

Final
Torrance County Board of Commissioners
Regular Commission Meeting
January 28, 2026
9:00AM

Commissioners Present:

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

Others Present:

JORDAN BARELA-COUNTY MANAGER
MICHELLE JONES-DEPUTY COUNTY MANAGER
MICHAEL GARCIA- COUNTY ATTORNEY
SYLVIA CHAVEZ-COUNTY CLERK
MACKENZIE CARLSON- ADMINASTRATIVE ASSISTANT 1
DON GOEN – PLANNING & ZONING DIRECTOR

1. CALL TO ORDER- Chairman Schwebach Called meeting to order at 9:0AM

2. PLEDGE OF ALLEGIANCE AND INNVOICATION- Commissioner McCall Offers an invocation, thanking God for the morning and recent moisture. Prays for Commissioner Jaramillo’s family for comfort and grace. Asks for guidance for the Commission in doing the County’s work.

3. CHANGES TO THE AGENDA- County Manager Jordan Barela requests deferral of items 10 E and 10 G.

4. PUBLIC HEARINGS ON PROPOSED ORDINANCE

a. MANAGER (PUBLIC HEARING): Request Approval of Torrance County Ordinance No. 2026-01 An Ordinance Establishing the Torrance County Permanent Fund.

Motion: Chairman Schwebach motioned to enter public hearing; Seconded by **Commissioner McCall**.

Roll Call Vote:

- **Schwebach** – Yes
- **McCall** – Yes
- **Jaramillo** – Absent

Explanation of the Ordinance – Manager & Financial Advisor

- **County Manager Jordan Barela** – Overview
 - Ordinance creates a Permanent Fund for special revenues, primarily PILT (Payment in Lieu of Taxes) revenues.
 - Key points:
 - Ordinance creates the fund but does not appropriate money into it.
 - Future Commission resolutions will decide:
 - If PILT/revenues are deposited.
 - How much and when.
 - Purpose is investment safety and preservation of principal PILT funds.
 - Ordinance includes an investment policy specific to the permanent fund principal.
 - An income fund will also be created:
 - Interest earnings from the permanent fund can be re-appropriated to the General Fund for operating expenses.
 - Notes, notice and transparency:
 - Ordinance posted Dec. 15, 2025
 - Published in multiple news outlets and online.
 - Public was given a method to submit comments ahead of the hearing.
- Process Clarification
 - **Chairman Schwebach** asks about how many public hearings and timing of action.
 - **County Manager Barela** clarifies:
 - A prior meeting published title and summary (initial step).
 - Today's action adopts the ordinance and establishes the fund.

- No revenue is appropriated now; that will be a separate later action.

Commissioner Questions on Appropriations

- **Commissioner McCall**

- Requests explanation of how appropriations go in and come out of the fund.

County Financial Advisor, **Rob Burpo**

- Sworn in for public hearing testimony.
- Purpose of the Permanent Fund:
 - Creates a new fund under County structure.
 - Deposits IN:
 - Requires a Commission resolution (can be done annually or during the fiscal year).
 - Earnings OUT (interest):
 - Requires a Commission resolution to move earnings out of the fund to other funds.
 - Principal OUT:
 - Cannot be removed by Commission alone.
 - Requires a vote of the electorate at a regular election.
 - Must be for a specific purpose or expenditure.
 - “Permanent” is intentional; designed to protect principal.
 - Authority dates to late 1980s state legislation.
- Investment characteristics:
 - Money can be invested much like other County investments (U.S. Treasuries, agencies, etc.).
 - Difference from General Fund / Reserve:
 - Operating and reserve funds: Typically, 3–4 year maturities, lower yields.
 - Permanent Fund can invest further out on the yield curve for higher returns, still in safe instruments.
 - Current market yields (illustrative):
 - General/reserve funds: ~3.25%–3.5%.
 - Permanent Fund: ~4.25%–4.5%.
 - Roughly +1% higher earnings for permanent fund investments.

- **Chairman Schwebach**

- Clarifies today’s decision:
 - Only to establish the fund, not to fund it.
- **Mr. Burpo**
 - Confirms:
 - Two future steps if County chooses to actually fund it:
 1. Approve a Permanent Fund–specific investment policy.
 2. Approve a resolution moving PILT receipts into the Permanent Fund.

