

FINAL
Torrance County Board of Commissioners
Regular Commission Meeting
May 13, 2026
9:00AM

Commissioners Present:

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

Others Present:

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

1. CALL TO ORDER

Chairman Schwebach Calls meeting to order at 9:11AM

2. PLEDGE OF ALLEGIANCE AND INNVOcation

- Pledge led by Chairman Schwebach
- Invocation led by Commissioner McCall

3. CHANGES TO THE AGENDA

County Manager Jordan Barela -No changes to the agenda

4. PUBLIC COMMENT (Comment limited to TWO Minutes)

Christina Estrada- lifelong Torrance County resident

- Stated her family built the county building and she intends to remain in the county for life.
- Does not use social media but was notified by family and community members that she was being discussed on Facebook.
- A “private citizen” posted about why he wasn’t going to vote.
- Christina said:
 - No one named her until the Sheriff did.

- She was called out by name by the Sheriff, and the Sheriff's Executive Assistant, a Clerk, and the Deputy involved were active on the thread.
- Her prior arrest was referenced; she emphasized:
 - The case was vacated, effectively acknowledging a court error.
 - She feels vindicated and states she is not a liar, contrary to statements she attributes to the Sheriff.
- Request:
 - Asked the Commission to investigate the Sheriff's Department's conduct on social media and consider whether any social media policy exists or is needed.

Jess (Jesse) Lopez – Member, VFW Post 3370

Mike Haynes – Chaplain, VFW Post 3370

Joseph "Joe" Gaiter – Commander, VFW Post 3370

- Thank's the Commission and update on the Moriarty Veterans Monument.
- The Monument recognizes veterans from the Estancia Valley by engraving their names on a wall.
- Commission Support:
 - County funding and public awareness helped finance 68 new veteran names to be added this year.
- Memorial Service:
 - Date: May 25 (Memorial Day period)
 - Event: Ceremony to recognize the 68 newly added veterans.
 - Invitation: Commissioners and the public are invited to attend.
- Ongoing Work:
 - There is money left over; VFW will:
 - Continue fundraising
 - Seek more veterans from the Valley (including retirees who moved back)
 - Goal: Add additional smaller batches of ~25 names more frequently, instead of waiting many years.
- Personal Messages:
 - Jess Lopez: Emphasized the Monument is a recognition of service for local veterans, thanked the Commission personally.

- Mike Haynes:
 - Spoke in more inspirational/spiritual terms, comparing veterans' role to water sustaining life.
 - Encouraged community members who have DD214s and qualify to contact him so they can be added in the next group.
- Commander Joe Gaiter:
 - Personally, thanked the Commission for their help and invited everyone to the Memorial Day service.

Chuck Caviness- Senior Code Enforcement Officer

- Update on code enforcement activities, especially cleanup of defunct cannabis farms.

Cannabis Farm Cleanups:

- Several former cannabis sites were causing issues (plastic, trash, debris blowing across roads).
- Farm 1:
 - ~60 hoops removed, plastic still being cleaned up.
 - Pots and 275-gallon totes removed.
 - Estimated ~70% complete.
- Farm 2 (on "Arroyo/La Trencherita" area):
 - ~90% cleaned up.
 - Related site on NM 542: 60–70% complete; plastic being removed from hoop houses.
 - Owner planning to reuse hoop houses for tomatoes, not cannabis.
- Farm 3:
 - ~50% complete.
 - Slower progress because owners are out of state and there are language barriers.
 - Still making progress.

Programmatic Changes & Strategy:

- Historically: ~125 cases/year; last year slightly down due to staffing (two officers).
- New staffing:
 - Victoria Carr hired her in January as a new officer; performing well.

- Current year:
 - Already at 96 cases (by early May).
 - Expect 175–200 cases by year-end.
- Territory-based enforcement:
 - Officers assigned geographic territories for several months before rotating.
 - Benefits:
 - Reduces travel time; increases face-to-face contact with residents.
 - Improves relationships and compliance through frequent follow-up.
 - Officers can see daily or weekly changes, increasing awareness and responsiveness.
 - Neighborhood effect:
 - When one property gets a citation (e.g., for inoperable vehicles or excess trash), neighbors often self-correct (e.g., rent roll-off dumpsters) even before being cited.

Court Avoidance & Cleanup Funding:

- Going to court consumes ~12 hours of staff time per case (prep, pre-trials, etc.), not including the trial itself.
- Strategy is to maximize voluntary compliance and minimize court filings to save time and money.
- Commissioner Jaramillo asked:
 - What happens if the property is abandoned and owners can't be located?
 - Is there funding for county-initiated cleanups?
- Response (Caviness + Planning Director Don Goen):
 - If a property is a health hazard (blowing trash, hazardous conditions, abandoned structures), the county can:
 - Initiate cleanup,
 - Place a lien on the property, to be collected if it is ever sold.
 - There is a dedicated cleanup fund with sufficient balance.
 - Typical cleanup budgeted at around \$8,000 per site, but some jobs are smaller and some larger.
 - The program is currently adequately funded.

Don Goen- Planning & Zoning Director

Board Vacancies:

- Two vacancies on the Planning and Zoning Board:
 - District 1 and District 2.
- Status:
 - One current member is eligible and has submitted a letter of reappointment.
 - One highly qualified applicant from District 2 has submitted a letter of interest.

