

**Torrance County Board of Commissioners
Regular Commission Meeting
Wednesday, April 9, 2025, @ 9:00 AM**

Commissioners Present: RYAN SCHWEBACH-CHAIRMAN, DISTRICT 2
KEVIN MCCALL- VICE CHAIR, DISTRICT 1
LINDA JARAMILLO- MEMBER, DISTRICT 3

Other present: JORDAN BARELA- COUNTY MANAGER
MISTY WITT- DEPUTY COUNTY MANAGER
MIKE GARCIA- COUNTY ATTORNEY
SYLVIA CHAVEZ- COUNTY CLERK
KEVIN PHAM- CLERK II

1. Call to Order

Chairman Schwebach: Call the Regular Commission meeting to order at 9:00AM.

2. Invocation and Pledge of Allegiance

Pledge of Allegiance lead by **Chairman Schwebach**.

Invocation lead by **Commissioner Jaramillo**

3. Changes to the Agenda

Chairman Schwebach: Is there any changes to the agenda?

County Manager Jordan Barela: No changes to the Agenda.

4. PROCLAMATIONS - NONE

5. CERTIFICATES AND AWARDS - NONE

6. BOARD AND COMMITTEE APPOINTMENTS - NONE

7. PUBLIC COMMENT (Comment limited to TWO minutes)

Ian Philabaum: I am with Innovation Law Lab. I have been providing immigration legal services at the Torrance County Detention Center since 2019. This week marks one year that my colleagues and I have attended every Commission meeting to provide public comments. We have played audio recording directly from people detained at TCDF, so their voices can tell you about their experiences. We have shared medical reports from medical professionals detailing neglect and abuse that have been documented from speaking directly to people detained in TCDF. We

have shared plumbing infrastructure failure in TCDF that resulted almost daily. We have shared detailed obtain through public records request highlighting the disproportional use of public water at TCDF. While many residents experience water issues themselves. Collectively, we have shared hundreds of testimonies from people detained by ICE and TCDF. Which all highlights staffing abuses, staffing issues, inhumane conditions, medical neglect, and even death. We have made righteous pleads to Commissioners and community members alike. That no person should suffer with these conditions from TCDF. We have made clear that we understand the economic hardship that exists in Torrance County. We are committed to working with Torrance County residents and Commissioners, to work towards solutions so that every Torrance County resident can thrive. You all have the power to make a difference for the lives of hundreds of people living in TCDF by ending the contract with ICE at Core Civic. You have the power to invest in County resources and infrastructure that can change the lives of Torrance County residents. Today I share this because Law Lab is committed to being present and active in Torrance County and continues to uplift the voices of people detain in TCDF. Thank you.

PJ Podesta: With Innovation Law Lab read a comment from a person detained by ICE. My name is anonymous due to retaliation by officials. I wanted to talk about the injustices that occurred. We don't have access to the library. There are folks here that already have court, and we need to know some information in order to get informed. They don't give us any access to the library. It has been two months since we've been given access to the library, which I think is unjust. End of quote. Each week, I speak with five or six people who were detained by ICE or Core Civic at TCDF. After suggesting that folks seek out the law library to work on their cases, get translation done and make copies. As required by detention regulation. In every instance I hear that the people who try to do not get such access. People are struggling to fight their claims in immigration relief, and they need the law library resources that they are supposed to have. A few semi-functional tablets in the barracks for dozens of people are insufficient. There are roughly eight hundred people detained by ICE at TCDF double the numbers that we have a few months ago. Commissioners, please ensure your contract with ICE and Core Civic comply with this regulation, so the people can access the adequate law library without delay.

Scott Guffey: I'm here in regard to the Indian Hills Fire Department. The department needs their sprinkler systems completed, so the station can be fully staffed. This station services 322 homes in the Indian Hills Subdivision. Squaw Valley has 114 homes, Woodland Hills has 87 homes. A total of 523 homes. In the last few years there were 4 homes that were totally lost due to fire. No response from the Indian Hills FD. I would like for you to consider consolidating Torrance County Fire Departments. My homeowner's insurance has gone up. Torrance County is considered a level five risk for fire. I'm paying over \$300 dollars a month for home insurance. I'm hoping to get some help in getting this going. As soon as they can complete that we can have a full-time staff living there.

8. DEPARTMENT UPDATES AND COMMUNICATIONS

A. **ROADS:** County NMDOT Road Maintenance

Road Superintendent Leonard Lujan: I have been working with the State to set up a meeting with them. They are trying to push every intersection easement of our roads

that connect to the State Highway. They want us to maintain it pass the fence line to the white line. We have never done that.

Chairman Schwebach: Up until now, it is not ours, we don't maintain it and don't touch it.

Road Superintendent Leonard Lujan: Yes.

Chairman Schwebach: Are they giving us the money to maintain it? Who's calling the shots, is it the District or the State?

Road Superintendent Leonard Lujan: Every District has their own Right-away easement and their own mileage to take care of. Any roads beyond that the State would take care of. In the last six months the State has been pushing us to take care of it.

Chairman Schwebach: Mike, have you looked into this?

County Attorney Mike Garcia: This all comes down to who is the permittee, who owns the permits, and who owns the rights-of-way to get that straightened out with the State.

Road Superintendent Leonard Lujan: I just want to get this on your radar. All the materials that we got funded for last year. The base course, we have hauled 3,000 tons of it into the yard. We have graveled Cherry Lane, Albert Drive, Mary Lane, and we will finish with Club House North tomorrow. We will move into the Echo Ridge area.

B. ASSESSOR: Update on Veteran's Exemption

Deputy Assessor Linda Gallegos: Giving a report on the Notice of Value which was extended for thirty days. This was pushed back due to Legislation regarding the Veteran HB47. Which increased the exemption from \$4,000 to \$10,00 per Veteran. We will be having out-reaches regarding exemption and answering questions, as we have been doing in the past. Looking forward in setting it up with folks in Moriarty, Encino, and Mountainair. We have posted this information on our County website, Facebook, and any social media resources that we can get information out to the affected property owners, valuation and subsequent taxes.

Chairman Schwebach: When do evaluation notices go out? They are due back when?

Deputy Assessor Linda Gallegos: They normally go out on April first each year. Now it will be May 1st, and due back by June 2nd. It's 30 days after the mailing, but June 1st is on Sunday, so then it goes back by June 2nd for those exemption requests and 65 and older applications and protest of values will have that on May 1st to June 2nd to obtain those taxpayer benefits.

Chairman Schwebach: So, because of this new law, the calculations changed on all the property taxes. Can people expect different values or not necessarily values but different amounts owed.

Deputy Assessor Linda Gallegos: Unless we've done reappraisal in a certain neighborhood or area of the County, the values will remain the same. What's going to change is the mill rate, which will help pick-up the difference in taxes owed because of that extra exemption amount.

Chairman Schwebach: Essentially, the veterans have a higher exemption. The state plugs all this in, and then they change the mill rate to get the same income to the County.

Deputy Assessor Linda Gallegos: Yes, as I've mentioned before I use the image of the teeter totter method, which is when the values go up, the mill rates go down. When the values go down, the mill rates go up. In this case, it's going to assist with not necessarily changing the values of everyone's property but picking up the difference that the County will be decreased by that extra \$6,000 per veteran exemption. Here's an example.

If you have a \$100,000 piece of property. You know that we pay taxes on 1/3 of that. So, the taxable value is \$33,000. You will deduct off that \$10,000 in veteran exemption now you're paying taxes on \$23,000.

Chairman Schwebach: So, is the \$10,000 exemption on taxable value?

Deputy Assessor Linda Gallegos: Yes sir.

