

FINAL COPY
Torrance County Board of Commissioners
Regular Commission Meeting
May 28, 2025
9:00 AM

Commissioners Present:

RYAN SCHWEBACH-COUNTY CHAIRMAN
KEVIN MCCALL –COUNTY VICE-CHAIR
LINDA JARAMILLO – COUNTY COMMISSIONER

Others Present:

J. JORDAN BARELA – COUNTY MANAGER
MISTY WITT – DEPUTY COUNTY MANAGER
MICHAEL GARCIA – COUNTY ATTORNEY
SYLVIA CHAVEZ – COUNTY CLERK
MACKENZIE CARLSON – ADMINISTRATIVE ASSISTANT I
DON GOEN – COUNTY P & Z DIRECTOR

1. Call to order.

Ryan Schwebach-County Chairman: Calls the May 28, 2025, Regular Commission Meeting to order at 9:00 AM.

2. PLEDGE OF ALLEGIANCE AND INVOCATION

Pledge led by: Ryan Schwebach– County Chairman

Invocation lead by: Kevin McCall – County Commissioner

3. Changes to the Agenda:

J. Jordan Barela- County Manager: One change, Mr. Chair would request a deferral of item 8-A, the Fire Department update at the request of the Fire Chief.

4. PROCLAMATION: None

5. CERTIFICATES AND AWARDS: None

6. BOARD AND COMMITTEE APPOINTMENTS: None

**7. PUBLIC COMMENT and COMMUNICATIONS:
(Comments limited to two minutes.)**

Steve Ritchardson- Fire Department: I'm here with some problems with the Fire Department, specifically Hannah Sanchez, Randy Sanchez and a volunteer named Mark Riddle. They sent us out with a brush truck, labeled us with dispatch as an ILS unit. It was with the paramedic. All the equipment in the bag was expired. They're putting the public at risk by doing that. People do not have training licenses, us paying for our own EMT pants and boots. Purposeful separation of volunteer and paid people in the department, that does not make a unified department. It also puts firefighters lives at risk. If you're not in with a certain crowd-up top, you don't get anything. You don't get recognized, nothing.

I feel like every time I run my life is in danger. I've been doing this for 25 years. Never have I ran into anything like this. They're allowing Mark Riddle to put bad things against other people on public formats, i.e. Facebook. I think that something needs to be done. I'm tired of putting my life at risk. You know we are all out here for the public. When a District Chief looks at me and says, "This is my station" No, I'm sorry, that's a public station that belongs to the people of Torrance County. That is about all I have. I wish you guys would do something about that current administration sitting up there at that Fire Department that's District Three station. Thank you for your time.

Amy May- Resident: My name is Amy May, and I am a resident here in Estancia. I also am a local business owner, and I sit on the board for Estancia. About a month ago, Estancia had a very difficult situation, and I would personally like to thank Chairman Schwebach and Commissioner Jaramillo for your unwavering support for the Community, for the Board. Had we not had your support, I think the situation would have been a lot different. I am very hopeful of going forward

now, knowing that the County is supporting us as well. And I really appreciate everything you guys have done for Estancia through all of us. I really want to make sure you guys know. I appreciate it.

Tiffany Wang- Innovation Law Lab: Morning, Chairman, Commissioners and community members. My name is Tiffany Wang with Innovation Law. As a New Mexico resident, I worry about water just like the rest of you. I followed the water emergency in Estancia closely, not only because I knew that people detained in the Torrance County facility were unable to flush their toilets or take showers for multiple weeks, but because access to water is crucial for all life in the Estancia Valley in New Mexico, everywhere. One thing I was thinking during all of that was that sending more people into an already overcrowded facility that is the largest single user of water in Estancia is not responsible for stewardship of water. Estancia residents should not lose access to water because ICE decided to double the population of TCDF in a month.

People detained at TCDF should not have to ration the amount of food that they eat to avoid defecating. Toilets won't flush. Running a prison, especially one that actually meets the requirements of the conditions inside of a detention facility, requires the use of County resources, whether that be water, ambulances, roads or people, allowing CoreCivic to use more of this County's resources to boost its own province does not serve anyone except for CoreCivic this Commission has heard from advocates, detained individuals, loved ones of detained individuals, as well as Torrance County residents, about the horrible conditions inside TCDF This prison isn't sustainable for anyone. I urge the County Commission to end its contract with ICE and CoreCivic and focus on investing in sustainable, long-term solutions for the needs of this County. Thank you.

~Comments By Zoom~

Ian Philabaum - Innovation Law Lab: Morning, Chairman, Commissioners and community members. I'm Ian Philabaum with Innovation Law Lab. This is a recording from Gerald detained by ICE and CoreCivic contractors of the County who run TCDF. As a warning, he mentions a suicide attempt by someone detained. Gerald also wishes to note that from Analog phone Camera room and is facing life

or death, for his asylum matter. But has not been able to access an adequate Law Library to prepare his case.

Gerlad- Detainee at TCDF: I can say with my full confidence, these facilities should be closed. A lot of things are happening here hiddenly, because I've have witnessed somebody attempting to kill himself because of food. The food was not enough. The quantity we have, full grown adult. You can put two spoon of rice that will take me for a that is crazy. So, this facility should be shut down as fast as possible, because people are going through a lot. People will die, and people are already dying here because of the way they manage. They don't consider us as humans at all. They don't consider the police immigrant as human. So please, we are talking. We are calling on people of good conscience to see what is happening, particularly in CoreCivic.

