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Torrance County Board of Commissioners Regular Commission Meeting July 09, 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
GENELL MORRIS – ADMINISTRATIVE ASSISTANT III
DONALD GOEN – PLANNING & ZONING DIRECTOR

1. Call the Meeting to order.

Ryan Schwebach-County Chairman: Calls the July 09, 2025, Regular Commission Meeting to order at 9:05 AM.

2. <u>Pledge led by:</u> Ryan Schwebach– County Chairman

<u>Invocation led by</u>: Kevin McCall – County Commissioner

3. Changes to the Agenda:

Jordan Barela- County Manager: Defer items 9A and 14 B.

- 4. PROCLAMATION: None
- 5. AWARDS and RECOGNITIONS: None

6. BOARD AND COMMITTEE APPOINTMENTS: None

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

Jess Lopez – VFW: I'm here to represent the veterans of the Torrance County community and petition for approximately \$20,000 to add new names to the Moriarty Veterans Monument Wall. I'm a Veteran and a member of the Veterans of Foreign Wars here in Moriarty. I'm accompanied by a father, Chad Hamilton, whose son was in the military and passed away in active service, and our chaplain of our VFW Post 3370, Mike Haynes. I was able to contact the organization, known as a company, that would be able to continue the work on the monument for us. They gave us an invoice of 100 names and a medallion indicating the service that the member was part of when they served. It would cost \$20,000. We're still working with the City Council of Moriarty, Steve Anaya, and Chris Anaya. If we can get commitment by all means, we'll start going forward.

Ryan Schwebach-County Chairman: We're aware of this. Luke has more information. We will discuss this after public comment.

Danette Langdon-Animal Shelter Director: There is a state grant for spay and neuter that I need to apply for. It's due on the 17th, and I was not able to get it onto the agenda. Luke will be able to answer some questions later, when he comes up, but I wanted to mention it. Thank you.

Rick Lopez – Lay Minister for the Catholic Church: I want to start by thanking the Commission for their steadfast courage in the opposition to the Correctional Facility here in Torrance County. I bring the gospel to the Torrance County facility. I do two services a week, and I'm back in there with the inmates. I want to tell you that being safe and receiving the required services are the keys to incarceration. Torrance County does a stellar, steadfast job in providing those three assets to it. The people are professional, and they're courteous. I've been doing this for a year and a half. I speak to the inmates personally, one-on-one. It's like third grade school, kids running for class, talking about, if I'm the Student Body President. I'm going to bring better lunches and longer recesses. It's the same thing if you're used to a different diet, but their food meets all nutritional and calorie

requirements. They have ample recreation time. They have ample screening for medical issues. They are cared for better than most prison systems throughout New Mexico. The ones that have been incarcerated for a lengthy time want to come here because it's drug-free. The Correction Officers are honest. They go by the book, and they feel safe and secure. Thank you very much for your time. Appreciate it.

*Comments by Zoom

Ian Philabaum - Innovation Law Lab: At the last Commission meeting, Chairman Schwebach called into question the credibility of statements we share from people detained in the Torrance County Detention Facility. This was not the first time this has happened. I want to clarify for the record that our job is to advocate for our clients. Torrance County is a responsible party in terms of the legal and human rights of people detained in TCDF. We are thus sharing testimonies directly from our clients, directly with Commissioners and community members, as our clients have asked us to do. In addition to the Torrance County Commissioners, we also engage ICE, federal oversight agencies, and other local officials. Ensuring all responsible parties are aware of this critical information, and we have appreciated the times that Commissioners have acknowledged this, yet we are compelled to correct the record. In May, after we shared what folks detained said about recent sewage backup and a lack of water, Chairman Schwebach described these accounts "unfounded" two weeks later, US Senator Heinrich staff went into TCDF, and the senator then wrote to the acting director of ICE, "after visiting pod 7B at TCDF and witnessing backed up sinks a drain in the middle of the common area, backing up with sewage water and nonfunctioning tablet devices which detainees use to access legal services and hearing about at least 10 detainees file complaints of verbal and physical abuse, a lack of access to laundry services and being forced to wear old, dirty and tattered clothing and a lack of access to medical services with an ICE official. The ICE Agent in charge prevented my staff from visiting pod 7C & 7D." I asked the Commissioners to believe these fellow human beings and their loved ones calling for understanding and a response rather than minimizing people's lived experiences. Torrance County does not have to keep saying yes to grave harm and intense cruelty. Please end the contract with ICE and CoreCivic. Thank you.

Tiffany Wong - Innovation Law Lab: Since starting to deliver public comments based on the experiences of people detained at the Torrance County Detention Facility starting in late 2023, my colleagues and I have increasingly focused on sharing testimony directly from people inside the facility. These are residents of Torrance County, and people we meet in the course of providing legal services and advocating for people's well-being. We have less often discussed the broader impacts of detention at TCDF, how the harm people suffer there sticks with them even after they're gone. A loved ones of those detained suffer because of the suffering of their family members. These are quotations from recent messages we've received. These are unsolicited comments shared as reflections, which we then asked for permission to share because of how illustrative they are from the partner of someone detained. "The system doesn't help them. What they do with the people detained is heartless. If I could sue ICE in the County for everything, I would. No one can stand this inside there. What they did to her loved one was abuse, and he got an illness that he didn't have before. God willing, they'll close this place.", from the daughter of someone previously detained. "My dad was deported. He had already reached breaking point at the time of release. My dad, I fear, is irreparably broken. I keep in touch with a lot of people who are detained, and they suffer." Then she quotes someone previously detained, who said, "I wake up with anxiety. Many times, I wake up crying, shaking from fever. It's a lot to take." Sadly, messages of these types are quite common for us to receive, and this is why we return to every County Commission meeting with more stories of what people inside and their loved ones are suffering. We ask that the Commission take these accounts to heart and recognize the real harm that people experience because of the County's complicity in ICE detention and promptly move to end the County's support for TCDF.

8. Department updates and Communication: None

9. APPROVAL OF MINUTES

A. COMMISSION: Request approval of minutes of the June 25 special meeting of the Board of County Commissioners. - **Deferred**

10. APPROVAL OF CONSENT AGENDA

A. FINANCE: Request approval of payables with date range June 19, 2025, to July 2, 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

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

12. ADOPTION OF RESOLUTION:

A. MANAGER: Request Approval of Resolution No. 2025-27 A Resolution Adopting the FY 2027 to FY 2031 Infrastructure Capital Improvements Plan for Torrance County.

Jordan Barela- County Manager: This is the third presentation on the ICIP. We've had presentations at the two subsequent meetings, and the ICIP is due to the state this Friday. The first item that you'll see in the packet is the ICIP, and Exhibit A to that Resolution is the list of projects by year, as they were outlined on the board here in the Commission room, based on our last meeting and discussion regarding the rank order of those. From a procedural perspective, for this resolution, if there are requested changes today, we can likely approve the resolution with Exhibit A as amended. If the Commission decides to move projects around. The next item in your packet is scoping forms for the new projects that were added to the ICIP this year. That would include a scoping form to allow for an Economic Development Plan and an assessment of County Real Estate for Economic Development, which was added to the ICIP this year. We also added a project for RV hookups for the Torrance County Fairgrounds. A new plan that's also been discussed prior is upgrades to the Willard Fire Station to allow for that station to house fire staff and function as a central location for central response. We've also added fire suppression for the Indian Hills Fire Station in District One. The last one was upgrades to the Neil Mertz Judicial Complex, which would

include security measures to put a wall between the Sheriff's Office as well as the courthouse that would allow independent access to the Sheriff's Office and into the courthouse. Those are new projects. They have all been discussed based on previous meetings.

The next item in your packet that you'll see is the revised projects. We had a discussion last meeting about a lot of projects where they were worded in the ICIP in a way that we were asking for significant amounts of money for projects without having feasibility studies done, design, and engineering. Any projects in which we had discussed making tweaks to the scope have been revived. Organized in these scoping forms so the Commission can see how those projects have been changed.

The first one is the 24/7 Urgent Care. We've changed that to look at a study for the feasibility of an urgent care facility. Where would it be located? Who would the community partner be? In addition, as part of this process, we allowed the public to comment to provide some insight into what we were doing. One of the projects that was considered was looking at a Behavioral Health Facility in Torrance County. We've amended this to say a 24/7 Urgent Care and Behavioral Health Facility, to put a study together to look at both of those and look at the feasibility and viability of putting those in Torrance County.

Another project that was revised was the Emergency Helipads. We were asking for funding initially for an Emergency Helipad, but we hadn't identified where these would be located, whose property, and what the best strategic location for them would be. This would be requesting funding to plan that process, to identify if this is something that's a community need. Where would we locate these strategically, and how would we go about securing the land, working with landowners, or perhaps it's property that we own. Once we receive funding from the state, we're on a clock to encumber and expand that money. When you receive money, if it takes you a good long while to identify these locations, if it requires a land lease or acquisition, you could put yourself in a position where, by the time it's good. We have these areas, and the grant funding is already expiring, which is a common issue that happens with the ICIP project. From a staff perspective, we would suggest trying to at least have a firm understanding. There's also going to be bumps in the road along the way, about how many do we need? Where do we need them, and what does that cost estimate look like to get these built before we request money for the construction of this.