Commission Deliberation

- **Chairman Schwebach** – Position & Rationale
 - Sees the Permanent Fund as a “tool”:
 - Helps take a little more security with higher interest.
 - Depends heavily on the future of PILT (“what’s coming and what’s not”).
 - Views the fund as:
 - A solid foundation that cannot be easily spent.
 - Principal is not arbitrary spending – requires a public vote.
 - Funds remain liquid (investments can be sold) but disciplined by voter control.
 - States:
 - He supports enacting the structure now as a tool due to timing.
 - Emphasizes clarity: approving fund creation only, no funding decision yet.
- **Commissioner McCall**
 - States that he understands how it works.

Public Comment on the Ordinance

- **Chairman Schwebach**
 - Invites testimony for or against.
- Clerk/Staff response:
 - Reports:
 - No in-person sign-ups.
 - No Zoom comments on this item.

Motion: Chairman Schwebach motioned to exit public hearing; Seconded by **Commissioner McCall**.

Roll Call Vote:

- **Schwebach** – Yes
- **McCall** – Yes
- **Jaramillo** – Absent

Motion: Chairman Schwebach motioned to approve Ordinance; Seconded by **Commissioner McCall**.

Roll Call Vote:

- **Schwebach** – Yes
 - **McCall** – Yes
 - **Jaramillo** – Absent
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5. BOARD AND COMMITTEE APPOINTMENTS

a. COMMISSION: Discussion and Appointments of Torrance County's Representative Member to the Mid-Region Counsel of Governments (MRCOG) Executive Board and Alternate.

- **County Manager Barela**

- Explains:

- **Chairman Schwebach** is currently the primary (chief executive) appointee.
- **Jordan Barela** is the alternate.
- Board generally wants an elected official as the primary; alternates are often managers/deputies.

- **Chairman Schwebach**

- Asks:

- Whether he must be the executive representative.
- Whether action must be taken today.

- **County Manager Barela**

- Says:

- Appointments are made annually.

- No hard requirement to act today; could defer until **Commissioner Jaramillo** is present.
- Only pressing appointment concern is Solid Waste Authority Board.
- **Chairman Schwebach**
 - Notes heightened Department of Justice scrutiny over County processes.
 - Suggestions:
 - Appoint today, but revisit later when **Commissioner Jaramillo** is back, to give her due diligence and input.

Motion: Commissioner McCall motioned to keep 2026 MRCOG representation the same; Seconded by **Chairman Schwebach**.

Roll Call Vote:

- **Schwebach** – Yes
- **McCall** – Yes
- **Jaramillo** – Absent

- b. COMMISSION:** Discussion and Appointment of Torrance County’s Representative on the Estancia Valley Solid Waste Authority (EVSWA) Board.

Estancia Valley Solid Waste Authority Board

Motion: Chairman Schwebach motioned to keep the current appointment as-is; Seconded by **Commissioner McCall**.

Roll Call Vote:

- **Schwebach** – Yes
- **McCall** – Yes
- **Jaramillo** – Absent

- c. COMMISSION:** Discussion and Possible Re-Appointment of County Manager, Jordan Barela, as the Torrance County Voting Member of the New Mexico County Insurance Pool, and Appointment of Deputy County Manager, Michelle Jones, as the Alternate (Current Members – Jordan Barela and Misty Witt)

Motion: Chairman Schwebach motioned to approve the **reappoint of County Manager Jordan Barela** as voting member. Appoints **Deputy County Manager Michelle Jones** as alternate; Seconded by **Commissioner McCall**.

Roll Call Vote:

- **Schwebach** – Yes
 - **McCall** – Yes
 - **Jaramillo** – Absent
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- States intent to revisit all appointments when Commissioner Jaramillo is present, even if no changes result.

6. PUBLIC COMMENT

No in person Comment

Zoom

PJ Podesta – Innovation Law Lab

- Presents written statements from five TCDF detainees describing:
 - Poor food quality.
 - Inadequate medical care (reliance on Tylenol, delays).
 - Very cold sleeping quarters causing illness.
 - Lack of clothing changes (e.g., same clothes for four months).
 - Allegations of racism and mistreatment by staff.
 - Emotional harm and family separation, with spouses and children left fearful and unsupported.
 - Difficulty accessing dentists, ICE agents, and personal property (shoes, important documents).

