

FINAL COPY
Torrance County Board of Commissioners
Regular Commission Meeting
September 9, 2026, 9:00 AM

Commissioner's Present:

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

Others Present:

STEPHANIE REYNOLDS- COUNTY MANAGER
MICHELLE JONES-DEPUTY COUNTY MANAGER
MICHAEL GARCIA- COUNTY ATTORNEY
SYLVIA CHAVEZ-COUNTY CLERK
JANELLE POTTS- ADMINISTRATIVE CLERK
DON GOEN – PLANNING & ZONING DIRECTOR

1. Call to Order: Chairman Schwebach called the meeting to order at 9 AM.

2. Pledge of Allegiance and Invocation: pledge led by Chairman Schwebach; Invocation led by Commissioner Jaramillo.

3. Changes to the Agenda: No changes to agenda.

4. Proclamations: Proclamation is attached to the packet; during meeting it was read by County Clerk Sylvia Chavez

A. Perpetual Tears Memorial Inc.; Proclamation naming September as “Suicide Prevention Month” in Torrance County

Debbie Ortiz

- Thanked the Commission and acknowledged that mental health and suicide-related challenges are a significant concern in the community.
- Requested a moment of silence for:
 - Community members who are currently struggling.
 - Families who have lost loved ones.
 - Individuals and families dealing with difficult circumstances.

- Those affected by suicide and the need for continued suicide prevention efforts in the county.
- Offered condolences and support to affected families.
- Explained that the organization is scheduled to provide additional information on the services available throughout the county as part of the meeting agenda.

Crisis Hotlines and Public Awareness

- **Chairman Schwebach** asked where residents can find information about available crisis hotlines and assistance.
- Ms. Ortiz explained that information is being distributed through multiple community channels:
 - Social media/Facebook pages.
 - Local schools, which are provided with hotline information.
 - Community events and outreach activities, where informational materials are distributed directly to residents.
 - Upcoming community events, including the Sunflower Festival, Pinto Bean Festival, and Pumpkin Chunkin, where the organization plans to continue providing crisis-resource information.
- The goal is to ensure that residents have access to crisis and support resources before they need them.

Emergency Assistance

- Commissioner Jaramillo asked whether someone experiencing an immediate crisis can call 911.
- Representative confirmed that 911 should be called when someone is experiencing an immediate emergency or is in immediate danger.
- The 988 Suicide & Crisis Lifeline is also available nationwide by call or text for people experiencing emotional distress or a mental-health crisis. It is available 24 hours a day, 7 days a week, and is free and confidential. 988 Lifeline+1

Commissioner's Response

- **Commissioner Jaramillo** expressed being deeply saddened by the situation and the impact on families and the community.
- The discussion reflected the Commission's recognition of the importance of:
 - Suicide prevention
 - Accessible crisis services

- Community awareness
- Early access to support
- Ensuring residents know where to turn during a crisis

Chairman Schwebach motions to declare month of September suicide prevention month;
Seconded by Vice- Chair Jaramillo

- **Roll call vote;**
 - Schwebach – yes
 - Jaramillo – yes
 - McCall – yes

Motion Carried

5. Awards and Recognitions: -County Manager; Stephanie Reynolds

A. Announcement of employee years of service

Roads- Heath Lloyd (1)
 EMS/Fire- Brandon Myers (1)
 EMS/Fire- Lorraine Dean (1)
 Sheriff- Robert Michell (2)
 Animal Services- Tanisha Starr (3)
 Dispatch- Heather Costa (5)
 Finance- Franchesca Archuleta (6)
 Roads- Stetson Lujan (7)
 Finance- Joanna Romero (8)
 Manager- Juan Morales-Casas (12)
 Roads- Charmen Padilla (13)
 Sheriff- Kent Ballard (19)
 Clerk- Sylvia Chavez (21)
 Dispatch- Julissa Tucker (25)

6. Public Comment:

Andy Chavez – County Resident:

- Addressed the commissioners in a friendly and constructive manner, emphasizing the importance of public trust and accountability.
- Encouraged commissioners to work toward regaining the confidence, support, and trust of their constituents amid recent concerns and dissatisfaction.
- Urged commissioners to:
 - Look more deeply into issues being brought forward by members of the community.
 - Continue asking questions and investigating concerns rather than accepting information at face value.
 - Demonstrate that they care about the people they represent.
 - Put the interests of their constituents ahead of personal interests.
 - Remain independent and not allow outside individuals or influences to sway them away from what they believe is right.
- Specifically acknowledged that commissioners have already demonstrated positive behavior, noting that the speaker had observed them asking questions and showing concern about community issues.
- Expressed confidence that commissioners could perform well in their roles if they continue to prioritize their constituents and exercise independent judgment.
- Addressed individuals in the audience who may be seeking to become commissioners, encouraging them to follow the same principles:
 - Serve the people who elected them.
 - Prioritize community needs over personal interests.
 - Remain focused on their responsibility to constituents.
- Addressed Commissioner Jaramillo directly, thanking her for her service and contributions.
 - Encouraged Commissioner Jaramillo to remain level-headed.
 - Advised her to maintain a professional and respectful demeanor when constituents approach her, particularly avoiding appearing defensive or confrontational.

- Emphasized that constituents should be able to approach their elected representatives openly and respectfully.
-

George Hvatt– County Resident:

- Raised concerns that some recent county business and decision-making has not appeared as transparent or “above board” as it should be.
 - Encouraged members of the community to speak up and ask questions regarding county activities and decisions.
 - Specifically expressed concerns about:
 - The use of non-disclosure agreements (NDAs) and whether they may be limiting transparency.
 - A perceived lack of communication and coordination among commissioners’/county officials.
 - Whether commissioners are adequately informing one another and the public about significant developments.
 - Referenced the upcoming approximately \$2 billion project/development, expressing concern about the lack of publicly communicated information regarding community involvement.
 - Asked how the local community will participate in and benefit from the project.
 - Specifically questioned whether the County is:
 - Hiring local companies and contractors to perform work associated with the project.
 - Creating opportunities for county-based businesses and residents to participate economically.
 - Expressed concern that significant portions of the work or business appear to be coming from outside the county, rather than being directed toward local businesses.
-

Darrell Fixler– County Fire Department:

- Addressed the Chairman and Commissioners and expressed appreciation for the opportunity to serve Torrance County and its Fire Department.
- Explained that he joined the county in July 2024 with the goals of:
 - Serving the local community.

- Supporting firefighters and EMS personnel.
- Maintaining his paramedic skills.
- Stated that past Chief Wyndham recognized his experience and provided him with an opportunity to serve as Assistant Chief of Training.
- Accepted the position despite what he described as significant limitations:
 - No dedicated training budget.
 - Lack of equipment.
 - No established training program.
- Reported that he used personal resources and obtained donations to help provide personnel with necessary training and equipment.

Training and Department Accomplishments

- Reported significant progress in firefighter and EMS training during his tenure:
 - Eight firefighters graduated from the New Mexico Fire Academy in 2024.
 - An additional eight firefighters graduated in 2025.
 - Seven EMTs graduated the week before the meeting.
- Credited Chief Smith, department crews, and himself with working to improve:
 - Training.
 - Certifications.
 - Operational readiness.
 - Overall preparedness of department personnel.

Concerns Raised

- Fixler stated that he could no longer continue working under the current environment, citing:
 - Ongoing conflict.
 - Division within the department.
 - What he characterized as dishonesty.
 - Lack of accountability.
 - Conditions that he said were interfering with his mission and the department's mission.
- Reported that he had previously raised concerns involving:

- Equipment accountability.
 - Operational readiness.
 - The concentration of critical responsibilities within certain positions.
- Emphasized that these concerns were raised from the standpoint of employee and public safety, accountability, and protection of the county and its employees.

Resignation

- Fixler stated that the return of the Deputy Chief, combined with the decision to allow what he described as the circumstances contributing to the department's hostile and dysfunctional environment to continue, led him to conclude that he could no longer remain in the position.
- Said he was unwilling to compromise:
 - His personal values.
 - His professional standards.
 - Standards important to the well-being of his family.
- Submitted his resignation from the Torrance County Fire Department, effective September 11.

Future Employment

- Fixler announced that he has accepted a new position with the Department of Defense.
- Stated that he has been promoted to serve as a training chief overseas, where he will continue developing and training firefighters in a different capacity.
- Described the new role as an opportunity to continue serving and contributing to the war effort.

Personal Acknowledgment

- Expressed special appreciation to his wife and son for supporting him through the long hours, nights, and personal sacrifices associated with his work.
 - Reiterated that his efforts were intended to make the Fire Department stronger, safer, and better prepared.
 - Thanked the Commission and Torrance County for allowing him to serve.
 - Concluded by expressing his hope that the department and its personnel can move forward.
-

Nathan Dial– County Resident:

- Appeared before the Commission to continue raising concerns regarding EMWT Regional Water Association (EMWT) and its relationship with EMW Gas Association.
- Clarified that his concerns were directed at the structure, governance, accountability, and documentation surrounding the organizations, rather than at the individual employees carrying out assigned duties.

EMW Gas Administrative Support to EMWT

- Mr. Dial stated that EMW Gas invoices EMWT on a monthly basis for:
 - Office space.
 - Up to 80 hours of administrative work.
- He questioned whether it is appropriate for a full-time position associated with one public utility to spend a substantial portion of its time handling paperwork for another utility.
- He also questioned the governance arrangement under which EMW Gas has a voting representative on the EMWT board.
- Mr. Dial characterized these as questions of public-utility accountability and organizational structure, rather than criticism of the employee performing the administrative work.
- Current EMWT information confirms that the organization has a nine-member board, with the ninth member appointed by the EMW Gas Association.
- EMWT's January 2026 agenda also specifically included an item concerning "Sharing a EMW Gas Employee and Keeping the Estancia Office for the Water Company," indicating that the shared-employee/office arrangement has been an item of board discussion.

Previous Presentation to the Commission

- Mr. Dial said that in 2023 he previously appeared before the Commission regarding his concerns about EMWT.
- He stated that he provided the Commission with a substantial amount of supporting documentation.
- He contrasted that documentation with what he described as a much smaller amount of documentation presented by the then-chair of the EMWT board.
- Mr. Dial said that, after continued disagreement over the issue, he was approached by members of the Commission in his capacity as mayor and asked what would resolve his concerns.

EMWT Mission vs. Governing Documents

- Mr. Dial stated that he supports the underlying mission of EMWT.
- He referenced the concept of developing a regional water system that could move water between communities, including a proposed Willard-to-Moriarty trunk line, as a concept he believes can benefit residents.
- However, he argued that there is a disconnect between what is publicly presented as EMWT's mission and what its governing documents and actions permit.
- EMWT's current stated mission is to supply safe water to the Estancia Valley through a regional distribution system, protect groundwater resources, and “keep the water in the Valley.”
- EMWT's published history states that the organization was formed in 2014 through a Joint Powers Agreement involving Estancia, Moriarty, Willard, and Torrance County and that it was incorporated as an inter-community water supply association.

Letter of Incorporation / Governing Document

- Mr. Dial identified the letter/articles of incorporation as his primary concern.
- He stated that, in his view, the document was improperly signed by the Town of Mountainair and needs to be reviewed.
- He proposed that the governing document be:
 - Rewritten.
 - Reviewed for language concerning the ability to move water outside Torrance County.
 - Revised to remove language that he believes permits water to leave the county.
 - Revised to remove the EMW Gas voting representative from EMWT's governing structure.
 - Returned to the participating governmental entities for new votes and signatures.
- Mr. Dial said he first proposed this approach approximately three years ago and believes the requested changes have not been adequately addressed.
- He emphasized that, in his view, the governing document is more important than public presentations or statements because it is the legally binding document governing the participating entities.

Water Leaving Torrance County

- Mr. Dial expressed particular concern about provisions that he believes could allow water to be transferred outside Torrance County.
- He referenced ongoing issues involving water rights and State Engineer actions, including water being converted or transferred for sale.
- He argued that public statements indicating water will remain within the county should be consistent with the actual language contained in EMWT's governing documents.
- His central point was that he wants the Commission and participating entities to review the actual governing documents rather than relying solely on public statements, presentations, or mission statements.

EMWT Administration and Staffing

- Mr. Dial questioned why EMWT does not have its own dedicated administrator, particularly given the level of funding and projects he believes the organization is receiving.
- He suggested that EMWT should:
 - Hire its own administrator.
 - Avoid relying on county resources to perform administrative functions.
 - Establish clear responsibility for water-system operations.
- He also raised a question about the status of the water operator, stating that he understood the operator may be working under contract rather than as an EMWT employee.
- He argued that EMWT should have clearly defined staffing and operational responsibilities as it expands its water-system activities.

Safety, Accountability, and Liability Concerns

- Mr. Dial stated that he was raising these issues because he believes future problems could create significant accountability or liability concerns if the governing structure is not clarified.
- He stressed that his objective is to ensure that:
 - The governing documents accurately reflect the organization's stated mission.
 - Responsibilities between EMWT, EMW Gas, the county, and participating municipalities are clearly defined.
 - Water resources are managed consistently with the commitments made to residents.
 - Administrative and financial responsibilities are properly assigned.

- He offered to provide the Commission with documentation supporting his concerns and indicated that he was willing to discuss the matter further.
- Mr. Dial specifically asked the Commission to consider:
 - Reviewing the EMWT letter/articles of incorporation.
 - Determining whether revisions are necessary.
 - Reviewing the role of the EMW Gas voting member on the EMWT board.
 - Considering whether EMWT should employ its own administrator.
 - Clarifying EMWT's water-operator arrangement.
 - Reviewing provisions concerning water leaving Torrance County.
 - Comparing EMWT's governing documents with its public mission and stated objectives.
 - Addressing the issues before they result in future operational, legal, or accountability problems.

Linda Gallegos, Chief Deputy Assessor:

- Announced an East Mountains Veterans Services Fair taking place today from 11:00 a.m. to 2:00 p.m.
- The event is being held at the Village of Tijeras Council Chambers, located at 12 Camino Municipal, Tijeras.
- Explained that representatives will be available to assist veterans with several benefits and services, including:
 - Lifetime Park passes.
 - Disability-related property tax exemptions and waivers.
 - Hospital/VA-related benefits.
 - GI Bill information.
 - Benefits for surviving spouses.
- Advised veterans to bring:
 - VA award letter
 - DD-214
 - Proof of residency

- For surviving spouses, she advised bringing:
 - Marriage certificate
 - Death certificate
- Additional resources available at the fair include:
 - Healthcare.
 - Housing assistance.
 - Mental-health resources.
 - Education.
 - Service-dog programs.
 - Food assistance.
 - Business and entrepreneurship mentorship.
 - Other veteran-support services.
- Torrance County Assessor's Office will also be present to assist veterans with applicable property-tax questions and benefits.