We've also amended the scoping form for the Emergency Management Facility. It was an Emergency Management Facility and Shelter. That's been turned into an

Emergency Management Facility and Training Center. We are looking at the red building in Moriarty and doing a preliminary feasibility study with money we've already received from the state to determine, this is viable. Can it be done? How much is it going to cost to get it done before we take the next steps of moving forward and requesting actual construction funding for that project?

The Fire Department Water System Plan was an amended scope. There was a discussion about rainwater catchment systems, but some of the feedback we got from the Commission was, Why haven't we looked at other options? Have we looked at farmers, private business owners, other areas where we may be able to look and identify the acquisition of water strategically placed, again, throughout the County, for the Fire Department? Rather than putting rainwater catchment systems at all of these sites and talking to the Chief, we've amended this scope to study, plan, design, construct, and equip the Fire Department with strategically located water sources across Torrance County. Depending on where we need it and what the nature of the source is, that may vary, but looking at a plan to put a comprehensive water network together for the Fire Department would go a long way, not only for fire response, but also for our ISOH.

Regional Animal Shelter. We have requested millions of dollars for the creation of a Regional Animal Shelter, but that scope has been amended to talk about a study to identify who would the community partners be in that what municipalities or maybe towns outside of Torrance County would participate in that what would be the appropriate location, and what are we looking like as far as the needs of the facility and a cost estimate for construction to get us to that point? Those studies would be something to come back to the board and say. This is how we think it could be done, and this would be the cost, and then does the Commission want to go back and request funding from the state to get construction completed?

We are amending the Road Improvement Projects. Initially, we had asked for \$17 million just for road improvements. In talking to Leonard, probably the biggest need right now, as far as finishing off a project, is Martinez Road. We've amended that down to probably a more realistic number of one and a half million dollars for the ICIP in three phases of \$500,000, to pave roughly six miles of Martinez Road from Mexico west to Edgewood. We've fine-tuned that scope to a road-specific project. We may look at individual projects, what's the biggest need? Rather than a blanket ask in the 10s of millions of dollars for roads.

We updated the Roads Assessment and Maintenance Plan. The maintenance plan was an addition to the scope. We already have a project to request an assessment of

all County roads to determine the need. One of the things that we added in there is to put in a routine maintenance plan for roads that are traveled more frequently, which could also include plowing during extreme weather. Formalizing that process and also putting in a scoring criterion for roadways in terms of projects that are looking at being chip-sealed. These are the criteria that we're looking at, as far as population, thoroughfare, and amount of traffic, to determine what roads may be viable for a chip seal project. There's always going to be things that happen in discretion, but at least it formalizes the process of when we're evaluating roads, whether that be recurring maintenance or whether that be projects that we're looking to chip seal. There's a standard and process in place by which we evaluate those roadways.

We also updated the scoping form for the P25/700 megahertz public radio system. We've amended it to include the Fire department, and we've adjusted the funding request accordingly to account for funding that's still outstanding.

In terms of the new projects, the rank order from the last time, as well as what we've done as far as project revisions. The revised projects, when we enter into the ICIP this year, we're going to amend the title and the language to reflect what the Commission wanted to see, as far as the need and the request from the state.

Kevin McCall-County Vice Chair: I appreciate the work that the Commissioners did. I think you've got a great approach with the study side of things. I feel like the past year or two, we've had a pathway to go forward with Capital Outlay, and I think we've succeeded. Now it's time to get the study plan going again and see what the need is. I appreciate the study side of things and changing things on the ICIP. You talked about the helipads, but it's still at \$275 even though you talked about a plan. Do we want to reduce that number?

Jordan Barela- County Manager: We can look at that. In terms of putting this together in the last 10 days, the really difficult part was trying to determine what a good cost estimate for putting a plan like that together would be. It's unique, which is why we didn't address the numbers. If we can get a better understanding of what that number is and what it's going to cost for the plan directly, we can make those changes to the funding request.

Kevin McCall-County Vice Chair: I think \$275 would almost construct it.

Jordan Barela- County Manager: Yes, and I think that's what the initiative was for: 100% construction.

<u>Linda Jaramillo-County Commissioner:</u> I'm going to go meet with Mountainair. They have a helipad, and they said that they could give me documents from start to finish.

Kevin McCall-County Vice Chair: I appreciate the Emergency Management Facility and Training Center. That's great. Leonard and I talked about the funding source and what redoing Lexico could look like. My question is, why is Martinez Road over Lexco Road?

Jordan Barela- County Manager: Per my discussions with Leonard in identifying a singular project this year, that was his feedback, but the specifics, as far as constituent complaints or the level of degradation on the roadways, I can't speak to that specifically.

Kevin McCall-County Vice Chair: It's just a question and maybe a note for next year's ICIP, I'm not asking for it to be changed. I wanted to bring it up. This is a great starting point to turn in for an ICIP plan. I think as the Legislative session comes closer, priorities will come to mind, and then we can make a priority resolution. This Commission can bring forth things that are in this plan as to what we want to do in Santa Fe. With that being said, I think in seven months, it could change.

Ryan Schwebach-County Chairman: Motion to approve resolution # 2025-27
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

Ryan Schwebach-County Chairman: If the Commission doesn't mind, I would like to go back to the Veterans concern.

Luke Fields - Grants Administrator: This is one of the projects that I volunteered to help oversee. This quote is going to help me go out to the community and get some funding for this. There are also some pending things before the department and before the County that I wanted to have closed out, before I approached certain business leaders in the Community about assistance with this. Going forward, especially having this, we're going to have a good starting place to get this done. It'll be a combination of grants, business matching, and then hopefully private donations as well. Theirs a Walmart Spark grant that's

limited to \$5,000, but it's a start. We have a Walmart facility in Edgewood, which is technically Santa Fe County, but I'm sure everybody goes to Edgewood when you need to go buy some stuff, whether it's Smith's or Walmart, and a lot of people from Mountainair go to Belen, and I can ask that Walmart as well for this grant. I want to use a multi-funding approach to get this done.

Ryan Schwebach-County Chairman: Luke's taken a lead on this. We have good contact information with the Post. Can government entities donate to this legally?

<u>Michael I. Garcia-County Attorney:</u> I believe so. It's a public monument Memorial. I don't think there's any anti-donation problem.

Jordan Barela- County Manager: The wall is owned by the city of Moriarty.

Ryan Schwebach-County Chairman: Would you entertain this at the next meeting? To set the stage for other Municipalities, to also donate.

Jordan Barela- County Manager: Yes.

<u>Luke Fields - Grants Administrator:</u> Also, the VFW will have a steak dinner coming up on the 12th; details are still being worked out.

13. APPROVAL/ACTION ITEMS

A. EMERGENCY MANAGEMENT: Request Approval of a Memorandum of Agreement Between Torrance County and Torrance County Amateur Radio Emergency Services to Provide Emergency Communications Support.

Samantha O'Dell-County Emergency Manager: This agreement is to allow Torrance County Amateur Radio Emergency Services Group. TCCARES is ARES, the emergency services piece of a ham radio group. This group of volunteers has come together, who have their equipment and want to do things to help. We have in our CRI agreement one of the pieces, one of the deliverables, which is that we have to do an amateur radio exercise annually. Historically, we've had to borrow resources from other Counties to be able to meet that deliverable. Now that we have our group, we would like to be able to utilize them for that exercise, but also for any other events. We would like to do exercises a few times a year and also have them available for any emergencies as a redundant communication system.

We have some ham radio equipment in our EOC. I'm a little unsure of what exactly works and what's needed for it. That's something they're going to be helping to determine what we need to get the County up to standards as well, to determine where we need to be with that. They do have their equipment as well. There are 91 licensed in Torrance County. In our group, we have about four or five right now, but I expect that to grow as the word gets out and as people become aware of this. They can assist us in an event where communications are down. They can assist us in getting information out to first responders, to other agencies, wherever we need them to set up, they can set up and provide that information. They can also help us get information to the State Emergency Operations Center, and that meant that we're not able to communicate with them. Some licenses have to be renewed every 10 years. They also have to do training exercises, various things, to kind of keep up with them during that period.

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

B. FIRE: Request Approval of: (1) the Reclassification of 6 Approved PRN Positions to Seasonal EMT Employees, (2) Approval of a Job Description for Seasonal EMT Employees, (3) Removal of a Maximum Threshold on the Number of Seasonal EMT Positions, and (4) Authorization to Restrict Hours of Seasonal EMTs Based the Available Budget in FY26.