Tiffany Wang – Innovation Law Lab

- Reads a statement from detainee “Domingo Lopez” (pseudonym):

- Lived in U.S. since age 10 (2002), DACA recipient, married to U.S. citizen with four U.S.-born children.
 - Describes being picked up in Minnesota, separated from family despite:
 - Valid DACA.
 - No current criminal issues beyond a resolved 2014 misdemeanor.
 - Asserts:
 - ICE is using harsh conditions at TCDF to coerce detainees into deportation.
 - Request: Torrance County should:
 - End its contract with ICE.
 - Stop using TCDF for family separation.
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7. DEPARTMENT/PROGRAM UPDATES AND COMMUNICATIONS

a. MANAGER/VERITAS, LLC: EMWT Update

- **Presenter: Ed Cardenas, (Manager) Veritas Services LLC.**
- Key points:
 - Hired by EMWT over a year ago; some costs are now covered by Torrance County.
 - Current work:
 - Drafting personnel policy manual for EMWT's first employee (*Jake*).
 - Drafting operations manual (maps, standard procedures, emergency protocols).
 - Training Jake toward state water operator certification.
 - Maintaining use of a contracted certified operator for sampling and operations.
 - Starting rate base analysis:
 - Needs 12 months of data (including summer) to set fair rates.
 - Implementing legacy utility billing software on loan from his former utility:
 - Will replace Excel spreadsheets.
 - Goal: fully online by March for ~170+ customers across systems.

- Surveying systems (e.g., Homestead) to identify pump station and control upgrades.
 - Emphasizes need for:
 - 24/7 response capability.
 - Long-term in-house certified operator.
 - Commission Direction:
 - **Chairman Schwebach:**
 - Wants static well levels monitored and included in daily/regular operations.
 - Concerned about:
 - Melody Ranch and PRC experiences.
 - Notes County is paying Ed but doesn't want to micro-manage; wants board to direct him, with County oversight.
 - Requests:
 - Monthly updates (written or Zoom) after EMWT board meetings.
 - Future meeting with County's EMWT representatives to align expectations.
 - **Commissioner McCall:**
 - Supports Ed's work but wants clarification that tasks (e.g., personnel manuals) match what County envisioned when contracting him.
 - Requests EMWT board representatives be brought to Commission for an update and direction discussion.
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b. DOMESTIC VIOLENCE: Torrance County Domestic Violence Program Update

- **Presenter: Tracey Master**, Torrance County Domestic Violence Program contractor.
- Program activity:
 - Outreach at Moriarty High School health event (~200 attendees); many unaware County still had a DV program.
 - Social media reach: 14,097 views as of Jan 22, 2025.
 - Networking with:
 - Local magistrate and municipal courts.
 - Crime Victims Reparation Commission.

- CYFD Children's Division.
- Developing:
 - Detailed mental health resource list (local churches, community groups).
 - Reference lists for National DV Hotline and Strong Hearts Native Helpline.
- Funding issues:
 - County missed the deadline for a new 3-year CYFD grant cycle due to transition timing.
 - Tracey has reached out to:
 - Futures Without Violence.
 - DOJ-VAWA grant programs.
 - Awaiting responses.
 - Donations:
 - Clothing from four community members.
 - Food from another.
 - Current needs:
 - Often must assist survivors who remain in homes without income (aggressor removed):
 - Need food, diapers, wipes, gas cards, grocery cards, Visa cards.
 - Running food/essentials drive through Feb 28.
- Staffing & contract:
 - Program Director Jarrah Medina:
 - 16 open cases.
 - Frequently in court.
 - Often uses her own money or unpaid time to fill program gaps.
 - Tracey plans to:
 - Request reduction in her own contract.
 - Shift funds to increase Medina's contract in April.
- DV Program Phone: 505-510-9983 (24/7).
- Commission & Manager Discussion – CYFD 3-Year Grant:
 - Tracey reports:
 - CYFD contacted Ms. Encarnacion told her:

- Torrance County cannot access remaining two years of 3-year funding previously granted to VSS.
 - **Chairman Schwebach:**
 - Very concerned that:
 - Funds may still be going to VSS, even though they terminated MOU with County.
 - Directs:
 - County Manager and County Attorney to:
 - Identify where the funds are going.
 - Seek to redirect funds to Torrance County's new program, if possible.
 - **Commissioner McCall:**
 - Has already raised the issue with Rep. Gonzalez at the Roundhouse.
 - Tracey will forward all correspondence with the state to facilitate investigation.
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c. TREASURER: Treasurer's Office Monthly Update

