

**TORRANCE COUNTY
DWI PREVENTION
PROGRAM
DWI PLANNING COUNCIL
BYLAWS**

DR. TRACEY MASTER, DWI COORDINATOR

ADOPTED OCTOBER 14, 2020

TORRANCE COUNTY COMMISSION

MISSION STATEMENT:

The Torrance County DWI Planning Council, through the Torrance County DWI Prevention Program, is committed to improving the quality of life and safety of residents in and visitors to our community by increasing prevention education and public awareness, while reducing the incidence of DWI, underage drinking, and alcohol-involved domestic violence incidents.

Likewise, the Torrance County DWI Prevention Program, recognizing that DWI, underage drinking, drug misuse and abuse, and alcohol-involved domestic violence incidents are detrimental to residents in and visitors to the community, is committed to increase public awareness of these issues and decrease their incidence in our community.

This document explains the purpose, organization, and function of the Torrance County DWI Planning Council. Although the geographic boundaries of the DWI Planning Council officially include only Torrance County, the Torrance County DWI Prevention Program has historically also provided services to the Moriarty-Edgewood School District, which has buildings located in Torrance, Santa Fe, and Bernalillo counties.

In order to be eligible to apply for and receive funding for the county's DWI Prevention Program from the New Mexico Department of Finance and Administration ("DFA"), the Board of County Commissioners must create a local DWI Planning Council, appoint the voting members, approve a process for by which voting members are selected, and set terms for those members. The DWI Planning Council shall serve in an advisory capacity to the Board of County Commissioners. Membership shall be selected to represent a broad spectrum of expertise and may include county officials, DWI Prevention Program and service providers, law enforcement officers, alcohol counselors and therapists, local political leaders, representatives of Native American communities, and teen representatives. Signed copies of these DWI Planning Council Bylaws, meeting minutes, and sign-in sheets must be submitted to the Local DWI Bureau quarterly.

In accordance with our mission statement, the Torrance County DWI Prevention Program operates all seven of the DFA-approved components:

- Prevention
- Enforcement
- Screening
- Treatment
- Compliance Monitoring and Tracking
- Coordination, Planning, and Evaluation
- Alternative Sentencing

ARTICLE I – Statutory Authority and Program Oversight

The Torrance County DWI Planning Council (“Council”) for the Torrance County DWI Prevention Program (“Program”) is established pursuant to the authority provided by the New Mexico Legislature in 1993, when it enacted the Local DWI Grant Program Act, compiled as NMSA 1978, Sections 11-6A-1 through 11-6A-6, as amended. The Statute gives authority to the State DWI Grant Council to approve funding, regulations, and guidelines for the Program.

ARTICLE II – Entity Name

This entity shall be known as the Torrance County DWI Planning Council. The mailing address shall be:

Torrance County DWI Planning Council
P. O. Box 48
Estancia, NM 87016

ARTICLE III - Membership

1. Membership of the Council shall be authorized and approved by the Torrance County Board of County Commissioners (“Commission”) on an annual basis. Representation shall include members from the following sectors: law enforcement, schools, substance abuse treatment, faith community, health council, community members at large, courts, compliance monitoring or probation, New Mexico Department of Health, and media. The order in which these sectors are mentioned is not meant in any way as a representation of preeminence or importance as compared to other mentioned sectors.
 - a. **Law Enforcement** – One voting member shall represent each of the following law enforcement agencies: Torrance County Sheriff’s Office, Estancia Police Department, Moriarty Police Department, Mountainair Police Department, and New Mexico State Police. Because the Town of Edgewood falls within the Moriarty-Edgewood School District, an invitation shall also be extended to the Edgewood Police Department.

- b. **Schools** – One voting member shall represent each of the following school districts: Estancia Municipal Schools, Moriarty Municipal Schools, and Mountainair Municipal Schools. Because many of their student population reside within Torrance County, an invitation shall also be extended to the administration of the Estancia Valley Classical Academy in Edgewood.
 - c. **Substance Abuse Treatment** – One voting member shall represent substance abuse treatment or mental health counselors.
 - d. **Faith Community** - One voting member shall represent the faith community.
 - e. **Health Council** - One voting member shall represent the Partnership for a Healthy Torrance Community, the local health council.
 - f. **Community Members at Large** – One voting member shall represent each of the three Torrance County Commission districts. Because Edgewood and Stanley are included in the Moriarty-Edgewood School District, an invitation shall also be extended to Southern Santa Fe County for one voting member.
 - g. **Courts** – One voting member shall represent each of the following courts: Seventh Judicial District Court in Estancia, Moriarty Magistrate Court, Estancia Municipal Court, Moriarty Municipal Court, and Mountainair Municipal Court. Because the Town of Edgewood falls within the Moriarty-Edgewood School District, an invitation shall also be extended to the Edgewood Municipal Court.
 - h. **Compliance Monitoring or Probation** – One voting member shall represent compliance of convicted DWI offenders.
 - i. **Department of Health** – One voting member shall represent the New Mexico Department of Health.
 - j. **Media** – One voting member shall represent local media.
2. The DWI Planning Council shall have between 5 and 25 voting members.

In order to encourage inclusivity, community involvement, and participation, interested community members may elect to serve as non-voting members of the Council.