Gary Smith- County Fire Chief: I wanted to bring to you for approval to change our PRN status of our part-time employees and move them into a seasonal status. The problems we're running into right now are that we're bringing in people, and we're only allowing them to work 19 hours per week, and most of our shift work is 24 hours or 48 hours. It is hindering our opportunity to pull some experience from other departments, just to bring them into work, two or three shifts a month. In reaching out to PERA, PERA was a thorn in our side. They're not allowing us to work more than 20 hours a week, because then you've got to put into their pool for PERA. Changing to seasonal will gain us that opportunity to bring these employees in for 24 or 48 hours and be able to allow them to integrate into working full-time shifts alongside our other firefighters who are learning the craft. The PRN was pretty much dead to me until this opportunity came up. We'll be able to employ

them for nine months. We'll have to put them into a three-month cool-down period where they won't be able to work again, and then we can bring it back on again. We could stagger those employees so they can fill those gaps as we move forward, which also allows us to use those employees and beta test in different areas in the County. Then we can put those employees into those positions to say, Yes, this quantifiably makes sense. After we've had them in for three months, they ran X amount of calls, and it's decreased our response times by X amount of minutes. It's going to be a positive thing for us, and it's no harm, no foul. If it doesn't work in that application, we can go back to what we were doing before. This will allow us to bring more people, and experienced, into this department, to help train some of our full-time employees. Also, we only have an allotment of six right now. Common sense to me. It doesn't matter how many I'd like to bring on 100 of if I could, as long as we're falling into those fiscal constraints, this is what we have allotted for the budget for them in FY 26. I'm requesting that we don't put a cap on the number of employees that we have in the seasonal status. We fall under the constraints of what our budget is for those employees. Volunteers don't fall under this category. They get paid out of a separate pool, out of the stipends that we have for those. Volunteers would have to go to training to be part of this group. Some are already in the process. Volunteers are paid per call. We want to pull in some guys from the City of Albuquerque, for them to come out for 19 hours. They start at nine o'clock in the morning. They got to go home at one o'clock in the morning. It doesn't fit into our new lifestyle for paid staff. If this passes, and as we grow, these will probably be the first employees who will be at the Willard Fire Station. We won't be taking away from the two staffed up north and Moriarty for the 911 response and transports that we have up here, because this is a line share of the calls. We can move them down there and try and beta test. This is working for us. Our response times are cut in half. We're making strides and responding to these other very remote locations in the County with not a whole bunch of call volume, but the need is there.

Kevin McCall-County Vice Chair: What did PERA say?

Gary Smith- County Fire Chief: The concept of having seasonal employees is, and I want to get into this business, too. It probably won't happen until next year. It is when we talk about having deployable resources on the Resource Management Plan, the RMP, which most departments are part of. We're not a part of it because we don't have the resources to get it right. The Resource Management Plan is that we have a fire down at Dona Ana County, and they're calling for resources to come help fight that fire. We'll throw a couple of trucks onto this RMP, and there's a whole bunch of variable, different apparatus that will go on to that RMP from

Torrance County eventually, and then they'll pull those, and we'll get reimbursed for those fires as we get deployed. The concept of seasonal employees is more prevalent because we hire a whole bunch of Wildland firefighters, and we deploy them through the fire season. This is, and it's really silly, because I reached out to Greg Trujillo at PERA, and he was giving me the information. We're talking about the semantics of changing the name, and PERA is big at that. A skill base not deliverable to PERA for retirement, but over time, certain overtime hours are a semantic change. The only way it'll change how we utilize the employees and those in the seasonal status is, we'll be able to employ them for longer, but no, they are not going to put in the PERA. They will sign an exemption form, but the criteria are, they will have to have a cool-down period.

<u>Kevin McCall-County Vice Chair:</u> During the three-month cool-down period, you can have them staggered. It's not based on a month or a season?

Gary Smith- County Fire Chief: They can be staggered. I also reached out to the Union, maybe we'll employ them, and in September, we end up letting those guys go for a couple of months, and then we allow the full-time employees to get some overtime. There are different ways we can employ it. Also, we're talking about changing the actual salary rate for an EMT basic versus an EMT intermediate or EMT paramedic. Right now, they're all employed in the PRM status at \$24 an hour. We modified that a little bit, took the basics off that scale down to \$21 an hour, and moved the intermediates into \$23 an hour. Then bump up the paramedics, which we want more paramedics, because they give us so much more in providing for these constituents. Then we bump their pay up to \$26 an hour. It all equals out in the wash, but the basics will make a little bit less money than the seasonal status.

Kevin McCall-County Vice Chair: Will our full-time basics make less?

Gary Smith- County Fire Chief: No, this is all just dealing with a group of seasonal part-time, no benefits attached to this package at all. It's just a straight dollar amount.

Ryan Schwebach-County Chairman: There are a lot of EMTs who are looking for this kind of work. To get a little extra money, or they have nothing to do on the weekends.

Gary Smith- County Fire Chief: We have guys from departments in Los Alamos, for example, they don't run a whole bunch of calls, they do a lot of training, but

some of those providers want to come down and run calls and keep up on their skills.

Kevin McCall-County Vice Chair: What is the compensation between our full-time people and these seasonal employees? The last thing I want to do is have our full-time people move to season or get paid more than the seasonal.

Gary Smith- County Fire Chief: The package that you talk about with benefits, and you're all well aware, because we just sat in Executive Session over that PERA. It's a lot of money. Still, apples to apples, the whole compensation package. You'd have to get up into the higher 30s range to probably equate to what the benefits of the insurance, the PERA, and everything else equate to.

Kevin McCall-County Vice Chair: What is the hourly rate for the seasonal?

Gary Smith- County Fire Chief: What we're presenting right now is that the paramedics would be at \$26 an hour. All the PRN people who were stuck at \$24 an hour, whether they were basic, intermediate, or paramedic. That would be the biggest bump for those guys. They go up \$2 an hour. The basics would fall back. I didn't get any kickback from the Union on that. They know the situation we're in. Once we start running and we're up, solid with our full-time employees, we can back off having to lean on these individuals. There are no guaranteed hours because we want to take care of our full-time employees first. We have six applications going through the process. Tomorrow and Friday, we have interviews. It's going to take us time to build up what we need to do to be fully staffed.

Linda Jaramillo-County Commissioner: How many full-time employees?

Gary Smith- County Fire Chief: 13.

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

C. FIRE: Request Approval to Submit Application for the Fire Protection Fund Grant for All Current Torrance County Fire Districts and Fire Administration for FY 2026.

Hanna Sanchez-Deputy Fire Chief: This is the same grant we put in every year. It's for the Fire Protection Grant. There's no cash match. We can put in seven different grants to also include an eighth, one of \$25,000 stipends, which are tied to stations. We have the six districts and the Fire Administration, but we can put in for a separate grant for Communications, a vehicle. Then also put in for the \$25,000 for stipends.

Kevin McCall-County Vice Chair: Does this affect the reorganization of the district?

Ryan Schwebach-County Chairman: Where are we at with that?

Gary Smith- County Fire Chief: I am waiting for a call back from the ISO. I want to make the right decision on whether we go with the two separated districts or consolidate as one. The State Fire Marshal and Chief Propp, in Valencia County, are encouraging us to go to one district. Chief Propp did go through the same process we're going through right now, and it's a lot cleaner. Once we do whatever we decide to do with the consolidation, whether it's two separate regions or it's one, we'll have one year to get all of our ducks in a row for when they come out and do their ISO evaluation. I'm waiting for John Borrow, he is the guy who comes out from ISO and does the actual testing and evaluation of our criteria. I want to make the right decision. I'm still getting all that information together. I'm hoping to have it at the next Commission meeting.

Kevin McCall-County Vice Chair: These grants don't matter. We can always do the seventh with an eighth job.

Gary Smith- County Fire Chief: When we consolidate, that's the big downfall. We won't be able to do grants for every district. We'll be able to do Admin, communications, and will still have theirs, and then we'll be able to do it, either at different regions or all as one department.

Kevin McCall-County Vice Chair: I'm not hung up on the amount of grants. Does that have one single grant? Can it all add up to the seven little ones together?

Ryan Schwebach-County Chairman: Historically, we've received these grants. What's the potential dollar difference that we're looking at?

<u>Hanna Sanchez-Deputy Fire Chief:</u> Last year, the highest amount was \$375,000 that we could get for Communications and Apparatus.

Ryan Schwebach-County Chairman: The Communications Apparatus is not tied to the district, or is it?

<u>Hanna Sanchez-Deputy Fire Chief:</u> It is we who have to put in per district. Now, when we consolidate, it's going to have to be one.

Ryan Schwebach-County Chairman: Does each district have a cap?

Hanna Sanchez-Deputy Fire Chief: It was at \$375,000; it's based on a project. Communications last year were \$375,000, along with apparatus. District Two received \$92,000 based on the quote we had to get base stations and mobile radios. District Three was higher, \$106,000, because we have the north station and the main station. We had two mobile radios that we had to put their base stations, and then we got 15 portable radios.

Ryan Schwebach-County Chairman: If we have one district, but we have seven stations, potentially, if we're looking at base stations for all of it, it's just a larger number.