- **Presenter: Kathryn Hernandez County Treasurer**
- Status:
 - All bank reconciliations are current.
 - All mail and tax payments are processed and posted.
- Delinquent mobile home taxes:
 - ~3,100 mobile home accounts countywide.
 - First 100 accounts reviewed:
 - ~20 delinquent.
 - Some 2–10 years past due.
 - About \$56,000 in just those 20 heavily delinquent accounts.
 - Preparing:
 - Verification of ownership and balances.
 - Eventual mobile home tax auction to recover revenue.
- LGIP Accounts:
 - Two Local Government Investment Pool accounts:
 - One holds \$1.01.

- Questions raised by **Commissioner McCall**:
 - Why maintain an essentially empty account?
 - Is it required?
- Manager and Treasurer will research whether it can be closed.
- Staffing & training:
 - Office has 8 staff positions.
 - No longer using private accounting firm.
 - Arranged peer training with another County 2 days/week:
 - Comparing Encode and EAGLE financial systems.
 - Understanding GEO codes and crosswalk.
- **Chairman Schwebach**:
 - Concerned about:
 - High turnover in Treasurer's office.
 - Long-term structural stability of financial operations.
 - Signals interest in:
 - Evaluating which functions could be outsourced.
 - Possibly using seasonal staff for peak customer service periods.
 - Understanding statutory staffing requirements vs. current staffing.

8. APPROVAL OF MEETING MINUTES

- a. **COMMISSION**: Request Approval of January 14, 2026, Regular Meeting Minutes of the Board of County Commissioners.

Motion: Commissioner McCall motioned to approve Minutes; Seconded by **Chairman Schwebach**

Roll Call Vote:

- **Schwebach** – Yes
- **McCall** – Yes
- **Jaramillo** – Absent

- b. **COMMISSION:** Request Approval of January 20, 2026, Special Meeting Minutes of the Board of County Commissioners.

Motion: Commissioner McCall motioned to approve Minutes; Seconded by **Chairman Schwebach**

Roll Call Vote:

- o **Schwebach** – Yes
 - o **McCall** – Yes
 - o **Jaramillo** – Absent
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- County Clerk **Sylvia Chavez** asks if Commission is comfortable with more concise format.
 - Both Schwebach and McCall:
 - Agree concise format is acceptable, using audio for detailed reference if needed.

9. CONSENT AGENDA

- a. **FINANCE:** Request Approval of Payables with a date range of 1/8/2026 to 1/21/2026

Motion: Chairman Schwebach motioned to approve payables dated 1/18/26–1/21/26; Seconded by **Commissioner McCall**

Roll Call Vote:

- o **Schwebach** – Yes
- o **McCall** – Yes
- o **Jaramillo** – Absent

10. APPROVALS/ACTION ITEM

- a. **GRANTS/SHERIFF:** Request Approval to Submit an Application to the New Mexico Department of Public Safety Crisis Intervention Grant Program in the

Amount of Approximately \$100,000.00 to Purchase a Firearms Training Simulator for the Torrance County Sheriff's Office.

- **Presenter: Jody Cornwell Grants Administrator**
- Crisis Intervention Grant – Firearms Training Simulator (Sheriff's Office)
 - NM DPS State Crisis Intervention Program (SCIP) grant.
 - Amount: Approximately \$100,000.
 - Use: Purchase firearms/use-of-force training simulator.
 - Match: None required.
 - Term: 18 months.
 - **Sheriff Frazee:**
 - Describes simulator as a multi-scenario training tool for:
 - De-escalation.
 - Use-of-force decision-making.
 - Can be housed in existing training room.
 - **Commissioner McCall:**
 - Wants commitment to use the simulator regularly, not let it sit idle

Motion: Chairman Schwebach motioned to approve; Seconded by **Commissioner McCall**

Roll Call Vote:

- **Schwebach** – Yes
- **McCall** – Yes
- **Jaramillo** – Absent

b. GRANTS/SENIOR CENTERS: Request Execution of a Grant Agreement Between Torrance County and the New Mexico Department of Aging and Longterm Service in the Amount of \$112,000.00 for Renovations to the Estancia Senior Center.