Public Notice:

- Notice published in multiple newspapers, posted online and at county facilities.

Eligibility Requirements:

- Must:
 - Own or be purchasing land and reside in Torrance County
 - Not currently serving on any other County board or Commission
 - Not be employed by the County

Term & Process:

- Term: 3 years, with eligibility for one additional 3-year term (max two consecutive terms).
- Timeline:
 - Letters of interest are due: May 27, 2026, by 5:00 p.m.
 - Interviews: June 10, 2026 at the regular Commission meeting (starting at 9:00 a.m.).
 - Commission will make final appointment decisions at that meeting.

5. APPROVAL OF MINUTES

- a. COMMISSION: Request Approval of April 22, 2026, Regular Meeting Minutes of the Board of County Commissioners.**

Motion: Chairman Ryan Schwebach motioned to approve Commission Meeting minutes;
Seconded by Commissioner McCall.

Roll Call Vote:

- **Schwebach** – Yes
- **McCall** – Yes

- **Jaramillo** – Yes
 - Motion Carried
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6. CONSENT AGENDA

- a. FINANCE: Request Approval of Payables with a date range of April 16, 2026, through May 5, 2026**

Motion: Chairman Ryan Schwebach motioned to approve Payables; Seconded by **Commissioner Jaramillo**.

Roll Call Vote:

- **Schwebach** – Yes
 - **McCall** – Yes
 - **Jaramillo** – Yes
 - Motion Carried
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7. ADOPTION OF ORDINANCE / AMENDEMENT TO COUNTY CODE

- a. PUBLIC HEARING: Public Hearing on Torrance County Ordinance No. 2026 - 02, An Ordinance Amending Torrance County Ordinance No. 2007-01, Also Known as the Torrance County Flood Plain Ordinance.**

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

Roll Call Vote:

- **Schwebach** – Yes
 - **McCall** – Yes
 - **Jaramillo** – Yes
- Motion Carried

Entered Public Hearing at 9:30AM

Don Goen- Planning & Zoning Director

- Existing floodplain ordinance dated June 27, 2007 with no revisions until now.
- Changes prompted by a Community Assistance Visit (CAV) from Department of Homeland Security / Emergency Management to review:

- County's floodplain permitting,
- Compliance with the National Flood Insurance Program (NFIP),
- Ongoing eligibility to participate in NFIP.

Major Changes & Clarifications:

- Definitions updated and ambiguous provisions clarified.
- Development in flood zones (Zone A, etc.):
 - Requires development permits and elevation certificates.
- Maps used:
 - Torrance County operates primarily from Flood Hazard Boundary Maps, not detailed FEMA Flood Insurance Rate Maps (FIRMs), because no full engineering studies have been completed for many areas.
- Base Flood Depth vs. Base Flood Elevation:
 - In Zone A (no detailed engineering), NFIP guidance uses 1–3 feet as a typical base flood depth.
 - Don has consistently used 2 feet as a “happy medium”:
 - 1 foot: considered too risky (public safety).
 - 3 feet: potentially restricts development unnecessarily.
- New Requirements:
 - Pre-construction elevation certificate remains required.
 - Postconstruction elevation certificate now explicitly required (federal NFIP requirement).
 - Added penalties for non-compliance—gives the ordinance “small teeth.”

Implications:

- Existing structures not built under these rules are effectively grandfathered; requirements apply to new development going forward.
- Only properties in mapped flood zones (not all applicants) are affected.
- Accessory structures:
 - Open-sided agricultural sheds often do not require elevation certificates.
 - Fully enclosed accessory buildings may require design measures (engineering and/or flood vents).

Commissioner Jaramillo:

- Asked what kind of amendments were made and whether the rules are now stricter.
- Don confirmed: Yes, slightly stricter, primarily by:
 - Requiring post-construction elevation certificates
 - Enforcing penalties for non-compliance.
- Asked about cleanups by county for nuisance properties; response aligned with earlier code enforcement discussion (health hazard + lien).

Commissioner McCall:

- Asked how applicants obtain elevation certificates (answer: hire a licensed surveyor; pre- and post- construction field shots).
 - Whether all applicants must comply:
 - Only those in mapped flood zones.
 - How much of the county is in floodplain:
 - Don estimated rough 20%, but this was debated; Chairman Schwebach suggested it might be less when considering the entire acreage.

Michelle Jones (as citizen/Deputy County Manager):

- Questioned:
 - Whether requiring post elevation certificates is:
 - A federal insurance requirement or
 - A new local burden.
 - Noted the typical approximate cost of \$700 per elevation certificate (pre + post), which can be significant in current economic conditions.
- **Don clarified:**
 - The post-cert requirement is federal (NFIP), not something Torrance invented.
 - FEMA flagged the lack of post documents as a compliance gap during the CAV.
 - The county must comply to maintain NFIP participation and keep flood insurance costs stable countywide.
 - Approximate survey cost: ~\$700 total (two site visits).

- Don provided examples of actual flooding (e.g., a homeowner near the Chairman's farm whose property has flooded multiple times).
- County is trying to balance safety with development feasibility.
- Don mentioned prior attempt to challenge certain mapped flood zones in Estancia via Letter of Map Amendment/Revision; he believed much of Estancia was mis-mapped, but without full engineering and FEMA approval, they could not change the maps.