Hanna Sanchez-Deputy Fire Chief: Based on the money that they put in for the pool, we can put in for the max. We did that one year with the SCBA administration, applied for that, and then we disseminated an equal amount to all districts.

Ryan Schwebach-County Chairman: I'm hearing that it may or may not affect the amount that we can get through this grant. We don't know.

Hanna Sanchez-Deputy Fire Chief: We don't know because the amount goes up in the pool every year. It depends on what they have available.

Gary Smith- County Fire Chief: It will, and remember, when I got hired, you tasked me with investigating this. I'm doing my due diligence, but it will decrease our opportunities for grants, because if you have seven darts, you're closer. There

will still be the same fire funds per the districts. As we lower the ISO, those fire funds will increase as well.

Ryan Schwebach-County Chairman: We have a lot of unknowns, but we're still collecting information.

<u>Hanna Sanchez-Deputy Fire Chief:</u> As it sits now, since we have not consolidated, we are still able to submit the seven applications.

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve the application and give Manager Barela the authority to sign.

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

D. MANAGER: Request Approval of Amendment No. 1 to the Professional Services Agreement Between Torrance County and Wilson and Company, LLC for Design Services Related to the Torrance County Administrative Building.

Jordan Barela- County Manager: The last time this item was brought up to the Commission, it was tabled. There were a couple of additional questions that came from the Commission. Scott Neiss, with Wilson and Company, was actually out of the Country at the time and couldn't make the meeting. I tried to address some of those questions, and there should be a Wilson and Company summary page on your desk. That'll provide some overall context. All the contracts are in the packet material, but it's quite a bit of paperwork to vet through. The initial agreement that we had with Wilson and Company was B101, for basic services. The total contract amount, based on that, was \$544,379.14. One of the questions that came up was but so part of the fee structure was based on a percentage of the maximum allowable construction costs. One of the questions that came back from the Commission last time is, Where did that number of \$7.6 million come from initially? That is written into the agreement, our initial contract, as at the time that contract was executed, the maximum allowable construction costs. Then, about this contract modification, this request would be to increase the total compensation by \$124,199.75, and that would include \$33,400 for alternate site design, as well as

\$39,000 for alternate site civil engineering. The additional Civil Engineering would include additional survey work that needed to be done at the Judicial Court, assuming that there's the consolidation and there's going to be parking, crossing the lots as they're currently structured, new grading and drainage design, and a roadway design. Had Alan Ayers been paved up to the site, this would be to engineer that road and extend it from where it is at the Court Building, that dirt portion that goes to the new Admin Building location. From the initial contract, there was a savings of \$21,000 that was applied to the balance to reach the total of \$39,000 for alternative site Civil Engineering. There was also an increase of \$16,000 for value engineering of the building, and then an increase of \$27,000 for the fee based on the maximum allowable construction costs. The initial contract was written as \$7.6 million. Currently, there's \$14 million available for the project, and that's the current estimate that we're at. They applied that fee percentage for design towards the \$14 million, instead of the \$7.6 million, which got the \$27,000 increase. We also have GRT on top of that.

With this amendment, the total compensation for the contract with Wilson and Company would increase to \$668,578.89. To date, we've paid out approximately \$392,000 for their services, for design. Another question that did come up is about the total project costs, and with this amendment, assuming it is approved, the total design cost would be about 4.7% of the total project costs. That being said, Scott Neiss with Wilson, and Company, is on Zoom to answer any questions.

Kevin McCall-County Vice Chair: I pulled the contract up, and I see here that you're asking for an additional \$39,000 for alternative site Civil Engineering. Yet, in the contract, it says civil engineering is the responsibility of the architect. At what point did this new site generate those extra funds?

Scott Neiss - Architect with Wilson and Company: That is correct. When we went to the new site, the site is larger, and we are also tying the site into the Court complex site. As Manager Barela mentioned, I had the survey crew go ahead and expand the survey scope to include portions of the buildings on the Court Complex. As we design and complete the design of the site, we can have accurate information on where those existing buildings are, in addition to the existing utilities on the site. Yes, the site is part of our scope of work, but when we have to go back and redo the site, we'll need additional fees.

Kevin McCall-County Vice Chair: Wouldn't that be the additional survey area to include the Judicial Court site for an additional \$11,000, which you explained?

<u>Scott Neiss - Architect with Wilson and Company:</u> It wasn't to begin with. In prior conversations, when we talked about moving to this site to add, combine the sites, and move the building where it will encroach on the existing property line, it basically straddles the property line. That was new work that we did not anticipate. Hence, the additional fee.

Kevin McCall-County Vice Chair: I get the surveying site, but Civil Engineering, yes, it includes that. I'm still questioning the additional \$39,000, and if that's the case. I'd like to see what work was done on the old site.

Scott Neiss - Architect with Wilson and Company: I can tell you about the old site. We did some grading and drainage analysis. Drawings have just started. There isn't much to show in terms of drawing on the grading and drainage plan. There's not much there. It's just basically number crunching, doing a test in terms of locating the building in elevation and then grading to the perimeter of the site.

Ryan Schwebach-County Chairman: Do you have those plans?

Scott Neiss - Architect with Wilson and Company: There are no plans to show for the Alan Ayers site. It was just basically calculations and number crunching.

Ryan Schwebach-County Chairman: This is where I understand that it's a little bit more money because it's a different site, it's a change. When this was proposed to us two weeks ago, the reason we tabled it was that the work was already done at the original site. Is that not the case? What was it budgeted on the original site? How is it being applied to this additional \$124,000?

<u>Scott Neiss - Architect with Wilson and Company:</u> We've cut back the design of the Alan Ayers site significantly. I think the total would have been about three acres. We didn't have any roadway work in terms of Alan Ayers, except for maybe some driveways. It's a new site.

Ryan Schwebach-County Chairman: I understand it's a new site. How much money was spent on the old site? Where are the deliverables for that?

<u>Scott Neiss - Architect with Wilson and Company:</u> I'll have to get you the deliverables from our Civil Engineering group, I do not have those. \$21,000 was given back to the County from that original civil fee. That's shown in the documentation. In addition, the Chairman alluded to the fee being about 4.5% of the \$14 million. I listed a \$27,000 increase in fees due to the building increase and

the cost involved with doing a larger building design. If we put the \$14 million down at 6.5% that would total up about another \$400,000 in architectural fees based on our contract. I thought I was being quite fair in saying this is what we'll need to complete the documentation and get the building to the contractor at risk.

<u>Linda Jaramillo-County Commissioner:</u> In all of this being done, are we taking into account that we're trying to acquire other property, and it's going to stay where it is, no matter what?

Jordan Barela- County Manager: Yes, that is the intent. The two sites that are being evaluated right now are the sites that we currently have under ownership, because everything else is a variable. Everything related to this project is between the judicial site and the new admin building site.

Linda Jaramillo-County Commissioner: Are we working on that road?

<u>Scott Neiss - Architect with Wilson and Company:</u> The road is part of our scope for the Civil Engineering; it's included in this fee to tie into what's existing there, to bring it to the site. You will have a roadway design for the site of the New Administration Building.

Kevin McCall-County Vice Chair: Here's the real problem I have, as you say, we're going from \$7.6 million building to a \$14 million building, and you feel like you're treating us right, maybe you are. As I look at this contract, and all the deliverables that are not included and not provided, I see potential for more and more charges that you're not acting like that day will come, that's where I'm struggling. We need more because we go back to the original contract, and it's not provided by the Architect.

Scott Neiss - Architect with Wilson and Company: We are about 60 to 65% complete with the architectural, mechanical, plumbing, and electrical drawings. Civil would need to catch up on this. This additional fee for contract modification is to get us to the finish line and work with a contractor at risk to facilitate the construction. I don't foresee any more charges from Wilson and Company, the A&E group. This will get us to the finish line for permitting and the start of the construction administration, for which we still have 100% of our fees waiting to be used.

Kevin McCall-County Vice Chair: Is that a guarantee?

<u>Scott Neiss - Architect with Wilson and Company:</u> It's a guarantee. We want to finish this and get this project underway, under construction, and built for you.

Kevin McCall-County Vice Chair: I would like to see what this new site costs. Where would we be today if we were still on Alan Ayers?

<u>Scott Neiss - Architect with Wilson and Company:</u> As you recall, there was no sewer utility to the site, so we'd have to have a whole sewer system designed for that building. I don't know exactly what those fees would be, but that would be the increase.

Kevin McCall-County Vice Chair: You're saying this is \$33,400 for the site, the alternative site design was not applicable?

Scott Neiss - Architect with Wilson and Company: It would not be applicable. It'd have \$21,000 in civil, we'd also have some septic design associated with it. You're saying our architectural site plan was dialed in. It was complete. We are not complete with the court complex site, because I think there's still some dialogue that needs to take place on how we want to tie it to the existing site, to the core complex, via parking access, etc.

Kevin McCall-County Vice Chair: I'll grant you that. Are you saying that the alternate site Civil Engineering at \$39,000 would not be applicable today if we were still at the Alan Ayers site?