Chairman Schwebach: Is this statewide?

Deputy Assessor Linda Gallegos: Yes, it's statewide.

C. ANIMAL SERVICES/GRANT: Torrance County Cares

Grant Administrator Luke Fields: I'm just giving you a quick update on Torrance County Cares, scheduled for Saturday, May 3rd from 10:00 AM to 2:00 PM. We did get approved for the grant. We get free vaccines and also get access to other grants through Petco Love, including a disaster grant. Which is really cool because it's not just for pets, but it's also for livestock. If there is an evacuation of livestock, we can get panels or something like that to help with the evacuation to the Fairgrounds. It's a great program. I've included a flyer with your packets, and since then I've actually had some updates.

With the partners that we're working with, one is Moriarty's Animal Control they will be there to assist with vaccinations and the other one is (EMCAP) East Mountain Companion Animal Program. They will be there assisting us as well. We're very excited to bring all these organizations together, but also to provide the opportunity for the County to get information out. I do have flyers for the public by the exit on the chair. I'm also going to put the small little handout flyers out as well, and everyone's welcome to as many of those as you like. This is a great opportunity to bring the County together.

I've spoken to Linda. She's going to be there even though it's after when the notices go out. It's still letting people know about the exemption and applying for

them and getting that information out. Other county offices will have booths there to get information out to the community as well.

D. NMSU EXTENSION OFFICE: Annual Update

Extension Program Director Debby Maberry: I was driving in Mountainair yesterday and I was just admiring how beautiful our County is, and it's been such a pleasure these past five years to work as an agent here in the County. Providing services throughout the County. I appreciate all your support over the year with our program. We wouldn't be able to do this without you. I think of positive ways on how it can impact our County in certain areas. Every year, I would write impact statements about programs. I highlight some of the programs that I've done throughout the years in Torrance County. I also make sure I update you guys monthly with our 4H newsletter. If anybody ever wants a copy, they can be added to our mailing list, or you can come to our office, and we can print it out for you.

We do a lot here in Torrance County, especially with the 4H youth. That's one area of our program, but I'm also the Family Consumer Science Agent. I work with adults and everybody with community workshops. I do a lot of different activities. The ones that I highlighted in the impact statements are our Kitchen Creations. It is a cooking school for people, communities and their families. It's a great program. We do it once a year. We had 12 participants this past year. They do a four-part series. They come every week for 4 three-hour classes. We also have a dietician that comes. We go over information booklet workshop. We do a cooking demonstration where they learn to cook and eat healthier. Some of the participants here are from Torrance County have made statements like, I've lost 10 pounds since the start of this class. I can now help my husband control his diabetes with meal planning. Another one said blood sugar dailies have dropped 35 points and I'm using less insulin. That's one of the workshops from a series of workshops that we do, and the Cooking Creations is on a national level. They actually had 298 participants in Kitchen Creation classes, and that's state level. This is through New Mexico State, there were 16 counties.

In food preservation, Torrance County is classified as a federally designated food desert. Where residents have limited or no access to local grocery stores. Those without access have limited options. The poverty rate overall for Torrance County is 21.3%, for children under 18 is 26%, and seniors over 65 is 14%. We are 1.5 times higher than the national average rate of 12.5%. 22% of the youth in Torrance County received SNAP benefits. Over the year I've provided classes with 20 different adult residents in prepared attendance. I give them information on how to can and preserve food safely from the food that they've grown from the community garden, and stuff that they can buy in the store. We go through all the different safety steps. People don't realize that they have to adjust it to altitude. It's really important that we teach them how to preserve their food safely. I had a dehydrating class this year, and it went really well. I've been teaching these classes at Bethel for the past two years. This year, I had 46 adult participants.

We do these classes every month at Bethel, and I'm trying to do a holistic approach to Health and Wellness. So not only do we do a cooking demonstration, but we try to do things where there's a know what's in your pantry so people can just take

stuff off the shelf or from their local stores and use it to make nutritious meals. We also give them exercise tips. I also go through mental Health and Wellness, and then we also do some kind a hands-on workshop or activity. Some of the statements from them, the nutrition education helps with my diabetic friend. The other classes are great since I have crafts, I could sell some to supplement my Social Security. Learning how to use most of your mind for healthy living and learning new things like living. It's important for people to challenge themselves, especially as you age to promote their genesis. Teaching them things that challenge them is really important.

We do a lot in 4H, here's a booklet where it shows that they won so many awards last year. I am so proud of these guys, they're amazing. I enjoyed working with them over the past 20 years as a volunteer and five years as an employee here. As an archery leader, it's been very joyful to watch the archery kids go as the number one team for Bear Bow. I did a home economics day where I taught them cooking and sewing. I also have workshops every 2nd and 4th week of the month. We do workshops with leather traps, some other activities, creative arts, and I also have been teaching the 4H youth ceramics. I graduated from NMSU with a degree in Agricultural Extension Education. My final project was to write a new curriculum for the ceramics project. I have been piloting this program, not only here in the County, but also at the Family Consumer Science School for the past three years, where I teach youth across the state on how to do ceramics. I think it's really important for our kids to learn, explore new things to build their self-esteem. It's marketable skills that they can continue in their life as well. This year, we've just finished with the school programs last month, and it was great. I've also taught adults at the Community classes, and at the adult retreat for the 4H volunteers. I'm trying to promote the program throughout the state. I'm known as a resource for it. I'm also the judge for ceramics. I just want to give you a brief overview of what we've done last year. We've done a lot, and it has been a wonderful experience also. We are going to be hosting the Northern Regional Livestock School here in Torrance County. It's going to be June 20th through the 21st, and a lot of the 4H kids will be coming here learning about lives-stock.

Commissioner Jaramillo: Where is your community garden located?

Extension Program Director Debby Maberry: At the Fair Grounds.

9. APPROVAL OF MINUTES

- A. COMMISSION:** Request Approval of March 19, 2025, Special Meeting Minutes of the Board of County Commissioners.

Action Taken:

Chairman Schwebach: Made a motion to approve the March 19, 2025, Special Meeting Minutes of the Board of County Commissioners.

Commissioner Jaramillo: Second the motion.

Roll Call Vote: District 1 voted yes, District 2 voted yes, District 3 voted yes. All Commissioners in favor. **MOTION CARRIED.**

- B. **COMMISSION:** Request Approval of March 26, 2025, Regular Meeting Minutes of the Board of County Commissioners.

Action Taken:

Chairman Schwebach: Made a motion to approve the March 26, 2025, Regular Meeting Minutes of the Board of County Commissioners.

Vice Chair McCall: Second the motion.

Roll Call Vote: District 1 voted yes, District 2 voted yes, District 3 voted yes. All Commissioners in favor. **MOTION CARRIED.**

10. CONSENT AGENDA

- A. **FINANCE:** Request approval of Payables.

Action Taken:

Chairman Schwebach: Made a motion to approve Payables.

Vice Chair McCall: Second the motion.

Roll Call Vote: District 1 voted yes, District 2 voted yes, District 3 voted yes. All Commissioners in favor. **MOTION CARRIED.**

11. ADOPTION OF ORDINANCE/ AMENDEMENT TO COUNTY CODE- NONE

12. ADOPTION OF RESOLUTION- NONE

13. APPROVALS/ACTION ITEM

- A. **MANAGER/WILSON &COMPANY:**

County Manager Jordan Barela: Since the relocation of the administrative building to the judicial site, the design of the building itself is still moving forward, as that has not changed from the initial approval. The questions that came back from Wilson and Company is that they are trying to get some direction and finalizing the actual site plan. Wilson and Company did provide three options that were included in the packet material and I would defer to their staff to maybe provide a little bit more background on these and answer any questions.