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

Roll Call Vote:

- **Schwebach** – Yes
- **McCall** – Yes
- **Jaramillo** – Yes
- Motion Carried

Exited Public Hearing at 9:50AM

b. PLANNING AND ZONING: Request Approval of Ordinance No. 2026 - 02, An Ordinance Amending Torrance County Ordinance No. 2007-01, Also Known as the Torrance County Floor Plain Ordinance.

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

Roll Call Vote:

- **Schwebach** – Yes
- **McCall** – Yes
- **Jaramillo** – Yes
- Motion Carried

8. ADOPTION OF RESOLUTION

- a. MANAGER: Palomas Inducement Resolution, declaring the intent of Torrance County to issue taxable industrial revenue bonds, in one or more series, in an aggregate principal amount not to exceed \$1,221,075,000, in connection with a proposed project for the generation of wind energy to be located within the boundaries of the County, but outside the boundaries of any incorporated**
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municipality, for the purpose of inducing Palomas Power LLC, a Delaware Limited Liability Company (or any affiliated entity thereof and their respective successors, assigns and/or their affiliates) to develop the project site and acquire, construct, equip, and install the project being developed in one or more phases; and directing the County Clerk to publish a notice of intent to consider an ordinance authorizing the issuance and sale of the bonds in a newspaper of general circulation within the County.

Jill Sweeney- outside bond counsel (Modrall/Teflon)

Jeremy Turner- Pattern Energy

Bob Burpo- County financial advisor (Via Zoom)

Project Summary:

- Developer: Alamos Power LLC (Pattern Energy affiliate, Delaware LLC).
- Project Type: Wind energy generation, multi-county (Torrance & San Miguel).
- Total Generation Capacity: ~801 MW overall project.
 - Approx. 225 MW in Torrance County.
 - Remainder in San Miguel County.
- IRB Inducement Amount for Torrance County:
 - Up to \$1,221,075,000 in taxable industrial revenue bonds (cap for Torrance portion; actual issued can be less).
- Location:
 - Unincorporated areas of Torrance County (eastern portion), crossing into San Miguel County.
 - Separate but coordinated processes with San Miguel County (San Miguel approved a similar inducement the day before this meeting).

Nature of IRB:

- IRB here is primarily a tax abatement mechanism, not a county loan:
 - County does not lend money or pledge its credit.
 - Bonds facilitate:
 - Property tax abatement (real & personal)
 - GRT/compensating tax abatement for eligible materials (through Type 9 NTTTCs and acting as purchasing agent of the county).
- The company bears all costs of:

- Bond issuance,
- Advisory team (bond counsel, financial advisor, etc.),
- No direct county funds expended on issuance.

Use of Type 9 NTTTCs:

- Allows companies to start purchases early and realize tax savings before final ordinance.
- If the final ordinance is not adopted:
 - Any tax benefits realized must be repaid.

Duration:

- Bonds expected to have ~30-year term.

PILOT (Payment in Lieu of Taxes) & Schools:

- IRB includes PILOT arrangements to:
 - County and
 - School districts: Corona, Estancia, Moriarty-Edgewood, and Vaughn.
- New state law (2023) changed the distribution formula to schools:
 - No longer simple 20% each; now more complex.
 - Mr. Burpo will:
 - Analyze and model distributions,
 - Conduct full-disclosure meetings with each impacted school district to explain impacts and methodology.

Chairman Schwebach

- Asked whether the \$1.221B inducement amount is Torrance only or for the entire multi-county project.

Jeremy Turner

- Clarified the 1.221B is for Torrance County portion (~225 MW).
- Larger share of total capacity is in San Miguel County, which has its own inducement.
- Agreed to provide:
 - Maps showing:
 - The full project (Torrance + San Miguel).

- Existing wind projects in the region (SunZia, Western Spirit, other non-Pattern projects).
- Clarifications on where the power is going once off-take agreements are finalized.

Media Confusion & Non-Pattern Projects:

- Recent media coverage (KOB/KOAT/Q13 style) conflated another project near Cedarvale with Torrance County wind expansions.
- **Turner** clarified:
 - The other project near Cedarvale is not a Pattern Energy project; it is a different developer and will have its own IRB request if it comes to the County.

Off-takers / Where Power Goes:

- Pattern has no final power purchaser yet for Alamos project.
- They bid into PNM's 2025–2026 RFP and are awaiting final decisions.
- Hopeful the power will be sold in-state to PNM or another New Mexico load, but subject to contracting.

Inter-County Consistency:

- On multi-county projects (e.g., SunZia), Pattern previously agreed that:
 - All counties receive similar terms.
 - They plan same approach here with Torrance and San Miguel.

School Funding & Legislative Changes:

Bob Burpo

- Emphasized the importance of explaining new PILOT distribution rules to school boards.
- Noted prior projects used simple 20% per district; new statute creates more nuance in allocation.

Commissioner Jaramillo

- Commented on prior negotiations when she attended as an observer before she became a commissioner:
 - Expressed comfort with IRB approach and pattern of working with Pattern / advisors.