Scott Neiss - Architect with Wilson and Company: It would not be added. We'd have a civil engineering fee at Alan Ayers, which would be close to \$39,000 in total. There has to be an original Civil Engineering Design fee for Alan Ayers to do the grading and drainage. That is going to be, let's say, \$39,000. On top of that, for Alan Ayers, we'd need to analyze and do a septic design for the new Admin Building. I do not have fees for that, but let's estimate that another \$30,000 could be less. If you move the site to the court complex, we have \$60,000 in fees as well, but this includes a drainage report, includes the additional survey work done over the property line into the Court Complex site, and includes the roadway to tie in the existing roadway to the new site, the Admin Building driveways.

<u>Kevin McCall-County Vice Chair:</u> Earlier, you commented that the Civil Engineering would be there, yet, in the main contract, it says it's on the Architect.

<u>Scott Neiss - Architect with Wilson and Company:</u> It's part of our basic services, part of the scope.

<u>Kevin McCall-County Vice Chair:</u> Why would there be a Civil Engineering fee, whether we're at Alan Ayers or the new location?

Scott Neiss - Architect with Wilson and Company: It's part of the total contract amount. I'm breaking out the fee, and since we have a new site, we'd have to increase that amount. We've spent some money. There's more work to be done on the alternative new site.

Kevin McCall-County Vice Chair: I would like to see the deliverables from Allen Ayers.

Ryan Schwebach-County Chairman: If we have Civil Engineering prepped on that site in the original contract, it would be good to have NRA, or if we want to build on something else. You're telling me this \$39,000 is an addition?

<u>Scott Neiss - Architect with Wilson and Company:</u> That is correct. It's additional money we're seeking for the new site.

Ryan Schwebach-County Chairman: The main reason we're moving is the issue of no sewer. We spent money on this because the Commission thought the sewer was within the City, and that's when we learned it wasn't there. That was the purpose of moving this change. At what point did we discover how much money was spent at that point?

<u>Scott Neiss - Architect with Wilson and Company:</u> When we decided that there was no sewer, we took a look at the cost of what it would take to size the sewer, and that's where it ended. Could we provide a sewer? Then there was a discussion about the percolation.

Ryan Schwebach-County Chairman: At that point, you put everything on pause. I would like to see the civil engineering up to that point. I don't think we're ignorant that it was going to cost more money to change sites. I need to understand the \$125,000 change. I need that in black and white.

Scott Neiss - Architect with Wilson and Company: I tried to break that out.

Ryan Schwebach-County Chairman: What has not been broken out is what was done on the original site. That's what I don't have if we spend money on surveying. I need something on paper saying this is what we spend our money on.

Kevin McCall-County Vice Chair: The work that was done at Alan Ayers could be beneficial to the new owners if that deal goes through.

<u>Scott Neiss - Architect with Wilson and Company:</u> In speaking with our Civil Engineer, there's no drawing done. It was calculations. I can furnish you with everything that was done.

Ryan Schwebach-County Chairman: Give us that, and we will move forward with this. **No Action taken**.

E. CLERK: Request Approval of Professional Services Agreement Between Torrance County and Triadic Enterprises, Inc. to Provide Equipment, Software Licensing, Software Support, and Programming Services for the Torrance County Clerk's Office and Historical Data Archives for the Torrance County Assessor's, Manager's, and Treasurer's Offices.

<u>Sylvia Chavez-County Clerk:</u> Before you is a contract with Triadic. This is the system that runs the Clerk's Office, and historical data backup for the Treasurer's, Assessors, and Finance. It's not just the Clerk's Office that utilizes Triadic. It's pretty much every office in the building that uses Triadic, and that's for looking at, for deeds, for surveys, and this is just a contract to move forward with the services that they do provide for Torrance County.

Action Taken:

Ryan Schwebach-County Chairman: Motion to approve.

Linda Jaramillo-County Commissioner: Seconds the motion.

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

MOTION CARRIED

F. DWI: Request Approval of Amendment No. 1 to the Professional Services Agreement Between Torrance County and Gilbert Adrian Ortiz to Provide Services as the Teen Court Coordinator/Prevention Specialist, Extending the Term of the Contract Through June 30, 2026.

Myra Luna -County DWI Program Coordinator: We're asking for approval for an amendment one, the contract between the County and Gilbert Adrian Ortiz, Teen Court Coordinator and Prevention Specialist. Amendment number one, number 20, the DFA wanted clarification regarding Mr. Ortiz's credentials and responsibilities as a contractor.

Action Taken:

Kevin McCall-County Vice Chair: Motion to approve 13F.

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

G. GRANTS/DISPATCH: Request: (1) Ratification of a Request to the State Board of Finance to purchase Rapid SOS UNITE for the Torrance County Dispatch Center; and (2) Delegation of Signature Authority to the County Manager to Execute the Associated Service Agreement with a State Approved Vendor.

Luke Fields - Grants Administrator: This came before us in May, a couple of days before the deadline for submission. I did go ahead and put in the application for this grant on my own authority. That's why I'm coming before you today to request ratification for that application. We had to get it in to get the DFA to put this into the budget for us for next year. I did discuss with the Deputy County Manager the financial implications of this application, which are none for the County. There's no liability. This is a little bit of a funny grant. The application was a memo that I sent in along with the quote that you have before you. There are two parts to this. The first part is ratification of the application, and the application was approved. This was put into the DFA budget for Torrance County for this year. The good news is, there is a financial implication that we all pay for this on our cell phones. This is the 95 cents that you get charged for every cell phone for 911 services, and DFA is establishing this program; it's getting off the ground now, but the force multiplier that we will get with dispatch for adding the system is quite incredible. This is artificial intelligence that will be used to do active translation. The dispatchers hear English, and then the caller hears the translation back in whatever language they're calling in. The other area that it can help with. For couple of years ago, there was a storm near where I am, in Manzano, and there was a small fire that was started, and the Forest Service decided to let it burn. Of course, I and everybody else called 911, saying the same thing, and the dispatchers

were continuously answering the same question over and over again, this system would allow an AI to determine that it's a routine call and provide information, as a fake dispatcher letting them know that that call had already been received and taken care of. There are several different areas that these different programs will work with.

The first part is ratification of the application. The second part is that there are different vendors that we can go with to get the application in. I had to send in the quote from Rapid SOS, and that's what you have before you. Selena will have the opportunity to look at several different vendors, and the state will serve as the fiscal agent on this. It won't be coming through our books. It'll be directly from the state to the contractor, and then the services will be provided to us. The second part is a request to allow the County Manager to execute the agreement once we make a selection with the state-approved vendor.

Kevin McCall-County Vice Chair: Annual recurring totals are \$27,008.35, which is going to be completely covered by a grant. No matching funds.

<u>Luke Fields - Grants Administrator:</u> No matching funds. As long as that 95 cents is on your cell phone bill, the program is going to continue.

Action Taken:

Kevin McCall-County Vice Chair: Motion to approve 13G.

Linda Jaramillo-County Commissioner: Seconds the motion.

Roll Call Vote: Linda Jaramillo – County Commissioner: - Yes: Ryan Schwebach

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

H. DISPATCH: Request Approval of an Unauthorized Purchase in the Amount of \$4,865.76 to Total Response for an Online Training Program.

Tanis Chroninger - Administrative Assistant, Dispatch: It was brought to my attention last week that we have an unpaid invoice with a company called Total Response. They provide a vital service to our Dispatchers. It's a software that helps them ask the right medical questions and obtain good information while the ambulance is on its way to medical calls. It was brought to our attention by a customer service representative with Total Response that they had a change in their

billing department, and after review, they found some overdue accounts. This invoice should have come to us on November 30, 2024, and be due December 30, 2024. We were not aware at the time because of the issues with their billing department. Now we're trying to get it sorted out and get them paid.

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. MANGER/TREASURER: Presentation on an Update to the Torrance County Investment and Deposit Policy.

Jordan Barela- County Manager: Rob Burpo has helped us evaluate this policy and will give a brief presentation on the policy and the packet material. The Investment Committee met a couple of weeks ago to discuss the County's current investment policy and where that stands. Before that, Mr. Burpo was provided our current policy and has looked at that and made some suggested changes based on statutory requirements and what the County might want to explore investing in.

Rob Berpo - Municipal Advisor, First American Financial Advisors,

Albuquerque: We looked at the policy that you approved in January, and it looked suspiciously like the old Lincoln County investment policy that was written in 2013 that I wrote for them. The biggest discussion the Investment Committee had the other day was in the world of money management, where you have brokers. Brokers make the world go round, but by law, they have to put themselves in their firm before you. That's just the law. Then you have fiduciaries, and these are people who advise on your money, who put your best interest before themselves and their firm. Many investment policies in the state and many communities and counties, and cities want to have the option of either working with a broker or with a fiduciary. It was the guidance from the Investment Committee that the broker component be taken out. From now on, people who deal with your money, who advise you, and invest your money, are fiduciaries. They are putting your best interests ahead of themselves and their firm. With that in mind, that was the guiding tool here.