Scott Neice: Yes, we did provide three options for the new site. As Manager Barela mentioned, the building blueprint design has not changed. What the three site plans represent are basically an entry and various parking schemes around the building.

Option one, that you have in front of you shows parking around the perimeter of the building, all four sides. We still have on the right side or the east side, we still have the facilities and maintenance area parking, which would be behind a secure gate. We have parking, which would be on the north side of the building, part of which is behind a rolling gate for commissioner members and other employees that wish to be behind the secure gates. This scheme shows about 95 parking spaces. The one thing that's common to all three sites is that we've placed the entry into the site for vehicles as far east as possible. We envision the development of the roadway past the existing building to the north and we placed the entrance there tight with the East property line to minimize the amount of development on the new road and entry into the site. So that's option one.

Option two, we push the building back. We do not have parking on the north side against the building, but we have added a little more parking in the facilities and maintenance area on the east side of the building there to the right, total spaces are 59.

Then option three, is similar to option two, however, we've added additional parking to the South side of the building or the front of the building there for more public parking. That parking space total equals about 79 spaces. All three options have the driveway into the site about the same place. Two of the options show the building pushed north to the property line, only to leave room for landscape, buffer sidewalk and a drive aisle around the building, and then option one has parking up against the building.

Any questions regarding the site plan?

Commissioner Jaramillo: I have one question: On the entrance, you have one entryway driveway, but you don't have another exit to the driveway. Is that, OK? Or should we have another exit on the other side?

Scott Neice: We did this to minimize cost. We do have complete access around the building for fire equipment, emergency vehicles. We did this to minimize cost.

Vice Chair McCall: On the back of the building, which would be the north side. What is the amount of doors access into that building from that north side and is that public use or employee use?

Scott Neice: It is 100% employees use of the entrance on the north side of the building. There's public access in the east and west as well as the south entrances.

Chairman Schwebach: Do you need the site plan to move forward?

Scott Neice: We are scheduled to have the survey crew come out there tomorrow to do basically a boundary. The full survey will include utility and boundary. I don't need it immediately. We do need the geotechnical report in order to move forward with the

survey. Civil engineering will come out and do a drainage plan based on this site layout.

Chairman Schwebach brought up discussion of consolidation of the two lots, and all Commissioners agree to go with site plan #1. In addition to their discussion and requested that the admin building be moved a little more to the south and east from its original plan.

Chairman Schwebach: Does that give you enough directions?

Scott Neice: It does. What we'll do is go ahead and refine the site based on comments today. Get that turned around and back into manager Barela's hands for distribution.

- B. Manager:** Request Approval of a Professional Services Agreement Between Torrance County and the Albuquerque Regional Economic Alliance (AREA) in the amount of \$5,643.36 for Economic Development.

County Manager Jordan Barela: this item is tied to the item from our previous meeting whereby we looked at the overall economic development plan for Torrance County and how we might address that. One of those items was entering into an agreement with AREA that provides a number of economic development services and tools for the County and staff as well. As a potential Economic Development Specialist, which also ties into the next action item. This agreement is a standard professional services agreement AREA has used this with a number of different Counties. We've reviewed it, the legal has reviewed it and AREA actually already signed off on this. This would give us full access to all of AREA's toolboxes for Economic Development, and the total annual cost for the County to be a member would be just over \$5,600.

Chairman Schwebach: Do we pay gross receipts tax on this and who gets the gross receipts? Is it Albuquerque where they are based out of or us?

Deputy County Manager Misty Witt: It will be Albuquerque.

Chairman Schwebach: You need a motion on this, correct?

Deputy County Manager Misty Witt: Correct.

ACTION TAKEN:

Vice Chair McCall: Made a motion to approve, and this is something I'm really excited about. As you say that number is based upon our residency, and I hope that Economic Development is doing their job. That we will see an increase in that every year, that would be a great thing.

Commissioner Jaramillo: This is throughout the County, right? Everywhere.

County Manager Jordan Barela: Yes.

Commissioner Jaramillo: Second the motion.

Roll Call Vote: District 1 voted yes, District 2 voted yes, District 3 voted yes. All Commissioners in favor. **MOTION CARRIED.**

- C. **Manager:** Request Approval of the Job Description and Salary Range for an Economic Development Specialist, to be Initially Pursued through the Economic Adjustment Assistance Grant.

County Manager Jordan Barela: Included in the packing material is a job description for an Economic Development Specialist. We're continuing to work with the EDA on the EAA grant application, there's three years of funding to do a comprehensive plan and would also fund this position. That scope of work is completed. The budget is completed, but since we do not have a current position in house, we have to submit with that application a job description of what the person that would be funded with that grant is going to be. We've compiled this. I reviewed a number of similar job descriptions from Santa Fe County, Albuquerque, as well as some nonprofits to compile this list together. The one thing that's variable in this compared to those, is we did add the oversight of the ICIP process and capital infrastructure for Torrance County. That would be a function of this position too. Specifically, because infrastructure projects are going to have an impact. Not all of our ICIP projects, but some, will have an impact on Economic Development. We also did some salary comps. What we found through the salary comps is a range of about \$62,000 to \$70,000. That was the salary range that we would be proposing to go in addition to the job description.

Chairman Schwebach: Is this a new position or is it a consolidating position?

County Manager Jordan Barela: It's partially consolidation. Part of the plan that went on last week also was to take the Grants Assistant position that made available \$49,000. Getting rid of that position and putting that money toward our match Component for this position. The other variable to this is the \$25,000 that's in this year's budget and has been for EVEDA. Of that \$25,000, \$5,600 would be appropriate to the AREA agreement that was just approved and that the remaining \$19,000 would also be appropriated to this position. So, I think in total, the County would have about \$63,000 that we reallocated partially from the Grants Assistant and partially from the remainder of the EVEDA funding that would be available for the grant application and match. It would be available for this position thereafter if the Commission chose to keep that in the budget.

Chairman Schwebach: Is this an at-will position or is this classified?

County Manager Jordan Barela: The consideration was that this would be a classified position.

Commissioner Jaramillo: Would they work along with the Grants coordinator?

County Manager Jordan Barela: They would work under the Managers Office, and Grants is under the manager's office right now to, and Economic Development would be also.

Chairman Schwebach: What's your thoughts on trying to apply for?

County Manager Jordan Barela: The overall grant application would be 3 years of funding for the position. That would include roughly \$150,000 to complete a comprehensive economic development plan for the county. Once that plan is in place, we look at evaluating our LEDA ordinance and re-addressing that to coincide with the plan. Then potentially asking for some funding for the execution of programs, whether that's allowable or not.

Vice Chair McCall: Match is 25%?

County Manager Jordan Barela: Match is 25%, yes.

Vice Chair McCall: Makes sense to me, we need to list this position to proceed with the grant?

County Manager Jordan Barela: Correct, and with the grant application, they do want to evaluate, if we're paying for a person, what functions are they going to be executing from the County.

Vice Chair McCall: Our grant is pretty much 25%. It's already allocated by the consolidation of the Grant administrative assistant, and the pickup from the \$19.

County Manager Jordan Barela: That's correct. And based on the numbers we looked at initially, that actually gets us over 25%.

Vice Chair McCall: I'm good with that.

Chairman Schwebach: Should we consider making this an at-will position?

County Manager Jordan Barela: You could, Mr. Chair, and if that's the case, I would probably change the job title to an Economic Development Manager.

Chairman Schwebach: My thought process is to hold it a little bit more accountable for Economic Development. I'm fine with the classified job as far as Grants Administration, stuff like that by ICIP. Which would serve this Community and County better?