*Zoom

No Comment

7. Approval of minutes:

A. COMMISSION: Request approval of August 26, 2026, regular meeting minutes of the Board of County Commissioners

Motion; Chairman Schwebach motioned to approve the minutes; seconded by **Commissioner McCall**

- **Roll call vote;**
 - Schwebach – yes
 - McCall- yes
 - Jaramillo- yes

Motion Carried

8. Consent Agenda

A. FINANCE: Request approval of payables with a date range of August 20, 2026, through September 1, 2026

Motion; Chairman Schwebach motioned to approve payables; Seconded by **Vice-chair Jaramillo**

- **Roll call Vote;**
 - Schwebach – yes
 - McCall - yes
 - Jaramillo – yes

Motion carried

9. Presentation:

A. PERPETUAL TEARS MEMORIAL INC. (PTMI) OFFICE OF SUBSTANCE ABUSE PROGRAM (OSAP) PUBLIC HEALTH TORRANCE COUNTY (HEALTH COUNCIL) (PHTC) DEBBIE ORTIZ, PREVENTION COORDINATOR, COMMUNITY UPDATE:

Debbie Ortiz, representing the Partnership for Healthy Torrance Community: provided an overview of countywide prevention, health, and behavioral-health initiatives.

- Debbie introduced Angela Zamora, Community Health Worker, who works with the organization out of the Memorial of Perpetual Tears.
- Debbie also introduced Judy Zamora Gutierrez, the newly hired Torrance County Teen Court Coordinator, and welcomed her to the county team.

Prevention and Youth Outreach

- The Partnership for Healthy Torrance Community works on prevention initiatives throughout Torrance County, including:
 - School-based prevention education.
 - Youth education regarding the risks of drugs, alcohol, tobacco, vaping, and other substances.
 - Tobacco cessation and vaping cessation programs.
 - Red Ribbon Week activities promoting drug-free lifestyles.
- Debbie reported increasing concern about the ways youth are concealing and using vaping products, noting that vaping devices can be disguised as ordinary items such as pens and other everyday objects.
- The organization recently attended a CADCA convention in Florida, where they learned about emerging methods youth are using to conceal and access vaping products.

THC Products and Merchant Education

- Debbie expressed significant concern regarding THC-infused products that are readily available in convenience stores, particularly products that are attractive to youth.
- Examples discussed included:
 - THC-infused drinks.
 - Gummies and candy resembling well-known youth-oriented brands.
 - Snack products designed to resemble familiar foods.
- The Partnership conducts merchant education and sign-on efforts, encouraging retailers to comply with laws prohibiting tobacco sales to individuals under 21.
- Debbie stated that merchants themselves are increasingly asking for assistance in addressing the availability and marketing of THC products.
- The organization is working to make schools, parents, merchants, and the community more aware of these products and the potential risks to youth.

Narcan Distribution and Fentanyl Awareness

- Debbie reported that the organization is actively distributing Narcan (naloxone) to anyone who wants to carry it.
- Torrance County serves as a regional/southeastern distribution hub for Narcan in New Mexico.
- More than 1,000 Narcan packets were distributed during the previous month.
- The organization worked closely with Mountainair during its fentanyl crisis, including providing:
 - Narcan training.
 - Narcan distribution.
 - Community education regarding overdose response.
- Debbie emphasized that carrying Narcan should be destigmatized, noting that an overdose can affect individuals who may not use illicit drugs, including someone who accidentally takes too much prescribed pain medication.
- Narcan is available through the organization at the Memorial of Perpetual Tears and can be:
 - Picked up.
 - Mailed.
 - Delivered.
 - Accompanied by training on proper use.
- Debbie explained that Narcan is administered nasally and stated that, when an overdose is suspected, community members should:
 - Attempt to rouse the person.
 - Call 911.
 - Administer Narcan.
 - Stay with the individual.
 - Administer a second dose if necessary while awaiting emergency responders.
- It was explained that administering Narcan to someone who is not experiencing an opioid overdose is not expected to harm them.

Fentanyl Test Strips

- Debbie discussed the availability of fentanyl test strips but expressed concerns about their effectiveness because illicitly manufactured pills can contain highly variable amounts of fentanyl.
- She explained that one pill may contain a potent amount while another pill from the same source may contain little or none, making testing less reliable as a complete safety measure.

Narcan Vending Machines

- Debbie reported that Narcan vending machines are being placed throughout the state.
- Some locations are using repurposed newspaper boxes to distribute Narcan without requiring individuals to provide personal information.
- Mary Anfield has requested a Narcan vending machine for Mountainair, and the organization is working toward obtaining one.
- Debbie emphasized that fentanyl is a communitywide concern and that no one should assume they are immune to the problem.

Vaccination Clinics

- The organization works with the New Mexico Department of Health (DOH) to provide vaccination clinics throughout Torrance County.
- Special attention is given to outlying communities such as Mountainair and Estancia, helping residents who may have difficulty traveling to larger population centers.
- Clinics and outreach support vaccination for:
 - Flu.
 - COVID-19.
 - Recommended childhood vaccinations.
- The goal is to improve access to vaccines for residents throughout the county.

Cannabis Lock-Up Program

- Angela Zamora explained the organization's work with local cannabis dispensaries.
- The organization previously worked with all three Torrance County dispensaries and currently plans to work with the Moriarty dispensary and begin working with the Pecos dispensary in Edgewood.
- The program provides free lock bags and lock boxes to parents and guardians who have cannabis in their homes.
- The materials carry the message “Lock It Up. Let’s Be Blunt,” encouraging adults to securely store cannabis away from children and youth.
- Each lock bag or box contains a QR code linking to a survey.
- The survey is intended to collect information regarding:
 - Cannabis use.
 - Parents’ and guardians’ perceptions of cannabis-related risks.

- Community attitudes toward potential harm associated with cannabis.
- Angela encouraged anyone interested in the materials to contact the organization because the lock bags and boxes are provided free of charge.

Youth and Teen Mental Health First Aid

- Angela Zamora stated that she is a certified Youth and Teen Mental Health First Aid instructor.
- The organization provides mental-health first-aid training for:
 - Youth.
 - Teachers and school personnel.
 - Parents.
 - Community members.
 - Nearby communities and organizations.
- Angela encouraged schools, organizations, and community members interested in training to contact her or the Memorial of Perpetual Tears.

Red Ribbon Week and National Guard Partnership

- Debbie discussed upcoming Red Ribbon Week activities focused on drug prevention.
- The organization is working with Mountainair and Estancia schools.
- The National Guard is expected to participate in prevention activities, including:
 - An interactive rock-climbing wall.
 - Youth engagement activities.
 - Drug-free prevention messaging.
- Debbie acknowledged that “just say no” is an older prevention message but stated that the underlying message remains important.

Behavioral Health / SB 3 Funding

- Commissioners asked about the implementation of SB 3 behavioral-health funding available to New Mexico counties.
- Debbie explained that the funding is distributed through the judicial districts and that Torrance County is part of Judicial District 7 / Region 7, along with surrounding counties.
- Socorro County has taken a coordinating role in receiving requests for the available funding.
- Debbie stated that requests have been submitted through Jackie Muncy for potential behavioral-health support in Torrance County.
- Proposed uses discussed included:
 - Support for senior centers.
 - Services and resources for seniors experiencing behavioral-health challenges.
 - Equipment for the Silver Sneakers exercise program held at the Memorial of Perpetual Tears in Moriarty.
- The Silver Sneakers program meets Mondays, Wednesdays, and Fridays.

- Debbie estimated the available funding at approximately \$67,000 annually for three years.
- Debbie has invited Ms. Muncy to attend a future commission meeting to explain:
 - SB 3.
 - Available funding.
 - How Torrance County can access the funds.
 - Potential uses for youth and behavioral-health services.
- A community meeting related to the Behavioral Health Reform Investment Act was announced for October 26, from 12:00–1:00 p.m., at the 6th District Court, 903½(?) [address as read during meeting]. The exact address should be verified against the official meeting announcement before inclusion in the final official minutes.

Mental Health Services in Torrance County

- Debbie expressed concern about the lack of permanent mental-health providers located within Torrance County.
- She stated that providers have expressed interest in serving the county but often propose:
 - Telehealth-only services.
 - Limited days of in-person service.
 - Services restricted to Medicaid patients.
- Debbie emphasized that residents with private insurance or other coverage also need access to local mental-health services.
- She encouraged behavioral-health providers to establish a permanent presence in Torrance County, rather than requiring residents to travel outside the county.
- Commissioners discussed the possibility of transportation assistance for residents who must travel to Socorro or Albuquerque for behavioral-health services.
- Debbie stated that, when local services are unavailable, transportation to available services may be the next-best option, but the preferred solution is to establish services within Torrance County.

Potential Behavioral-Health Provider

- A commissioner reported being in contact with a provider located in Edgewood who is interested in establishing services in the area.
- The provider appears particularly interested in drug- and alcohol-rehabilitation services.
- The commissioner offered to connect the provider with Debbie and the Partnership for Healthy Torrance Community.
- Debbie noted that the organization has previously used grant funding to provide gas cards to families who needed assistance transporting individuals to mental-health appointments in Edgewood or elsewhere.
- The program has also worked with school districts to identify families who may need transportation assistance.

Teen Court Program

- Judy Zamora Gutierrez, newly appointed Torrance County Teen Court Coordinator, provided an update on the program.
- Judy reported that she has been in the position for approximately one month and has already begun outreach to local schools and administrators.
- She has contacted representatives at:
 - Moriarty Middle School.
 - Edgewood Middle School.
 - Moriarty school administration.
 - Estancia school administration.
- Judy has also introduced herself to Superintendent Bibiano and Estancia Superintendent John Maldonado.

Purpose of Teen Court

- Judy explained that Teen Court is a restorative-justice and intervention/diversion program serving youth generally between ages 12 and 18, and in some circumstances 19-year-olds who are still attending school.
- The program is designed to:
 - Avoid simply punishing youth for mistakes.
 - Provide resources and tools.
 - Encourage accountability.
 - Help youth make better choices and decisions.
 - Develop coping and problem-solving skills.
- Referrals may come from:
 - Juvenile Probation/JPO.
 - Schools.
 - Law enforcement.

Peer-Based Approach

- Judy emphasized the importance of youth interacting with their peers during the Teen Court process.
- Youth may feel more comfortable discussing their actions, experiences, and emotions with peers than with adults.
- The program seeks to create an environment where youth can openly discuss what happened while learning healthier ways to respond to difficult situations.
- For example, youth involved in school conflicts or fights can learn coping strategies and hear from peers who have faced similar circumstances and achieved better outcomes.

Teen Court Referrals

- Judy stated that Moriarty/Edgewood schools are currently providing more referrals than Estancia.
- She would like to increase referrals from Estancia and other local schools.

- Judy has spoken with school resource officers (SROs) about their ability to make referrals and plans to continue working with school leadership to strengthen the referral process.

Teen Court Community Service Opportunities

- Judy requested assistance from the county, local organizations, businesses, and community groups in identifying community-service opportunities for youth ages 12–18.
- She specifically noted that younger youth, including ages 12–16, need appropriate opportunities that they can safely and meaningfully complete.
- Judy has already established one opportunity with Stacy Leslie, Estancia agriculture teacher, who has allowed Teen Court participants to perform community service at the Estancia Garden.
- Judy would like to develop opportunities throughout:
 - Edgewood.
 - Moriarty.
 - Mountainair.
 - Estancia.
- Community organizations with possible service opportunities were encouraged to contact Judy directly.

Commission Discussion / Follow-Up

- Commissioners expressed appreciation for learning about the wide range of services being provided through the Memorial of Perpetual Tears and the Partnership for Healthy Torrance Community.
- The discussion indicated a need for continued coordination among:
 - Torrance County.
 - Schools.
 - Law enforcement.
 - Behavioral-health providers.
 - Community organizations.
 - Teen Court.
 - New Mexico Department of Health.
- Commissioners expressed interest in continuing discussions regarding:
 - SB 3 behavioral-health funding.
 - Establishing local mental-health services.
 - Transportation for residents needing behavioral-health care outside the county.
 - Potential teen-center programming.
 - Narcan access and education.
 - Community-service opportunities for Teen Court participants.
- Ms. Muncy is expected to attend a future commission meeting to provide additional information about SB 3 funding and implementation.
- The Partnership for Healthy Torrance Community offered to return to a future commission meeting to provide additional updates and answer questions.

B. FIRST AMERICAN FINANCIAL ADVISORS, INC. COUNTY MUNICIPAL ADVISOR- ROBERT BURPO, PRESIDENT. PRESENTATION OF PALOMAS ENERGY INDUSTRIAL REVENUE BOND (IRB) PILOT PAYMENTS AND SCHOOL DISTRICT ALLOCATIONS:

Robert Burpo Municipal Advisor, First American Financial Advisors, Albuquerque:

- Presented an overview of the proposed **Pattern Energy wind project in Torrance County**, including turbine locations, projected generation, payments in lieu of taxes (PILOT), distribution of revenues, water use, eminent domain, and end-of-project requirements.
- The presentation was made in connection with the Commission's consideration of the project and anticipated public hearing.
- Pattern currently identifies **Palomas Wind** as an 800-MW project under development in San Miguel and Torrance Counties and separately identifies other Pattern projects in the region.

Project Location and Turbines

- Mr. Burpo explained that the portion of the project within the Moriarty School District is located near the I-40/US-285 area.
- The portion associated with the Vaughn School District is located farther south near Highway 60.
- The proposed project discussed in the presentation consists of 50 wind turbines:
 - 7 turbines (14%) in the Moriarty School District.
 - 43 turbines (86%) in the Vaughn School District.
- Assuming each turbine produces 4.5 megawatts, the presenter calculated total project capacity at approximately 225 MW.
- The presenter stated that the project documentation structure is similar, but not identical, to an arrangement used in 2022.

PILOT Payment Structure

- Mr. Burpo explained that the proposed payment in lieu of taxes (PILOT) is calculated based on the project's megawatt capacity.
- Initial rate:
 - \$2,800 per megawatt for the first five years.
 - The rate then increases by 5% annually for the following 30 years, according to the presentation.
- Using the stated 225-MW capacity:
 - $225 \text{ MW} \times \$2,800 = \$630,000$ annually during the initial period.
- Mr. Burpo said these payments would be distributed between Torrance County and the affected school districts.
- New Mexico legislation has established statutory formulas governing the distribution of PILOT payments associated with renewable-energy projects and industrial revenue bond arrangements.

County vs. School District Distribution

- Mr. Burpo stated that the statutory formula allocates:
 - 39.19% to the school districts.
 - 60.81% to Torrance County.
- Based on the \$630,000 initial annual payment, the presentation calculated approximately:
 - \$246,897 to the school districts collectively.
 - \$383,103 to the County.
- The school-district portion is then divided according to the statutory formula.

Distribution Among School Districts

- Mr. Burpo explained that the school-district allocation is determined using three factors:
 - 50% based on the location of the turbines.
 - 40% based on the acreage of each school district.
 - 10% based on school enrollment/membership.
- Mr. Burpo emphasized that the enrollment calculation is based on enrollment in each school district, rather than the number of students who live specifically within Torrance County.
- The acreage information was provided by the Torrance County GIS Department.
- The presentation identified the relative acreage and enrollment of the five districts, with Moriarty having the largest enrollment and Vaughn the smallest.

Projected School District Shares

- Applying the statutory formula, the presenter gave the following projected percentages of the school-district portion:
 - Estancia – 8.74%
 - Moriarty – 15.13%
 - Mountainair – 19.08%
 - Corona – 12.12%
 - Vaughn – 44.93%
- Mr. Burpo stated that these percentages are dictated by state statute rather than discretionary decisions by the county or project developer.