The Board of County Commissioners, when you sit as the board of finance, you're going to be guided by the Prudent Person Act. What that says is, because you have the advice and consent responsibilities of the investment policy and overseeing what the Treasurer does with any money, even though she is the one who handles the day-to-day money, you have advice and consent over what she does. The Prudent Person Act says that you're going to treat your job with advice and consent as if the County's money were their own, and your decisions you're going to make would be based on the guidelines of the investment policy. You're saying, I know it's not my money, but if it were my money, this is how I would want it to be governed, based on the dictates of your investment policy. Your Investment Committee and Treasurer, because he's on the Investment Committee, become fiduciaries. Your Investment Committee is also going to take on that role, if they're putting your best interest ahead of their own. The fact that most of them are either elected or appointed officials of the County is important. The other big thing is, when we get towards the back of the policy, the whole issue of dealing with a broker has been taken out. That's a big change. Everybody's going to be a fiduciary. The change we made from what you saw before is the issue of what you can invest in. The statutes have changed over the years, and that policy has not been updated. You can now invest in brokerage certificates of deposit. Broker CDs come in two classifications. There are the ones that the brokers can sell, and they can commission, and then there are the ones that are advisory-based, where there's no commission. In other words, the bank is going to go straight to your Investment Advisor, or straight to the County. There's not going to be a commission. In the long and short, it's called a bank repo or a repurchase agreement. What you're going to do is, every day you're going to give the bank \$10 million, and they're going to give you 102% government securities back as collateral, and they're going to pay you a daily interest in today's markets, around 4%. At the end of the night, you give the securities back. They give you your money back. The next morning, the same thing. They do it every single night, every single day. It's called a bank repurchase. It's one of the most common products on the street right now, other than a money market fund, and money market funds 90% of their money is invested in bank repurchase agreements.

You're going to have this available to you. One of the things the state statute says you must have is your bank demand deposits, as opposed to, I want the money right now, as opposed to your time deposit, which are CDs or treasury bills. Your demand deposits must be deposited in a manned bank within the County. The main bank you have within the County is US Bank. I reached out to the President of US Bank, New Mexico, because we want to start having Torrance County get

institutional services, which are substantially higher. You're an institution, especially with the amount of PILT money that's been coming in that you've been building up. There are different services available to institutions that are not available to the retail world. The problem is the president of the bank. I called him, he said, "Well, Rob, I just left the bank two weeks ago, and so they don't have his replacement yet." This is the President of US Bank New Mexico. His predecessor is a good friend of mine as well, and he is finding out who the County needs to start working with. Their offices are on Jefferson, about three blocks from my office. As soon as they get me that name, I'll run by and meet with him, introduce myself, and get them getting the right people to work directly with the County. It's not really in the policy, per se, but it's part of increasing your banking relationship.

The only thing we didn't decide on is collateral. If you have a million dollars in the bank, they must give you 102% in securities as collateral. Statutes require 50% statutes also allow you to set your parameters so you're not doing anything that the statutes don't allow. Your parameters are higher. One of the things that might happen. This is why I talked about the bank relationship going to institutional, is typically when you have an institutional relationship, especially with a bank like US Bank, they're not going anywhere. They're not going under. If you were to go to 50% for example. I'm not advising this or telling you this, but this is the way this works. You're negotiating. If you go to 50% they will start doing the following things for you. There's you negotiating for less collateral in exchange for a, b, and c services that you don't pay for, that you're paying for now. That's the way this plays out. We provided for that in here. In the document you have before you. I put in how to deal with it if you want to go to 50%, 75% or 102% that language is in there as an alternative. If you're having a flat 100, I'm not saying which way you should go. Until we get the banking relationship improved.

We took out the issue about working with brokers, and now you're allowed to do two things. You can retain a registered Investment Advisor; they have to have certain securities licenses. They are fiduciaries. You can also have or separately, or you can retain a Professional Portfolio Manager. These are professionals; there are four or five great firms that only deal with government securities. Since you're a Class B County, really restricted if you're going to own Treasury securities. Treasury securities, bank, CDs, and repos. That's your investment options. Class A gets to do a few other things that you don't get to do, but you can, within this policy, you can hire a firm, now there are lots of different firms.

For example, Mutual funds. They are Portfolio Managers. They are managing your money, and you can hire them, and the statutes allow you to hire a mutual fund.

Your policy, specifically in the state statutes, is the same thing. You can't buy ones that have commissions attached. Mutual funds have a class A, where they'll charge you 6% upfront. You put \$100,000 in, and only \$94,000 gets invested, or they have a class B share where the broker still makes the 6% but the firm takes out a loan with your money and pays themselves back what they paid the broker, so your investment returns go down, plus they're always going to charge investment fee. None of those things are allowed in this policy; the only thing you can do is invest in institutional mutual funds that have no commissions. That's very specifically spelled out, and it opens up another group of places where you can invest your money. Again, everything we're doing in here is raising you to the institutional level. We're not letting people run away with your money. It does open a few new windows of repurpose agreements. One of the things I was going to mention is when you get your situation settled with your A&E firm on the Admin Building. One of the first things we've talked to the County Manager about is where you are going to need your bond money? Right now, that bond money is earning .75%. We can put it to work in either repos or quote brokered CDs. That market right now is paying about 4%. We'll probably limit it to 3.9% because you're not supposed to earn more than you're paying. You're paying 3.9% on your bond issue. We'll cap at 3.9%. You're going to go from .75%. We want to put that money to work for you as soon as possible. It'll be layered so that when you need \$200,000 in two months, there's \$200,000 CD or the repo, and when we get you an Investment Advisor in they can help you so that that will not be our firm.

I retired from the investment advisory staff on November 10 of 2023, after 48 years. I'm not doing that part of it anymore.

Kevin McCall-County Vice Chair: I appreciate the work that's been put forward, and thanks to Jordan for reading that policy and saying we need an update. Rob commented earlier that the world makes the brokers make the world go round and round, and then you sit there and say, "We're taking them out."

Rob Berpo - Municipal Advisor, First American Financial Advisors,

<u>Albuquerque:</u> That's a great point, let's say you want to buy a half-million-dollar two-year treasury bond. If you want to call up Merrill Lynch or Morgan Stanley, the Broker is going to charge you a commission. Half a million dollars, I want to make X dollars. Instead of earning 4%, you're only going to earn like 3.75%, and he's going to make the other .25% for two years. When you hire these non-investment bankers, the Portfolio Managers, they go, Okay, we need to buy half a million dollars for Torrance County, but we also need to buy another nine and a

half million dollars for our other clients. They call up 20 brokers and say, "We want to buy \$10 million of that same two-year Treasury note." All of a sudden, the Broker is going to go, okay, \$10 million versus half a million instead of charging a quarter of a percent, I'm going to charge you one-thirty-second of 1%. The Portfolio Managers are still going to work with Brokers, but they're working at a level; this is Wall Street money. An odd lot in Treasury bonds is a million dollars. Anything below that, you're at the mercy of the Broker. You're going to be at the institutional level, as opposed to the retail.

Kevin McCall-County Vice Chair: With all those stipulations, will it be tough to find a Portfolio Manager to handle our finances?

Rob Berpo - Municipal Advisor, First American Financial Advisors,

Albuquerque: No. There are four that I can think of right now that are being used by other institutions, other Counties, and Cities around the state that are excellent firms. I work with all of them. I have no allegiance to any of them. Most of their returns are very similar; the only difference you find is that some of them use a third-party custodian that has an extra fee. Some of them do their custodial work. For example, you find a Financial Advisor, one of the things you can do here is hire somebody, maybe in the greater New Mexico area, the greater Albuquerque area, that will start giving you some services. When Jordan has a question about cash flow, or when Kathyrn has a question about interest rates, you can pick up the phone and get an answer in two minutes. You don't have that available to you right now. This is going to allow you to do that if you want. One of the things they will be able to do is work with all these institutional mutual funds. You call up Federated and say, We want to give you \$2 million, and I go, Okay, that's nice. It's great. Also, now your \$2 million is in with the other 10 and a half billion that they're managing in this one to three-year Treasury space. There are a lot of people who will want to treat you like an Institution. They are firms in Denver, Portland, and on Wall Street that'll do that. There are also Financial Advisors, Investment Advisors, Registered Investment Advisors, and fiduciaries that can work with you and fine-tune what your needs are. In other words, for example, you may have all your money in one to three year treasuries, but they might say, we think interest rates are going to go down, but maybe we need to take 5% of your money and put it into a four year or five year treasury and lock in some of those higher rates. Conversely, you might be in a four-year average maturity, and they think interest rates are going to go up. Well, we probably should sell some of that four-year stuff and put it down here in the two-year stuff and wait for the markets to go up. That's what an Investment Advisor will bring to the table that's provided for you in here.

You're not going to have any trouble finding professionals at the institutional level to manage the amount of money that you're talking about.