Vice Chair McCall: I think at-will, will serve the community better and serve this person better. It's an interesting thought. I mean it, it takes a special kind of person to be able to be wanting to take that risk. Do you think it would be a problem with it being at-will?

County Manager Jordan Barela: I can't say for certain, but I imagine it would have an impact to a certain degree. You know, usually those positions are compensated a little bit higher for that risk. You know most of the positions that we looked at in terms of salary comps, were people that were coming in mid or entry level into these organizations and none of those positions were at-will. I mean, in economic development, Torrance County is not Albuquerque, it's not Santa Fe, but for those higher end at will positions within the Economic Development realm, those positions are usually \$20,000 a year higher. So, it's a very different type of job and very strategic planning. This person would be a jack of all trades, but I do think you do run the risk of having people that can get a job in a surrounding organization with a classified position at \$65,000 or that position at Torrance County at \$65,000 that will make an impact on their determination.

Chairman Schwebach: Personally, I'm more inclined to put a little extra dollar to get an at-will position where we have deliverables because, quite honestly, Economic Development, it needs to have some deliverables. It doesn't need to just sit on the sidelines making sure somebody else gives them a grant that they approve. It needs to have definite aggressive deliverables. It's going to cost money to do it.

Commissioner Jaramillo: Our County is in dire need of Economic Development, so whatever we can do to make that happen.

Chairman Schwebach: I think we need to move forward with this. Let's talk about where we're sitting financially with what we're doing now. We can dump another 30 grand on that position and get a return on the bond. If we don't, six months and 12 months, we can back out of it and change it around.

Vice Chair McCall: I think it's important that we talk to the Economic Development Department, statewide and just fill them out as to an at-will versus classified. I mean, I think we might get a very clear answer.

Danielle Casey: I have done a lot of classification studies and job description drafting in my past life as a local Economic Development Director for many years. Others have access to a lot of national job description examples, so I'd be more than happy to help the team take a look at what would make sense for your needs.

Vice Chair McCall: Do you think that the range of \$65 to \$90 is in the ballpark to get a qualified applicant?

Danelle Casey: Commissioner, I think that sounds very good, absolutely.

Vice Chair McCall: What's your opinion on classified versus at-will, can you speak upon that?

Danielle Casey: I was always at-will when I worked in Economic Development and here's why. You may be sending someone on a trade show out of town on travel. How do you denote their hours and their activity there? There are a lot of after hours, events and programs. I think having the flexibility for being at-will and unclassified makes a lot of sense based on the role.

Vice Chair McCall: Are you thinking of more contracts, because at-will would just mean to serve at the will of the Commission?

Danielle Casey: A salaried exempt is what I was guessing would be what I'm referring to.

Chairman Schwebach: A salary rather than hourly, which I agree with that, with this position.

Danielle Casey: I would do a salary exempt full time staff member in the organization.

Chairman Schwebach: What we have, we can satisfy the grant with this range. In which case we can have a conversation at a later date, discussing some of the details between the classified and at-will. The main goal is to attract the candidate that gives us definite aggressive deliverables.

County Manager Jordan Barela: Just to put this to the Commission. Misty and I also met with the State Economic Development Office, and they did want to come to give a presentation to this Commission. We're hoping to do that on the 23rd. We can continue that conversation and get their perspective on this as well, assuming they'll be able to make the meeting in two weeks.

ACTION TAKEN:

Chairman Schwebach: Made a motion to approve the job description as presented at the time of the salary range between \$65,000 and \$90,000 annually on a salary basis.

Commissioner Jaramillo: Second the motion.

Roll Call Vote: District 1 voted yes, District 2 voted yes, District 3 voted yes. All Commissioners in favor. **MOTION CARRIED.**

- D. Finance:** Request Approval of the Contract Amendment Regarding the Pay Rate Increase for Michael Lindsey, Restorative Justice Facilitator, Pursuant to the Available Funding for This Contract Provided by NM CYFD.

Chief Procurement Officer Kristin Saavedra: I am requesting approval for the contract amendment for Michael Lindsay. This per CYFD, they have increased it. So, I need to increase the contract amounts as well.

Chairman Schwebach: This is changing the contract because there's more funds available. So, increasing the \$6,200, is that what I'm seeing?

Chief Procurement Officer Kristin Saavedra: Yes.

ACTION TAKEN:

Chairman Schwebach: Made a motion for approval.

Vice Chair McCall: Second the motion.

Roll Call Vote: District 1 voted yes, District 2 voted yes, District 3 voted yes. All Commissioners in favor. **MOTION CARRIED.**

- E. Fire:** Request Approval of a Mutual and Automatic Aid Agreement Between the Town of Estancia and Torrance County for Fire Suppression and Emergency Medical Services.

County Manager Jordan Barela: This week we wanted to bring forward a mutual aid agreement between the two organizations for fire services. In all actuality, the two organizations have been assisting each other for quite some time without any type of formal agreement in place. There were a couple of calls and things that happened over the weekend with the organizations. I did meet with the Chief earlier this week to have a discussion and I think we've sort of hashed out some of those issues, and everybody's in agreement that this is a good idea moving forward. It's sort of solidifying a practice that's already been in place for some time. This agreement does not speak to fees for services, primarily response and aid when there is a need to do so across emergency services for fire and EMS.

Chairman Schwebach: If we've been doing it. Why are we signing something? To what end, and why?

County Manager Jordan Barela: The mutual aid requirements are also called in by state statute and so we can do it. 59A-535 outlines the mutual aid requirements of organizations that provide services to each other. We do want to make sure that we are in compliance with that.

Chairman Schwebach: Does this shift liability? Is there a potential liability here?

County Attorney Mike Garcia: No, everybody's responsible for their own alleged torts claims, and it's spelled out the same to that effect in the agreement.

Chairman Schwebach: Essentially what this does is satisfies the State statute, and while we're already doing because nothing has been in place.

County Manager Jordan Barela: That's correct.

Chairman Schwebach: It gives no authority over us and how they conduct their business and then how they conduct ours. There's no ability for blame through in one way or another.

County Attorney Mike Garcia: That's right. It doesn't create any new liabilities.

Vice Chair McCall: Was this mutual or automatic?

County Manager Jordan Barela: As I read the agreement. My understanding of it was it was a mutual aid agreement, not an automatic aid agreement, unless there's language in there that's reflecting otherwise.

Vice Chair McCall: In the description It says approval of mutual and automatic aid agreements, so I'm wondering what are we doing? Are we doing mutual or are we doing automatic?

County Manager Jordan Barela: My understanding, It's mutual.

County Attorney Mike Garcia: I think it's supposed to be mutual. I don't think it's supposed to be an automatic response no matter what. If you'd like, I think we could clarify that and edit it.

There's definitely a difference between mutual and automatic. I think it's probably good to clarify it, make sure we don't have any of that language in there if it's misleading.

Chairman Schwebach: Made a motion to table Request Approval of a Mutual and Automatic Aid Agreement Between the Town of Estancia and Torrance County for Fire Suppression and Emergency Medical Services until further clarification.

Vice Chair McCall: Second the motion.

Roll Call Vote: District 1 voted yes, District 2 voted yes, District 3 voted yes. All Commissioners in favor. **MOTION CARRIED.**

- F. Fire:** Request Approval of a Mutual Aid Agreement Between Torrance County and Guadalupe County for Ambulance Services.