Construction-Period Payments

- Mr. Burpo explained that PILOT payments are also required during the three-year construction period, although the statute does not specify the precise amount.
- Under the negotiated arrangement described:
 - Pattern would pay \$100,000 during each of the first two construction years.
 - The \$100,000 payments would be divided between the school districts and county using the same 39.19% / 60.81% allocation.
- For the third construction year, the presenter described a “make-up” payment:
 - $\$630,000 \times 3 \text{ years} = \$1.89 \text{ million}$.
 - Less the \$200,000 already paid during the first two years.
 - Resulting third-year lump-sum payment: approximately \$1.69 million.
- That payment would then be divided between the school districts and county.

Long-Term PILOT Escalation

- The presentation showed the PILOT rate increasing over time.
- Examples given:
 - First five years: \$2,800/MW
 - Next five years: \$2,940/MW
 - Continued annual escalation thereafter.
- Mr. Burpo said the structure produces an average rate of approximately \$3,174/MW over 30 years, incorporating an inflation-related increase.
- The presenter estimated the total PILOT payments over the 30-year period at \$21,426,025.

Comparison With Existing Property Taxes

- Mr. Burpo said he requested an analysis comparing:
 - Property taxes currently generated by the land where the project would be developed.
 - Payments expected under the PILOT arrangement.
- He credited Linda Gallegos, Cassie, and Ruben in the Assessor's Office with assisting in preparing the analysis.
- According to the presentation:
 - Existing properties currently generate approximately \$2,243.36 per year in county property taxes.
 - The presenter attributed the low existing amount partly to state-owned land and land held by tax-exempt foundations.
- He calculated that the initial \$630,000 PILOT would represent approximately \$627,756 more annually than the current property-tax revenue.
- Mr. Burpo gave projected 30-year average figures of approximately:
 - School districts: \$279,898 per year
 - County: \$434,302 per year
- He characterized this as approximately a 280% increase in property-tax-equivalent revenue compared with the existing tax base.
- These figures were presented as the speaker's analysis; the underlying calculations and assumptions would be contained in the presentation/documentation referenced during the meeting.

Water Use

- Mr. Burpo addressed questions previously raised regarding water consumption by the project.
- He said he had spoken with a company that supplies water to Pattern.
- His explanation was that water suppliers have limits on the amount of water they can withdraw under applicable State Engineer regulation.
- He gave an example that if a supplier has 100 gallons available for authorized use and sells 50 gallons to Pattern, the remaining 50 gallons cannot simply be used for another purpose beyond the supplier's authorized allocation.
- Based on his discussion with the supplier, he stated that supplying water to Pattern could result in less water being withdrawn from the aquifer than if the water were used for agricultural purposes.

- He indicated that Pattern representatives would be better positioned to address the technical and contractual details of water use.

Eminent Domain

- Mr. Burpo specifically addressed concerns about whether eminent domain could be used to obtain access to project sites.
- He said he consulted:
 - The New Mexico State Land Office.
 - An attorney with the State Land Office.
 - Bond counsel for Pattern.
 - Bond counsel for Torrance County.
- According to his presentation, those reviews found no provision authorizing eminent domain to obtain access to the project lands.
- He stated that the State Land Office attorney confirmed that eminent domain was not being used to access State Land Office property for the project.
- He characterized eminent-domain concerns as resolved based on the documents and discussions he reviewed.

Decommissioning and Repowering

- Mr. Burpo explained the distinction between decommissioning and repowering:
 - Decommissioning: Removing the project infrastructure at the end of its authorized life and restoring the land as nearly as practicable to its prior condition.
 - Repowering: Negotiating a new project that could replace older turbines/equipment with newer, more efficient technology.
- Under the documents described in the presentation:
 - Pattern would have 18 months after the end of the 30-year term to remove the facilities and restore the property as nearly as practicable to its prior condition.
- Mr. Burpo noted that wind projects in other states have sometimes been repowered rather than completely removed.
- He stated that any future repowering would require a new arrangement with the County, rather than simply occurring automatically under the current 30-year agreement.

Turbine Siting

- Mr. Burpo stated that most of the proposed turbines are adjacent to existing wind turbines.
- He said his review of the maps indicated that the project is generally being developed in an area that is already established for wind-energy facilities, rather than introducing turbines into an entirely undeveloped wind-energy area.
- Pattern's existing regional projects include substantial wind development in Torrance and neighboring counties

Commission / Staff Comments

Stephanie Reynolds, County Manager: Informed members of the public and people participating through Zoom that the full presentation is included in the Commission packet available on the county website.

- Encouraged interested residents to review the presentation after the meeting.
 - **Chairman Schwebach**
 - Asked whether the presenter would be available for the upcoming public hearing.
 - Mr. Burpo confirmed that he would attend.
 - **Commissioner Jaramillo**
 - Asked for clarification regarding the large dollar figure discussed in connection with the project.
 - Mr. Burpo confirmed that the referenced amount was strictly attributable to Torrance County, with the remaining amount associated with San Miguel County.
 - The transcript's spoken dollar figure appears inconsistent with the other amounts discussed; the official presentation/documentation should be used to verify the exact figure before recording it as a final financial amount.
-

10. Adoption of resolution/Ordinance:

- A. **Manager/Commission:** (Public Hearing) Motion to adopt Bond Ordinance 2026-03 authorizing the issuance and sale of Torrance County, New Mexico, Taxable industrial Revenue Bonds (Palomas Power LLC Project), Series 2026, in maximum aggregate principal amount of \$1,221,075,000 and approving associated documents, (Rob Burpo, Frist American Financial Advisors, Inc. and Jill Sweeney, Taft Stettinius & Hollister LLP)

Motion; Chairman Schwebach motioned to begin public hearing; seconded by Commissioner McCall

- **Roll call vote;**
 - Schwebach – yes
 - McCall- yes
 - Jaramillo- yes

Motion Carried

Public Hearing began at 10:10 AM

Jerri Pohl; sworn in by County attorney

“Good morning, Chairman, Commissioners. I want to start by saying something very clearly that I am not opposed to wind energy, and I'm not opposed to economic development. I'm asking a very simple question: Are we getting a fair deal for the public? We're talking about a project with a 1.221 billion dollars in industrial revenue bonds in a potential of a 30-year term, I've been trying to find a simple side-by-side comparison of what this project would generate under ordinary property taxes versus what the county and schools will receive through the PILOT. Mr.

Burpo had provided what it is currently being taxed at, but. I'm more curious of what the project would be taxed if it were to be completed. So, I came to the county clerk or manager's office, and I told that there wasn't one, and that concerns me because according to the numbers presented, the PILOT starts at approximately \$630,000 a year and increases 5% every five years, until it's approximately 21.426 million over 30 years. That math actually gives us an average of about 714,200 per year. So, my question is simple: What would the ordinary property taxes revenue be over those same 30 years, and what is the difference? Because that difference represents the value of the tax that is being benefit being provided, and this isn't just a question that I'm raising here in Torrance County. In July, the New Mexico Legislative Finance Committee, our legislature's financial watchdog, reported that the state and local governments do not require sufficient reporting to determine whether the trade-off from the industrial revenue bonds actually pays off. So, what that means is we have an opportunity here to do something very basic to show our citizens the map. I would respectfully ask that the commission provide one the projected ordinary property taxes over 30 years to the. pilot payments over 30 years, and three, the dollar difference between the two. And finally, I would like to know what the additional public benefit the county receives in exchange for that difference. I'm not asking you to stop development. I'm asking you to know the value of what you're giving away before we give it away, you don't. We don't have to be anti-development to insist on a fair deal for the people of Torrance County. Thank you for your time”

Kim Ortiz: sworn in by County Attorney

“Here this morning is a concerned rancher and citizen of Torrance County who is against the erection of more wind turbines in our area.

They are detrimental to our New Mexico rangeland, our wildlife, our lives, and are fundamentally changing the appearance of our rural and beautiful landscape. Our open views, the wildlife, and the scenery are all part of the character and value of Torrance County, New Mexico.

The wind turbines are destroying our land. The roads, the easements, and the mass amounts of trees, soil, and vegetation that are just pushed to the outside of the construction are left to be a major fire hazard and eyesore.

The massive concrete pads and longevity of the turbines and roads will impact our county for decades.

Wildlife is moving. We have witnessed elk in the lower grasslands. We have seen bird mortalities. Research shows the impacts on cattle rangelands that are taken.

The water consumption is taking our precious, life-sustaining commodity for construction.

But what I'm here to ask is, after last meeting, recognizing the fact that you were fixing to try to pass this without public comment. It was on the agenda, but due to the people that were in here to witness the fact that you were fixing to try to vote on something that had no public hearing, and you publicly announced that it was brought to your attention that there was no legal notice or no public comment, it just goes in the same line as what you were fixing to do with Project Mars. So, what I'm here to do is mostly try to hold you accountable for being transparent and to note the fact that after public comment at the last meeting, things were renegotiated.

Many minds are much better than three, and I feel like you guys could again renegotiate to make sure that what we are giving is a fair trade for what we are getting.

The money Mr. Burpo went on and on about last meeting—he was very proud of. It didn't impress most of us, mostly because our lives are not going to be bought by what the wind turbines are going to bring us.

And the wind turbines are only step one. The transmission lines, the substations, and the ugliness of the wind turbines are going to last for decades."

Laurette Montoya; sworn in by County Attorney

"Thirty years is a long time to have to look at a wind turbine that's going to produce what they said, 800 megawatts of power. It was my understanding that a lot of this power isn't even going to serve New Mexico.

To reiterate what Ms. Ortiz said, you know, we all came out to Torrance County because we love the landscape. We love the land. We love the animals here, and I know for a fact that wind turbines are detrimental to our wildlife.

I know for a fact that there are migratory birds—the birds that live in Mexico and travel from, I believe, in a north-south direction—that are going to be affected. We're going to affect our elk, our deer, and other land animals.

And not only that, but we're also going to impact our cattle ranchers. What's going to happen if there is a wind turbine and there's equipment failure? It's my understanding they consume at least 800 gallons of oil, petroleum oil. We're going to have an oil spill.

Anyone remember the Exxon Valdez in the early 1980s? If you were around and you heard about it, I know that was an oil tanker, but it lost numerous, numerous amounts of oil.

I know they're talking about filling wells and using water. You can add water to the landscape any day of the week, but we don't want it to evaporate. So then they have to use more and more and more.

What is going to happen in 30 years with the equipment if it does fit? What are they going to do with it? Where are they going to put it? Where is it going?

Because this is not just a Torrance County thing; it's a nationwide issue. We live here in Torrance County. How many of these individuals live here? We are the ones that are going to see this every single day.

I wake up every day looking at these bright lights, going, "Where did this come from?"

I hope that you all can reconsider this project.

And one of the other ladies brought up a comment about getting a fair shake. I know money looks good on paper. It's projected. Okay, we can project things all day long.

I know the schools are always hurting for money, but there are other ways that we can get revenue.

Building wind generators, solar plants, AI data centers—you know, these are, yes, very futuristic, but it all affects our heat dome that we're all under right now.

How many of you have experienced over 100-degree temperatures this year? I have.

How many of you have gone to your vehicle in the afternoon, or gotten, you know, now we have a hot, smoking body because we're in over 100-degree weather?

We didn't used to have this, but I strongly believe that having these generators—they all generate heat. They all generate so much heat. This is why we're having such adverse weather.

It may be raining here, but it's not going to be raining somewhere else.

I strongly would advise this council to reconsider this project. Please look at the detriment to our landscape, to our people.

You know, a lot of this stuff causes cancer. You know, if anyone knows anyone that's had cancer, it's an awful thing to watch happen.

You know, we talk about bringing revenue to our county. We can do this through job training programs. We can do this through funding our schools, work programs, work-study programs. We don't have to have this, what they call renewable energy.

I'm not opposed to development. Believe me, I was a job developer in schools with my work-study students. We had programs.

But if you're going to take away from our beautiful landscape out here, this is why people come here.

Our agriculture—you know, let's look at some other ways of developing Torrance County. Not taking all our trees away and not just dumping water on the ground just because there's dust. Now, if we could plant these areas, have them reseed everything, maybe some of these dust-control issues will be addressed.

But I implore you to please reconsider this bond.

Thank you."

Nathan Dial; Sworn in by County Attorney

"Yeah. Half-truth is not necessarily a lie, but it's not the truth.

Like when the school board says, "If you vote for this bond, your tax won't go up." They won't say, "If you don't vote for this borrowing, your tax is going to go down." But they're not saying yes for a fact.

If the State Engineer, that's an agricultural trade, changes rights, they only can sell half the water, so on and so forth.

What they're not telling you is these companies are actually paying people to install the equipment that they need so they can pump the water out of the ground, so they can change the—get the water sold to them.

So, the part they're leaving out is, yeah, the half that they're not using. Well, none of it was being used before.

You don't believe me? Go to Jacob Sarno's house, where they spent hundreds of thousands of dollars putting equipment in so he could sell them water.

So, yes, the statement of if they do it for industrial versus agriculture, you only use half the water. But the part they're not saying is a lot of these guys don't have the money or the ability to use water in the first place.

So that's half-truth.

And if they're going to come here and give you half-truth on one thing, how can you believe it on anything else?

And it's that simple.

And you don't believe me? Drive out to Jake's. I brought this up. I brought up State Engineers. I've been threatened with lawsuits over making these statements, but it's fact.

They are paying people and putting equipment in to take water out of the ground that was never being touched."

Jeremy Turner; sworn in by County Attorney

“Jeremy Turner with Pattern Energy.

There is no Environmental Impact Statement required for this project, as it is not on federal lands. It is entirely located on private or state lands.

We do follow all laws, though, and in addition to that, Pattern voluntarily performs environmental studies on all of this.

We voluntarily set back two miles from any raptor nests that are identified, where industry standards and requirements are one mile.

We also, in the event that there are bat species in the area, Pattern, as a company, voluntarily shuts our wind turbines off in low wind speeds, around four miles an hour, so that there's no effect on the bat population in the area.

We do full cultural studies, even though it is entirely on private land. We have also sent out letters to a number of the potentially affected tribal nations. One of those has come back and has interest in the area. We are actively working with them and their cultural department to work on the cultural report.

We are not allowed by law to share any of the cultural studies. We, as Pattern, don't see those. Our cultural consultants are required to find, if they find something, and register it with the state, and they are the only ones that know where it's at.

What we are given is simply a no-go area where we are not allowed to build because they don't want people to know where cultural sites are, so that people don't go steal things.

So, we do those.

We do Waters of the U.S. We abide by all of the applicable federal laws, even though people don't believe there are flowing streams and waters. You still have to look at Waters of the U.S. as part of those studies.

And again, since this is entirely on private land, we are not obligated to share that.

Again, this is not a full-blown EIS. And as part of the Planning and Zoning Department, the application that comes before this body, a number of those requirements, including that environmental study that we do and that we have shared, is part of those applications.

It is also at the Public Regulation Commission when we go and seek approval from the PRC. Again, those are not requirements; those are voluntary documents that we provide to those regulatory bodies.”

Mellisa Johnson; sworn in by County Attorney

“Good morning, commissioners.

My name is Mellisa. I think many of you know me. I used to be the County's Operations Manager. I've now moved down to Pattern Energy. I'm their Site Logistics Coordinator for Western Spirits, so that takes care of Duran, Corona, and the Encino area.

I want to give you a little backstory.

My family has been ranching for generations from Guadalupe County, Villanueva area, Milagro, and Corona. My family was part of the whole wind tower generation on our property there on our state land.

We also had multiple businesses in Corona prior to wind energy coming into Corona.