Chairman Schwebach

- Highlighted:

- The County’s independent advisory team (legal + financial) works for the County, even though the company pays their fees.
- Past experiences with Pattern:
 - Strong responsiveness to local concerns, such as:
 - Speeding trucks near school bus stops,
 - Road conditions,
 - Safety concerns.
 - Provided example where:
 - A school board member complained about construction trucks speeding past a bus stop.
 - Within 24 hours, Pattern:
 - Contacted all subcontractors,
 - Enforced speed controls,
 - Deployed supervisors to monitor,
 - Brought in gravel to improve conditions.
 - He praised Pattern as a “good partner to work with.”

Project Cost Increase vs. April Figures:

Commissioner McCall

- Noted earlier packet (April) referenced \$866 million for Torrance portion; current inducement is \$1.221B.

Jeremy Turner

- Explained increase:
 - Market conditions worsened (equipment cost inflation).
 - Project design might shift more turbines into Torrance depending on final FAA and federal guidance and physical layout.
 - Inducement sets a maximum cap; final issuance may be lower.

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

Roll Call Vote:

- **Schwebach** – Yes
- **McCall** – Yes

- **Jaramillo** – Yes
 - Motion Carried
 - Chairman Schwebach moved to approve the inducement resolution for the Alamos Power IRB, including substitution of an amended Exhibit A map (more accurate project footprint).
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9. APPROVALS/ACTION ITEM

- a. **EMERGENCY MANAGEMENT: Request Approval of Amendment No. 1 to Intergovernmental Agreement 26 IGS 3050 00038, an Agreement Between Torrance County and the New Mexico Department of Health.**

Samantha O'Dell- Emergency Manager

- Agreement: IGA 26-IGS-305000038 between Torrance County and NM Department of Health (CRI program).

Key Changes:

- Funding:
 - Annual allocation reduced from \$18,000 to \$15,000 (state funding constraints).
 - Due Dates:
 - Adjusted to improve DOH finance timeline; reporting and deliverables staggered to avoid all being at end of year.
 - Tasks F & G (Exercises):
 - Updated to a different exercise plan for upcoming year.
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Legal Review:

- Deputy County Manager Michelle Jones noted the amendment is legally acceptable.

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

Roll Call Vote:

- **Schwebach** – Yes
 - **McCall** – Yes
 - **Jaramillo** – Yes
 - Motion Carried
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- b. MANAGER: Request Approval of a Work and Financial Plan between Torrance County and the United States Department of Agriculture Animal and Plant Health Inspection Service Wildlife Services for Fiscal Year 2027.**

County Manager Jordan Barela

Program Overview:

- Cooperative program with USDA Wildlife Services helps ranchers and agricultural producers address predator issues (e.g., coyotes, other wildlife killing livestock).
- County funds a portion of a USDA wildlife specialist's salary.

Cost Share & Budget:

- Typical cost split 52% County / 48% Federal.
- USDA requested \$47,500 for Torrance County's FY 2027 contribution, same as prior year.

Budget Timing:

- Plan is for FY 2027 (starts July 1, 2026).
- Approval now allows this to be built into FY27 budgeting.

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

Roll Call Vote:

- **Schwebach** – Yes
- **McCall** – Yes
- **Jaramillo** – Yes
- Motion Carried

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- c. FIRE: Request Approval of a New Mexico State Forestry Division Resource Mobilization Plan ("RMP") for Torrance County Fire and Rescue.**

Gary Smith- Fire Chief (with Steven Meister, Wildland Coordinator)

Purpose:

- Participation in the New Mexico State Forestry Resource Mobilization Plan:
 - Enables Torrance County Fire to deploy resources (engines, crews) to statewide wildfires under mutual aid.
 - Provides reimbursement mechanisms for deployments.

Background:

- Historically, County did not participate fully because of:

- Insufficient wildland training,
- Lack of national qualifications.

Current Preparedness:

- Wildland Coordinator: Firefighter Steven Meister designated.
- PAC Test:
 - Arduous 3-mile pack test; 12 firefighters passed.
 - This qualifies them for certain wildland deployments.
- Reimbursement Example:
 - A relatively small Clines Corners fire resulted in \$2,300–\$2,500 reimbursement under the plan.
- Chief Smith noted:
 - Participation will over time generate revenue for Fire and help offset costs.

Commission Q&A:

- Commissioner Jaramillo: Asked about number of wildland fires this year.
 - Chief Smith: Many; the department's been very busy (e.g., Encino area, numerous responses).
- Commissioner McCall: Confirmed:
 - Participation does not reduce State Forestry's willingness to send their own resources; it augments capacity.
- Chairman Schwebach:
 - Compared this to "Only the Brave" (Granite Mountain Hotshots) storyline to illustrate resource-typing and credentialing.

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

Roll Call Vote:

- **Schwebach** – Yes
- **McCall** – Yes
- **Jaramillo** – Yes
- Motion Carried

d. FIRE: Request Approval of a Emergency Services Agreement Between Torrance County and the Public Consulting Group, LLC, for the Ambulance Supplemental Payment Program ("ASPP").

Gary Smith- Fire Chief

Program Purpose:

- ASPP is a Medicaid supplemental payment mechanism:
 - Currently, Medicaid reimbursements for ambulance transports are below full cost.
 - ASPP uses a pooled funding model to draw down additional federal and state money to close the gap for EMS providers.