We know that they are good, that people outside with a good conscience that can help see what is happening here in this place, a lot of people are going. I was locked up for two days because I demanded Law Library. They said I have mental problems. I said, "No, I'm okay. I don't have a mental problem." They took me to mental health, and then they locked me up. Why was I locked up? There was another person who is living on oxygen. The way they treated this man was the nursery close to me. I was even mad. The demand is an old man already he will be crying. Nobody's attending to him, nobody.

PJ Podesta- Innovation Law Lab: Morning Commissioners. I am PJ Podesta with Innovation Law Lab and I'm sharing someone who's been detained by ICE and CoreCivic at TCDF since February of this year. He and his community members on the East Coast are desperate for him to get medical attention while detained at TCDF or outside, if need be, which it appears to be. Due to an accident before he was detained, Nari had an Ileostomy, a removal of part of his digestive tract. Leaving him vulnerable to gastrointestinal disease. Recently, when water was shut off in TCDF, Nari and others had to stop using the toilet because of the inability to flush. People were instructed to use bags instead of toilets to relieve themselves. During this time, people were not provided with enough clean drinking water and were not able to shower and wash up after themselves.

So, at the same time, I know from Nari that toilets and drains have been clogged and overflowing in several detention units. Detained in these conditions, Neri contracted Giardia and H. Pylori infections and now seems to be fighting an additional infection. Several others detained are also dealing with these infections. Nari has not been physically examined for treatment, and he's dealing with disgusting and painful health problems now, including bleeding and out of control, defecation, and bleeding from the digestive tract. He urgently needs to see a medical professional for adequate evaluation and treatment, which he has not been provided. The people detained at Torrance are almost 2000 miles from home, dealing with a health crisis. Nari and people detained need urgent medical attention. Commissioners, please do everything you can to make sure that he and others are taken to receive medical treatment outside TCDF. As your contractors running TCDF cannot provide it. When we talk about the medical needs of local folks outside the facility, those are critically important as well, but we cannot pit those crucial needs against the needs of people unwillingly locked up in these conditions in Torrance County. Thank you

8. DEPARTMENT UPDATES AND COMMUNICATIONS:

A. FIRE: Fire Department Update- Deferred

9. APPROVAL OF MINUTES

A. COMMISSION: Request approval of minutes of May 14, 2025, regular meeting of the Board of County Commissioners.

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve minutes.

Kevin McCall -County Vice Chair: Seconds the motion.

Roll Call Vote: Linda Jaramillo – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: - Abstained:

MOTION CARRIED

10. CONSENT AGENDA

A. FINANCE: Request approval of payables with a Date Range 05/07/2025 to 05/07/2025.

Linda Jaramillo – County Commissioner: Can I ask a few questions about the purchasing of a Ford truck for \$51,000 is that in the old budget or the new budget?

Misty Witt – Deputy County Manager: That'll be an FY-25 budget.

Linda Jaramillo – County Commissioner: The other one also, so that's doesn't have anything to do with the ones we approve of in the future. Then there's another one with Bank of America for fuel. Has that changed, how do they get their fuel now?

Misty Witt – Deputy County Manager: It has not. So, that was part of the issue with the fuel cards not working when we had all the fraudulent stuff, and the cards were shut down and the cards weren't working. So that was just repercussion of that and paying that off with the P card.

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve payables.

Kevin McCall -County Vice Chair: Seconds the motion.

Roll Call Vote: Linda Jaramillo – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: - Yes:

MOTION CARRIED

B. FINANCE: Request for Approval of Payables with a Date Range 05/08/2025 to 05/21/2025.

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve payables.

Kevin McCall -County Vice Chair: Seconds the motion.

Roll Call Vote: Linda Jaramillo – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: - Yes:

MOTION CARRIED

C. PLANNING AND ZONING: Request Approval of a Special Use Permit for Agua Fria Energy, LLC for the Cedarvale Wind Farm Project.

Don Goen- P&Z Director: I have provided you with a map of the area that's been applied for, and this was, unanimously approved by the Planning and Zoning Board. They're just here today for final approval, and Leon Porter is here representing if you have any questions for the applicant.

Ryan Schwebach-County Chairman: I don't have any questions, but I would like just a brief summary.

Leon Porter- Agent for Agua Fria LLC: Good morning, Mr. Chair, Commission members. A general summary of it. It's approximately 50,000 deeded acres, about 10,000 State trust acres, so a total of about 60,000 acres that we're looking at developing inside that map you have there. And approximately about 700 megawatts is what's slated for right now. It can go up, depending on how much we determine is necessary for the PPAs that we will acquire for it to go up to 1100 megahertz.

Ryan Schwebach-County Chairman: Do you have a projected timeframe?

Leon Porter- Agent for Agua Fria LLC: We intend to start construction late 2026 and be finished operation in 2028 which will match the same time frame as the Real solar transmission line that is slated for construction for Sun Zia Transmission.

Linda Jaramillo-County Commissioner: I have a question, was anybody in the public against the farm, or voice concern.

Don Goen- P&Z Director: There were a couple of people that did have concerns. That part of that was the view. Then just general opposition, which is the blades disposal, which is typical of this type of operation but they were able to voice their concerns.

Kevin McCall -County Vice Chair: So, the generation of this power will be on that new generation line or that new transmission line.

Leon Porter- Agent for Agua Fria LLC: That's the intent right now to put it on that the real solar transmission project.