ARTICLE IV – Conflicts of Interest

A member of the Council has a conflict of interest if the member has existing or potential business, financial or personal interest, or holds a position that could impair or might reasonably appear to impair the exercise of independent, unbiased judgment in the discharge of his or her responsibilities to the Council. A conflict shall be deemed to exist if the business, financial or personal interest, or position is held by the Council member or by a family member (spouse, parent, sibling, child, or other close relative), or any organization in which the Council member as defined is an officer, director, employee, trustee, or material stockholder.

1. Failure of a member to disclose any conflict of interest shall not affect the validity of an action taken by the Council unless that member's vote created a majority for or against the subject action.
2. Conflict of Interest Disclosure Process:
 - a. Council members shall immediately disclose to the membership any known conflict of interest or any that may arise in the future. Such disclosure(s) shall be included in the minutes of the Council meeting at which the disclosure(s) is made or the next Council meeting if such disclosure occurs otherwise.
 - b. Upon disclosure of any conflict of interest, the Council shall determine by majority vote whether the member disclosing a conflict of interest may be present for discussion of and the vote on the item(s) on the Council's agenda for which any disclosure was made.
 - c. Any Council member excluded from the room may return only after the Council has voted on the item for which the member was excluded.
 - d. A member may be removed from the Council for failure to comply with this Article of the Bylaws.

Article V – Proxy Voting

In the event a voting member of the Council is unable to attend a meeting, he or she may designate another voting member to vote on his or her behalf, though such proxy vote cannot in any circumstance create a quorum. No member may hold more than one proxy during any given meeting.

ARTICLE VI – Officers

1. Chairperson –
 - a. Shall preside over all meetings of the Council.
 - b. Shall appoint committees as needed to accomplish the Council's mission.
 - c. Shall be an ex-officio member of all committees.
2. Vice-Chairperson –
 - a. Shall act in the capacity of the Chairperson if the Chairperson is not available.
 - b. Shall be an ex-officio member of all committees.
3. Secretary –
 - a. Shall be the Torrance County DWI Prevention Program Coordinator.
 - b. Shall produce all agendas and provide copies to the Council members no later than seventy-two (72) hours before a scheduled meeting.
 - c. Shall record all minutes of meetings and email draft minutes to the Council members no later than seventy-two (72) hours before a scheduled meeting.
 - d. Shall ensure that meeting information is provided to the public, in accordance with the State of New Mexico Open Meetings Act.
 - e. Shall provide monthly updates to the Council.
 - f. Shall retain all documents and files as required by DFA.
 - g. Shall complete correspondence for the Council, as directed by the Council.

ARTICLE VII - Elections

1. Officer nominations shall be made and officer elections shall be held during the first meeting of each fiscal year.
 - a. Elections for Chairperson shall be held in odd-numbered years.
 - b. Elections for Vice-Chairperson shall be held in even-numbered years.
2. The Council Chairperson and Vice-Chairperson shall be nominated and elected by the voting members of the Council.
3. Elections shall be made by a majority of the voting members present.
4. The term of office shall be two years, except that for the first year that the Council is established the Chairperson shall be elected for one year. The staggered terms for Chairperson and Vice-Chairperson shall enable the Council to maintain continuity in leadership.

ARTICLE VIII - Meetings

1. Regular meetings of the Council shall be held each quarter at the Torrance County Commission Chambers on the third Wednesday of July, October, February, and April, from 1:00-2:00 pm. A virtual meeting alternative and telephone conference call will be made available for all meetings. Meeting place may be changed with no fewer than seventy-two (72) hours' notice to Council members and the public.
2. Special meetings of the Council shall be held on an as-needed basis.
3. All Council members and the public shall be notified of special meetings at least seventy-two (72) hours in advance.
4. In the event that the regularly-scheduled meeting date or time needs to be changed for any reason, each Council member and the public shall be notified of the change before that meeting was to occur and at least seventy-two (72) hours before the rescheduled meeting is to occur.
5. A quorum constitutes all those present with a minimum of three (3) voting members of the Council, at least one of whom shall be either the Chairperson or Vice-Chairperson.
6. In the instance a quorum is not present, the Chairperson shall announce that no meeting shall be held and that the scheduled meeting shall become a work session.

ARTICLE IX - Fiscal Policy

1. Grant Applications
 - a. The members of the Council shall provide suggestions and input to the Program Coordinator during the application process. Suggestions and input are not binding to and are not required to be used by the Program.
 - b. Grants for which the Program applies or receives funding shall be executed by authority of the Commission or its designee.
 - c. No officer or member of the Council shall have the authority to bind the County to any contract or engagement, to pledge its credit, or render it liable for any amount.
2. Signing of Grant Applications
 - a. All applications shall be signed by the Chairperson or Vice-Chairperson, if so required by the instructions of the application. Signatures shall be made upon completion of the application.
3. Distribution of Grant Funds
 - a. Distribution of Grant Funds received by the Program shall be used strictly in accordance with the grant application terms and conditions and/or award letter.

Article X - Revisions

These bylaws may be amended by a majority vote of the Council and approval by the Commission. Members must be notified of any proposed amendments by receiving a copy thereof at least one week preceding the meeting at which the vote on the amendments is to be taken.

These bylaws were approved by the Torrance County Board of County Commissioners on this 14th day of October 2020.



Ryan Schwebach, Commission Chair



Javier Sanchez, Commission Vice-Chair



Kevin McCall, Commission Member

Approved as to form only:



John M. Butrick, County Attorney





Linda Jaramillo, County Clerk