Mechanics:

- Pool is funded by:
 - Local share (counties, municipalities, etc.)
 - State share
 - Federal (Medicaid) share
- Torrance County local share:
 - Approx. \$24,000 per quarter as “earnest money” into the pool.
- In return:
 - County can bill beyond baseline Medicaid reimbursement and recover significantly more than the local share (net positive to the Fire/EMS budget).

Implementation Details:

- Sole source administrator in NM: Public Consulting Group (PCG).
- Many other NM fire/EMS agencies already participate and use PCG.
- Chief Smith:
 - Acknowledged the complexity of the program and his desire not to “reinvent the wheel.”
 - Emphasized it is much simpler and safer for Torrance to use PCG, as all other participants do.

Commissioner Jaramillo:

- Asked if many transports are Medicaid:
 - Chief Smith: Yes, the vast majority of County transport is Medicaid.
- Asked if PCG does all the billing:
 - Answer: PCG handles the ASPP component and claiming structure.

Commissioner McCall:

- Asked where the \$24K/quarter would come from:

County Manager Jordan Barela

- Potentially from Fire Department budget if capacity exists,
- Or from Commission budget decisions in the next fiscal cycle (interim/final budget).

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

Roll Call Vote:

- **Schwebach** – Yes
 - **McCall** – Yes
 - **Jaramillo** – Yes
- Motion Carried

e. MANAGER: Request Approval of Amendment No. 6 to the Lease Agreement Between Torrance County and the Tajique Land Grant for the Lease of Property Related to the Tajique Transfer Station.

County Manager Jordan Barela

- Current Tajique Transfer Station lease with Tajique Land Grant expires June 30.
- County is developing a new transfer station site off Highway 55, but:
 - Site is not yet fully ready.
 - Major remaining need: perimeter security fencing.

New Site Status:

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- Work completed:
 - Brush cleared,
 - Base course spread,
 - Area partially graded.
 - Still needed:
 - Security fence enclosing the operational footprint,
 - Earthen mound for easy drive-up dumping (to avoid stairs/ramps),
 - Concrete pad for compactor to prevent shifting/sinking.

Funding Constraints:

- Neither County nor Land Grant currently has capital funds for fencing.
- Intend to pursue state funding or grants:
 - Recognizing that since Land Grant owns land, it makes more sense for them (or state) to fund fencing than for County to invest heavily in leased land.

Lease Amendment #6 Key Terms:

- Extends current site lease beyond June 30:

- Through October 31, 2026, plus
- Month-to-month option thereafter if needed until new site is ready.
- Rent: Remains unchanged from current agreement.

Discussion:

- **Chairman Schwebach:**
 - Asked who owns existing fencing at current site and whether it's movable.
 - Manager noted:
 - Likely Solid Waste Authority or County paid for it originally,
 - But it's chain-link set-in concrete, old, and not easily reusable for the larger footprint at new site.
- **Commissioner Jaramillo:**
 - Raised concerns about visibility and aesthetics at new site:
 - Noted that tree line screens the site from the road, which is good visually but could create security blind spots.
 - **Manager:**
 - Confirmed trees deliberately left to reduce visual impact;
 - Acknowledged security concerns (hidden access), strengthening the case for robust fencing and lighting.

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

Roll Call Vote:

- **Schwebach** – Yes
- **McCall** – Yes
- **Jaramillo** – Yes
- Motion Carried

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- f. ANIMAL SERVICES: Request Ratification of a Grant Agreement Between Torrance County and Best Friends Animal Society Allocating \$5,000.00 for Animal Transport and Medical Care.**

County Manager Jordan Barela (on behalf of Animal Services Director Danette, who left on an emergency call)

Grant Details:

- Source: Best Friends Animal Society
- Amount: \$5,000
- Purpose:
 - Animal transport
 - Medical care (e.g., vet care for ill or injured animals in County custody)
- Context:
 - County already has existing grant relationships with Best Friends.
 - An additional \$5,000 was offered by Best Friends at the end of their fiscal year.
 - They needed a quick acceptance; Manager executed it to avoid losing funds.

Use of Funds:

- Used to:
 - Pay for transport of animals to rescues or partner shelters,
 - Cover medical bills via existing PO's with local veterinarians.
- Important note:
 - Private funds like this avoid anti-donation clause issues (since this is not public money).

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

Roll Call Vote:

- **Schwebach** – Yes
- **McCall** – Yes
- **Jaramillo** – Yes
- Motion Carried

Break at 10:30AM

Returned from Break at 10:50AM

10.DISCUSSION/PRESENTATION

a. MANAGER: Discussion on the Fiscal Year 2027 Infrastructure and Capital Improvement Plan for Torrance County

County Manager Jordan Barela,

ICIP Cycle:

- Current ICIP covers FY 2027–2031.
- New ICIP will cover FY 2028–2032.
- Staff provided Excel spreadsheet listing:
 - All current ICIP projects,
 - Whether County-owned or for external entities,
 - Type: Construction, Planning, Capital (equipment/vehicles),
 - Current phase (planning, design, construction, not started),
 - Shovel-ready status (Yes/No),
 - Staff notes/recommendations.