Kevin McCall -County Vice Chair: Is it too early to know if you're going to go down the IRB road with us?

Leon Porter- Agent for Agua Fria LLC: It is our intent to go down the IRB road when we get to that point.

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve payables.

Kevin McCall -County Vice Chair: Seconds the motion.

Roll Call Vote: Linda Jaramillo – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: - Yes:

MOTION CARRIED

11. ADOPTION OF ORDINANCE/AMENDMENT TO COUNTY CODE:
None

12. ADOPTION OF RESOLUTION:

A. CLERK: Request Approval of Resolution No. 2025-21- A Resolution Authorizing and Establishing Filing, Recording, Marriage License and Copying Fees and Related Charges for the Torrance County Clerk's Office.

Sylvia Chavez- County Clerk: Good morning, Chairman Schwebach, Commissioners McCall, Jaramillo and County staff and those present as well. I think before you today is a resolution. I am happy to say that after many, many attempts, the Clerk's Affiliate was finally able to have legislation passed to increase our marriage license fee. I couldn't even begin to tell you how many years it was at \$25. We've now been able to raise it up to \$55 and this was something that the Clerk's Affiliate have tried passing for the last four legislative sessions. So, I am happy to say that we're finally at a competitive rate with our neighboring states. In Texas, I believe it's \$125 for a marriage license in Arizona, it's \$100 in Colorado, believe it's \$85. So, a lot of those neighboring Counties, we're seeing people coming from those states to New Mexico to get a marriage license for \$25. You know, \$55 is not a lot of money, but it's an increase, and I'm happy with that increase.

You'll see that it's broken down on how exactly it's going into the general fund. There's, of course, \$20 that always goes into the children's fund. That is something that for every marriage license, going forward, \$20 is allotted for the state to issue and that helps also with CYFD. Finally, I can say that we're going to be getting an increase to the Clerk's Equipment Fund. That has been something that we've never

been able to get. The Clerk's budget never got any money from a marriage license. It just went straight to the Children's Trust Fund or into the General Fund. But now \$15 will be going straight to the Clerk's Equipment Fund. So, this is good news for the Clerk's Office, and I did attach what we currently charge for everything else in our office. I just figured I would do an overall review of everything, as far as our recording fees, what we charge for copies in our office, our Business Registrations, Liquor License for a year. Then, of course, our copies and our certified copies are attached. So, I am just asking that you guys approve the increase for our Marriage License fees, but just overall general fees for the Clerk's Office.

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve Resolution No. 2025-21

Kevin McCall -County Vice Chair: Seconds the motion.

Roll Call Vote: Linda Jaramillo – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: - Yes:

MOTION CARRIED

B. FINANCE: Request for Approval of Resolution No. 2025-22- A Resolution Requesting a Budget Adjustment to the FY25 Operating Budget.

Misty Witt – Deputy County Manager: Commission, Chair. Just for entrenchment for the public as well, the attachment in the packet is incorrect, so the Commission has been provided with the correct resolution for 12 B for item adjustments. So, if we look at Schedule B, this will be the page that we're looking at for these budget adjustments. Most of them are to adjust for the revenues that we received above and beyond what was budgeted. We did receive an audit finding on that last year. So, we wanted to make sure that these revenue budget adjustments are captured this year. There is one small budget adjustment for the Probate Office because of a data entry error in the FY 25 budget for both travel and training.

Kevin McCall -County Vice Chair: One that sticks out to me is that \$850,000 for the gross receipts, that's above and beyond what we projected.

Misty Witt – Deputy County Manager: That was above and beyond what we projected. Plus a little bit to get through the end of the year, because I believe there's still two months of the year that needs to get entered into Tyler.

Kevin McCall -County Vice Chair: Correct me? If I'm wrong, I thought gross receipts was not flat, but not up like that.

Misty Witt – Deputy County Manager: It's not up like that. So, when I did our comparisons, I was trying to compare out the actuals versus budget.

Kevin McCall -County Vice Chair: We know what we budgeted.

Misty Witt – Deputy County Manager: For County wide, 1405 we budgeted \$2,082,507

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve Resolution No. 2025-22

Linda Jaramillo-County Commissioner: Seconds the motion.

Roll Call Vote: Linda Jaramillo – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: - Yes:

MOTION CARRIED

13. APPROVAL/ACTION ITEMS

A. EMERGENCY MANAGEMENT: Request Approval of Intergovernmental Agreement for Fiscal Years 2026 through 2029 from the Department of Health Regarding the Cities Readiness Initiative (CRI) Grant Funding.

Samantha O'Dell- Emergency Management: Good morning. Samantha O'Dell Emergency Manager, this is the City's Readiness Initiative document that comes before you every year. Although it's slightly different this year, it's normally in the form of an MOA for one year. What they've done now is they've made an Intergovernmental Agreement, and it's for the four years. The general idea of it is still the same. On page nine, you can see the tasks that are basically assigned to us, and then we receive funding for completing each deliverable. It's broken down to \$18,000 per year, with a maximum of \$72,000 over the course of the four years for this agreement.

Kevin McCall-County Vice Chair: So, that went from annually to four years, right? That was the Feds doing that?

Samantha O'Dell- Emergency Management: It is part of the struggles that I think lead to that is every year there's an issue getting the agreement passed, and so there's always October, December and people are still trying to get the contracts

completed in that short amount of time from the deliverables. So, they're trying to prevent some of those issues.

Kevin McCall-County Vice Chair: They're forcing everybody to go to the four years, or have you just chosen to do this?

