3

**Samuel Schropp-County Commissioner:** Since our last meeting, I got new tires on my motorcycle. When my constituents called with complaints about the road in the mountain communities, it was a great excuse to see how the new tires perform. I met with Nanette Marcos on Camino del Rey road, and she pointed out the places where Camino del Rey and Camino del Norte have degraded. I road La Para road as well. The road department performed scheduled maintenance a couple of days later and I took advantage of the sunny days to follow up and check on the road conditions. The road department did a great job of repairing the trouble spots in one area on Camino del Rey road, I rode back and forth three times to locate the area of a massive pothole which had been repaired. However, as I told the residents I spoke with on that day, the repairs were a lick and a promise, those roads have to be repaired this year, or we will have an even bigger job of repairs in the future. I am not running for this seat in 2024. And we don't know who the next

Commissioner for the third district will be, or how dedicated that person can be. It takes time to learn this job. I would like to leave my successor with projects in place in order to give that person some breathing room to learn the district and a job. I supported all of the road projects in districts one and two because the population density in those districts justified the money spent and to have those roads in a condition which would enable our road department to take on projects in the third district. In order to get kids to school safely on these roads. I hope this Commission will return the love in 2024. Anyone, Democrat, Republican or Independent, who is interested in running for my seat and wants to know what the job entails is welcome to contact me as citizen Schropp. I'll be happy to give them a benefit of my experience of the past year. I also recommend that the person who wins the election for the third district Commissioner take the New Mexico Edge classes in ethics, Intergovernmental Relations and budgeting offered in the first quarter of 2025. It's a steep learning curve and I found the New Mexico Edge classes very helpful. Thank you.

**15. EXECUTIVE SESSION:**

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

**17. Signing of Official Documents**

**18. Adjourn.**

**Action Taken:**

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


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

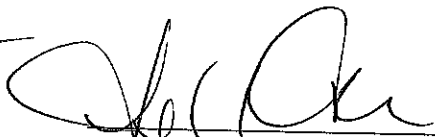
**Roll Call Vote:** Samuel Schropp – County Commissioner: - Yes: Ryan Schwebach  
– County Chairman: – Yes: Kevin McCall – County Vice Chairman: -Yes:

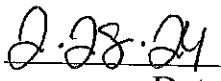
**MOTION CARRIED**

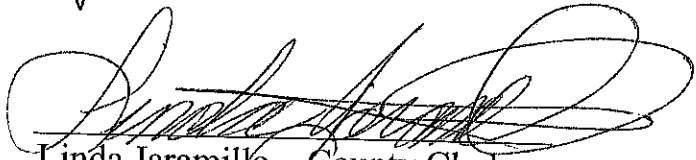
**Roll Call Vote:** Samuel Schropp – County Commissioner: - Yes: Ryan Schwebach  
– County Chairman: – Yes: Kevin McCall – County Vice Chairman: -Yes:  
**MOTION CARRIED**

**Meeting adjourned at 1:45 PM**

  
\_\_\_\_\_  
Ryan Schwebach - Chairman

  
\_\_\_\_\_  
GeneH 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))