We, as you know, Corona is a town of 100 people, so it's hard to sustain a business relying on the locals. Our convenience store went from making \$2 million to \$5 million-plus with these folks coming in every day, purchasing gas, purchasing groceries, and homemade burritos.

We work as a family, so they have been great to us.

I will testify to you guys: We still run 350 head of cattle. We have more elk than ever on our place.

Are they an eyesore at times? Absolutely.

When you're trying to sit out to drink a cup of coffee and all you see are flashing lights, it's certainly different, right? It's different than what we grew up with, what we knew the land was. But as a landowner, you cannot make sort of a profit."

Jacob Sarno; sworn in by County Attorney

"So, I want to start off first with a response to the statements by Mr. Dial.

That is my property, number one.

Number two, the hundreds of thousands of dollars he's talking about is completely incorrect. So that was a lie, under oath. I just want to put that out there.

Number three, it gave me the opportunity to actually have wells that will run per capita, which I still don't have yet because I'm working my way towards that. A three-horsepower pump at 75 gallons a minute is not what all the farms are putting out in the valley, or what he claims is happening on my property.

I was harassed. There were pictures taken while on my property, and never once did that man approach me and have a discussion. To me, that is completely unfair and dishonest.

Now I'm going to talk about Pattern, what they've done for me in the county.

I've worked as a journeyman lineman for most of my career. I have traveled up and down the highway in this state, Texas, all the way to Florida, to chase work.

Pattern has given me the opportunity to come back to this town, stay here, live here, live within the vicinity of my children, and not miss out on the things that I've missed out on for years because I was chasing that dollar down the highway.

Right here is my son, and he's going to speak as well. He also works for the wind farms and graduated high school without an opportunity to go on. He didn't want to do college, and GE offered him an opportunity.

He has traveled the U.S. He's been in New York for training. They've taken care of these kids.

A lot of these kids weren't sure what they were going to do after they graduated high school.

So, I know that everybody here may be upset about the landscape, but there's a lot of kids that we're looking at having to leave their homes to go find work.

So, before we sit here and think about, "Well, this is unfair to us," think about the kids understanding and going, "Well, what would we be doing if we didn't have this opportunity?"

I thank you all for your time."

Crystal Forni; sworn in by County attorney

"I thank you for this opportunity to come to speak before you today, as well as to my fellow community members.

I am a local resident here in Torrance County, a graduate of Moriarty High School. I still have two kids in Moriarty High School to this day.

I'm here on behalf of, to speak in favor of Pattern and these projects.

Before I was given the opportunity to work for Pattern, I was a stay-at-home mom for 13 years. Due to the price of childcare and gas to commute into Albuquerque to be able to work, the price didn't compare. So I stayed home for 13 years.

Western Spirit comes in, projects—I'm offered an opportunity to actually be able to work from home. I took the opportunity and was paid more working from home than I ever was working in Albuquerque.

Fast-forward to Sun Zia, I got a pay increase. Now I've got an additional—not only a pay increase, but I got promoted. I'm the Community Engagement Coordinator. I'm over all of our community giving here in New Mexico, as well as our workforce development.

You can see this whole back section from here. The back section there is all Native New Mexicans that have been hired.

I pulled some reports in March before Sun Zia started. Of the 60 direct hires for Pattern in New Mexico, 49 of them were already living here. They were direct hires from New Mexico.

This is something I am proud of and continue to work for as a Pattern employee, to continue building that workforce development.

But the opportunity for the giving program that they allow—not just the site operators, but I myself—to be able to go out and give back to the communities where not only are we working, but we are living.

So, to date, just this year, to date, it has been over \$30,000 here in just Torrance County alone. That's outside of IRBs, outside of any of that.

Pattern has been able to give back to the community through these giving programs that they offer, so that us local employees can not only donate our time, but we have a bigger way to impact these communities and where we live.

Thank you for your time."

Lane Sarno; sworn in by County Attorney

"I just want to talk about how, with the wind turbines being out here and all of them being built out here in the last five years, that has opened up a lot of opportunities for us young kids.

A bunch of kids that I graduated with, a bunch of kids that are under my class have seven kids that graduated from Estancia that are working on the wind turbines out there.

I want to talk about how much it's helped out our community with funds and things and such like that.

And another thing I wanted to touch on is the wildlife stuff, and cattle and things like that out on the turbines.

I've been out on that site for five years. I haven't seen anything different. I've been around cattle and wildlife all my life, and there's nothing different out there.

They haven't moved. They haven't swayed from the turbines. They haven't done anything out in the flatlands, where there's actually not much vegetation.

A lot of them like to use the turbines as shade. It's good for them. They like to lay under it and use it as shade. Thank you."

Isidro Astorga; sworn in by the County Attorney

“I work at the wind turbines out there in Western Spirit.

I’d like to say it gives a way better option than commuting to Albuquerque. I mean, the price of gas now, diesel, whatever you guys do—you guys know. You travel to Albuquerque, you’re paying no less than \$200, \$300 a day.

These turbines come here, like they said, and it brings them out here in Torrance County and gives kids graduating from high school that don’t want to go to college, don’t want to travel to Albuquerque, the opportunity to just go down the street, go to work, have a good-paying job, and have a house.

And again, like they said, it doesn’t affect cattle. It doesn’t affect the vegetation.

I heard someone say that it messes up the grass, or they don’t plant the seeds. They plant the seeds. We plant.

If you go up to the towers, it’s planted all the way up till basically the tower—20 feet, maybe 15 feet away from the tower. It doesn’t affect much.

I’d just like to say that we should give more options than our schools.

We’ve been trying to fund our schools for, since I was born, 23 years—23 years and nothing.

This gives us more. Okay, you saw the numbers. It gives us way more—280% increase in Torrance County and the schools. Thank you.”

Shannon Johnson; sworn in by County Attorney

“I hear a lot of this, but I want to give you my personal experience.

My name’s Shannon Johnson. I was born and raised in Lincoln County. Although I don’t live in Torrance, we’re really similar, you know. There’s not a lot of opportunities for kids.

I graduated in 1995. The day after I graduated, I left and went to work in the oil field. I spent 30 years traveling in the oil field.

I have a 29-year-old daughter. I have a 23-year-old daughter.

I went to work for Pattern Energy in August of last year, I believe the fourth.

In the last year, I got to watch my daughters, and I got to watch my grandson progress, grow up, and do things that I wouldn’t have been afforded in the first 30 years after I got out of school, because I couldn’t make a living. I couldn’t afford to stay in Lincoln County, so I traveled.

There was some stuff said a while ago about Pattern and their contractors using outside labor.

I found out about Pattern because during COVID and the shutdown in the oil field, I had come back to Lincoln County. I lived in a fifth wheel because I didn’t have anything because of the COVID shutdown.

Luckily, I’ve got family property that’s been there since 1881. That’s how long my family goes back now.

But anyway, back to when I came back. I was still traveling, doing what I could in the oil field. I ran into a gentleman who worked for Blattner Energy, and we kept talking. I told him what I did. I spent 30 years welding. I still weld today.

I wasn’t given the opportunity, but they needed a welder to do some stuff, so I went to work contracting with them as a welder. They used local people to do things once they found out what was available.

Through that, I was able to find out about Pattern Energy and the opportunities that they were bringing to our communities.

I put my hat in the ring, and fortunately, they hired me.

I make an exceptional living working for Pattern Energy, and I work for an exceptional company.

We give back to the community in more ways than just the IRB.

We found out that Capitan High School Junior Varsity Girls Volleyball Team needed their uniforms. They couldn't afford them. The school couldn't afford them.

One of the guys I work with, his daughter, is on the Junior Varsity team. He came and told us, and as a group, we figured out how to donate that and get them some new balls, and their uniforms."

Jeremy Black; sworn in by County Attorney

"Good morning, everybody.

So, I am an Assistant Facility Manager for the Western Spirit Project. I've been out here since the beginning.

So, you know, I hear a couple of comments. You know, I just want to put the facts straight.

You know, there is, in a wind turbine, roughly about 110 gallons of oil. You know, just put that out there.

We talk about eyesores with the flashing lights. Pattern has invested millions into a system called ADLS, and basically what that does is, if there is no plane or any aviation within a certain height near the wind turbines, those red flashing lights will stay off.

I can't talk about La Joya or any of the older wind farms because they were designed and built years ago, but that is what Pattern is doing for the high soreness of the red lights.

When we talk about the community, you know, Pattern buys all of our work trucks, even for the Sun Zia way down there by Capitan.

We buy all our grill guards out of Moriarty. We have a company out of Moriarty that installs most of them.

You know, we try to invest into the local communities, their stores, or their businesses.

We look at all these young men out of here. You know, I asked them this morning. You know, I thought most of them looked so young to me. I thought most of them graduated last year, and I'm getting older.

We look at Sun Zia. The amount these kids are coming straight out of high school and making more money an hour or yearly than what I did working in an oil field 20 years ago.

You know, they don't have to have a degree in wind energy. Yes, there are certifications that these young men can go get. Young women—we have women in the industry.

My son followed my footsteps. He is now Assistant Manager for a solar farm.

You know, we've been living in New Mexico for the last 26 years. He graduated high school and earned his way into Assistant Manager for a solar farm in Texas.

We need a lot of solar over here in this area.

I hate to probably stay home, so—but that's all I want to say.

Thank y'all. Thank you for your time."

Jose Galleogos; sworn in by the County Attorney

"I work for Pattern Energy. I'm a Lead Tech out in Corona.

I grew up out in Moriarty and graduated in 2008. I went to that wind school in Tucumcari. Luckily enough, I've been able to stay local and worked for several different outlets out here. This just brings in all these guys out here that just graduated. It just keeps everybody local. I'm raising my kids out here in Moriarty. If this opportunity wasn't here, I probably wouldn't have stayed in that community.

Also, Pattern really does like to contribute to the community outside of these bonds, helping 4-H programs, FFA, everything like that.

So just think about that whenever you guys are voting on this.
I appreciate the time."

Andy Chavez; sworn in by County Attorney

"So, one thing I want you guys to know: I used to run the landfill out in Moriarty, off the 203 Exit. I also operated the Vaughn landfill.

We took in 300 wind turbine blades, cut up into pieces, and they sat there for over eight years. Look at the amount of towers going up right now. EVSWA is talking about opening up a facility to recycle said turbine blades. Not a good idea.

One, the amount of problems it's going to create with shredding those things—fiberglass flying everywhere. The water usage that's going to have to go into controlling dust in that facility is going to be horrible.

The other thing I have an issue with is you have this company. You have all these people that work for this company. Not local people working there are local—they want to say that they're making all this money. They're making good money.

Why is it that our facilities here, the people working here, that are started here and for our community, can't make the same amount of money, if not more?

My highest-paid equipment operator was only making \$18 an hour in our facility.

You have these guys putting up wind turbines. Cool, they're making good money. They're contributing while they're here, but they're not here all the time. They're not going to be here all the time.

Our facilities can't even pay, and our county won't even adjust to pay wages for our facilities here.

There are multiple people here who have sat on the board, who were involved with EVSWA, who have been against this project from the get-go when it's—when EPS gets away. I can't say why they were even thinking about getting this project going or letting this happen.

And anybody local knows those red lights blink all night long.

I'm in McIntosh, and I can see those lights all night long. There is no—they turn off in the middle of the night if there's no planes. Those red lights go all night long.

I mean, we as a community need to stand up, put our foot down, not hold this in, and not allow this to happen."

Tom Carter; sworn in by County Attorney

"I will admit this may not feel very polished because I wasn't going to speak until about a couple of minutes ago. So, forgive me if this sounds terrible, but I'm going to stay in my lane as best I can here.

This is a little thin ice for me. If you're not familiar, I'm running for sheriff here in Torrance County, and so I'm going to stick to what's important to what I know, which is law enforcement and government.

But if you guys could confirm that board over there is projects that the counties are trying to build for ICIP, right? So that's to serve the citizens of Torrance County, right?

What I'm hearing is a lot of different issues on both sides, which is incredible that we're exercising our First Amendment right here. But what I'm concerned is that we're talking about a lot of issues, but nobody's really bringing up any solutions to these issues.

I'm concerned that we're not talking about other ways to bring money into this County to support what we're trying to do for our citizens.

The reason I wanted to talk is because I have a big vision for the Sheriff's Office. I think I can make it a lot better to serve the county, the citizens of this county, and that costs some money. It's going to cost some change to serve the citizens. Does that make sense?

I just want to caution everybody that I understand the concerns. It makes a lot of sense. I support ranchers.

You can look at me and tell that I love a good burger, right? And I want to support that industry. I'm not going to speak on that because I don't know. I don't know what your concerns are or what your strategies are.

But I do know that Torrance County needs some gross receipts tax money. We need some funds to keep moving forward and to be able to serve our citizens.

I have guys right now who are on a call about a vehicle that ran through a rancher's fence, and so they're trying to find a solution to help that rancher fix that.

So, law enforcement does have a purpose in helping ranchers here, right?

So how are we going to keep those guys funded and paid, and how am I going to build an agency if we don't have money coming into this county?

That's my concern.

Lastly, I'll say I currently live in the middle of wind farms. I'm within a mile in all directions of a turbine, and I can tell you 100%, I've had migration birds all over my house all summer, and I've got several inches of bird crap all over my house.

So, if you can find a solution to keep the migratory birds out, please let me know. Thank you."

Todd Bibiano; sworn in by County Attorney

Superintendent of Moriarty-Edgewood School District.

It's nice to see a lot of faces, people I grew up with, and I know the topics and the sides that people have on the wind farms, renewable energy, and I absolutely respect it and appreciate it. You know, I was sitting there, and I did want to come up and speak on behalf of the Moriarty-Edgewood School District.

We've talked about the wind farms, solar farms, for many years, many years.

If anybody has ever been to the Moriarty-Edgewood School District offices, the old Mountain View Elementary, we have solar panels that were put up years ago, and we were excited about those solar panels in the sense of our IRB PILT money.

Because it was mentioned earlier, you know, looking for other funding and other ways to help out the school districts, we're always doing that.

And we did get some money from them, the company and PNM—a pretty small amount. And then we started seeing these windmills coming up, and it went beyond the PILT money.

And, you know, I decided, you know, I can come up here and tell you how we intend, or what our vision is, for the IRBs for the Moriarty-Edgewood School District.

If you take the payments, they're a little different today than what we have proposed or that was proposed to us. Not much. That's about 1% in IRBs compared to our total operations budget—about 1%.

It's going to—we'll see how much it ends up, but it's not going to be more than 1.5%.

That's money that we can use to absolutely deepen the collapse of our operational money.

We just had—and we're talking about water issues—Estancia, John, we've got to be dealing with the schools and everyone else.

The day before school started, we had a well-go out, and we had to cancel our first few days of school for some of our students.

We called the water company; they hauled water for us. We got our well company. They worked on it.

You know, now we're talking \$50,000, \$60,000—money that we can use our PILT money or IRB money for. We don't have a lot of money to buy supplies and materials for kids.

So I wanted to come up and—I mean, we can go and use money that we are giving kids as incentives.

There was mention of other ways of finding money for students. There's an attendance grant that we apply for on a regular basis. You have to have an attendance plan. We want to get kids in school. We want to get them excited.

And when we go to try to spend that money, the state says, "No, you can't buy them incentives. You can only use it for A, B, C, and maybe D."

So now we can use some of our PILT money or our IRB money, and we can send kids, we can get books, we can.

I mean, as silly as it sounds, right? To get third graders to show up to school on a regular basis and give them a dozen donuts.