Samantha O'Dell- Emergency Management: No Department of Health chose to do the four years.

Linda Jaramillo-County Commissioner: That suits you better?

Samantha O'Dell- Emergency Management: You know, the agreements are pretty much the same from year to year. So, I don't see an issue with it. They are giving us more money this way than we've received previously per year.

Kevin McCall-County Vice Chair: Doing \$18,000 but it was what.

Samantha O'Dell- Emergency Management: It varies from year to year. The current one is \$10,500 it's normally between \$10,000 and \$12,000. This is the most that it's ever been from what I can find in the previous years.

Kevin McCall-County Vice Chair: What do you use this money for?

Samantha O'Dell- Emergency Management: We use the funding for our Code Red Emergency Alert System. We use that for our annual fees, and we do have some in there, additional that we've kind of saved over the years. I'm hoping to put towards some of the radios for the EOC. They don't have a specific requirement, but it's strongly encouraged that it goes towards items that meet the deliverable and to being better prepared in these situations.

Linda Jaramillo-County Commissioner: You can carry some of that money over you said? You have some saved is that correct?

Samantha O'Dell- Emergency Management: This funding carries over if we don't spend it.

Kevin McCall-County Vice Chair: But they're still just going to allocate you annually. They're not going to give you the \$72,000 up front, are they?

Samantha O'Dell- Emergency Management: No, they're going to give it to us as we meet the deliverables up to \$18,000 annually,

Action Taken:

Kevin McCall-County Vice Chair: Motion to approve.

Linda Jaramillo-County Commissioner: Seconds the motion.

Roll Call Vote: Linda Jaramillo – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: - Yes:

MOTION CARRIED

B. GRANTS: Request Approval of (1): a Grant Agreement Between Torrance County Animal Services and the Carroll Petrie Foundation (Grant Number 2025-47) in the Amount of \$50,000.00 for Emergency Veterinary Services and (2) Delegation of Signature Authority to the County Manager to Execute the Grant Agreement.

Luke Fields- Grants Administrator: Good morning. County Commissioners. Mr. Chair, Madam Jaramillo, Commissioner McCall. Luke Fields Torrance County Grants Administrator. This is the agreement for the application that you approved when I first started coming to the BCC meetings. The Carroll Petrie Foundation is a long-standing grant relationship that we have. We use it for emergency veterinary services, but mainly for the spade and neuter program. We have some plans this year to make sure that the funding gets utilized for a wider amount for the Community, and we're looking forward to doing that. This is no match for this grant. There is no liability to the County, other than we spend it on what we say we'll spend it on. Which is emergency veterinarian services and spade and neuter program. I'll stand for any questions, and of course, with me is the Danette Director of Animal Services.

Danette Langdon- Director Animal Services: Good morning, Danette Langdon Director Animal Services.

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve.

Linda Jaramillo-County Commissioner: Seconds the motion.

Roll Call Vote: Linda Jaramillo – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: - Yes:

MOTION CARRIED

C. GRANTS: Request Approval of a Grant Agreement Between Torrance County and the State of New Mexico Department of Finance and Administration Local Government Division DWI Grant Program (Grant Number 26-D-G-31) in the Amount of \$95,000.00 to Support Programs, Services and Activities to Reduce Incidents of DWI, Alcoholism and Alcohol Abuse in Torrance County for Fiscal Year 2026 and Delegation of Administrative Meeting Agenda May 28, 2025 Signature Authority to the County Manager to Execute the Grant Agreement.

Luke Fields- Grants Administrator: Commissioners. This is another long-standing grant agreement that we have every year with the state of New Mexico for their local DWI program. There's two parts to this, of the distribution part of the DWI program, and then there's the discretionary grant part of the DWI program. This is a discretionary part, and they awarded us \$95,000. We did request more than this. It is less than what we were really hoping for. The main reduction in what we requested, as opposed to what we were awarded, was funds for law enforcement partners, the patrols for Torrance County Sheriff's Office was fully approved and is included in the budget, but we were hoping to take funds to match from last year what we used on additional patrols, and use them with law enforcement partners such as Estancia PD, Mountainair, and anyone else we have an MLA with, but they just didn't go for that this year, I'll stand for any questions.

Linda Jaramillo-County Commissioner: Does this include a salary at all for the DWI coordinator?

Luke Fields- Grants Administrator: I believe so. Yes, we got a yes over here in the right corner. I will defer to the County Manager. Thank you.

Kevin McCall-County Vice Chair: What did we request?

Luke Fields- Grants Administrator: I think it was about \$80,000 over this and that was, again, mostly for law enforcement partners, for DWI patrols.

Kevin McCall-County Vice Chair: They've been granting us those kinds of funds in the past?

Luke Fields- Grants Administrator: Well, our request for Torrance County Sheriff's Office was significantly higher in the past, when we asked this year, due to their staffing levels, they request, I believe, \$3500 that was fully funded, and the rest of it we tried to put towards law enforcement partners.

Kevin McCall-County Vice Chair: You're saying, because of our lack of staff, is what they looked at?

Luke Fields- Grants Administrator: Well, there's kind of a big push with this program. There used to be a lot more components, and one of the big components was that additional patrols, but that's been moved into community wellness, and what they really want to see to provide funding for things like treatment programs, but we just don't have a lot of those in Torrance County, and it's hard for us to request funds for those everything we did request for waves behavioral health was approved. But again, it's just the narrowing of what they're looking for, and what we've requested in the past doesn't necessarily fit into those categories as much as it used to.

