

FINAL COPY
Torrance County Board of Commissioners
Regular Commission Meeting
September 23, 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 meeting to order at 9:02 AM

2. Pledge of Allegiance and Invocation: Pledge led by Chairman Schwebach; Invocation led by Vice-Chair Jaramillo

3. Changes to the Agenda: Remove item 9B

4. Public Comment:

Bill Peifer;

- Mr. Peifer addressed the Commission regarding economic development planning in Torrance County.
- Mr. Peifer opened his comments with the statement, “When you fail to plan, you plan to fail,” emphasizing his concerns regarding the County’s lack of a current and effectively implemented economic development plan.
- Mr. Peifer referenced Torrance County Ordinance No. 2003-1, adopted in 2003 and entitled “An Ordinance Relating to Economic Development Planning. ”

- He explained that the ordinance tasked an entity identified as the Estancia Valley Economic Development Association (EVEDA) with assisting in the implementation of an economic development plan for Torrance County.
- Mr. Peifer stated that, to his understanding, EVEDA no longer exists, and questioned whether the organization ever fully existed or functioned as intended.
- Mr. Peifer expressed his belief that the apparent absence of EVEDA is also representative of what he considers to be the lack of a functioning Torrance County economic development plan.
- He noted that, although the matter was not on the current meeting agenda, a public hearing is scheduled for two weeks later regarding a proposed amendment to Ordinance No. 2003-1.
- He stated that the proposed amendment would remove the reference to EVEDA and replace it with a new economic development association, which is to be named later.
- Mr. Peifer acknowledged that Ordinance No. 2003-1 dates to 2003 and noted that Commissioners Schwebach and McCall were not serving on the Commission at that time and therefore were not responsible for the original ordinance or its shortcomings.
- However, Mr. Peifer questioned the current Commission regarding whether Torrance County currently has a formal economic development plan and whether such a plan has been effectively implemented.
- He concluded by reiterating his opening statement, “When you fail to plan, you plan to fail,” and expressed his view that the County’s lack of planning has contributed to shortcomings in economic development efforts.
- Mr. Peifer thanked the Commission and concluded his public comment.

*Zoom

Tracey Master

- Ms. Master addressed the Commission regarding several concerns involving county services, contracts, financial administration, and employee resources.

Domestic Violence Services Contract:

- Ms. Master stated that the domestic violence contract is scheduled to end September 30 and expressed concern that the matter was not included on the current meeting agenda.
- She questioned whether the Commission would hold a special meeting to address the contract or whether essential domestic violence services would be interrupted beginning the following week.

Domestic Violence Program Vehicle:

- Ms. Master expressed concern that the domestic violence program vehicle still does not have a license plate, despite her stating that she has asked about the matter several times.
- She noted that the vehicle's license plate was stolen approximately nine months ago and questioned why the licensing issue remains unresolved.

Moriarty Foods and County Accounts Payable:

- Ms. Master reported that she spoke with the store manager at Moriarty Foods that morning and was informed that the store would no longer extend credit to Torrance County because of delays in receiving payment.
- She stated that the store reportedly would no longer wait approximately six months for payment.
- Ms. Master expressed frustration with the situation and stated that she had personally picked up invoices and hand-delivered them to the Finance Department.
- She asked the Commission to investigate the county's payment process and the reported delays.

Food Assistance for Residents:

- Ms. Master questioned how the director of the program is expected to assist residents with food if local businesses will not extend credit to the County.
- She expressed concern that the director should not have to personally pay for food or other necessary items and then wait to be reimbursed.
- Ms. Master described the situation as unacceptable and stated that she had personally become frustrated with the issue.

DWI Program:

- Ms. Master asked about the status of the County's DWI program, stating that the coordinator position has been vacant for much of the time since she retired in 2023.
- She expressed concern about the absence of a designated driving program, supporting law-enforcement activities, and prevention efforts.
- Ms. Master credited the National New Mexico DWI Memorial of Perpetual Tears with helping to fill gaps in services that she believes have resulted from the County's lack of program staffing and activities.

Fire Chief Office Space:

- Ms. Master also questioned whether the County has secured office space for the Fire Chief, indicating that she considers appropriate workspace an important resource.