And we're talking big money when we're talking about our personal bank accounts. But when it comes to the schools, it's not a lot of money. But it's money that we can use for our kids and for our staff.

For the first time in a very long time, as superintendent, I was able to allocate money to our principals, and the principals were saying, "Okay, give us the stipulations."

There was hardly any, other than, "Make sure that you're staying within procurement laws," and we want you to reward your staff members and your students.

I know today the vote is on Palomas. That's more money that we would welcome.

And whether it's passed or not, you know, I again respect everyone's opinions on the environment and renewable energy and whatever side you land on.

But we have the opportunity now, thanks to Pattern and the SunZia project, to enhance—to be able to pay for things on an emergency basis without pulling money out of our classrooms for our students.

Because if we pull money out of operation, that's money that doesn't go directly into the classroom.

And the last thing I guess I'll say is—and it was said that the gentleman that we're speaking about job opportunities—as one of our focus areas for the Moriarty-Edgewood School District in our strategic plan was to enhance our work-based learning and our career technical education.

Yes, we still have work-study, and we've had business owners that are in this audience today that have really supported and helped our students to learn how to be good employees.

Now we have a true industry partner who is coming to the Moriarty-Edgewood School District that is helping us to get kids to the technical skill levels, to the trades.

Our students are going out and they're looking at these windmills.

Pattern Energy is coming into the schools and talking to students not just about, "Are you going to be a welder, a pipefitter, an electrician, all the construction things that we've done?"

But how about this? How about the electrical engineer, the mechanical engineer, the opportunities to go to college?

And so, Pattern is helping us with our strategic plan, not only for technical, but also college and career readiness.

So, I want to thank all of you for your support, always supporting the Moriarty-Edgewood School District.

And this is just a portion of continued support that will definitely be helpful for our students in the future.

Thank you."

Gloria Lovato-Zamora; sworn by County Attorney

"Good morning to all of you.

With all due respect to the Commissioners and to the public, I would just like to congratulate all those people who have a job. Congratulations to you!

But my most congratulations are to the two women who stood up to protect the land and the environment.

I am from the Manzano Land Grant. If you know your history, most of you know that there are a lot. There are over 29 land grants in New Mexico.

The land grants were prior to federal government, prior to state government, prior to county government.

We believe in protecting the land, the water, the environment, the people, the animals, the herbs—everything that is of nature from God.

We are servants of this earth.

And congratulations to you, ladies, for being only two of you here. Not that they're all—they probably aren't against us either, but we need to have some studies on what megawatts do to people, water, and animals.

Where's your study? Where's your study?

Do you have a study? That is the question. Where is it? I didn't see it.

Has the public seen that study? Have you seen the study of what megawatts cost the environment, the people, the animals, and the plants?

Have you seen the study?

Commissioner Jaramillo- "No."

Ms. Lovato-Zamora- "Why not?"

Commissioner Jaramillo- "But I will."

"Thank you, Linda. You need to see that study.

The H2O company was passing—I can't remember the 2000 and something. We also stood up and thought that that was toxic for our state, for our environment.

They have eminent domain, saying that the public needed this.

Do we really need things like this? Is it a common need that we have, that we can't survive without it?

I truly believe that our existence here is to protect one another with our waters, our foods, and anything that we can survive from.

I want to thank you for doing your job as you are told to do.

Thank you, young men, for having a job. I wish everybody had a job.

I have lived in the Land Grant traditionally, culturally poor, but I have succeeded, and I will continue to succeed without anything else except what I have succeeded with, and that is culture, tradition, and environment.

That's it.

So, I want to thank you for listening. I wasn't prepared to speak on this behalf, but with all my heart, thank you, ladies, and I just congratulate you so much.

And I hope that there are others.

And I ask that—I can't remember the name of the man, but anyway, because I'm just new to this—that you visit our land grants.

There's one in Chilli, and you need to come and present yourself.

There's one in Manzano; you need to come and tell us what you're doing.

There's one in Tajique; you need to come.

We're entities too. We're recognized.

And then there's Torreon. You need to come and present your plan to those people, and then we'll come back and see how many people three ladies are here besides.

Thank you."

Ida Lucero; sworn in by County Attorney

"I spoke at the last meeting last month, so you have my views on how I feel about this. A lot of the community that are up here as well.

The best thing I heard Mr. Turner say, I believe that was today, was that they want to consider using wastewater for dust control and the concrete use.

First, I feel it's a shame we're using our valuable water for wastewater and to control that dust. I mean, not the wastewater, but the water that's so valuable to us.

And could this study have been done before? The wind turbines are already up; they've already used the water. It's the water that we barely have.

We don't even get rains anymore the way that we used to get the rains.

And I just want to say, before this is even passed, could they even consider doing a study on using that wastewater for these projects before?

As the lady stated earlier, why are the studies—and why, you know, why couldn't this have been done before, before this project went up?

They're already at the end of the project, so everything else I said was in the last meeting, but I did want to add that today to possibly reconsider if the Commissioners even pass this until maybe the consideration of even using the wastewater as an option.

Thank you."

*Zoom

David Heddens; sworn in by County Attorney

“So again, thank you for the opportunity to speak.

It looks like at the conclusion of this meeting, a vote for approval of the issuance of the bonds will take place. Is that correct?

Okay.

So, just some findings that I’ve reached during kind of the process.

There’s been no Environmental Impact Statement available. I searched for NEPA records and just kind of extensive online searching, and I found no documentation attributable to the wind project or the tangentially related transmission line. I understand those are separate projects.

It seems remarkably insufficient to have unavailable data on environmental impact of the Columbus project, as well as, again, tangentially related, the Mid-State Transmission Project. So it does sound like the public has an opportunity to read up on at least the studies that the company itself did for the environmental impact, presuming, as was just—if I heard correctly, those are available to the public.

Do we know when those became available?

Another question that comes to mind is: Where can we access the environmental studies that have been conducted for the impact of these projects?

Can they be?

Okay.

Just as in my meager attempts to be an informed citizen, I definitely feel like I haven’t had an opportunity to learn about the impacts of this project.

You know, ignorance is no defense, but with that said, I just do want to put it on the record that I am opposed at this point due to feeling insufficiently informed of the project to go forward with it.

And so, certainly, if I had to say, it would be no to the bond issuance at this time. I realize that’s superfluous because I do not have that decision to make.

But thank you for the opportunity to speak. I appreciate it, and thanks again.”

Robert Burpo; sworn in by County Attorney

“Thank you, Mr. Chairman and Commissioners.

A question was asked about how much property taxes would be received if we didn’t do the IRB, and basically, the IRB is collecting about 40.5%. The county will be collecting about 40.5% of what it would have collected if the IRB wasn’t in place.

Now, that also assumes that the project would have been built in the first place, because one of the conditions that must be in place for the Industrial Revenue Bond is a “but-for” clause, which basically says if we don’t do the IRB, the project wouldn’t be built.

And I can tell you, based on negotiations, and I’m sure Commissioners would agree with this, there are sometimes when projects go away because of the lack of support.

The other thing I would mention is that if Pattern were to petition the New Mexico Taxation and Revenue Department for a 30% investment tax credit, upfront write-down of their capital costs of \$1.002 billion, the amount of PILOT being received by the county would become 58% of what the county would have gotten without the IRB.

So, you're getting a substantial amount of the property taxes that you normally would have gotten had the IRB not been in place.

This is very high. Normally, these projects are in the 25% to 35% range statewide.

So, you're at 40.5% right now, or 58% if Pattern were to be successful in petitioning the Taxation and Revenue Department—and Taxation and Revenue always gives that write-off.

So, figure 58% as the real number.

Thank you."

Chairman Schwebach- "Mr. Turner, I have a question for you.

Any Commissioner, if you have other questions.

So, as far as there was a question that Rob was trying to address, and I think the question about the IRBs are: Are these projects feasible?"

Jeremy Turner- "Mr. Chairman, Commissioner, the IRBs are instrumental in making sure that the economics of these projects work.

We have, in other states—not New Mexico, but in other states—where IRBs were not issued, have walked away from projects.

Again, as I described, all 800 megawatts of this power will be utilized in the state of New Mexico by use of PNM.

PNM's entire system is about 2,300 megawatts. So, 800 of that will supply literally a third of PNM's entire usage and their needs.

Without the IRBs, because our ratepayers—these rates are locked in. PNM cannot just increase rates without the IRBs.

It fundamentally changes the economics and results in likelihood of the project not being built here, or, as an alternative, it instead incentivizes a company to move to another county that is willing to consider the issuance of IRBs."

Chairman Schwebach- "Talk a little bit about the studies, and, well, how many projects have been signed within this county?"

Jeremy Turner- "Mr. Chairman,

What we have done at this point in time is the Western Spirit Wind Project consists of four separate wind farms. We look at it as an aggregate, but it is four separates. There's Klein's Corners, Tecolote, Red Cloud, and Duran.

There were environmental studies—biological, cultural—on all of those projects.

That project is spread out across 125,000 acres. About 14,700 of it is on state trust land.

On Sun Zia, it's 528,000 acres. 171,000 is state trust land. They have their own requirements that we are obligated to abide by in their leases, but we do perform environmental studies.

Again, all of this is voluntary because this is not on federal land. There is not a mandated requirement for those. These are things that Pattern is willing to do to be a good neighbor and a good partner in the community.

We are going to be here for a long period of time, and so we want to make sure that we are having a positive impact.

Of all of that acreage that we are talking about, the wind farms utilize less than 3% of the entire land mass for the roads, the underground collection, and the wind turbines themselves.

So, the reality is, even though we lease that amount of acreage, we use less than 3% of it for this.

So, when you look at environmental impacts, we do a large number of avian studies. We do nesting surveys. We do all of that.

When we were constructing a portion of the Sun Zia transmission line across the river, we did environmental studies that said we couldn't build during nesting season because there are important avian species in that area.

In addition to that, we put on that transmission line a first-of-its-kind ultraviolet technology that was being tested at an avian sanctuary up in Nebraska, and it was producing 98% efficiency in eliminating bird collisions and bird strikes with transmission lines.

We implemented that on Sun Zia as well.

In addition to that, we also aligned that corridor with other existing infrastructures, which the avian species are already aware of.

So, we do a number of environmental studies. It is not a requirement under this Commission, under the Industrial Revenue Bonds, to share those studies. We're happy too.

Again, cultural is one thing that we are not allowed to do, but again, we do those as a voluntary measure that Pattern Energy does as a company."

Commissioner McCall – "Mr. Turner, would you address the issues with the red lights?"

Jeremy Turner- "Absolutely.

As Mr. Black mentioned, we have implemented on Western Spirit. It was at a cost of \$12 million for the Aviation Detection Lighting System. Sun Zia was a \$30 million investment.

The lights are on right now. We are in the process of trying to finalize commissioning. We just went to COD on the wind farm, as the Commission and residents know. We just finished construction. We're finishing up reclamation.

The ADLS system is online. We anticipate it will be in early October, and then that system should be on and working.

It is not 100%. It operates on Western Spirit at about 83% to 86% efficiency.

The other—the big thing is, though, once the lights come on, by federal law, by FAA requirements, those lights have to stay on for a minimum of 30 minutes.

In Europe, you can turn them off within three to five minutes.

There was an attempt, or there was a desire by the industry to do the same thing here in the U.S. Under the current administration and the views on renewable energy that has not been pursued, and we don't anticipate the industry pursuing a change for a period of time.

But if you look at even a small aircraft traveling 130, 170 miles an hour, by the time 30 minutes down the road, they are a long way out of the airspace.

So, if there is a change, again, that is federal law. That is not something that we can change.

Now, we have to abide by laws, so those lights must stay on once activated for a minimum of 30 minutes across the entire facility, until that aircraft leaves the airspace. And that is just a mandate by federal law.

But on this, we do expect them to be operational here sometime in October.

And again, until a wind farm is fully constructed and operational, you can't turn that system on, so those lights have to remain on by federal law.

That's not an industry choice. That is federal law."

Commissioner McCall- "Mr. Turner, I also wanted to tell you that I had a conversation with our fire chief back this summer when we were fighting those fires around Klein's Corners, and he

made a comment that the fire was fought much easier, better, and quicker because of the amount of roads that are in that area due to the wind farms.

So, I wanted to let you know that roads do help us fight fires when it's a grass fire, a wildfire."

Jeremey Turner- "And thank you, Mr. Chairman, Commissioner.

In addition to that, the on-command representative from the Forest Service that was out there at that time also put in their command report that the roads from the wind farms actually allowed them to attack that fire with greater efficiency and to access areas that they previously wouldn't have been able to.

And so, I appreciate that."

Commissioner McCall- "Mr. Turner.

While you're at the podium, I also want to bring back some dates.

There was a comment made that we—that you and I—have negotiated since the last meeting, and I went back and I looked at our emails.

So, myself and the Chairman from the San Miguel Commission sent you a letter on August 14."

Jeremy Turner- "That's correct."

Commissioner McCall- "Asking for a very, very lucrative deal that you countered back on August 18 in a letter that was "take it or leave it," more or less—when you're not going to get to where we asked.

Is that correct?"

Jeremy Turner- "That's correct, Mr. Chairman, Commissioner."

Commissioner McCall- "And on August 20, you and I had a verbal commitment that we came to an agreement, and the negotiation was finalized, and then we put it into final.

Is that correct?"

Jeremy Turner- "Mr. Chairman, Commissioner, that's correct. We did execute that in writing. Yes."

Commissioner McCall- "Verbally on the 20th. Yes, sir.

And our last Commission meeting was on August 26, when we deferred this to this meeting, so negotiations were done prior to the last meeting."

Jeremy Turner- "Thank you, Commissioner Chairman, Commissioners.

That's correct. I apologize. I did not have those dates off time."

Vice-Chair Jaramillo- "So, in my district, District Three is where most of these wind farms are, I think.

So, have you exhausted all locations for any more wind farms in District Three?"

Jeremy Turner- "Mr. Chairman and Commissioner I don't know the exact boundaries, but what I can say is that we do have additional land leased in Torrance County for future development

that we are in consideration right now. We also have significantly more land leased in Guadalupe and Torrance County than in San Miguel County than what's remaining in Torrance. So, most of these, as you know, are on the eastern side of the county, just like this project. That other remaining land is located on the site as well. What again? These are voluntary agreements. We do not have eminent domain. These are landowners that own those properties and have decided and elected to sign up for the potential to have wind farm development done on their lands.”

Vice-Chair Jaramillo- “And it's their choice?”

Jeremy Turner- “It’s their choice. Yes, ma’am.”

Vice-Chair Jaramillo- “So, I have lived here in Torrance County for 72 years. I’ve watched this County.

When I was a young girl, there were all these municipalities that were vibrant. We had schools in Willard. Actually, there was a hospital in Mountainair.

I’ve lived throughout this county. I am very—I have a personal relationship with a lot of people in Torrance County. I worked for Dr. Saul in Mountainair here for 15 years. I was County Clerk for 26 years.

I care about the people in our county, but we have to provide services for all of us.

There’s law enforcement, fire and rescue, medical care, senior services, our departments, our salaries, roads, and emergency services. There’s all kinds of services that we have to provide for our citizens, and I take that very seriously.

I would like to say that this money would be used in the future for those services for all of us.

Sometimes we have to make decisions for the good of everyone.

And I really, our kids are in dire need of a place to be here. I have my kids, my grandkids in Mountainair, and my great-grandkids in Mountainair. I have all my family that still lives here in Torrance.