- **Presenter: Jody Cornwell Grants Administrator**
- **Purpose:** Estancia Senior Center renovations (parking lot repaving, restucco, complementing prior interior projects).

Motion: Chairman Schwebach motioned to approve; Seconded by **Commissioner McCall**

Roll Call Vote:

- **Schwebach** – Yes
 - **McCall** – Yes
 - **Jaramillo** – Absent
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c. GRANTS/SENIOR CENTERS: Request Execution of a Grant Agreement Between Torrance County and the New Mexico Department of Aging and Longterm Service in the Amount of \$105,000.00 for Renovations to the Mountainair Senior Center.

- **Presenter: Jody Cornwell Grants Administrator**
- **Purpose:** Mountainair Senior Center improvements (HVAC, parking area, sidewalk).

Motion: Chairman Schwebach motioned to approve; Seconded by **Commissioner McCall**

Roll Call Vote:

- **Schwebach** – Yes
 - **McCall** – Yes
 - **Jaramillo** – Absent
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d. GRANTS/FIRE: Request Execution of a Grant Agreement Between Torrance County and the New Mexico Environment Department in the Amount of \$250,000.00 to Plan, Design, Construct and Equip Water Collection and Storage Systems for the McIntosh Fire Station.

- **Purpose:** Plan, design, construct, and equip water collection and storage and fire suppression/sprinkler system for Macintosh Fire Station to allow 24/7 staffing.

Motion: Chairman Schwebach motioned to approve; Seconded by **Commissioner McCall**.

Roll Call Vote:

- **Schwebach** – Yes
 - **McCall** – Yes
 - **Jaramillo** – Absent
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- e. **FIRE:** Request Approval to Pay Three Prior Year's Invoices to AutoZone in the Total Amount of \$310.37

Deferred

- f. **LEGAL:** Request Approval of the 2025 Fourth Quarter Restrictive Housing Report.

Motion: Chairman Schwebach motioned to approve; Seconded by **Commissioner McCall**

Roll Call Vote:

- **Schwebach** – Yes
 - **McCall** – Yes
 - **Jaramillo** – Absent
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- g. **MANAGER:** Request Approval of a Fiscal Agent Agreement Between Torrance County and EMWT to Administer Funding Provided by the New Mexico Office of the Governor.

Deferred

11. DISCUSSION/PRESENTATION

- a. **MANAGER:** Discussion and Update on the Finance Department and Treasurer's Office Operations
- **County Manager Jordan Barela**
 - Identified gaps in revenue forecasting and advanced accounting.
 - Proposed short-term CPA engagement to evaluate and reorganize operations.

- **Chairman Schwebach**
 - Stressed checks and balances, accuracy, and staff training.
- **Commissioner McCall**
 - Requested clarity on funding source.

Proposal Details

- 6–9 month CPA contract
- Budget: \$100,000 (reallocated from salary study funds)
- Goal: Cleanup, oversight, and formal recommendations before next budget cycle.
- **Deputy County Manager Michelle Jones**
 - Supported bringing in CPA expertise.

b. MANAGER: Secondary Discussion on Establishing Budget Priorities for the Fiscal Year 2027 Budget Cycle.

- Commission agreed to:
 - Have each Commissioner submit 3–5 priority items.
 - County Manager to consolidate and bring back a draft priority list at a future meeting when full Commission is present.

c. MANAGER: Discussion on the Torrance County DWI Program

- **Jordan Barela**
 - Ongoing coordinator turnover affecting program stability.
 - Explored contracting and moving program oversight to Sheriff’s Office.
- **Sheriff**
 - Highlighted success of saturation patrols and roadblocks.
 - Emphasized need for consistent enforcement strategy.
- **Commissioner McCall**
 - Suggested prioritizing enforcement over prevention.
 - Discussed grant funding for a new vehicle.

d. CLERK’S REPORT

- **Clerk Sylvia Chavez:**

- Announced March 10, 9–5 candidate filing date and requirements.
 - Described mail ballot elections for Estancia Schools (Feb 17–Mar 17) and Corona Schools (Feb 24–Mar 24).
 - Announced that New Mexico Counties Board of Directors will hold main meeting in Torrance County; tentatively to use Commission Chambers.
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e. MANAGER’S REPORT