Ryan Schwebach-County Chairman: So, like on behavioral health, it would have to be for something within the County, not just serving County residents.

Luke Fields- Grants Administrator: I believe that would be fine as well, and that's something we should definitely look at to try and increase with Daniel Boone, I forget what his title is, the Misdemeanor Compliance Specialist to get folks into programs that aren't necessarily in the County but just serve the County residents.

Kevin McCall-County Vice Chair: Is it safe to say that we just need to tweak our request next year? You've learned what they're looking for.

Luke Fields- Grants Administrator: Yes, we will definitely take that into consideration. Also, we did have some changeover between a lot of staff while this application was being written, it still went out as a good application. But I think now with having DWI coordinator, Myra and then also Mr. Boone in their positions, working and knowing how to apply the funds to the Community to get the best bang for the buck, we'll be able to hit those guidelines a lot more accurately next year for the ask.

Kevin McCall-County Vice Chair: I don't know if Misty or the Sheriff can answer this, but were y'all counting on these funds that we didn't get? Are they in

the budget the way you've got them, or is it going to be short? Is it going to leave that budget line item, short?

Misty Witt-Deputy County Manager: So, there is still a small amount in the budget for law enforcement activities. I think that'll go mainly to our Sheriff's Department versus the outside agencies we've had MOUs prior with other law enforcement agencies, so that would kind of pull back on theirs a little bit and allow the Sheriff's Department to take on more as they have bandwidth.

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve.

Kevin McCall-County Vice Chair: Seconds the motion.

Roll Call Vote: Linda Jaramillo – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: - Yes:

MOTION CARRIED

D. FIRE: Request Approval of an Unauthorized Purchase for New Mexico Apparatus in the Amount of \$240.75 for an Oil Change Service.

Gary Smith- County Fire Chief: That was an honest mistake. It needed an oil change. I didn't understand the PO process.

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve.

Kevin McCall-County Vice Chair: Seconds the motion.

Roll Call Vote: Linda Jaramillo – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: - Yes:

MOTION CARRIED

E. FINANCE: Request Approval to Pay a Prior Year Invoice to CoreCivic in the Amount of \$5,787.18 for Court Transport Services of US Marshall Inmates Which Occurred in October of 2023.

Misty Witt-Deputy County Manager: Chair, Commissioners, we received an invoice from CoreCivic this month after requesting a statement of all extending invoices to make sure we don't have anything for the prior year. This was a prior year that popped up from October 2023, that we would like to get paid. We did receive the funds from the federal government for this service.

Kevin McCall-County Vice Chair: So, this is the one that we kind of had heartburn over few months back that we that they promised they they'd get better about sending us invoices. Is that correct?

Misty Witt-Deputy County Manager: Yes, sir, and I've been saying throughout the end of this year, we can make sure that we don't have anything lingering.

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve.

Linda Jaramillo-County Commissioner: Seconds the motion.

Roll Call Vote: Linda Jaramillo – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: - Yes:

MOTION CARRIED

F. MANAGER: Request for Approval of a Contract Amendment for Wilson and Company in the Amount of \$124,199.75 for Additional Design and Engineering Services for the Torrance County Administrative Building Project.

J. Jordan Barela- County Manager: Thank you, Mr. Chair, we were presented, and we're still working through the process with Wilson to change the site location of the new Admin Building to the Circle Barn Ranch subdivision, the property we own directly adjacent to the courthouse. Through that process, Wilson has proposed a change and an adjustment to their contract to include some additional fees. So, page three of the agreement that's in the packet of material has a breakdown of what those fees are and what comprises that \$124,000 and some change. Looking at that page, about \$33,400 was to appropriate alternative site design at the new location, changing that location from Alan Ayers \$39,000 was related to doing civil engineering and drainage reports associated with the new site. As I read this contract amendment, the \$16,000 cited for value engineering of the building were services related to getting the overall building footprint down through value engineering to the \$14 million price point.

Originally it was appropriated for about \$22 million but to ensure that was within budget, those value engineering services to include the estimation comprises that \$16,000 and then the increased fees based on increased building costs. Essentially the service fees associated with the contract are a percentage. It's about 6.5% of the maximum allowable construction cost, and initially, when the contract was

executed, that maximum allowable construction cost was just over \$7 million since the final building design has been identified and that allowable construction costs have gone up to about \$14 million. That difference is a 6.5% of \$14 million. I reached out to Wilson and Company yesterday to see if they would be available to be on today's call. I haven't heard back from Scott, so I'm not sure if he's available online to answer any questions.

Kevin McCall-County Vice Chair: I have some, but sure you can't answer them.

Ryan Schwebach-County Chairman: So, my first question, so if we're getting charged, oh, additional \$72,000 for site design change of location, where's our original site design and drainage for the original location? Do we have that?

J. Jordan Barela- County Manager: I have not seen that. Mr. Chair directly.

Ryan Schwebach-County Chairman: I need the proof that they put the money into it. We need something, you know, the change in increased fees based on increased building costs. I don't think we can get around that. What's value engineering of the building.

J. Jordan Barela- County Manager: The value engineering component of it, Mr. Chair, based off my understanding was based off the initial design for the footprint, as it currently stood at 30 plus 1000 square feet, was about \$22 million. So, the value engineering design was changing some of the construction materials, some of the roofing material. Reconfiguring the internal design to take the next year was to get it down to the to the \$14 million price point.