County Manager Jordan Barela: This is another mutual aid agreement between us and Guadalupe County. None is in place right now, but this is specific for ambulance services and transport. We actually had a real-life example that sort of spurred this on

when we had three fires that occurred earlier last month, with the three fires in one hour. Anything significant on the I-40 corridor, given the fact that Torrance County has two ambulances in rotation, Guadalupe has minimal resources, would allow us to request transport for Guadalupe County in the event of a multiple vehicle accident or a fire. To transport for us into Albuquerque and vice versa, Guadalupe County was in a position where they had a major incident on I-40 or otherwise, and they needed assistance in transporting patients into Albuquerque. This agreement would serve that purpose as well.

Commissioner Jaramillo: They're also doing that at this time?

County Manager Jordan Barela: We have not been doing mutual aid with Guadalupe County.

Vice Chair McCall: What is the status of Guadalupe's service, are they strong, are they struggling? I would like to know about the health of their departments.

County Manager Jordan Barela: I can give you a general overview of what I heard, which is they're not in a bad position, but as far as where their staffing levels are at right now and how that looks, I couldn't give you an exact number in terms of ambulances on rotation at the at the time being.

Chairman Schwebach: We're saying this contract is mutual aid. What are those benefits and what are those consequences? For example, we'll use Guadalupe. We signed this mutual aid. Does that help? The ISO rating? Does that help their funding? And if we don't? Do we all of a sudden become part of the problem if we aren't able to render mutual aid, how does that work?

County Manager Jordan Barela: As I understand, it would not have an impact on the ISO. ISO is looking at responses from within district. Who is from within the fire district is actually responding if we had a structure fire in a district, and Santa Fe County responded. That's a mutual aid response, but it's not necessarily counting to the number of staff members within our district that are responding to that fire specifically.

Chairman Schwebach: This mutual aid. It lays out just how that's done, who to talk to that sort of thing.

Commissioner Jaramillo: This would help the people at that far end of the County right, being in Guadalupe like Duran and Encino and all those places.

County Manager Jordan Barela: Theoretically it could. I mean, if there was a crash right on the county line, off on the east side of the county, and our units were tied up and we needed a response. This would allow a closer ambulance in another jurisdiction to respond initially to that call.

Training Chief Fixer: It's been going on for a long time within the fire service. This agreement is just a paper document that we communicate with each other what we'll

provide. It might also take some of the stress off dispatch because they don't have to think. That's what automatic aid is, so they automatically say, like Estancia is getting called for the jail that's got a fire alarm going on, we'd automatically send a ladder truck, a tanker or whatever it needs. It helps the dispatchers to know, if this happens, I'm going to send this amount of equipment and resources to that agency, with this mutual aid agreement. It does help with ISO. It puts the second guessing out of the equation when we have emergencies. Like you said, if we have 21 cars piled up on I-40, and a house fire in Santa Fe. The dispatchers just go hey, we have our mutual aid with Santa Fe. The automatic would say hey, our resources are thin. We're just going to go ahead and call Moriarty. We're going to call the next agency and say; can you guys help us out? So, automatic there's no obligations, it's just saying that if we do the dispatcher automatically says, hey, I'm going to tone them out. They don't have to wait for somebody to ask for the resources.

But there's no obligation on either side, because we may be busy. There could be four or five fires going on at the same time. When you call 911, it pops up and says what law enforcement agency? It would say which fire department is in that jurisdiction.

ACTION TAKEN:

Chairman Schwebach: Made a motion to approve the mutual aid agreement between Torrance County and Guadalupe County for ambulance services.

Commissioner Jaramillo: Second the motion.

Roll Call Vote: District 1 voted yes, District 2 voted yes, District 3 voted yes. All Commissioners in favor. **MOTION CARRIED.**

- G. Grants/Fire:** Request Approval to Submit Application for the FY26 Fire Protection Fund for Districts 1 Through 6 and Fire Administration, and Delegating Signature Authority to the County Manager to Execute the Grant Applications.

Deputy Fire Chief Hanna Sanchez: This is the same request that I come before you every year at this time. It's our operating budget per district that we applied to our office based on our ISO ratings. So, I'm asking your permission to let me apply for this funding so we can operate for FY26.

ACTION TAKEN:

Chairman Schwebach: Made a motion for approval.

Commissioner Jaramillo: Second the motion.

Roll Call Vote: District 1 voted yes, District 2 voted yes, District 3 voted yes. All Commissioners in favor. **MOTION CARRIED.**

H. EMERGENCY MANAGEMENT: Request Approval of Memorandum of Agreement between Torrance County and The Lions' Club of Moriarty for Emergency Sheltering.

Emergency Management Samantha O'Dell: This is a request to approve this MOA. Memorandum of agreement between Torrance County and the Lion's Club of Moriarty to assist us with emergency sheltering. In the event, if I-40 is closed and we need to shelter stranded motorists or if there's a fire that we need to provide evacuation sheltering in or around the Moriarty area.

Chairman Schwebach: Did we have this one before?

Emergency Management Samantha O'Dell: We have one with the City of Moriarty for the Civic Center that we're making some changes to. We have some challenges with that one during our winter storm in November, it didn't work out the way that it was supposed to. After that, the Lions Club also made some changes and they have offered to take on the sheltering and assist us with that again. By moving it from the Civic Center to the Lions Club, it gives us additional volunteers and they can also provide food and shelter. In this agreement, on the third page there is an item for reimbursing them for items that they purchased regarding ingredients. Any of those types of things for fixing the food and this would take the place of me having to go to restaurants and purchase the items. I believe this would be cheaper for the County.

Chairman Schwebach: In the event of what you just spoke of, they're offering to put a cook in there. We will reimburse them for all the ingredients used.

Emergency Management Samantha O'Dell: Correct, they're able to do a large pots of soup or things like that, instead of me going out and purchasing pizzas, or hamburgers or, whatever restaurant is open and available to provide items.

Commissioner Jaramillo: Do they have a place to store the cots, or do you have to bring them in?

Emergency Management Samantha O'Dell: All of our shelter items are stored in our shelter trailer in the Moriarty building and we would take that shelter trailer over there and supply all of those items. We are working on an agreement with Moriarty for the Civic Center to be a secondary location in the event that there's more individuals needing to be sheltered. The Lions Club would be our primary.

Chairman Schwebach: Most of our shelters are more than adequate in size.

Emergency Management Samantha O'Dell: Correct. What they've told me is they have permission to have 79 cots in there, but they have had 135 in situations previously.

Vice Chair McCall: Mike, what is the liability with this MOA? What does liability stand? It bothers me a little bit, as to where the liabilities would stand. Would the Road Department have to come in and clear the snow?

Emergency Management Samantha O'Dell: So, in my conversations with the city of Moriarty, they have offered to clear it, since it's within the city where they need to clear out the parking lot and such.

Vice Chair McCall: When we do have a big snowstorm, that parking lot needs to be plowed.

Emergency Management Samantha O'Dell: That was a conversation that we've had, and it's in the agreement as well. Where the Moriarty Public Works will take care of it.

County Attorney Mike Garcia: I think anytime that we're involved in any kind of premises, even if it's contractual, we probably have to consider that there might be some charge of negligence if we're involved in any way. We couldn't contract away a tort liability under state law, but the limitations would be comparative fault to the extent that we were at fault in any way. I mean, I don't really see a lot of likely liability in this particular instance. The answer is never zero.

Vice Chair McCall: I'm not asking for the Lions Club to be liable. It just concerns me, the fact that you got young kids sleeping in a facility.

Chairman Schwebach: I know exactly where you're going, that's one concern. The other concern is if they start preparing food and it is not prepared properly. And there's a foodborne illness. How does that work? Are these guys that cook the food, have safe food handling?

Emergency Management Samantha O'Dell: There are three individuals that are considered qualified to cook. One of them I do not know, but two of them used to have a local restaurant.