Jordan Barela- County Manager: One of the other discussions that we had was that we are compiling RFP templates to put out on the street for a Financial Advisor. We're seeing what other Municipalities and Counties are doing as far as that's concerned. We've also had discussions about potential RFPs for banking services. As we talk about what can be provided to the County, we're looking at RFPs that would frame the needs and wants of the County and then put that out on the street to see what type of services banking institutions would be willing to give back to us. Both of those are options that we're exploring right now.

Rob Berpo - Municipal Advisor, First American Financial Advisors,

Albuquerque: You are not required by statute. They have all of your money in a bank that's manned within the County. You're required to have a demand deposit account with a member bank within the County. You may have three different banking relationships. You may have your ordinary day-to-day, general fund money here, but the excess money and your required reserves, you may have anywhere. That may not even be with the bank, in that I mean your required reserves, they're supposed to be there 24/7, anyway, one quarter of your general fund and 1/12 of your reserve can be in a segregated account earning interest outside of your demand money at the local bank. You're taking a step up here in your whole money management scheme.

Linda Jaramillo-County Commissioner: Is it best to stay with the one bank?

Rob Berpo - Municipal Advisor, First American Financial Advisors,

Albuquerque: Not necessarily. There's a County that I've represented for 20-something years, and they only dealt with one bank, but they developed a great relationship with that bank. Quite frankly, three other banks in the County didn't want to do business with them. I represent another County that has five different banking relationships. There's no right or wrong answer.

Kevin McCall-County Vice Chair: Are we currently totally invested in that one?

<u>Misty Witt-Deputy County Manager:</u> We have US Bank and Century Bank. Century Bank holds the loan funds; only.

Rob Berpo – Municipal Advisor, First American Financial Advisors,
Albuquerque: Century Bank has your bond proceeds. What we will do is, once we

find out when you need that money, until that situation gets sorted out, we may want to start putting a lot of that money in two or three-month brokered CDs right now, so that they're maturing. Once you get information from your A&E Firm, we can then change it, and we can do that within the next four or five days. We can do that with an email, because it's already provided for, the accounts are already set up. If you want to give the County Manager and the Treasurer direction, we can start working on that tomorrow. I can be at the bank at nine o'clock when they open the doors to help you with that.

Jordan Barela- County Manager: The big thing with that was the timeline on the construction of the Administration Building. There are short-term investments that we can put this in, but the maturity dates do get relevant, because when you're investing that funding, then it becomes when do you need the liquidity. We need \$600,000 tomorrow, and it's signed up in investments, which creates a bit of an issue for the project timeline. In the short run, there are mechanisms by which we can maximize returns on that money and recoup some of that interest that we're paying on those loan payments.

Kevin McCall-County Vice Chair: Why could you not draw from the DFA on our Capital Outlay, as we have quite a bit of money longer, as it is sitting there, we can earn a better interest?

Jordan Barela- County Manager: We could. That's absolutely an option.

Rob Berpo – Municipal Advisor, First American Financial Advisors,

Albuquerque: The one thing I will mention, this is on the bond component of it, is that the IRS wants you to spend at least 5% of the money the first year, and most of it within three years. Just an observation.

Ryan Schwebach-County Chairman: Thank you.

B. MANAGER/TREASURER: Discussion on the Fiscal Year 2025 Year-End Closeout. - **Deferred**

C. MANGER'S REPORT:

<u>Jordan Barela- County Manager:</u> A couple of updates for the board. The first update I wanted to provide is to talk about the County Fairgrounds project.

Franken is on board. They are working with the design team now, the one hiccup that we run into as far as finalizing the design is specifically related to the Fire Suppression System. There are two options for design: one is to put a sprinkler system in the facility, and the other is to put fire-rated walls separating the existing sheep and goat barn from the new facility, as well as between the arena and the auxiliary space where the bathrooms are currently located. In terms of talking to the design team, they think that the sprinkler system is going to be the more costeffective option versus the firewalls. The only issue we run into is about the hydrants next to the fairgrounds, on 10th Street. I have a meeting with the Mayor this afternoon at 2:30 to see what we might be able to do to address that. In terms of talking to the Chief, we can also test the flow rate at that hydrant. Essentially, what needs to happen is that, in order to design that suppression system appropriately, the design team and their engineers need to determine the flow rate of the water out of that hydrant towards the site. The one issue we run into is that there's not enough water pressure in the hydrant, or there wasn't when they were testing to make that determination. That's really what we're trying to figure out with the town: what the underlying issue might be, and how we can get that addressed? When it comes to design, without that data and that information coming from that hydrant, they don't know the type of system they need to design. Is that hydrant going to support the appropriate amount of pressure in the system coming off that water line? Do we need a storage tank with a pump that will pressurize the system individually, so you have an isolated suppression system? All of those are still questions that we're trying to get answers to, but what we are working on diligently, and we've had meetings with Chief Smith and the State Fire Marshal's Office, and now it's come down to, how do we get the data from the Hydra?

Ryan Schwebach-County Chairman: Are we going to have the same problem in the Admin Building?

Jordan Barela- County Manager: Potentially, when we met with the State Fire Marshal's Office, they mentioned that they came out and tested at the school system and ran into the same issue. I know that the Town of Estancia hired Water Works, a company that came out and tested the hydrants last week. That's when they determined that they couldn't provide test results because there wasn't enough pressure in the system to evaluate that. There's been some discussion about how to explore it.

Ryan Schwebach-County Chairman: The first thing in my mind, there's a water system here. People are paying for the water system. It's being subsidized by taxpayer dollars. That needs to be corrected. We need to have those answers.

Jordan Barela- County Manager: It is the most cost-effective way. Other things that you can do. There are dry gas systems and things like that. It's substantially expensive. In terms of looking at some of those systems, it's not only the upfront cost of putting them in place, but the long-term maintenance costs associated with those are relatively substantial. Relying on the water system is certainly the most cost-effective in the long run and at the time of construction. We'll work with the town to determine what's going on and what we need to do to get what we need to get that suppression system designed in up and functioning. The sprinkler system is more cost-effective; it's cheaper than actually doing the firewalls.

The other item I wanted to bring up, which was going to be item 14B, was the discussion on the Fiscal Year 2025 and closeout. Madam Treasure is sick. She couldn't be here today to be a part of that conversation. We are in the process of submitting our new budget for FY 26, and the public hearing will come before the Commission on the 23rd of this month. It overlaps with the year-end closeout for the prior fiscal year. One of the issues that we ran into through the closeout process was that the bank reconciliations on the County's main account were. It had not been completed throughout the year. At the time that we found out about this, we did have a CPA firm under contract that was working with the Treasurer's Office and Finance to determine the best practices, policies, and procedures. They've been able to sort of change course and start working on aiding the Treasurer's Office and getting those bank accounts reconciled. For us, the real issue lies in the fact that as we submit our budget on the 23rd, if those reconciliations haven't been completed by that time, it does theoretically throw off our cash balances. Likely will throw off our cash balances moving into FY 26, and all of that information has to be reported to DFA. From what we've heard from the audit firm, they believe that with some assistance, they can get the reconciliations completed before the deadline. We are working with the Treasurer's Office to put a training plan in place and a standardized plan in place to ensure that we don't run into this issue again next fiscal year, and we will likely bring this back up for a topic of discussion with the Commission whenever the Treasurer is available and back from her illness.

Ryan Schwebach-County Chairman: Hopefully, our budget will be presentable.

Jordan Barela- County Manager: The budget is going to be what the budget is. It's how much cash we have on hand that's leading into that fiscal year. That would be the number that's going to be a variable that does need to be reported to the DFA. We need to know as of June 30, whether those accounts are reconciled, and how much cash the County has in the bank on July 1^{st,} moving into FY26.

Ryan Schwebach-County Chairman: Does it just have to be reconciled annually, quarterly?

Misty Witt-Deputy County Manager: Statutorily has to be reconciled daily.

Ryan Schwebach-County Chairman: We violated the statute. Was it we who were responsible for this?

<u>Jordan Barela- County Manager:</u> The bank reconciliation process happens with the Treasurer's Office.

<u>Ryan Schwebach-County Chairman:</u> The Treasurer's Office Department has been reconciled for a year, correct?

<u>Jordan Barela- County Manager:</u> I don't remember the last update, Misty. Do you know where they are in the process now, is reconciliations completed?

Misty Witt-Deputy County Manager: The CPA firm has completed the reconciliation through July of 2024; they are currently working on the other months, and they are in the audit firm.

Ryan Schwebach-County Chairman: Who's paying for the County's paying for audit firm? What does that cost?

Misty Witt-Deputy County Manager: Thus far, we're up to \$21,000.

Ryan Schwebach-County Chairman: How is he looking on the timeline, specifically on getting the reconciliation done in time for our budget, and turning out our budget?