House Bill 247 – Capital Outlay Reform:

- Applies to new Capital Outlay appropriations.
- Key Requirements for Grants:
 1. Within first 6 months of grant term:
 - At least 10% of total award must be encumbered (e.g., design contract, equipment PO, etc.).
 - If not: Grant funds are frozen.
 2. By 6 months before end of term (4-year standard):
 - Must have expended at least 85% of total award.
 - If not: remaining funds freeze.
- If County receives a capital outlay award for a project that is not shovel-ready:
 - Best practice is to delay acceptance (signing grant agreement) until the project is ready,
 - However, delaying acceptance does not extend the overall term (still 4 years from appropriation).

Implication:

- ICIP should prioritize projects that can realistically move quickly (design, environmental, right-of-way, etc. already in motion), to avoid:
 - Accepting funds that cannot be timely used,
 - Losing or freezing funds,
 - Damaging credibility with legislators and state agencies.

10.2 Specific Project Discussion – McIntosh Fire Station Water Suppression

Project: Fire Station Water Suppression System – McIntosh Station

Speakers:

- **Fire Chief Gary Smith**
- **Grants Manager Jody Cornwall**
- **Manager Barela,**

Commissioners

Issue:

- State Fire Marshal requires that fire stations with sleeping/living quarters be sprinklered.
- McIntosh station currently not sprinklered, but:

- The County has significant grant funds earmarked:
 - \$120,000 originally for McIntosh
 - ~\$255,000 reauthorized from a completed Duran project (water)
 - Total: approx. \$375,000 available.

Tank & System Options:

- Jody obtained preliminary quotes for a 30,000-gallon dedicated suppression tank:
 - Above-ground steel tank:
 - Delivered & erected on site: ~\$95,000
 - Requires:
 - Site prep,
 - Concrete pad,
 - Plumbing and pump integration.
 - Belowground fiberglass tanks:
 - Longer lifespan,
 - Approximately \$110K–\$120K,
 - Similar need for site prep and plumbing.

Chief Smith

- The 30,000-gallon tank would be dedicated solely to suppression (sprinkler system).
- It would not significantly increase everyday water use:
 - Tank is filled once and maintained; only drained/flushed rarely for testing.
- There is an existing hydrant tank (~22–30K gallons) at McIntosh connected to a different well:
 - Must clarify which well(s) supply which systems.

Wells & State Engineer Status:

Grants Managers Jody

- Contacted Office of the State Engineer and found:
 - A second well was drilled at McIntosh around 2023.
 - One well is dedicated for domestic/station use; prior meter noncompliance has been corrected.
- They will clarify:
 - Which well currently feeds the building,
 - Production capacity (initial test ~15–20 gallons/minute),
 - Whether a second well is allowed:
 - State Engineer indicated: additional new well is unlikely due to water rights constraints.

Variance / Regulatory Concerns:

- Chief Smith:
 - Mentioned he has seen sprinkler fire stations in other jurisdictions under home rule and local variance.
- Chairman Schwebach:
 - Emphasized common sense and taxpayer impact:
 - Heavy cost for one station vs. broader county service.
 - Suggested exploring a variance from the State Fire Marshal:
 - Question whether 30K sprinkler-only tank is absolutely required in this context.

- County will:
 - Seek more precise engineering cost estimates (tank + pumps + sprinklers + electrical)
 - Investigate variance options while still planning for compliance.

Shovel-Ready Status:

- Commissioners and staff debated whether this project is “shovel-ready” for ICIP ranking:
 - Pros:
 - Funding already allocated,
 - Preliminary cost quotes obtained,
 - Clear regulatory driver (sprinkler requirement).
 - Cons:
 - Not all technical questions (wells, pumping capacity, precise sprinkler design) have been resolved yet.

Direction:

- Consensus:
 - Keep McIntosh suppression project high priority and move toward final design.
- Clarify:
 - Well usage and capacity with contractor/State Engineer,
 - Exact cost for above/below-ground tank plus full sprinkler tie-in.
- Likely treat as functionally shovel-ready with engineering to finalize.

Fire Comprehensive Plan – Existing \$90,000 Grant

Background:

- County has an existing \$90,000 legislative capital outlay for a comprehensive Fire Department plan (prior administration).

Current View

Chief Smith:

- Has already had GIS-based deployment study done by International Association of Fire Fighters (IAFF).
- Has his own strategy and list for:
 - Station locations,
 - Staffing,
 - Apparatus deployment.
- Views a full “big-consultant” comprehensive plan as more of a luxury than a necessity at this time.
- Manager & Grants:
 - Unsure whether \$90,000 would cover a full plan or just partially.

Discussion:

Chairman Schwebach:

- Noted that regardless of who requested the project originally, these are taxpayer dollars.
- If a project is now of little value, County should consider:
 - Either repurposing within allowable scope, or
 - Returning funds (but that can hurt future trust).

Commissioner McCall:

- Emphasized importance of:
 - Not reverting funds unnecessarily,
 - Showing Legislature that Torrance spends its appropriations responsibly.