Chairman Schwebach: Let me state I think this is a much better situation than we've had with the Civic Center. With that being said, I just want to make sure that one, we're talking volunteers. I don't want to put them in harm's way. What kind of security do we have present to ensure things are conducted accordingly?

Emergency Management Samantha O'Dell: What we have done with all of our sheltering is basically, we would have a volunteer that's not truly security, but they would be kind of observing and making sure that there's not any concerns. If there are at that point, law enforcement would be requested. We have discussed having law enforcement present at the shelter. One of our concerns with that is if we're talking about winter weather closure, law enforcement is busy. If we're talking about evacuations for fire, law enforcement is busy. We are required to have an EMT at shelters and that's in here as well. We've worked through those agreements as well, but I mean, even at that, that's starting in with the resources that we have. We will have an

EMT, and we will have a volunteer that is observing there. There has to be somebody awake 24/7 even at night. Somebody has to be aware.

Chairman Schwebach: This is all part of the protocol already.

Emergency Management Samantha O'Dell: Correct, and if there is any concern, law enforcement would be requested at that time. There has to be at least a minimum of two volunteers.

Vice Chair McCall: That helps my concerns.

Chairman Schwebach: Yes, I have a better understanding now.

County Attorney Mike Garcia: Just for a little extra certainty, we can run this by New Mexico Counties and make sure they're okay with what we're doing. And if they have any issues with ensuring our activities.

Vice Chair McCall: The last thing I want is people sleeping in their cars. I just want us to be careful and I want to think some things through, talk some things through. You have discussed my 2 items and came to a solution, so I feel good about it.

ACTION TAKEN:

Vice Chair McCall: Made a motion to approve the MOA between Torrance County and The Lions' Club of Moriarty for Emergency Sheltering.

Commissioner Jaramillo: Second the motion.

Roll Call Vote: District 1 voted yes, District 2 voted yes, District 3 voted yes. All Commissioners in favor. **MOTION CARRIED.**

- I. FINANCE/FIRE:** Request Approval of the Reauthorization of Capital Infrastructure Funding in the amount of \$50,500.00 for the Purchase of Ten Sets of Bunker Gear for the Torrance County Fire Department.

Deputy County Manager Misty Witt: We are asking for approval to reauthorize some of the infrastructure budget that we have set for the FY25 budget. So that's the fund from 620. We do have some available budget left in that fund. Specifically funds of the Managers Office has not used out of the funding infrastructure. We would like to reallocate some of those funds to purchase some much-needed bunker gear for the Fire Department. This will purchase 10 sets for \$50,500.

Vice Chair McCall: Which fund would this be coming out of?

Deputy County Manager Misty Witt: This would come out of the infrastructure fund 620. That was the fund where we're doing all of the capital requests and everything for FY25, for all the various departments.

Commissioner Jaramillo: How much is left in that budget?

Deputy County Manager Misty Witt: We have approximately \$400,000 in there.

Chairman Schwebach: Is the gear sized to an individual?

Deputy County Manager Misty Witt: Yes.

County Manager Jordan Barela: One of the issues that we run into is as part of the Firefighter EMT job description, it does require Fire 1 and Fire 2 certifications. We have some paid staff that have Fire 1, Fire 2 certifications, but not everybody. Chief Fixer has been working to get a Fire 1, Fire 2 training partially online, but coordinating that, and making it functional not only for the paid staff but also the volunteers. But in order for our paid staff to go through that process, everybody must have this gear to get that done. We do have some gear that's been assigned currently, which would be repurposed for volunteers that it may fit and new hires that may come on board. We've made an offer of employment for three and perhaps 4 Firefighter EMT's right now. But for training purposes and to ensure that everybody has those certifications and is in compliance with their job description, that's why we're making the request at this time.

Vice Chair McCall: The equipment belongs to the County that does not leave with the volunteers or the paid staff.

County Manager Jordan Barela: Correct.

ACTION TAKEN:

Chairman Schwebach: Made a motion to approve Reauthorization of Capital Infrastructure Funding in the amount of \$50,500.00 for the Purchase of Ten Sets of Bunker Gear for the Torrance County Fire Department.

Vice Chair McCall: Second the motion.

Roll Call Vote: District 1 voted yes, District 2 voted yes, District 3 voted yes. All Commissioners in favor. **MOTION CARRIED.**

- J. FINANCE/MANAGER:** Request Approval for the Reauthorization of Capital Infrastructure Funding in the Amount of \$59,999.00 to Encumber Legal Services from TAFT, Stettinius & Hollister, LLP, to Serve as Counsel to the County in Connection with Bond, Finance and Economic Development Initiatives, Including the Creation of Special Improvement Districts.

Deputy County Manager Misty Witt: This item is similar to item “I” that we just spoke about. We would like to reallocate some of that County Infrastructure Fund 620 money remaining for the Special Improvement Districts.

Chairman Schwebach: This is mainly concerning the Special Districts we talk on assessing roads and road improvement.

County Manager Jordan Barela: TAFT has done some work on this. We've had some conversations with Ms. Sweeney. They actually put the ordinance together for us to get the initial process rolling for the Special Assessment Districts. Up to this point we have not had them under contract, so we wanted to bring this forward before we continue down that road.

Vice Chair McCall: We're doing this because we see the need ASAP. Why are we going to discuss this upcoming in our budget meetings coming up?

Deputy County Manager Misty Witt: The needs are urgent. You are correct in that aspect, and you have the funds remaining enough in FY25.

Chairman Schwebach: We have that many funds in Capital Infrastructure.

Deputy County Manager Misty Witt: They were set there for multiple reasons. Things like this may come up to the County Manager's Office. They have plans for things that the salaries study, and things like that. I think approximately \$400,000 is not allocated. So that will go down with the approval of these two items.

Chairman Schwebach: How much do we have there?

Deputy County Manager Misty Witt: I think approximately \$400,000 that's not allocated. That will go down with the approval of these two items.

Commissioner Jaramillo: These funds can only be used for just capital outlay?

Deputy County Manager Misty Witt: Just for county infrastructure.

Chairman Schwebach: Made a motion to approve the Reauthorization of Capital Infrastructure Funding in the Amount of \$59,999.00 to Encumber Legal Services from TAFT, Stettinius & Hollister, LLP, to Serve as Counsel to the County in Connection with Bond, Finance and Economic Development Initiatives, Including the Creation of Special Improvement Districts.

Vice Chair McCall: Second the motion.

Roll Call Vote: District 1 voted yes, District 2 voted yes, District 3 voted yes. All Commissioners in favor. **MOTION CARRIED.**

- K. FACILITIES:** Approval of an Unauthorized Purchase to Above and Beyond for Smoke Remediation Services at the Torrance County Admin Building.

Deputy County Manager Misty Witt: This is requesting approval to pay the remaining balance to Above and Beyond. This is in reference to the structure fire we had across the street earlier in the year, and of course it filled the building with smoke, and we had to have a professional company come and remediate that smoke damage. This is a higher cost than what we approved in the emergency purchase, which is why it's coming before the Commission for approval. We did receive insurance money through an insurance claim to cover this cost, so it will not be coming out of the County's budget directly.

Chairman Schwebach: What exactly did they do for \$30,000?

Deputy County Manager Misty Witt: Part of the issue, and why the damage is so big is that the HVAC units were not shut down. The smoke got all up in the vents flew out all over the building. So, they had to scrub every single wall, and they had to shampoo the carpets.

County Manager Jordan Barela: For the first day, because we had a Commission meeting the very next day, they also brought quite a bit of equipment in here as far as air purification systems. They had about 8 or 9 in the building. They had them running overnight before they came back. It really was a cleaning job, but it was a very thorough cleaning job to address the underlying issue.