So, as Commissioner, this is a hard place to be.

As County Clerk, in my office, I dealt with just my office, and I did a good job. People reelected me for 26 years, and I was concerned about the citizens then, and I am concerned about you now.

So just trust me that this money will be put to good use for the people of Torrance.

Thank you.”

Chairman Schwebach - “Do you have any more questions for Mr. Turner?”

Commissioner McCall- “no”

Vice-Chair Jaramillo- “no”

* On Aug 26th 2026 the following people made a public comment regarding the public hearing

Ida Lucero:

Swearing-In and Purpose of Testimony

County Attorney Mike Garcia explained that the testimony was being taken under oath because the County intends to incorporate the testimony into the official record for a future public hearing concerning the agenda item.

- Mr. Garcia asked the witness to:
 - State their name.
 - Swear to tell the truth in their testimony.
- Ms. Lucero affirmed that they would tell the truth.

Public Notice and Publication

- Ms. Lucero asked how the upcoming public hearing would be communicated to the public.
- Chairman Schwebach explained that the item would be published in the County's agenda in the same manner as other public-hearing items.
- The item is expected to identify:
 - The ordinance under consideration.
 - The action being considered—whether to approve or not approve the ordinance.
 - The fact that the matter is a public hearing and action item.
- The information will be published in the same location where County agendas are normally posted, so the public can review the matter in advance.

Timing of the Public Hearing

- Ms. Lucero asked whether the public hearing would occur in the near future.
- Chairman Schwebach stated that the matter is scheduled for the next regular County meeting on September 9, 2026.
- The public will be notified through the posted agenda and public-hearing notice.
- At the future meeting:
 - The matter will be brought forward as a public hearing.
 - Individuals wishing to speak for or against the matter will be sworn in.

- Members of the public will have an opportunity to provide comments and express their views.
- After public testimony is received, the hearing will be formally closed.
- The matter may then proceed as an action item for consideration by the County.

Status of Approval

- Ms. Lucero asked whether the underlying matter had already been approved.
- Chairman Schwebach clarified that the matter itself has not yet been approved.
- Commissioner McCall distinguished this from the inducement resolution, which has already been approved.
- The approved inducement resolution allows the process to move forward but does not constitute final approval of the matter currently scheduled for public hearing/action.

Audra Tapia, Resident:

- Audra Tapia provided comment concerning the proposed project and the process by which affected landowners and residents were informed.
- Ms. Tapia expressed concern that:
 - It was difficult to obtain information about when the meeting would occur and when residents could provide public comment.
 - Landowners were not adequately consulted before the project moved forward.
 - Residents were not allowed to provide their opinions or indicate whether they wanted the proposed project on or near their properties.
- She stated that affected property owners should have a voice and a choice regarding projects proposed for their property or surrounding area.
- Ms. Tapia stated clearly that she is opposed to the project being located on or around her property.
- At the Commission's request, Ms. Tapia affirmed under oath that her testimony was truthful so it could be included in the official record.

Art Tapia, Resident:

- Art Tapia, a lifelong resident, addressed the Commission regarding the same agenda item.

- Mr. Tapia explained that information about the matter had been provided to residents late the previous evening, leaving him and other community members with little time to understand the issue.
- He stated that several residents were present and wanted clarification regarding:
 - What the project involves.
 - What the agenda item concerns.
 - How the project could affect the community.
- Mr. Tapia clarified that he was not requesting to testify at that time but was seeking information about the proposal.
- The Commission advised him that a representative, Mr. Burpo, would provide a presentation later in the meeting explaining the project in greater detail.
- Mr. Tapia was informed that the presentation would occur that day.

Public Access to Agendas and Minutes

- **Vice-Chair Jaramillo** asked Stephanie to explain how members of the public can access meeting agendas and minutes.

Stephanie Reynolds, County Manager: explained that:

- Meeting agendas are available on the County website.
- Agendas are also posted at the County building, including locations outside and inside the building.
- Residents may request to have agendas emailed directly to them.
- For this particular project, the County planned additional public notice through the Independent and potentially the Mountainair Dispatch to reach residents who obtain local information through those publications.
- Regarding minutes:
 - Meeting minutes are available on the County website and through the Clerk's Office.
 - Minutes remain draft documents until approved by the County Commission.
 - Once approved, the minutes become the official legal record of the Commission's proceedings.

Motion; Chairman Schwebach makes motion to close the public hearing; Seconded by Commissioner McCall

- **Roll call Vote;**
 - Schwebach – yes
 - McCall - yes
 - Jaramillo – yes

Motion carried

Public hearing ended at 11: 36 AM.

Motion; Chairman Schwebach makes motion to approve Ordinance 2026-03; Seconded by Commissioner McCall

- Schwebach – yes
- McCall - yes
- Jaramillo – yes

Motion carried

Recess 11:38 AM

Back from recess 12:05 PM

B. Assessor: Request approval of Resolution 2026-28 approving the Mill Rates for 2027 and the signing the order to submit to the State if New Mexico Department of Finance and Administration

- **Linda Gallegos, Torrance County Chief Deputy Assessor**
 - Presented an analysis of the 2026 Certificate of Property Tax Rates and accompanying taxable-value and mill-rate spreadsheets.
 - Explained that the information was based on the certificate received from the New Mexico Department of Finance and Administration (DFA) and valuation information certified by the Assessor's Office to the New Mexico Property Tax Division.
 - Stated that her presentation and letter were prepared to help the Commission and future officials understand how property valuations, mill rates, debt service, and taxable values interact.

- Noted that the presentation was not required by statute, but that the Assessor's Office has historically provided this type of information to help explain the county's tax situation.
- Linda emphasized that she was relying on DFA and other taxing entities for portions of the data and therefore could not independently attest to every underlying calculation, particularly factors such as collection rates, yield control, and inflation adjustments.

2026 Taxable Value Increase

- Linda reported the following figures from the county's comparison spreadsheet:
 - 2025 net taxable value: approximately \$592.0 million.
 - 2026 net taxable value: approximately \$630.0 million.
 - Increase: approximately \$37.0 million.
- She explained that taxable value is an important component in determining property-tax revenue, but that the actual tax generated also depends on the applicable mill rate.
- New Mexico's Property Tax Code defines taxable value and establishes the framework for setting property-tax rates. DFA applies statutory rate limitations, including yield-control provisions, when setting rates.

Assessor's Review and Limitations

- Linda explained that the Assessor's Office:
 - Verified that the valuations shown on the certificate were consistent with the values previously certified by the office.
 - Contacted school districts and soil-and-water conservation districts regarding their rates.
 - Received confirmation from Moriarty School District regarding its rates.
 - Received responses from the soil-and-water conservation districts approving their respective rates.
- She noted that some rates appeared to differ by approximately one thousandth of a mill, but she could not determine whether those differences resulted from:
 - Rounding.
 - Yield-control calculations.
 - Other information used by DFA in establishing the rates.
- Linda emphasized that she is not an economist or accountant and was analyzing information supplied by other governmental entities to the best of her ability.
- New Mexico's Taxation and Revenue Department explains that state-assessed property information is incorporated into county tax rolls and that the resulting property-tax base is certified to DFA for use in determining tax rates.

County Debt Service and Mill Rate

- Linda identified a significant change in the county debt-service mill rate:
 - The county's debt-service rate decreased by approximately 0.8183 mills.
 - She said this appeared to be associated with an expiring bond, although she characterized that conclusion as an assumption pending confirmation.
 - She researched county records back to approximately 2015 and found that the county had historically carried a debt-service mill rate.

- According to her review, 2026 was the first year in that period without a county debt-service mill rate appearing on the certification.
- In response to a Commissioner McCalls question, Linda explained that the county's general mill rate is approximately 11.85 mills for 2026.
- She explained that previous overall county rates had been higher because a debt-service mill was added to the general rate to pay bond obligations.
- The discussion clarified that when a governmental entity issues bonds requiring repayment, a corresponding debt-service tax rate may be imposed to generate the funds needed to service that debt. New Mexico law provides that DFA sets property-tax rates based on statutory requirements and approved governmental budgets.

School District 16 / Encino Area

- Linda identified School District 16, covering the Encino area, as having one of the most significant changes in the comparison.
- She reported:
 - A substantial increase in taxable value.
 - An increase of nearly one mill in school-district debt service.
 - An increase of approximately \$26.02 million in taxable value associated with Blattner Energy business personal property reported to the Assessor's Office.
- She explained that the reported business personal property could include equipment, furniture, fixtures, and similar taxable property.
- After accounting for approximately \$767,224 in protested state-assessed value, she calculated a remaining increase of approximately \$25.28 million in the non-residential valuation category.
- This amount was highlighted on the spreadsheet provided to the Commission.

Other County and School-District Changes

- Linda reported that other school districts generally experienced smaller changes in taxable value and/or mill rates.
- She said reductions in adjusted values in some districts resulted from property-value protests that were resolved during the county's protest process.
- She also noted that livestock mill rates decreased, with an exception for dairy cattle.
- The spreadsheet provided to the Commission showed changes in both residential and non-residential classifications.

Moriarty School District

- Linda discussed changes in the Moriarty School District as an example of how valuation changes can affect school districts.
- She cited increases in several categories, including:
 - Moriarty residential property.
 - Moriarty non-residential property.
 - Other residential/non-residential classifications within the district.
- She estimated that the Moriarty School District was experiencing several million dollars in increased valuation, potentially approaching approximately \$8 million across the categories discussed.

- She noted that the mill-rate changes in the district were relatively small in comparison with the valuation changes, with examples of changes around 0.014 to 0.055 mills.
- Her explanation emphasized that a district could experience a significant increase in taxable valuation without experiencing a similarly large increase in its mill rate.

How Valuation and Mill Rates Affect Taxes

- A Commissioner asked whether the county's overall mill rate had decreased.
- Linda confirmed that the county rate decreased, primarily because the debt-service mill was no longer included.
- The discussion then focused on the relationship between:
 - Property valuation
 - Net taxable value
 - Mill rates
 - Budgetary requirements
 - Actual tax dollars collected
- Linda explained that, generally, taxable value multiplied by the applicable mill rate determines the tax amount.
- Therefore:
 - Higher property values do not automatically mean proportionally higher taxes.
 - A lower mill rate can offset some or all the effects of a higher valuation.
 - Mill rates are tied to the revenue requirements and statutory limitations applicable to the taxing entity.
- New Mexico's Property Tax Code specifically provides for maximum rates and limitations, with local governments imposing general-purpose rates through the budget process and DFA applying applicable statutory limitations.

Role of Property Valuation in County Finances

- Linda emphasized that increasing taxable valuations can expand the tax base available to support public services, including:
 - County government.
 - Schools.
 - Higher education.
 - Fire services.
 - Sheriff's services.
 - Other taxing entities.
- She noted that the effect is not limited to county government because property taxes are distributed among the various governmental and special taxing entities with authority to receive them.
- She also cautioned that valuation increases are not necessarily positive for individual property owners because higher assessed values can affect individual tax obligations, depending on the applicable mill rates and other factors.

Relationship with PILOT Payments and County Projects

- Commissioners connected Linda's presentation to the earlier discussion of payments in lieu of taxes (PILOT) and county finances.

- A Commissioner credited the county's conservative and frugal financial management, as well as PILOT revenue, with helping the county move forward with construction of a proposed county administration building without issuing a bond.
- The Commissioner stated that the building is expected to cost approximately \$17 million and emphasized that avoiding additional borrowing can prevent additional debt-service obligations.
- The Commissioner also pointed to the county's lower mill rate as an important consideration for constituents.

Assessor's Office Responsibilities and Staff

- Linda strongly emphasized the amount of work performed by the Assessor's Office to produce the valuation information used in the tax process.
- She explained that the figures are the result of numerous staff functions, including:
 - Data entry.
 - Report generation.
 - Field inspections/checks.
 - Ownership research.
 - Property valuation.
 - Certification and related administrative work.
- She described the Assessor's Office staff as working together as a “well-oiled machine.”
- Linda emphasized the importance of:
 - Hiring experienced employees when possible.
 - Providing training and education for staff.
 - Maintaining specialized expertise within county departments.
- She pointed to the office's annual certification of values to DFA as an example of the importance of trained personnel and accurate data.

Discussion of DFA Responsibilities

- Linda expressed concern that DFA's request for the Assessor's Office to independently review additional information could effectively require the county office to perform work that she believes belongs to DFA or other taxing entities.
- She explained that the Assessor's Office does not have access to every piece of information needed to independently reproduce the state's mill-rate calculations, including information relating to:
 - Governmental budgets.
 - Collection rates.
 - Yield control.
 - Inflation factors.
 - Other financial assumptions.
- She said county managers, assessors, and the New Mexico Counties organization had raised concerns about shifting this responsibility to county assessors.
- Linda stated that the various taxing entities know their own budgets and are responsible for providing the relevant information needed for the rate-setting process.
- Under New Mexico law, DFA is responsible for setting property-tax rates by written order, based on the Property Tax Code and approved governmental budgets.

Commission Discussion and Appreciation

- Commissioners expressed appreciation for Linda and the Assessor's Office for providing detailed analysis.
- Commissioner Jaramillo acknowledged that they had previously spent several hours with Linda in her office to better understand the property-tax process.
- Commissioner Jaramillo remarked that Linda's explanation helped make the Commission's financial responsibilities easier to understand despite the complexity of the subject.
- Linda responded that the Assessor's Office has specialized personnel and reiterated her belief that proper training and education allow county employees to perform their responsibilities effectively.
- Commissioners also recognized that other county departments and offices have specialized responsibilities and work hard to serve the county.

Motion; Chairman Schwebach motioned to approve Resolution 2026-28; Seconded by Vice-chair Jaramillo

- **Roll call Vote;**
 - Schwebach – yes
 - McCall - yes
 - Jaramillo – yes

Motion carried

11. APPROVALS/ACTION ITEM:

- A. **Manager:** Request approval of MOA between Presbyterian Medical Services and Torrance County concerning the allocation of funds to offset the increased expenses of cleaning and meals for Torrance County senior citizen centers

Presentation and Request

Stephanie Reynolds, County Manager:

- presented **two Memorandums of Agreement (MOAs)** involving **Presbyterian Medical Services (PMS)** and senior services in Torrance County.
- Staff explained that county representatives met with PMS directors several weeks earlier to discuss renewal of the existing agreement.
- Under the current arrangement:
 - **\$10,000** is provided for cleaning/maintenance-related services at senior facilities.
 - **\$40,000** is provided toward senior meals and meal delivery.

- She noted that the actual cost to operate approximately one month of senior meal services is estimated at roughly \$70,000, highlighting the significant gap between operational costs and available funding.
- The two MOAs presented different funding levels:
 - Option 1: Continue FY 2026 comparable amount of \$10,000 for cleaning and \$40,000 for meals.
 - Option 2: Maintain the \$10,000 cleaning allocation while increasing meal funding from \$40,000 to \$60,000, representing a \$20,000 increase.

Budget Discussion

- County staff clarified that the \$60,000 meal amount is already included in the FY 2027 budget.
- The higher amount was included during the budget process in anticipation of the potential increase.
- Therefore:
 - No additional budget amendment would be required if the Commission approves the \$60,000 amount.
 - If the Commission ultimately chooses to remain at \$40,000, the budget can simply be adjusted downward.
- The senior-services funding is maintained in a separate fund rather than the General Fund.
- The county acts in part as a fiscal agent for senior-services funds, with county contributions and in-kind services such as building maintenance and utilities reflected in the senior-services budget.