Ryan Schwebach-County Chairman: This is where I have a hiccup. Is because when we went into this engineering, we never gave them a \$22 million budget ever. So, I would like them here and discuss it with them. Not willing to pass this right now.

J. Jordan Barela- County Manager: That's fine, Mr. Chair. I will reach out to Scott and the team to get them here, and then we could table this item. I will get them before the Commission to answer some of those more detailed questions. But in addition, I could preempt them as far as some of these costs have been. What inputs are kind of going into these sum totals for these lines to make sure that information is readily available.

Ryan Schwebach-County Chairman: We have a motion for anything?

Linda Jaramillo-County Commissioner: We have to have a motion to defer.

Ryan Schwebach-County Chairman: We can move on for lack of motion.

No Action Taken Lack of Motion

G. MANAGER: Request Review and Potential Approval of a Professional Services Agreement Not to Exceed \$59,999.99 Between Torrance County and Vertias Services, LLC. for Project Management Services for the EMWT Project.

J. Jordan Barela- County Manager: Thank you Mister Chair, so just to give the Commission a little bit of background in relation to this professional services agreement, based off the Commission's direction that the County did go out twice to RFP for potential Project Management Consulting Services for the EMWT project to help get some phases of those project off the ground. Through that procurement process, we didn't get any qualified bidders to come to the table and submit a proposal. Subsequent to the two RFPs that went out. We were in communication with EMWT, and they did notify us that Vertias Services LLC, who is owned by Mr. Ed Cardenas was willing to come to the table and provide those services based off the scope that the County had initially put together and put out based off that RFP. That has been provided, though it's not included in the attachment in the packet, it has been provided to the Commission at the table. So, the agreement initially was to get a small purchase not to exceed \$60,000 for a Project Manager. Mr. Cardenas has reviewed the scope of work that was included in the RFP. He felt as though that was amenable. That scope has also been reviewed by the EMWT board. They felt that was amenable. So, this professional service agreement would allow merit to services to provide Project Management based off our scope of work, based off an hourly rate of \$125 an hour, we would be billed against that hourly rate, though the total compensation could not exceed \$59,999.

Linda Jaramillo-County Commissioner: Is Mr. Cardenas here?

J. Jordan Barela- County Manager: Yes, Commissioner.

Ed Cardenas- Vertias Services LLC: Good morning, Ed Cardenas with Vertias Services LLC.

Linda Jaramillo-County Commissioner: Have you been working with the EMWT before this contract?

Ed Cardenas- Vertias Services LLC: I owned a water utility in Edgewood for about 40 years. Then, sold that to Epcor and began a Consulting Services Company for other utilities, co-ops and public utilities, because we were a public utility. So, my expertise in the utility business was enough just by going into business as a consultant other utility that are black experience.

Linda Jaramillo-County Commissioner: That's not a full-time job, right? You'll be as needed?

Ryan Schwebach-County Chairman: So, I'm going to chime in and Ed, you've been visiting with EMWT, but I just want to make sure we're clear on some things, what they're asking you to do is essentially help them get set up, because they're just becoming brick and mortar. They've acquired one water system, and now we have this project, though, and so expand on what EMWT is wanting you to do. If you could just briefly summarize that.

Ed Cardenas- Vertias Services LLC: Well, their scope of work was the various components for forming a utility, not limited to the day-to-day operations. but the construction and supervision of whatever may come up with other utilities as well. Not just homestead, the one that they're purchasing now. Eddie with EMW gas we were talking about it years ago, and he's trying to give as much guidance as he could. but he needs more, and more than just a phone call. He's meeting somebody that can take the reins on regulatory issues, Environment Department and conformance issues. So that's how I came into the picture. Guidance. In that respect, there is a, I don't know if you have a copy of the scope or that they're proposing. I have been attending the meetings just to help. We had one last night.

Ryan Schwebach-County Chairman: So, you guys have any questions?

Linda Jaramillo-County Commissioner: On the renewal? This is just for one year.

Ryan Schwebach-County Chairman: It's just one year for up to three additional years. Okay, so to explain a little bit more with EMWT, we're kind of like that chicken and egg type thing. That's where the County comes in for this position, to help them get going, to get started. My intent is not to go past a year on this,

because they need to stand alone. So, that's why this is in one year. Correct me, if I'm wrong, I've been told with the scope of work, with what you see in front of you, it's not going to get up to \$60,00.

Ed Cardenas- Vertias Services LLC: I don't see anything even close to that.

Ryan Schwebach-County Chairman: So, the reason I think this Commission is kind of sitting here a little hesitant is because we're funding for a position that EMWT is going to be managing. Am I correct in saying that? So, I think the only change is firstly, I think we need to move forward with this. We just need to have some checks and balances. From the County perspective. The reason \$59,999 was chosen is because, as the Manager said, we've gone out for bid for this. We didn't get it. So now, if we keep it below the \$60,000 matches, that there's no reason why we kind of drop that to \$30,000 in case we go over \$30,000 we come back before the board mid-year. I think that it would be wise if everybody's agreeable to it, just to keep checks and balances to where the Commission knows what's going on. The other thing is, we need to come up with a reporting system for you to report, to give updates on the going ons, on what you're doing to our County Manager, to where we can just know where we are. And that would be the only reason I don't. We don't need to be managing that. We just need to know what's going on, which I would prefer directly from you

Kevin McCall-County Vice Chair: I would appreciate direct communication with the County, since it looks like the funding mechanism is the County, my question comes more down to funding. Where is the funding coming from? So, this isn't a question for you by any means, but have we set some money aside for these services, or is this money that we already have given EMWT? I mean, it wouldn't be coming before us if it was EMWT money.