Vice Chair McCall: Did we ever subrogate the homeowners.

County Attorney Mike Garcia: I think it's possible. I don't know for sure.

Vice Chair McCall: If it's their smoke, and their house that caused our insurance company to spend \$37,000.

County Attorney Mike Garcia: That's something the insurance company would do, but we can ask them.

Chairman Schwebach: Made a motion to approve unauthorized Purchase to Above and Beyond for Smoke Remediation Services at the Torrance County Admin Building.

Vice Chair McCall: Second the motion.

Roll Call Vote: District 1 voted yes, District 2 voted yes, District 3 voted yes. All Commissioners in favor. **MOTION CARRIED.**

- L. FACILITIES:** Approval of an Unauthorized Purchase to Brazas for the Recharging of Fire Extinguishers at 2 Senior Service Center Locations.

Deputy County Manager Misty Witt: This is another facilities purchase. They had approval and a purchase order to send Brazas out to the Senior Centers to service the hoods. However, they had them do a Fire Extinguisher Service at that time as well, but that was not part of the original scope of work for the purchase order, so it resulted in an additional cost.

Chairman Schwebach: Made a motion to approve unauthorized Purchase to Brazas for the Recharging of Fire Extinguishers at 2 Senior Service Center Locations.

Commissioner Jaramillo: Second the motion.

Roll Call Vote: District 1 voted yes, District 2 voted yes, District 3 voted yes. All Commissioners in favor. **MOTION CARRIED.**

- M. **LEGAL:** Request Approval of the Restricted Housing Unit Report for the 1st Quarter of 2025.

County Manager Jordan Barela: This is the report for the first quarter of 2025 should be in front of you all again, that's not included in the packing material because it contains personal identifying information of people in restrictive housing. But we did need Commission review and approval of this report prior to sending it to New Mexico Counties for evaluation. I will say that, comparing the previous quarters' reports, it went down by about a page and 1/2 in restricted housing at TCDF.

Vice Chair McCall: Made a motion to approve the Restricted Housing Unit Report for the 1st Quarter of 2025.

Chairman Schwebach: Second the motion.

Roll Call Vote: District 1 voted yes, District 2 voted yes, District 3 voted yes. All Commissioners in favor. **MOTION CARRIED.**

14. DISCUSSION

A. COMMISSIONER JARAMILLO:

- 1) Discussion on question on the Torrance County Detention Facility.

Commissioner Jaramillo read her report about TCDF. Report is here to attached.

Report on Tour of Torrance County Detention Center

Linda Jaramillo-Dist. 3 Commissioner

- Arrival: Announced myself at the locked gate and was let in to the facility. I left everything in my car but my keys. I had to take my shoes off and walked through a metal detector booth and then a wand was used. Like going through airport security.
- Briefing: I then was taken to Warden Dedo's office by Public Information Officer, Ms. Miranda, where I was given a briefing on daily processes and procedures before my visit. The first thing I want to say about the facility is that everywhere I went throughout the facility it was clean and well kept. I was given clearance on Friday afternoon and went in at 10:30AM on Monday, which is somewhat of a surprise visit. Booking/intake: We started at the beginning where detainees are brought in. I saw the buses that look like nice tour buses that the men are brought in. They go into a waiting area until they are called to start the processing of all their information and take inventory of all the possessions they have brought with them. There is information in booklets in many languages about their stay and their rights that they can read. None of the men are in restraints once they enter the facility.
- Record keeping: Being the keeper of all records in the county as clerk, I was very impressed by the thoroughness of those who were doing the intake of those arriving. I talked at length with them about every step taken until the men are taken to the pod, they will be staying in.
- Processing. They are allowed to shower after their long trip if they choose to do so before starting the intake process. All their belongings are cataloged, and all their clothes are washed before being stored in clean bags in this large storage area with their names and the number they are assigned. They are given clean clothes, clean bedding and towels and toiletries. I went through the bag the men are given. Numbers are assigned to each individual along with their names. I don't see anything impersonal with this. I am identified by my social security number and my date of birth as a citizen of the US. Items of more value are kept in a locker that is locked and secure. Again, as the records keeper for the county for 26 years I saw how all the information gathered and kept safe and secure could be used for the many advocates of those being detained or for future use by the men as they go through the Immigration process
- This area also serves as the laundry for the washing of all clothes worn by the detainees when they come into the facility and the washing of their clothes throughout their stay.
- Medical Facility: Having worked in the medical field as the only employee of Dr Saul in Mountainair for 15 years I am familiar with the operations of a medical facility. I spoke to everyone who was working that day and to some who were there for treatment. No patient being seen was in restraints. I did not want to disturb the doctor, but she came out to talk to me for a while. A very nice and caring doctor who came out of retirement to work at the facility. I saw a stretcher used for emergency situations. I also saw rooms, and yes, they were locked rooms, for those who might have to stay if necessary. There is also a dentist Office in this area. Overall, what I saw was, with the exception of a

locked door to come into this area, was a medical facility run like the one I used to work in many years ago and those I go to now. But I have listened to all the accounts brought to the Commission by the advocates who represent those being held at the detention center and it's very hard to ignore. These advocates are experienced in immigration laws and due process for those being detained and they are doing their job to protect the rights of the men in the detention center. I believe due process for these incidents was taken by those in authority and these incidents have been brought to the commission and for the public to hear.

- Having said that, I also visited the building where detainees can meet privately with these advocates and help them to expedite a solution to the dilemma, they find themselves in. It is a very nice area and a professional setting. There were big screen TV, s for use of many informational videos. In one area there were nice soundproof booths where they could talk privately with their attorneys.
- I continued my tour to other parts of the facility in my tour I would meet with men in line going different places under the supervision of an officer and not restrained. I said hello to many of them as I passed by and asked them how they were doing, and they responded with an okay. They were dressed in the clothes given to them; some were wearing jackets.
- Library: They have access to the library if requested but of course it has to be scheduled. I also noticed books in the pods for their use.
- Barbershop. I saw several waiting for a haircut in the barber shop. I met the lady who runs the mail room, and she explained procedures for handling the mail.
- Kitchen: I toured the kitchen. They had just finished with lunch. I talked to the man in charge, and he showed me all the different areas of the kitchen, it was clean and there were men in there, detainees, helping. I spoke to them as well. My only uneasiness is that I had to wear a hairnet over my unruly hair, I'm glad there wasn't a mirror in there. I did get to see how the meals were distributed at the pods. I have to say that the food was not what you would get in your home and are used to. The portions reminded me of school cafeteria portions. If I had to, I could eat this food.
- PODS: I was shown a pod where I was able to walk around but no detainees. There is a big open room with tables, there is an area with shower stalls that are private. A sitting-like area where you can make calls. A big screen TV to watch or play video games. I went into the room where they slept and went to if they wanted some privacy. Visiting a pod with detainees. I walked into the area before walking into the pod and saw the men in there and asked if I could go in. The men were at a distance, and I asked if I could go over alone to talk to the men sitting at the table, soon I was surrounded by the others and I introduced myself and why I was there. Some complained about the food and other things. I spoke in Spanish and English. I started asking them one at a time their name and where they were from. They were from all over the United States and from many counties. I told them that I felt for them and the situation they were in. some of them said they would be leaving soon some had been there for a while. These men are my fellow human being.

That was the conclusion of my tour. It was 1:30. I was in there for 3 hours. I walked away with a better understanding of the procedures and processes of the Torrance County detention center as it pertains to those being held there by ICE and the contract that I agreed to with my fellow Commissioners.