Legislative Session & Capital Outlay

- **Jordan Barela**

- Reported active engagement in the 2026 Legislative Session.
- Traveled to Santa Fe with Commissioner McCall to meet with all four Torrance County legislative representatives.
- Discussions focused on capital outlay priorities and County funding needs.
- Verbal Legislative Commitments (Not Final)
 - Administration Building: Verbal funding commitments received from all four legislators.
 - Domestic Violence Program: \$37,500 in GRO funding discussed.
 - Sheriff’s Vehicles: Approximately \$180,000 verbally committed for new vehicles.
 - Emphasized that capital outlay funding remains subject to:
 - Legislative approval
 - Possible line-item vetoes
 - Final budget enactment

House Bill 9 (HB9) – Detention Facility Closure Impacts

- Jordan Barela
 - Discussed HB9 and its anticipated fast-track approval.
 - Reported proposal by Senator Sharer to establish a “hold harmless / mitigation fund” for counties impacted by detention facility closures.
 - Explained that:
 - New Mexico Counties drafted the proposal.
 - Funding would offset lost revenues and increased County costs.
- Impact on Estancia & Torrance County

- Estancia receives approximately \$900,000 annually in GRT tied to the detention facility.
- Loss of revenue could reduce local emergency services.
- County would likely need to absorb service gaps if the city is impacted.
- Advocacy Actions
 - Provided written feedback to:
 - New Mexico Counties
 - Senator Sharer's office
 - Advocated for recognition of municipal impacts that ultimately affect counties.
 - Ongoing monitoring of HB9 amendments and related legislation.

Department of Justice (DOJ) Correspondence & Litigation

- Jordan Barela
 - Confirmed no response received from the DOJ to date.
 - County received confirmation of receipt after submitting its response.
 - No formal service has occurred yet related to the district court complaint.
 - Noted statutory 30-day response window begins upon service, which has not yet occurred.

f. COMMISSIONERS' REPORTS:

1) Commissioner McCall, District 1

Legislative Visit – Roundhouse Update

- Reported that clearly defined Commission priorities were well received by legislators.
- Highlighted effectiveness of presenting focused, realistic funding requests.
- Key Legislative Outcomes
 - Representative Lord
 - Allocated \$180,000 of her GRO funds specifically for Torrance County sheriff's vehicles.
 - Senator Stefanics
 - Already had Torrance County listed for domestic violence funding.
- Administration Building

- \$3.25 million request discussed.
 - Legislators reassured the County that partial funding is acceptable.
 - Commissioner emphasized project will proceed with or without capital outlay, reinforcing project readiness.
 - Positive Legislative Feedback
 - Legislators expressed appreciation that Torrance County:
 - Spends allocated funds promptly
 - Has shovel-ready projects
 - Avoids unspent or “wish list” capital outlay requests
 - Noted LFC scrutiny and fund sweeps targeting jurisdictions with idle capital funds.
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2) Commissioner Schwebach, District 2

- Noted lack of DOJ response remains concerning.
 - Announced Commissioner Jaramillo’s absence was due to a serious family health situation with her mother and requested public prayers.
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3) Commissioner Jaramillo, District 3

Absent

12. Announcement of the next Board of County Commissioner’s Meeting:

February 11, 2026

13. SIGNING OF OFFICIAL DOCUMENTS

14. ADJOURNMENT

Motion: Chairman Schwebach motioned to approve; Seconded by **Commissioner McCall**

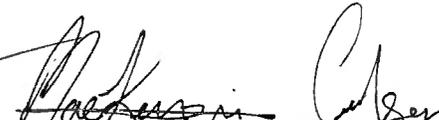
Roll Call Vote:

- **Schwebach** – Yes
- **McCall** – Yes
- **Jaramillo** – Absent

Adjourned at 11:25AM



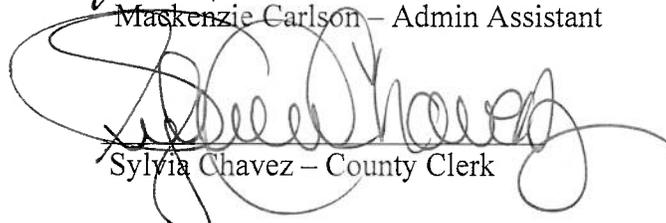
Ryan Schwebach – Chairman



Mackenzie Carlson – Admin Assistant

2/11/2026

Date



Sylvia Chavez – County Clerk

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