Ryan Schwebach-County Chairman: Don't think we ever sent money aside. I mean, well, rights and reasons we fall out of the general fund. If we spent all the money that we set aside for EMWT, if it's available there, I'd pull it out of there.

Kevin McCall-County Vice Chair: I guess when I say setting money aside, it was some of those funds that we had, that we had committed, we've committed to EMWT.

Ryan Schwebach-County Chairman: We used all those up or not, so those are mostly tied up in the water acquisition. I was thinking they were all tied up.

Misty Witt-Deputy County Manager: So, the funds that we have in mind for this will be coming out of infrastructure, out of savings that we did not spend in FY-25.

Linda Jaramillo-County Commissioner: So, this was brought before the Commission when?

Ryan Schwebach-County Chairman: When we went out for it, we have set funds aside for that.

Misty Witt-Deputy County Manager: We had them in our infrastructure.

Linda Jaramillo-County Commissioner: One more time on the renewal. It reads that one year term at a time for up to three additional. What does that mean?

Ryan Schwebach-County Chairman: It's got to be renewed every year. You can't do it for more than three years; it's kind of like auditors accounts. You can only use them for three, the same type of thing. That's how this contract works. We feel like we need to move forward with it, we move forward with it again.

Linda Jaramillo-County Commissioner: If we don't, we just terminate. We have the option of terminating.

Ryan Schwebach-County Chairman: The purpose of this is the County has invested money within the water aids, there is money available to start this project. EMWT, at this point, is a volunteer organization on board members that sit there. I feel that we need a professional paying attention to what's going on, to make the County aware that things are on track. Money's flowing, documents are where they need to be. The State's happy, the funding sources are happy that we don't miss time. Because that's happened in the past. So, it's the Quasi Project Manager, that sort of thing. I really believe that within a year's time, once we start getting there, the County will be stepping out of it.

Linda Jaramillo-County Commissioner: Do you feel like one year is enough to get EMWT on their own?

Ed Cardenas- Vertias Services LLC: I do you do once the staff is in place, that's when, in my scope, it is to find a qualified operator, water operator. Initially, I'll be taking that position because I am a certified water operator. I have contacted others that are interested in that position, so that's one of the issues.

Linda Jaramillo-County Commissioner: You'll be teaching them all along?

Kevin McCall-County Vice Chair: You're familiar with the system that they're about to purchase

Ed Cardenas- Vertias Services LLC: That's correct. We did work for Wallens on that system.

Linda Jaramillo-County Commissioner: What system is this?

Ryan Schwebach-County Chairman: Homestead Estates, just north of Moriarty. So, I'll make a motion, to approve the professional contract services with the amendment not to exceed \$30,000 and to provide the monthly reports to the County Manager.

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve

Kevin McCall-County Vice Chair: Seconds the motion.

Roll Call Vote: Linda Jaramillo – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: - Yes:

MOTION CARRIED

14. DISCUSSION

A. MANAGER REPORT

J. Jordan Barela- County Manager: Thank you, Mr. Chair. Just a couple of items to update the Commission on today. We are currently in the process of evaluating our ICIP, and the original document will be presented to the Commission during the first meeting in June. We're looking to identify new potential projects to add to that ICIP list. Right now, our hopes are that the first meeting in June, we can get some direction from the board in terms of ranking and prioritizing those projects, and then the official ICIP to include the public hearing component will come back the first meeting in July, which I believe is the 9th, and then that is going to be due to the state on July 11th. In addition, I wanted to make the board aware that the fairgrounds RFP process for a contractor is moving forward. We had several qualified applicants for that.

We did the initial evaluation, and our top candidates went to the interview process, and I'm not at liberty to name anybody right now, but the committee did select a contractor to move forward with into contract negotiation. So, we are in that process right now, and our hopes are that if we can come to negotiations over the next couple of weeks, that we will likely bring forward that contractor selection with that a contract the first meeting in June as well. Then lastly, I did want to make the board aware as it relates to the Circle Barn Ranch properties that I am set to give a presentation on the Commission's proposal to the Estancia Valley Solid Waste Authority Board during their meeting in June. So that process is moving forward as well. That concludes, my update, Mr. Chair.

B. COMMISSIONERS' REPORTS:

1) Commissioner McCall, District 1

Kevin McCall-County Vice Chair: I don't have a lot to update. Other than we did further our meeting with the DOT about the right of ways and who's maintaining them for the fears that we are going to be pushed up the chain of command, beyond the D.O.T. Possibly to Commissioners or Secretary of Transportation, and maybe all the way to the Governor. So, we had a good meeting. I think they heard us loud and clear out from our side of things. They really didn't have a reason why they're saying what they're saying, other than it's in statute. They kept reading statutes, pointing back to statutes. But our question was, it's never been that way in the past, and so why is it now? I kept holding firm on I feel like it's an unfunded mandate. If they're going to mandate us to do this maintenance on these right ways then where's the funding mechanism so, it's stalled out again till we get the higher ups. That's all.

2) Commissioner Schwebach, District 2

Ryan Schwebach-County Chairman: I don't have a whole lot to add. Couple things, water was not shut off for weeks at the prison. I don't know where you got your information, but it's wrong. They were able to flush. They were not asked to poop on plates, which you didn't say this time. I appreciate your enthusiasm, and I appreciate your tenacity. I don't appreciate the misinformation. Well, the fact of the matter is that I'm not going to waiver on my support.