- Ms. Master concluded by stating that Torrance County residents and county employees deserve better services and resources than she believes they are currently receiving.
-

5. Approval of minutes:

A. COMMISSION: Request approval of September 9, 2026, regular meeting minutes of the Board of County Commissioners

Motion; Chairman Schwebach made a motion to table; Seconded by Commissioner McCall

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

Motion Carried

6. Consent Agenda:

A. FINANCE: Request approval of payables with a date range of September 3, 2026, through September 14, 2026

Motion; Chairman Schwebach made a motion to approve payables; Seconded by Commissioner McCall

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

Motion Carried

7. PRESENTATION

A. Jackie Muncy, Program Manager/Region 7, Behavioral Health Reform and Investment Act (BHRIA) Program Update / Region 7

- Jackie Muncy thanked the Chair and Commissioners for the opportunity to provide an update on Senate Bill 3 (SB 3) and the status of the regional behavioral health planning and funding process.
- SB 3 establishes the Behavioral Health Reform and Investments Act and takes a regional approach to behavioral health services involving multiple state agencies and branches of government.
- Ms. Muncy identified the primary entities involved as the Health Care Authority (HCA), Behavioral Health Services Division, Medical Assistance Division, Administrative Office

of the Courts (AOC), Legislative Finance Committee, and the Behavioral Health Executive Committee (BHEC).

- The BHEC includes representatives from HCA and AOC and two behavioral health providers. The committee has been meeting approximately monthly to approve regional plans, with meetings expected to move to a quarterly schedule after the first of the year.
- The Region 7 behavioral health plan was approved August 14. Ms. Muncy stated that the region is now awaiting the release of funds.

Funding and IGA:

- Early funding was made available beginning in late 2025 to help behavioral health organizations remain sustainable while awaiting the larger funding allocations.
- Although the early funds were expected in February, the presenter reported that the funds were not received until June, illustrating the delays that can occur in the funding process.
- Socorro County is the most accountable entity for region 7 and must request the funds.
- The region is still waiting to receive the Intergovernmental Agreement (IGA) from the state. Once the IGA is signed and an invoice is submitted, Ms. Muncy stated that funds generally move relatively quickly.

RFP and Distribution:

- Ms. Muncy is preparing an RFP for the first year of funding.
- She does not intend to release the RFP until the funds are available in the county because she does not want organizations to believe funding will be immediately available when there may be additional delays.
- Ms. Muncy is also reviewing the applicable procurement requirements to ensure the process complies with state and local requirements.

Three-Year Funding:

- The program is structured around a three-year funding period.
- An extension is being pursued because of delays in the implementation process.
- Ms. Muncy stated that, based on current information, funding for all three years may be released at once.

Behavioral Health Credentialing:

- Ms. Muncy discussed the proposed universal behavioral health credentialing process being developed through HCA.
- She explained that behavioral health providers can currently wait approximately three to six months to become credentialed with Medicaid and managed care organizations before they can bill.
- She stated that these delays place a significant financial burden on smaller rural organizations.
- SB 3 funds may be used to help support providers during the credentialing period, although the presenter hopes the statewide credentialing process will be streamlined.

Regional Funding Formula:

- Ms. Muncy explained that the statewide formula considers population, service gaps, and disproportionate service needs.
- She reviewed concerns regarding approximately \$708,401 originally allocated for the Alamo Reservation through Region 7.
- Ms. Muncy stated that the funding formula was later changed, resulting in the Alamo allocation no longer flowing through region 7 and instead being directed through the Navajo Nation.
- She expressed concern that this could affect Socorro County and the Alamo Reservation's ability to directly access the funds.
- Ms. Muncy stated that she has continued to communicate her concerns to HCA and other state officials and intends to continue advocating for the Alamo Reservation.
- She noted that the state had not yet provided a clear explanation of how the funds will be tracked to ensure that the designated New Mexico funds reach the appropriate communities.

Region 7 County Allocations:

- Ms. Muncy developed a proposed regional funding formula using the same general factors applied by the state.
- She explained that the goal is to ensure that each county within region 7 receives an opportunity to access funding based on its population, service gaps, and needs.
- Up to 15% may be available for administrative costs associated with Socorro County serving as the accountable entity. The presenter stated that she does not anticipate using the entire amount for administration and hopes some funds can remain within the region for services.