Options:

- County Attorney/Grants explained:
 - Reauthorization can make “technical changes”:
 - Change fiscal agent,
 - Slightly broaden or narrow scope,
 - But cannot change location or overall purpose too drastically.
- Possible adaptation:
 - Convert comprehensive plan funding into:
 - Water supply and hydrant/standpipe assessment countywide,
 - Detailed mapping of draft water points and cistern needs.
 - That still fits under “fire comprehensive planning” but yields more practical results.

Direction:

- Staff to:
 - Explore what planning product would be most useful (e.g., water supply mapping, risk assessment).
 - Confirm how much flexibility exists in the grant’s legislative language.
 - Bring back a refined recommendation at future ICIP/budget meetings.

10.4 General ICIP Direction

- Staff requested (and Commission agreed) that:
 - Commissioners will review the ICIP list and:
 - Identify projects to keep high,
 - Those that may be moved down or removed,
 - Note which projects are not County projects (for example, municipal-only projects).
 - Caution:

Commissioner McCall

- warned against trimming too many items:
 - Some legislators insist on funding their own priorities.
 - If a project isn’t on ICIP, it cannot be funded via capital outlay.
- Better to:
 - Maintain a top tier of clearly shovel-ready, high-priority projects.
 - Keep secondary priorities listed but lower.
- Staff will:
 - At the next two meetings:
 - Updated spreadsheet,
 - Proposed prioritization,
 - Notes on shovel-readiness and grant constraints.

b. MANAGER: Discussion on the Fiscal Year 2027 Grant Allocation for the LDWI Program.

Deputy County Manager Michelle Jones (acting as interim LDWI coordinator)

Grant & Distribution:

- State DWI program funding was cut approximately in half statewide.
- Torrance allocations:
 - Grant funding: \$70,224
 - Distribution (local): approx. \$92,661 (tentative).

Program Adjustments:

- Due to funding cuts, LDWI program must be scaled back:
 - Continuing Components:
 - DWI Smart Choice Van (public outreach).
 - Teen Court Coordinator (youth diversion).
 - DWI Compliance Officer (screenings, monitoring).
 - Contracted part-time DWI Program Coordinator (not a full FTE).
 - Reduced / Suspended Components:
 - Treatment funding (external counseling programs).
 - Some community outreach expansion that had been proposed.

Compliance & Administration:

Deputy County Manager Michelle Jones:

- Completed all required LDWI training.
- Submitted quarterly reports on time.
- Noted the program remains in good standing with State LDWI office.

c. CLERK'S REPORT

County Clerk Sylvia Chavez

Voter Outreach Materials

- Presented:
 - "Who's Who of Valencia and Torrance County" booklet (League of Women Voters, Central NM):
 - Lists local/state officials and contact info.
 - Newspaper insert listing all local candidates with Q&A where candidates responded.
- Both are available in the lobby for the public and the Commission.

Early Voting & Registration Status

- Early Voting:
 - Began May 5 at Admin Building.
 - Absentee ballots mailed: 405 (mostly Permanent Absentee List).

- Absentees returned so far: 13.
- Early in-person votes at County: 104.
- Alternate Voting Location (Moriarty Civic Center):
 - Starts Saturday after meeting.
 - Open Tuesday–Saturday, 10 a.m.–6 p.m.
 - Historically sees heavy usage.
- Voter Registration Snapshot:
 - Total registered: 11,305
 - Active: 10,567
 - Approx. 738 inactive (likely to be purged next year per state rules if no response to notices/moves).
- Clerk provided breakdown by district and party, including:
 - Major parties (DEM, REP, LIB, etc.)
 - Minor/other registrations (ADN, BFA, GRN, PFA, etc.)
 - Noted especially:
 - Growth in Decline to State (DTS) registrations:
 - Increased somewhat after open primary law allowing DTS to choose a primary ballot.
- Clerk's stance:
 - Her priority is that people vote, regardless of registration choice.

Historical Records Preservation

- Project: Long-term scanning and preservation of historical deed and record books.
- Progress:
 - About 90% of documents digitally scanned; final batch in progress with vendor.
 - Next phases (funding needed):
 - Indexing into existing recording system (Triadic).
 - Physical restoration/conservation of older volumes.
- Funding:
 - Used about \$90,000 in prior capital funds for the scanning portion.
 - Future ICIP and legislative requests will be for indexing and restoration.

New Mexico Counties (NMC) Board of Directors Meeting

Torrance hosted NMC Board of Directors meeting:

- Evening reception at Hacienda
- Full board meeting following day (all 33 counties represented).
- Major NMC Legislative Priorities Discussed:
 1. Civil Rights reform – Proposed clarifications/limitations to:
 - Reduce liability and clarify procedures for counties.
 - Draft language will be circulated for BOCC consideration and support resolutions.
 2. IPRA (Inspection of Public Records Act) reform:
 - Counties universally experiencing weaponized, high-volume IPRA requests.
 - Focus on:
 - Narrowing or clarifying IPRA to prevent harassment,
 - Maintaining transparency while protecting staff capacity.
 - Torrance was noted as:
 - Having a dedicated IPRA office (Dominica Garcia), which:
 - Greatly reduces burden on each department and elected office,
 - Allows other offices to function normally despite high volumes.
- Elections-specific IPRA:
 - 2024 legislative changes prohibit IPRA requests about elections from delaying/overburdening canvass period.
 - Clerk notes some relief but still heavy data requests after canvass is completed

d. MANAGER'S REPORT

County Manager Jordan Barela

- Operations Manager:
 - New hire Victoria started this week.
 - Notable skill: Tyler ERP admin, allowing her to immediately absorb significant load.