Justin Maynard, CPA: We're very aware of the July 23 final budget approval. We've set a preliminary internal goal of identifying all variances by the 16th, which is next Wednesday. It's going to be a tight deadline, but we're working overtime to get that done as quickly as possible. At this point where we have a really good process in place to do that and to do it quickly, and we're aware of most of the common issues that we're coming across throughout the process, and we're able to fix those. We're working hand in hand with the Treasurer throughout the process, we've been training her and her staff on how to do it, and also how to do it quickly, how to fix issues if and when they come up. We've encouraged her to

document those very well, so if and when you know she is not to be reelected, for example, that the next person in the position would be able to quickly get up to speed. Thank you.

Ryan Schwebach-County Chairman: Thank you.

D. COMMISSIONERS' REPORTS:

1. Kevin McCall – County Vice Chairman, District 1

<u>Kevin McCall- County Vice Chair:</u> During the ICIP process, what funding mechanism were you looking at to redo Lexco? Why was Martinez put ahead of Lexco for the ICIP for the Capital Outlay?

<u>Leonard Lujan-County Road Superintendent:</u> We're trying to ask for TPF funding. Bohannan Houston helped me with that, because we're trying to get a whole different design on it, because we're getting more traffic on Lexco. That's why we put Martinez first, because Martinez, we're going to build it. This other one might turn into more construction, building, and making it safer for all the people.

Kevin McCall- County Vice Chair: What kind of money is available with TPF?

Leonard Lujan-County Road Superintendent: It all depends on how much money is given each year that we spend. Last year, I think it was somewhere \$40, \$50 million. Say what they split it up to all the projects, about 10-15 projects given out.

2. Ryan Schwebach- County Chairman, District 2

Ryan Schwebach-County Chairman: I want to briefly talk about Melody Ranch Water. I think everybody's going to see it on social media. The County has been working with the owner of the water system. It is a private system. As a County Emergency Management, we're facilitating where we can. It's very different than a public system. I want to make sure everybody knows that. On social media, I saw some stuff up there attacking, insinuating, some stuff on some of the owners. We need to back off a little bit and pay attention to what we're doing. The owner is an

88-year-old lady who has dementia. Yes, her name's on the paper. Her daughter's running it. Keep in mind, you put something out there saying, this is where she lives, she's got water, and let's make her suffer and stuff like that. That's not right. I'm pretty ashamed that people have done it, that being said, it is in the works that the water is going to be fixed as quickly as they can. As far as the County is concerned, we'll facilitate where we can.

3. Linda Jaramillo – County Commissioner, District 3

Linda Jaramillo-County Commissioner: I am still taking a lot of calls and answering a lot of emails, and I wanted to tell everybody out there that's been calling me that they're piling up. I'm going through the list and taking care of these calls and emails as I can. Most of the calls are about the roads. I talked to Leonard, and we are going to go out for a tour of all the roads. I am in constant contact with the Manager on some of the complaints that I get. I went to the Torrance County facility on Sunday and visited with Torrance County inmates. Rick Lopez was there. I sat in with them in their worship service, and they were very nice. I know most of the guys who are in it. I didn't get to visit with other detainees; I did with our people who are in there from Torrance County; everything seemed okay at the facility. Everything was quiet. Detainees were coming in and down the halls, and I spoke to them a little bit. I just said hello, but everything seems to be okay in there for now.

I met with Danette Cabber yesterday at the Tajique Land Grant transfer station that we're going to move to, and we looked at the new site that the land grant has, which is four acres, and there are two entrances. There were other properties in Tajique that the Manager told me about. We stopped by and looked at that too, and that's valid.

Ryan Schwebach-County Chairman: Have Danette get with the County Manager and hopefully give you some specs on how much what we need is designed, that sort of thing. The County leases that property for the sole purpose of a transfer station. I think we need to go out to RFP. They are looking and trying to locate another location, not necessarily within the land grant. We don't need four acres, and I would like a longer-term lease. We learned that Tajique has been wanting us to move this for a long time. They have other property. Yet this Commission hasn't seen an offer on the table to move it. I think we need to exhaust other avenues. We don't have a price on that new land. We don't have a price on what it's going to cost to put that station up there. There are improvements on it.

There are no details on who's going to improve the land, or how much it's going to cost monthly. We haven't looked at other locations. I think we need to keep it within the proximity, because that is a highly used station. I don't know if either of those came through in the best interest of the County.

<u>Linda Jaramillo-County Commissioner:</u> The other property that we saw was within the Shiraz Ranch, but that's a subdivision, and I don't know how that would work. It's a beautiful place, but it is in a subdivision.

Ryan Schwebach-County Chairman: Then we've identified some other properties.

Jordan Barela- County Manager: We have those that would be primarily for purchase, rather than lease. Some relatively decent-sized lots. When we looked at it from a cost perspective, there were some 10-acre lots. Seems to be about the smallest that you're going to find in that general area, ranging anywhere from \$22 to \$35,000. That's a big upfront expense. When you also take into consideration a 10-year lease, if you're paying \$500 a month for 10 years, that's \$60,000 over the lease. Short-term benefits versus long-term costs are associated. If you only need an acre for a transfer station, that does afford the County nine acres that could potentially be used.

Ryan Schwebach-County Chairman: That's my point. I would like to exhaust all those avenues before we just say yes. We don't have to do anything.

Kevin McCall-County Vice Chair: I don't think the County should be in the business of transfer stations. I think that it should be in the realm of Solid Waste. I understand that there is in the contract that the County is to provide three locations.

Ryan Schwebach-County Chairman: I don't agree. The reason is, I believe, that Solid Waste should be in the business of a landfill, and the County should be in the business of transfer, getting the trash to the landfill.

Kevin McCall-County Vice Chair: Who's running the stations?

Ryan Schwebach-County Chairman: Solid Waste is, but we're hiring them to do that, and that was one point in the contracts. The agreement is that that's a little bit clearer, to where we have options on who does that.

Kevin McCall-County Vice Chair: Out of the stations. How many does the County own the property?

<u>Jordan Barela- County Manager:</u> There are three sites under the contract that we agreed to provide, and one of those is in Tajique.

Ryan Schwebach-County Chairman: In Tajique, we did own it, but that land was given back to the land grant, and then we started leasing the site. That's one of the three that we own. I think the only one we don't own is Moriarty. Moriarty North Station has a long-term lease with DOT, like a 50-year lease or so.

<u>Linda Jaramillo-County Commissioner:</u> Can Solid Waste go ahead and find a property for itself?

<u>Ryan Schwebach-County Chairman:</u> We could, but I can go back to the overall concept that the County's responsibility is getting the trash. That's the only reason those transfer stations are there. That's what the Counties do for County residents, not municipalities. We're tasked with finding what is most cost-effective is what we need to do.

<u>Linda Jaramillo-County Commissioner:</u> Does Solid Waste have the money to purchase properties like that?

Ryan Schwebach-County Chairman: We'd have to get creative, but then it needs to be additional funds for the County. If they buy it for the County, then the County needs to be paying for it, so either way, it costs us.

<u>Linda Jaramillo-County Commissioner:</u> Do we have any idea how long a contract the Tajique Land Grant would give us?

<u>Jordan Barela- County Manager:</u> My understanding from talking to Andrew is that with the new site, specifically, they would be looking for more of a long-term lease.

Ryan Schwebach-County Chairman: Is it built up yet or not?

Jordan Barela- County Manager: I think there's still going to be some site work that needs to be done. They've put the gates on the property. The whole property is fenced in. There's some road base kind of leading into the driveway. In terms of talking to the Solid Waste, it would probably need a little bit more road base, in

addition to some brush clearage in that area, to make sure that there's a place to put in vehicles to turn around, because it still is a relatively wooded area. I think from the Land Grants perspective, with my conversations, that was part of the reason for the long term leases, is from their perspective, if there needs to be upgrades that need to be made to the property, they wouldn't want to invest that time and money and effort to bring it up to that standard, to then have the transfer station pull out shortly thereafter.

Kevin McCall-County Vice Chair: 10-year lease with who is doing the upgrades?

<u>Jordan Barela- County Manager:</u> That's subject to negotiation, but I think from the intent of it was to say we want the lease in case these upgrades need to be done, I would imagine that would fall on the property owner to do those upgrades.

Ryan Schwebach-County Chairman: We don't have a base price; we have nothing to look at.

Jordan Barela- County Manager: As far as we've been looking at other properties in there and ways to address that, with the specs that Danette gave us, discuss: this is the footprint, this is the need, what's it going to cost? As we were even talking about site upgrades. I certainly would think that's a responsibility that the property owner has to handle those, though it would have an implication potentially on how much the lease payment is. I think that's a factor also that comes into so when we're talking about lease price.

- 15. EXECUTIVE SESSION: None
- **16.** Announcement of the next Board of County Commissioners Meeting: July 23, 2025, at 9:00 AM.
- 17. Signing of Official Documents.
- 18. Adjourn.

Action Taken:

<u>Ryan Schwebach-County Chairman:</u> Motion to adjourn. <u>Linda Jaramillo-County Commissioner:</u> 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 11:58 AM.

Ryan Schwebach - Chairman

Genell Morris Admin Assistant

Date

Sylvia Chavez - County Clerk

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