B. MANAGER REPORT:

1) FY24 Audit Update

County Manager Jordan Barela: Just wanted to give the board a quick update. The FY24 audit was submitted to the state prior to the close of the legislative session and that has been approved by OSA. The federal side of that has been submitted and is completed as well. TKM, which are our auditors, will be here as well for the meeting on April 23rd to do the closeout report on the audit. So, I just wanted to put that on the

Commission's radar. I also wanted to make the board aware of the Assessor's Office. There will be an event at the East Torrance Soil and Conservation District. That is going to be on April 17th from 9:00 AM to 2:00 PM and that will again be open to the public but in relation to the New Mexico property tax and exemption waiver. And lastly, Mr. Chair, if it's OK with the Commission, I'd like to divert some time to Madam Clerk, so she can give a quick update regarding an election for New Mexico County.

Madam Clerk Sylvia Chavez: Commissioners, I did send you all an e-mail last week in regard to New Mexico Counties, they did reach out to me to let me know that it is our time to elect our Representative for the Board of Director. This is for all of the elected officials in Torrance County. I have since heard back from Sheriff Frazee and Treasurer Hernandez. They both indicated that they are not interested in being on the board. I am still awaiting from the three of you, and also from Assessor Lucero, to get back to me and Probate Judge Eaton. She kind of already said that she was not interested but wanted to see if anybody else would be interested. So, my goal is to have some nominees so that I can do a ballot for everyone to vote on. I need to get this individual back to New Mexico counties by May 2nd.

Commissioner Jaramillo: I'm sorry I didn't answer, but I won't be able to do it.

Chairman Schwabach: I'm in the same boat.

Madam Clerk Sylvia Chavez: This is for two years, so it's from 2025 to 2027. So currently at this time, I have no interested parties. If there is no interest, I of course will step forward and be our Representative.

Chairman Schwebach: Are you willing to serve?

Madam Clerk Sylvia Chavez: Yes, I'm willing to serve. I can't think of a better way to serve the County and the constituents and being the voice for our County. I feel a lot of times smaller Counties get pushed off to the side, because it's the bigger Counties that get the voice. I'm willing to voice my opinion and to make sure that Torrance County is heard.

Chairman Schwebach: Have you had any responses from all the elected officials?

Madam Clerk Sylvia Chavez: I have heard back from Sheriff Frazee and Treasurer Hernandez. Commissioner Jaramillo just indicated that she couldn't, and Commissioner McCall also indicated he couldn't. The only two that I need to hear back from are Assessor Lucero and Probate Judge Eaton. What I plan on doing is, the names that I do finally get, I will have a ballot that I will have prepared for the next Commission meeting that everybody can vote on.

C. COMMISSIONERS' REPORTS:

1) Commissioner McCall, District 1

Vice Chair McCall: Can you give us an update on the Fairgrounds?

County Manager Jordan Barela: Yes. We visited the site the other day and we met with both Studio Southwest as well as the subcontractors. They did an initial assessment. We are meeting with them every two weeks to discuss where they are at. They are moving forward with the design process. In addition to that, we're also looking at doing CMAR Procurement. As far as I know, we haven't done one internally in the past, but Studio Southwest is helping us with that process, and they've given us all the appropriate documentation for review. Our Chief Procurement Officer and our Deputy Manager have reviewed those. CMAR would be getting a contractor on board right now in the process, not only to aid with the estimating, but also to take on the full construction once the project is done. They were looking at having a final design in place by the end of May early June. We're hoping to have a contractor on board before they reach the final design, because their estimates are going to be critical to the design process.

Vice Chair McCall: You're getting close to going out for this CMAR.

County Manager Jordan Barela: Yes, it's a Construction Manager At Risk type of procurement. Essentially it is not designing it and then putting it out to bid, it's bringing somebody on now to be a part of the design process and then having them execute the project.

Vice Chair McCall: What's the timeline before we can release for the bid?

Deputy County Manager Misty Witt: We'd like to. Have that released by next week if possible.

Vice Chair McCall: I've been in full contact with Leonard on this DOT issue as well. I've Shared the phone number to our District 5 engineer with him. I've spoken with her. She gave me the same answer. I wasn't happy. I believe it's an unfunded mandate if it comes down to that. They are going to push us over onto that. I will be part of that meeting as soon as they allow it to happen.

Chairman Schwebach: Since you have already set up those meetings? I think it would be prudent to discuss with our attorneys for possibilities.

Vice Chair McCall: The attorneys are supposed to be in the meeting with us, it was my suggestion that we get him there.

2) Commissioner Schwebach, District 2

Chairman Schwebach: Do you have an update on the EMWT project.

County Manager Jordan Barela: There are a couple things happening on the EMWT front. I've spoken with Mark the other day, and I'm trying to schedule a meeting with Bobby to discuss the \$326,000 that we got in a Junior Bill money, where that was supposed to be appropriated. We have about 18 months to get that off of the books. In addition to that, we are working on a contract for the Project Manager. Pursuant to procurement rules, we went out to RFP twice under that scope of work

because we got no responsive bids back, we can go into direct negotiations. We do have an interested party, and I've been communicating with some members of their board and that individual. He actually sent me a formal proposal yesterday, and we'll be moving that into the contract phase.

Chairman Schwebach: Is the water rights purchase complete?

County Manager Jordan Barela: The water rights purchase is complete. We submitted an application that needed to be reviewed by the OSE. That portion is done. We are also looking at the potential property acquisition for five acres to access those water right.

Chairman Schwebach: Any negotiations?

County Manager Jordan Barela: We are, they've identified a 5-acre parcel that they think would be probably the best location for that, and we are entering the negotiation process for that.

Chairman Schwebach: Do we have a preliminary design, and we're close to being shovel ready?

County Manager Jordan Barela: I would say so.

Chairman Schwebach: I would like a more definite answer. I would like a little push and coming, one way or another with some answers on where we are at.

County Manager Jordan Barela: I think I can coordinate with Bohannon Huston to come, and we could do a discussion item on EMWT.

Chairman Schwebach: Whoever has the answers. I'm looking for a few more deliverables here.

I think that's all I have.

3) Commissioner Jaramillo, District 3

Commissioner Jaramillo: I met with Leonard and Charman after the meeting, and we discussed their procedures and their operation. After my surgery, Leonard said he'd take me around the County and show me more of the roads, which would be an all-day process. I went to the Tri-County Soil and Water Conservation District open house, and it was very nice. Spoke with Mr. King for quite a while, and it was a very good experience. Very good meeting.

15. **EXECUTIVE SESSION- NONE**

16. **Announcement of the next Board of County Commissioners Meeting: April 23, 2023, at 9:00 AM.**

17. SIGNING OF OFFICIAL DOCUMENTS

18. ADJOURN

ACTION TAKEN:

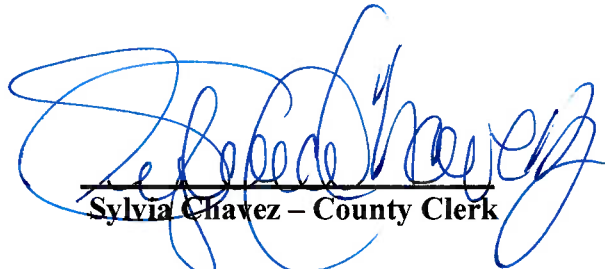
Ryan: Made a motion to adjourn the meeting.


Commissioner Jaramillo: Second the motion.

Roll Call Vote: District 1 voted yes, District 2 voted yes, District 3 voted yes. All Commissioners in favor. MOTION CARRIED.

Chairman Schwebach: Adjourn the meeting at 11:18 AM



Ryan Schwebach - Chairman

Sylvia Chavez – County Clerk

Date

Kevin Pham - Clerk II