- Chief Procurement Officer (CPO):
 - Kristen departed for a position in Chaves County.
 - Interim CPO: Assistant Finance Director Joanna Romero (approved by State).
 - New permanent CPO:
 - Offer accepted, start date May 26.
 - Should relieve year-end procurement bottlenecks.

Budget Timeline – FY 2027

- Interim Budget:
 - Goal: Present for Commission approval at next May meeting.
 - Required submittal to DFA in early June.
- Final Budget:
 - Target: Last meeting in June.
 - If needed, first meeting in July is a backup.
- Manager is preparing:
 - Revenue analysis,
 - Expenditure scenarios,
 - Information responsive to Commission guidance from prior budget work sessions

e. COMMISSIONERS' REPORTS:

1) Commissioner McCall, District 1

Commissioner McCall

Fairgrounds Construction

- New fairgrounds building is progressing well:
 - Exterior envelope complete.
 - Drywall installed in bathrooms and smaller interior spaces.
 - Insulation underway on large hall walls.
- Timeline:
 - On track to be usable for Torrance County Fair in first week of August.
- Commission expressed satisfaction with progress.

2) Commissioner Schwebach, District 2
Chairman Ryan Schwebach

No comment

3) Commissioner Jaramillo, District 3
Commissioner Linda Jaramillo

- Attended Local Emergency Planning Committee (LEPC) meeting:
 - Praised Samantha for organizing.
 - Noted Mr. Denison's informative presentation on the dangers of propane—important given widespread propane use in Torrance County.
-

11. EXECUTIVE SESSION

- a. COMMISSION: Executive Session Pursuant to 10-15-1.H(2) Limited Personnel Matters: Personnel Matters Regarding Contracted Positions within the Torrance County Manager's Office.**

Motion: Chairman Ryan Schwebach motioned to enter Executive session; Seconded by **Commissioner McCall.**

Roll Call Vote:

- **Schwebach** – Yes
- **McCall** – Yes
- **Jaramillo** – Yes
- Motion Carried

Entered Executive session at 11:48AM

Motion: Chairman Ryan Schwebach motioned to exit Executive session; Seconded by **Commissioner McCall.**

Roll Call Vote:

- **Schwebach** – Yes
- **McCall** – Yes
- **Jaramillo** – Yes
- Motion Carried

Exited Executive session at 12:35PM

Chairman Schwebach's Announcement:

- County Manager Jordan Barela has tendered his resignation, effective in 32 days.
- Jordan accepted a position in the Albuquerque area that is better for his family.
- Chairman noted:
 - There is no ill will; Commission is grateful for his service.
- Jordan has agreed to:
 - Assist with transition,
 - Be available for consultation after departure.

Appreciation Statements**Clerk Sylvia Chavez:**

- Thanked Jordan for:
 - Professionalism,
 - Support for the Clerk's Office (e.g., election transitions).
- Expressed that he will be sorely missed.
- Deputy County Manager Michelle Jones:
 - Called Jordan a high-quality leader, intelligent and professional.
 - Wished him well and thanked him for mentorship and guidance.

Chairman Schwebach:

- Stated Commission's intent to:
 - Post and recruit for the County Manager position promptly.
 - Prioritize candidates who:
 - Understand rural county issues,
 - Can maintain continuity of direction (admin building project, fire system improvements, ICIP projects, etc.),
 - Fit with existing leadership team (e.g., Deputy Manager Michelle Jones in the near term).
- Emphasized desire to minimize disruption to ongoing projects and maintain momentum.

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

May 27, 2026

13. SIGNING OF OFFICIAL DOCUMENTS

14. ADJOURNMENT

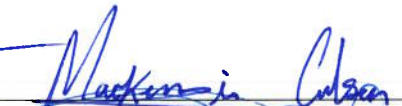
Motion: Commissioner McCall motioned to Adjourn; Seconded by **Vice-Chair Jaramillo**.

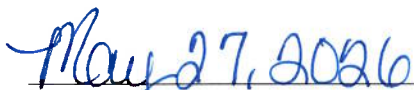
Roll Call Vote:

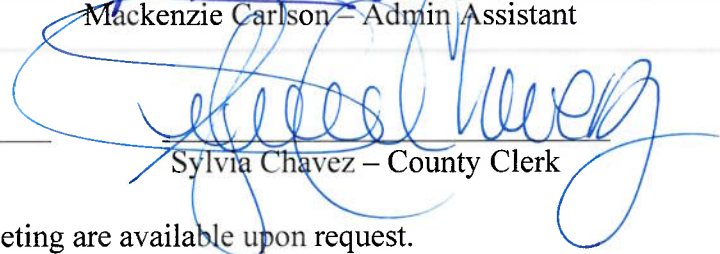
- **Schwebach** – Yes
- **McCall** – Yes
- **Jaramillo** – Yes
- Motion Carried

Meeting adjourned at 12:40PM


Ryan Schwebach – Chairman


Mackenzie Carlson – Admin Assistant


Date


Sylvia Chavez – County Clerk

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