3) Commissioner Jaramillo, District 3

Linda Jaramillo-County Commissioner: Well, as you all know, I had shoulder replacement surgery on May 8. I couldn't attend one of the meetings but have been attending since then. I attended the Special Meeting. I'm going to do physical therapy now, so it's going to be long. I must be diligent about using this arm, and probably six months, but this will come off in about two months, I think, depending on how well I do. So, I attended the Special Meeting where we approved the budget. I had gotten a copy of the meeting and the audio from the Clerk's Office. So, I was able to listen to everything that was discussed at that meeting about the interim budget.

So, when I came to the Special Meeting, I was very informed about what others had said and the department heads. I attended the LEPC Local Emergency Planning meeting on May 21 here at this building. At this meeting, the committee members adopted the hazard mitigation plan for Torrance County. Hazard mitigation plans are prepared and adopted by Community members with the primary purpose of identifying, assessing and reducing the long-term effects of life to property. In case of hazard events, or what do you call them disastrous events, Samantha is very good at what she does. The plan will go through, then Samantha goes through the state and that takes a long process.

Samantha O'Dell- Emergency Management: We haven't been able to get a clear time frame on how long the state will take, and it will go to FEMA, and they have 45 business days. But we do know that there's some that have been waiting for 60 days.

Linda Jaramillo-County Commissioner: Who are the entities involved?

Samantha O'Dell- Emergency Management: Village of Willard, Village of Encino, Town of Mountainair, City of Moriarty, Town of Estancia and the three soil conservation.

Linda Jaramillo-County Commissioner: They are all represented in the committee, right? After that LEPC meeting, Samantha was kind enough to give me a ride, because I can't drive right now, give me a ride to the dinner in honor of the local Emergency Professionals. I met a lot of people who help take care of our people in case of emergencies. I also talked to the helicopter crew who came in, they flew into the meeting, and I was able to talk to them. Contrary to what other people say, they feel that helipads would be good for the County, as far as safety for them, driving at night and flying in at night. So, they said that they would come to the meeting and present something to us about helipads. I know that the wind farms want helipads, so maybe we could start there. I know Manzano at the next

land grant meeting, they're going to discuss putting a helipad in that area, in the mountains. So, I think it's a good thing that we do have helipads. I know some have said we don't, but I feel like we do, and so do the people who fly those helicopters. I think that's about it for me.

15. EXECUTIVE SESSION:

- A. Discussion of Limited Personnel Matters 10-15-1.H(2) NMSA 1978:
Performance Evaluation of the Deputy County Manager.

Action Taken:

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

Kevin McCall-County Vice-Chair: Seconds the motion.

Roll Call Vote: Linda Jaramillo – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Absent: Kevin McCall – County Vice Chairman: - Yes:

MOTION CARRIED

Entered executive session 10:03 AM

Action Taken:

Ryan Schwebach-County Chairman: Motion to return from Executive Session.

Kevin McCall-County Vice-Chair: Seconds the motion.

Roll Call Vote: Linda Jaramillo – County Commissioner: - Yes: Ryan Schwebach – County Chairman: – Yes: Kevin McCall – County Vice Chairman: - Yes:

MOTION CARRIED

Returned from executive session 10:33 AM

16. Announcement of the next Board of County Commissioner's Meeting:

June 11, 2025 at 9:00AM

17. SIGNING OF OFFICIAL DOCUMENTS

18. ADJOURNED.

Action Taken:

Ryan Schwebach-County Chairman: Motion to adjourn.

Linda Jaramillo-County Commissioner: Seconds the motion.

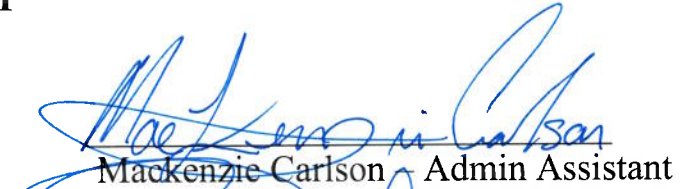
Roll Call Vote: Linda Jaramillo – County Commissioner: - Yes: Ryan Schwebach
– County Chairman: – Yes: Kevin McCall – County Vice Chairman: - Yes:

MOTION CARRIED

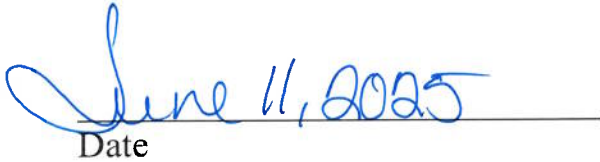
The meeting adjourned at 10:34 AM



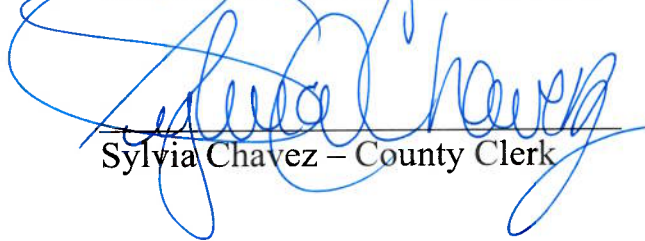
Ryan Schwebach – Chairman



Mackenzie Carlson Admin Assistant



Date



Sylvia Chavez – County Clerk

The video and audio of this meeting are available upon request.