Commission Discussion Regarding Senior Needs

- Commissioners recognized the growing need for senior services as the county's population ages.
- The discussion emphasized that meal funding supports both:
 - Meals served at senior centers.
 - Home-delivered meals for seniors who cannot travel to a senior center.
- Commissioners noted that some seniors have limited or no regular social interaction outside of the senior centers and that the daily meal may be one of the few consistent supports they receive.
- Rising costs for food, labor, and fuel were identified as factors increasing the cost of providing meals and deliveries.
- Commissioner Jaramillo shared personal experience participating in senior meal deliveries and described the appreciation expressed by seniors receiving the service.
- Commissioners generally expressed support for helping senior citizens and acknowledged that additional funding may be justified.

Concerns Regarding the Proposed \$20,000 Increase

- Commissioner McCall expressed concern about approving a recurring increase without first reviewing current PMS financial information and operational costs.

- Commissioners emphasized that the concern was not opposition to PMS or to providing senior meals, but rather the need to understand the full financial picture before committing county funds.
- Specific information requested included:
 - PMS financial statements/financials.
 - Overall operating costs are associated with Torrance County senior meal services.
 - A clearer breakdown of the costs of meals and delivery.
 - How county funds are allocated and tracked.
 - Information regarding PMS administrative and executive expenses.
 - How much of the additional \$20,000 would specifically remain in and benefit Torrance County.
 - Whether other counties provide similar subsidies and how PMS allocates its overall funding among counties.
- Commissioner McCall noted that PMS operates across multiple counties and receives federal funding, creating a need to understand how county dollars fit into the organization's broader funding structure.
- Chairman Schwebach stressed the difference between approving a one-time increase to address an immediate cost issue and establishing a recurring \$60,000 annual commitment without knowing the long-term financial implications.

Accountability and Use of County Funds

- Chairman Schwebach requested greater assurance that any additional county funding would directly support **Torrance County senior meal services and deliveries**.
- Chairman Schwebach stated that, because the county does not directly control PMS operations, they need sufficient documentation to understand how the additional funds will be used.
- The discussion focused on establishing a more transparent and comprehensive understanding of:
 - PMS's overall senior-services operation.
 - Torrance County's specific needs.
 - PMS's contribution and other funding sources.
 - The county's appropriate level of financial participation.

PMS Attendance at Future Meeting

- Staff clarified that PMS had **not been formally asked to attend the current meeting**.
- The county representative who met with PMS had told them the funding issue would first be brought before the Commission.
- Commissioners agreed that PMS representatives should be invited to a **future Commission meeting** to present the requested information directly.
- Staff agreed to contact **Angie** and PMS representatives to arrange their attendance.
- Commissioners indicated they would like PMS representatives, including **Greg** if **available**, to participate so the Commission can work through the financial and operational questions.

Facility Maintenance Concerns

- Commissioner McCall raised a separate concern regarding reports that PMS has experienced frustration with the county's maintenance of senior-service facilities.
- Examples referenced included concerns involving a freezer and other facility maintenance issues.
- County staff stated that this had not been the understanding from their most recent conversation with PMS, indicating that PMS had described the county's maintenance as generally adequate and was seeking clarification on certain matters.
- Commissioners agreed that the maintenance concerns should also be addressed with PMS at the next meeting.
- The Commission expressed interest in hearing about both sides of the issue before deciding regarding increased meal funding.

Commission Direction / Follow-Up

- No final decision was made on the proposed \$20,000 increase at this meeting.
- The Commission's general position was that it is willing to consider additional funding for senior meals and delivery but needs more detailed information before approving the recurring increase.
- Staff were directed to:
 - Contact PMS and arrange for representatives to attend the next Commission meeting.
 - Request and provide PMS financial documentation.
 - Obtain a detailed explanation of the senior meal and delivery operation.
 - Clarify how county funding is allocated specifically to Torrance County.
 - Address facility maintenance concerns and outstanding questions.
- The matter is expected to be returned to the Commission at the next meeting for further discussion and possible action.

Motion; Chairman Schwabach motioned to table; seconded by Commissioner McCall

- **Roll call vote;**
 - Schwabach – yes
 - McCall – yes
 - Jaramillo - yes

Motion carried

-
- B. Manager;** review, discussion and request approval for the PMS Mountainair Clinic Lease and Slide letter of leases with PMS

Presentation of Lease Agreement

Stephanie Reynolds, County Manager:

- presented an existing lease agreement between Torrance County and Presbyterian Medical Services (PMS) concerning the Mountainair Clinic / Esperanza medical building.
- She explained that the requested changes to the agreement were limited to:

- Updating the dates to reflect the current year.
 - Correcting several typographical errors.
 - No other substantive changes were proposed.
- The agreement is structured as a 10-year lease, which would run for the next 10 years if approved.
- She reported that the lease agreement had lapsed and had not been renewed for some time, creating some urgency to reinstate the agreement.
- PMS provided the agreement following review by its attorney, and the county's legal counsel also reviewed the document.

Lease Payments

- A schedule of historical lease payments was included with the agreement.
- The documentation provided historical payment information dating back to approximately 2010, with additional schedules covering later years.
- Commissioners noted significant fluctuations in the annual lease payments, including:
 - Approximately \$176,000 in 2017.
 - Approximately \$113,000 in 2025.
- Commissioners requested an explanation of why the lease payments have changed substantially over time.
- County manager Reynolds agreed to request from PMS:
 - The proposed lease-payment schedule for 2026 and future years.
 - A historical explanation of the changes in lease rates.
 - Additional details regarding how the current and future lease amounts were established.

Ownership of the Property

- Commissioner McCall requested clarification regarding ownership of the building and property.
- She clarified that Torrance County owns the property/building, while Presbyterian Medical Services is the tenant.
- The agreement specifically identifies the Mountainair parcel as being owned by Torrance County.
- The facility was identified as the Esperanza building / Mountainair Clinic.

Historical Background of the Building

- Commissioners discussed the history of how Torrance County acquired the medical building and property.
- The discussion indicated that the county acquired the property and that portions of the facility were subsequently renovated or expanded.
- Commissioners recalled that the medical facility may have been constructed or expanded during an earlier period associated with Dr. Saul, but the exact history was not immediately clear during the meeting.
- There was discussion about whether the county originally financed the acquisition or construction through bonds or another financing mechanism; this was not established during the meeting.

- Commissioners agreed that additional historical research was necessary rather than relying on recollection.
Relationship Between Medical and Senior Services
- Commissioners requested clarification regarding the relationship between:
 - The medical portion of the Esperanza/Mountainair facility.
 - The senior-center portion of the facility.
 - PMS's role in each area.
- The Commission indicated that a clearer understanding of the county's historical relationship with PMS would help determine how the current lease should be handled.
- Chairman Schwebach noted that the property and agreements appear to have a long history and that the Commission should have a complete understanding before approving a renewed 10-year agreement.

Commission Concerns and Direction

- Chairman Schwebach expressed that he was not prepared to approve the lease solely based on the information currently available.
- The Commission requested a more complete historical and financial explanation, including:
 - How Torrance County acquired the building and land.
 - The history of construction, renovation, and expansion.
 - The history of the county's relationship with PMS regarding the property.
 - Historical lease rates and the reasons for changes.
 - Current and proposed future lease payments.
 - The relationship between the medical clinic and senior-center operations at the facility.
- Stephanie Reynolds, County Manager, agreed to conduct additional research, including reviewing prior Commission meeting minutes and county records, to reconstruct the history of the property and agreement.
- Stephanie Reynolds, County Manager will also seek additional information from PMS regarding the lease-payment schedule and historical rate changes.
- The matter will be returned to the Commission after the requested research and clarification have been completed.

-
- C. **Manager:** Request approval to pay prior year invoice from the FY27 budget to The Master's Touch in the amount of \$3,325.78 and \$133.54. Purchases are for contracted services for printing and mailing statutorily required delinquent property tax notices.

Stephanie Reynolds, County Manager

- She presented two invoices received on May 31, 2026, for Commission consideration.
- She requested approval to pay the invoices from the FY 2027 budget.

- She confirmed that funding has already been appropriated in the FY 2027 budget to cover both invoices.
- No additional budget adjustment was requested.
- The Commission was asked to approve payment of the two invoices from the appropriate FY 2027 budget appropriations.

Motion; Chairman Schwebach made a motion to approve request; seconded by **Vice-Chairman Jaramillo**

- **Roll call Vote;**
 - Schwebach – yes
 - McCall – yes
 - Jaramillo – yes

Motion carried

- D. **Fire/Ems/Union;** Requested approval of MOU as discussed in the 8/26/2026 meeting. The MOU did not reflect the CAP for the compensatory (comp) time as discussed with the commission for an increase from 160hours CAP to 232hours CAP

Stephanie Reynolds, County Manager

- Stephanie Reynolds, County Manager, presented a corrected Memorandum of Understanding (MOU) for Commission review and signature.
- She explained that the MOU reflects the terms discussed and agreed upon during the previous Commission meeting.
- The version presented at the prior meeting incorrectly continued to reflect 160 hours.
- The current MOU corrects that provision to accurately reflect the terms previously discussed by the Commission.
- Stephanie Reynolds, County Manager, characterized the change as a document correction for signature, with no other substantive changes identified.
- The Commission was asked to approve the corrected MOU for execution

Motion; Chairman Schwebach made a motion to approve the MOU; seconded by **Commissioner McCall**

- **Roll call vote;**
 - Schwebach – yes
 - McCall – yes

- Jaramillo – yes

Motion carried

E. Finance/Human Resources; Request approval to pay Peavey Performance Systems in the amount of \$2,1500.00. Purchase of safety cards made prior to the appropriate procurement processes.

Stephanie Reynolds, County Manager

- presented an invoice from PV Performance Systems in the amount of \$2,150 for approval.
- The purchase relates to the County's Safety Committee, including the safety “scratch cards” distributed to employees.
- She explained that the purchase resulted from a communication breakdown between departments:
 - One department directed another department to make the purchase.
 - Each department believed the other had completed the required purchasing procedures.
 - As a result, the required requisition/procurement process was not completed before the order was placed.
- Stephanie Reynolds, County Manager, presented an invoice from PV Performance Systems in the amount of \$2,150 for clarified that the invoice has not been paid and is being brought before the Commission for approval of payment.

Procurement and Finance Clarification

- Chairman Schwebach questioned how the purchase proceeded without the required procurement process.
- Stephanie Reynolds, County Manager, clarified that Finance identified the issue before payment was made.
- Historically, the Human Resources Department oversaw the Safety Committee and related purchases.
- Over the past several years, other departments have assisted with or assumed responsibility for various Safety Committee functions and purchases, contributing to confusion over who was responsible for completing the procurement process.
- Stephanie Reynolds, County Manager, stated that the issue was addressed during the most recent department-head meeting and that procedures have been clarified to prevent a recurrence.

- Stephanie Reynolds, County Manager, requested approval to pay the \$2,150 PV Performance Systems invoice.
- The discussion established that Finance caught the procurement issue before payment and that the invoice is being submitted to the Commission for proper approval and payment.

Motion; Chairman Schwebach made a motion to approve this invoice; Seconded by **Vice-Chair Jaramillo**

- **Roll call vote**
 - Schwebach – yes
 - McCall – yes
 - Jaramillo – yes

Motion carried

12. DISCUSSION:

CLERK'S REPORT:

Sylvia Chavez, County Clerk:

- Provided an update on preparations for the upcoming 2026 General Election, emphasizing that election preparations are already underway even though Election Day is not until November.
- Reported that election worker training is scheduled to begin the following week.
- Said the County Clerk's Office is targeting September 29–30 for tabulator/machine certification, although those dates remain tentative pending receipt of required cards and materials.
- Explained that the certification process will occur shortly before early voting begins. The Secretary of State's published 2026 schedule confirms that early in-person voting begins October 6, 2026, with the General Election scheduled for November 3, 2026.
- Reported that the office had already begun receiving absentee/mailed-ballot requests.
 - At the time of the report, approximately 406 voters were on the permanent absentee list.
 - Additional requests are being received daily, either online or by phone from voters requesting applications.
 - The Secretary of State confirms that New Mexico voters can voluntarily enroll in the permanent absentee list and request mailed ballots through the state's election system.

Commission District 1 Candidate Update

- Madam Clerk apologized for not previously providing the Commission with an update regarding an independent candidate for Commission District 1.
- She reported that the Secretary of State's Office had qualified the candidate.
- As a result, she stated that there will be three candidates on the Commission District 1 ballot:
 - Nathan Schaffer
 - Stephen Garrett
 - Albert Chavez
- Sylvia clarified that Stephen Garrett will appear as an independent candidate rather than a write-in candidate.
- She explained that there had previously been campaign-finance reporting matters that needed to be resolved before the Secretary of State's Office could complete the qualification process.
- Sylvia said her office is already conducting election checkpoints to verify that:
 - All races are correct.
 - District assignments are correct.
 - Election materials and preparations are on schedule.

Election Preparation and Public Participation

- Sylvia emphasized that election administration begins well before most voters start thinking about the election.
- She stated that the County Clerk's Office is already preparing in September for the November election.
- Once the tabulator certification date is finalized, Sylvia said she will:
 - Notify the Commission.
 - Contact the candidates.
 - Invite candidates to attend the certification process.
- She noted that the machine/tabulator certification is open to the public, allowing candidates and members of the public to observe and become familiar with how the equipment is certified.
- The Secretary of State confirms that New Mexico uses paper ballots scanned on optical-scan tabulating systems, including for early voting, mailed ballots, and Election Day voting.

Absentee Voting / Election Law Questions

- Commissioner Jaramillo questioned whether there had been changes to absentee-voting law, particularly concerning the processing of absentee ballots.
- Sylvia responded that she was not aware of any changes affecting this election and said the process remains the same.
- She indicated that she expects the upcoming General Election to generally follow the established election process.
- Sylvia noted that there is no write-in candidates expected to create an issue for this election.
- She also discussed voters who are declined-to-state/unaffiliated, explaining that they will be able to participate in the General Election.

- For context, the Secretary of State currently identifies New Mexico's primary system as semi-open, under which unaffiliated voters may select a major-party ballot in a primary without changing their registration.

Potential 2028 Presidential Primary Issue

- Sylvia raised a significant issue concerning a potential change to the timing of the 2028 presidential primary.
- She explained that the National Democratic Party is seeking a February presidential primary in New Mexico.
- According to Sylvia, the proposed change would create a significant administrative burden for the state's 33 county clerks.
- She explained that county clerks would potentially be dealing with:
 - Completion of the November election.
 - December runoff or recount-related responsibilities.
 - Preparation for a February Democratic presidential primary.
 - Another primary election in June for other offices.
- Sylvia stressed that the compressed schedule could create challenges involving:
 - Staffing
 - Election administration
 - Tabulator certification
 - Election equipment availability
 - Election financing
 - Voter education and confusion
- She specifically noted that election equipment must remain secured/intact for a required period after an election, which could create additional scheduling complications if another election follows closely afterward.
- Sylvia said the proposed February election would be an actual election rather than an all-mail election, meaning the county would potentially need polling locations, election workers, equipment, and other standard election infrastructure.
- She explained that the proposed February election would be specifically for the presidential race, while the regular June primary would still occur for other candidates/offices.

Funding and County Clerk Concerns

- Chairman Schwebach asked whether the state would pay for the additional election.
- Sylvia responded that the state would fund it.
- She said the 33 county clerks had been asked to provide estimated costs for conducting the additional election.
- Sylvia acknowledged that the clerks had intentionally provided higher estimates as part of their effort to communicate the administrative and financial burden associated with adding another election.
- She said county clerks generally have concerns about:
 - The additional workload.
 - Financial demands.
 - Staffing requirements.
 - Voter confusion.
 - The compressed election calendar.

- Sylvia also noted that the state is already reducing some election funding allocations, making the prospect of an additional election particularly challenging from the county-clerk perspective.

Legislative Process / Next Steps

- Chairman Schwebach asked whether changing the election schedule would require state legislation.
- Sylvia indicated that state legislation would be required.
- She said she plans to contact local legislators and representatives to explain the county clerks' concerns.
- Her communication would address:
 - The administrative impact.
 - Staffing requirements.
 - Election equipment and certification schedules.
 - Financial implications.
 - Potential voter confusion.
- Commissioner Jaramillo asked whether Sylvia had anything in writing about the proposed February 2028 presidential primary.
- Sylvia said she did not have documentation immediately available but would ask for written information and provide it to the Commission.

A. MANAGERS REPORT:

1. Review, discussion of amendment to County Ordinance 2003-01 the Economic Development Ordinance.

Stephanie Reynolds, County Manager:

- presented two ordinances for discussion:
 - The existing Torrance County Economic Development/LEDA ordinance approved in 2003.
 - A newer, previously unnumbered proposed version containing redlined amendments.
- Stephanie Reynolds, County Manager, explained that the proposed revisions originated from a request by Commissioner McCall to review and update the County's economic development ordinance.
- Michael Garcia, County Attorney, reviewed the ordinance and explained the purpose of the proposed amendments.
- The primary issue identified was that the existing ordinance references the Estancia Valley Economic Development Association (EVEDA), which is no longer in existence.
- County attorney Michael proposed relatively minor amendments rather than a complete rewrite of the ordinance.

Proposed Changes

- The proposed revisions would:
 - Remove reliance on a specific economic development organization that is no longer operating.
 - Give the Commission greater discretion to work with an appropriate economic development agency, authority, association, or other entity.
 - Provide flexibility regarding representation and participation with the selected economic development organization.
 - Avoid tying Torrance County to one specific organization in perpetuity.
- Michael Garcia, County Attorney, noted that the changes are primarily located in Sections 6.1, 6.2, and 8.2.
- The proposed changes are shown in redline in the draft ordinance.
- Michael Garcia, County Attorney, emphasized that the amendments were intentionally kept narrow to avoid unintentionally affecting other provisions of the ordinance.

Current Economic Development Support

- Commissioner McCall discussed the County's current relationship with AREA and economic-development organizations.
- Michael Garcia, County Attorney, clarified that Torrance County has an agreement with AREA to provide certain economic-development support, although the County does not currently have a contractual relationship with a specific organization for the purposes addressed by the existing LEDA ordinance.
- The existing ordinance continues to reference the former Estancia Valley organization, creating a need for an update.

Immediate Economic Development Opportunity

- Commissioner McCall explained that the New Mexico state economic development team has contacted the County regarding a potential company interested in locating at the greenhouses south of Estancia.
- The proposed project could potentially bring approximately 50 jobs to the area.
- State economic-development officials indicated that LEDA funding may be available to assist with bringing the company to Torrance County.
- However, the County's current LEDA ordinance needs to be updated because it references an organization that is no longer operating.
- Commissioners recognized the importance of updating the ordinance proactively so that the County is prepared if the project or another economic-development opportunity moves forward.

Economic Development Contractor

- Commissioner McCall asked how the proposed ordinance would interact with the \$100,000 previously budgeted for an economic-development contractor.
- The Commission discussed whether a contractor hired directly by Torrance County could operate under the County's economic-development efforts without being specifically named in the LEDA ordinance.
- Legal counsel indicated that directly contracting with an individual or firm for economic-development services is permissible and is not necessarily the same issue as the County's relationship with an economic-development agency under the ordinance.

- Commissioners agreed that the ordinance should be written broadly enough that the County does not have to amend the ordinance every time its economic-development contractor or partner changes.
- Staff and legal counsel indicated that the proposed revised language is intentionally broad enough to provide that flexibility.

Commission Discussion

- Chairman Schwebach expressed general support for moving forward with the ordinance update.
- The Commission emphasized the importance of having the ordinance in place before an economic-development opportunity arises, rather than waiting until a specific project requires it.
- Chairman Schwebach also indicated that the revised ordinance should:
 - Remain flexible.
 - Allow the County to work with different economic-development entities or contractors.
 - Avoid requiring repeated ordinance changes whenever the County's economic-development arrangements change.

Direction / Next Steps

- No final adoption of the ordinance occurred at this discussion.
 - Commissioners were asked to review the redlined draft and provide any additional comments or concerns.
 - Commissioner McCall indicated its desire to move the ordinance forward toward public hearing.
 - Staff/legal counsel will prepare the proposed ordinance for the required public-hearing process.
 - The anticipated timeline discussed was to bring the matter forward at the second upcoming Commission meeting, allowing the required notice/public-hearing period to be satisfied.
 - The proposed amendments will remain focused on updating the outdated economic-development references while providing the County with broader flexibility to pursue future economic-development opportunities.
2. Discussion reallocation of current county administration building after new county administration building is operational.
- The Chair requested that the future use of the existing County administration building remains a standing discussion item for future Commission meetings.
 - The discussion arose following conversations between County leadership and staff regarding the anticipated construction of a new administration building.
 - Commissioners agreed that planning should begin now because the new administration building could take approximately two years, and decisions about the current building will affect:
 - Future maintenance expenditures.

- Capital improvements.
- Department locations.
- Long-term facility planning.
- Capital Improvement Plan (CIP/ICIP) priorities.

Potential Public Safety Complex

- Stephanie Reynolds, County Manager, reported that preliminary discussions have begun with department heads regarding potential future uses of the existing building.
- One concept under consideration is converting the current building into a public safety complex housing some combination of:
 - Sheriff's Office.
 - Fire/emergency services.
 - Other public-safety functions.
- Stephanie Reynolds, County Manager, noted that public-safety departments currently have significant space needs and are, in some respects, outgrowing or lacking adequate space.
- Commissioner Jaramillo discussed the potential benefit of placing law enforcement and emergency services in the same facility because the departments work closely together.
- Stephanie Reynolds, County Manager, noted that similar public-safety complexes exist in other Counties.

Heating, Cooling, and Building Improvements

- Commissioner McCall discussed the need to determine whether the existing building is worth investing in or whether it should eventually be repurposed or retired.
- Heating and cooling were identified as significant considerations if additional departments move into the building.
- Stephanie Reynolds, County Manager, reported that Maintenance is developing preliminary cost information for three separate heating/cooling units, potentially serving:
 - The south portion of the building.
 - The center portion.
 - The north portion.
- Separate systems could allow portions of the building to be heated or cooled independently depending on occupancy.
- Chairman Schwebach emphasized that a decision about future building use should be made before committing substantial funds to major HVAC or other improvements.

Potential Department Relocations

- Commissioners discussed identifying all County departments that may not have space in the planned new administration building.
- Departments/functions mentioned for further consideration included:
 - Sheriff's Office.
 - Fire/emergency services.
 - Extension Office.

- DWI Coordinator and other smaller functions.
 - Dispatch, depending on future space requirements.
- The Code Department was noted as already having a planned location and therefore not necessarily part of this relocation discussion.
- The goal is to develop a comprehensive list of departments, determine their space requirements, and identify where each function could ultimately be housed.

Sheriff's Office and Related Facilities

- Chairman Schwebach identified the Sheriff's Office as a priority because of its need for additional space and better separation of functions.
- The Sheriff's Office's current facilities and the red building in Moriarty were discussed as part of a potentially larger relocation plan.
- Under one concept, moving public-safety operations could free the red building for:
 - Sheriff's storage.
 - Vehicles.
 - Evidence and other secured functions.
- Stephanie Reynolds, County Manager, also discussed the possibility that the CID building could become available if the Sheriff's Office is relocated, potentially allowing that facility to be repurposed as an Emergency Operations Center (EOC).

Red Building in Moriarty

- Chairman Schwebach revisited the history and potential uses of the red building in Moriarty.
- The County acquired the building during the COVID-19 period with an initial concept of using it for vaccination operations.
- Since then, several possible uses have been discussed, including:
 - Emergency operations.
 - Youth-center activities.
 - Other County/community functions.
- Chairman Schwebach noted that the building has continued to be considered for multiple purposes without a definitive long-term plan.
- Chairman Schwebach expressed a desire to move from preliminary ideas toward a coordinated facilities plan.

Extension Office / Fairgrounds

- County manager Reynolds noted that the Extension Office could potentially relocate to an office at the fairgrounds if the County is awarded a pending grant.
- Chairman recognized that several potential projects and grants could affect the ultimate configuration of County facilities.
- The Commission discussed the importance of coordinating these projects so that departments are placed in facilities that best meet their operational needs.

Existing Building vs. New Construction

- Stephanie Reynolds, County Manager, suggested that investing some funds into the existing building could potentially be more cost-effective than constructing one or more entirely new facilities for departments that need additional space.

- Commissioners agreed that the question is not simply whether to spend money, but how much investment is appropriate based on the building's long-term purpose.
- Chairman Schwebach noted that the County should first determine:
 - How the building would be laid out.
 - Which departments would occupy it.
 - How much space does each department require.
 - Which restrooms and areas need to remain accessible to the public.
 - Which areas can be restricted.
 - What heating, cooling, electrical, and other infrastructure upgrades would be necessary.
- These determinations would provide a basis for deciding what improvements are financially justified.

New Administration Building

- Stephanie Reynolds, County Manager, reported ongoing discussions with Wilson & Company regarding the proposed new administration building.
- Stephanie Reynolds, County Manager, stated that they have asked whether completing the project within approximately two years is realistic.
- Wilson & Company reportedly indicated that a two-year timeline is ambitious but potentially achievable if the County and project team remain committed and move quickly.
- Stephanie Reynolds, County Manager, indicated that additional information is being developed before proceeding to an RFP.
- Chairman Schwebach discussed the possibility of planning for approximately two years while recognizing that the actual schedule could be extended to three years.

Long-Term Facilities Planning

- Chairman Schwebach agreed that the County needs a comprehensive plan for its facilities, rather than continuing to address buildings on a case-by-case basis.
- The discussion is intended to help determine:
 - Which buildings should the County retain.
 - Which buildings should be repurposed.
 - Which buildings may eventually be retired.
 - Where each department should be located.
 - What capital improvements should be included in the ICIP/CIP.
 - How future funding should be prioritized.
- Chairman Schwebach expressed a desire to have a clear plan before the new administration building is completed so that departments can transition efficiently.

Commission Direction / Next Steps

- The matter will remain a standing discussion item on future Commission agendas.
- Stephanie Reynolds, County Manager, will continue preliminary conversations with affected department heads.
- Stephanie Reynolds, County Manager, will develop additional information regarding:
 - Current and future department space requirements.
 - Potential public-safety complex configurations.
 - HVAC and other infrastructure needs.

- Estimated improvement costs.
- Potential uses for the red building and CID building.
- The relationship between the existing facilities and the future administration building.
- Stephanie Reynolds, County Manager, will continue working with Wilson & Company toward the new administration-building project and anticipated RFP process.
- The Commission will continue evaluating whether to invest in, repurpose, or eventually retire the existing building based on the County's long-term facility needs.
- No specific funding allocation or construction project was approved during this discussion.

B. COMMISSIONER REPORT:

Kevin McCall, County Commissioner: No update

Ryan Schwebach, County Chairman:

- Reported that He did not have any updates or additional business to present at this time.
 - Expressed appreciation to the members of the public who have been attending and participating in county meetings.
 - Specifically welcomed new attendees and new faces, encouraging continued community participation.
-

Linda Jaramillo, County Vice Chair:

- The Commissioner provided a report on several recent community events and activities attended in Moriarty, Mountainair, and Estancia.

August 29 — Veterans Memorial Ceremony, Moriarty

- Attended a ceremony at the Veterans Memorial Wall in Moriarty commemorating local veterans.
- The event included a veterans' motorcycle/bike ride honoring and remembering veterans.
- Mayor Anaya and members of the VFW were also in attendance.
- The Commissioner expressed appreciation for the opportunity to participate in an event honoring area veterans.

August 29 — Mountainair Sunflower Festival

- Following the veteran's ceremony, the Commissioner traveled to Mountainair to attend the Sunflower Festival.
- The festival was described as a great success, with:
 - A large attendance.
 - Numerous vendor booths.
 - Food.
 - Music.

- Community activities.
 - Commissioner Jaramillo noted the strong community participation and turnout.
- St. Alice Parish Bingo
- The Commissioner also attended a bingo fundraiser hosted by St. Alice Parish at the Dr. Saul Community Center.
 - The event was described as very well attended and packed.
 - The Commissioner participated in support of the parish, although she jokingly noted that they did not win at bingo.
 - It was noted that St. Alice Parish serves several regional mission churches, including communities in:
 - Abo.
 - Punta de Agua.
 - Manzano.
 - Torreon
 - Willard.

September 3 — Town of Estancia Water Update

- On September 3, Commissioner Jaramillo attended a special meeting of the Town of Estancia concerning the community's ongoing water situation.
- An update was provided regarding planned water-system improvements.
- One well was scheduled for an upgrade during the week, with additional projects to follow once the necessary requirements and compliance measures with the Water Board are completed.

Community Engagement

- The Commissioner emphasized the importance of attending community events as an elected official and being personally involved in the communities served by Torrance County.
- Having lived in the area throughout their life, the Commissioner stated that attending local functions provides an opportunity for residents to approach elected officials directly and discuss their concerns.
- Vice-Chair Jaramillo acknowledged that elected officials cannot always directly resolve residents' concerns because of laws, regulations, and other governmental limitations.
- However, Commissioner Jaramillo emphasized that residents often appreciate simply having someone willing to listen to them and hear their concerns.
- The Commissioner expressed a commitment to continuing this type of community engagement and constituent outreach.

13. EXECUTIVE SESSION: None

14. CONSIDERATION OF ACTION(S): None

15. Announcement of the next regular Board of County Commissioners Meeting:

September 23, 2026 9:00 AM

16. Signing of official documents

17. Adjournment

Motion; Chairman Schwebach motions to adjourn; seconded by Vice-chairman Jaramillo

- **Roll call vote;**
 - Schwebach – yes
 - McCall – yes
 - Jaramillo – yes

Motion Carried

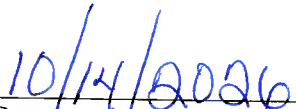
Meeting adjourned at 1:24 PM.



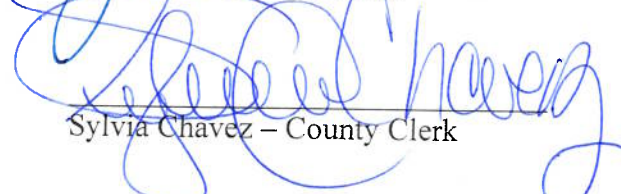
Ryan Schwebach - Chairman



Janelle Potts– Admin Assistant



Date



Sylvia Chavez – County Clerk

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