Torrance County Projects:

- Ms. Muncy stated that Torrance County was included in the regional planning process and submitted two projects for consideration.
- Those projects will likely be considered during the first round of RFP funding.
- She encouraged continued participation from communities throughout Torrance County, including Estancia, Mountainair, and other communities, rather than relying solely on participation from one area.

Five Regional Priorities:

1. Housing, transportation, and basic needs
 2. Behavioral health service expansion
 3. Community wellness, prevention, and stigma reduction
 4. Youth engagement, mentoring, and access to school-based health services
 5. Workforce development, particularly related to behavioral health providers
- The presenter explained that these priorities were developed during a three-day workshop in Socorro in March, with participation from each county.

Community Health Workers (CHWs):

- Ms. Muncy explained that CHW means Community Health Worker.
- CHWs can assist individuals in navigating services, connecting with resources, addressing barriers, and helping individuals feel more comfortable accessing behavioral health services.
- She stated that CHWs can be particularly useful in rural communities where there may be limited access to behavioral health professionals.
- Ms. Muncy explained that CHWs can complete approximately 40 hours of training and must complete continuing education to maintain certification.
- She stated that the approximate salary for a CHW position discussed in the presentation is \$60,000 annually.
- Ms. Muncy identified CHW development as an opportunity for Torrance County to build local workforce capacity and potentially encourage individuals to pursue additional education and behavioral health careers.

Torrance County Wellness Hub:

- Ms. Muncy discussed a potential wellness hub in Torrance County.
- The concept would involve utilizing an available building as a safe location where residents could connect with services, receive assistance, and potentially access counseling or telehealth services.
- Ms. Muncy also discussed the possibility of blending SB 3 funding with other funding sources, including housing and opioid settlement funds, to expand services.

Regional Collaboration and Additional Funding:

- Ms. Muncy stated that she is exploring opportunities to blend SB 3 funding with housing and opioid response funds.
- She described potential projects involving transitional housing and support for individuals returning to the community following treatment or incarceration.
- A potential tiny-home community was discussed as a transitional housing model intended to provide individuals with temporary housing while they reconnect with services and transition back into the community.
- Ms. Muncy emphasized that she does not want Socorro County to become the only service hub and stated that services should be developed within Torrance, Sierra, Catron, and Socorro Counties according to each community's needs.

Stakeholder Committee and Local Representation:

- Ms. Muncy explained that a regional stakeholder committee includes individuals from each County.
- The committee intends to help ensure that county needs are heard and that funding is distributed appropriately.

- Because some stakeholder committee members may also apply for funding, Ms. Muncy stated that additional individuals from each county would be selected to participate in the RFP review process to help avoid conflicts of interest.
- Chairman Schwebach discussed the importance of having adequate Torrance County representation and ensuring that local needs and accountability are incorporated into the process.

Torrance County Committee Discussion:

- Chairman Schwebach discussed establishing a more formal Torrance County stakeholder committee.
- The proposed committee would help identify local needs, provide community input, assist with gathering information, and communicate Torrance County's priorities to the regional program.
- It was discussed that the Commission would first need to establish and approve the makeup of the committee, after which individuals could be considered and appointed.
- Vice-Chair Jaramillo expressed interest in serving on the committee, subject to the Commission determining the appropriate structure and membership.

Accountability and Local Control:

- Chairman Schwebach expressed concerns regarding how Torrance County can ensure that behavioral health funds allocated through a regional structure are used to address Torrance County's specific needs.
- Ms. Muncy explained that she intends to work directly with organizations receiving funding and require documentation and invoices demonstrating that funded services are being provided.
- She emphasized that she is employed by Socorro County as the regional program manager but stated that her responsibility is to support all counties within region 7 and to ensure equitable treatment.

Grassroots Planning:

- Chairman Schwebach discussed the importance of developing services from the community level upward, rather than simply receiving funding and determining afterward how it should be spent.
- Ms. Muncy acknowledged that the program remains in an early developmental stage and stated that the goal is to continue receiving input from each community.
- She stated that she holds monthly community meetings in the counties to continue gathering public input and determine how the program should evolve.

Public and Stakeholder Participation:

- Commissioner McCall noted that representatives from behavioral health, the courts, law enforcement, and community organizations were present at the meeting.

- Ms. Muncy encouraged additional Torrance County residents and organizations to participate in future meetings so that planning reflects the needs of the entire county.

Next Steps Discussed:

- Continue working toward receipt and execution of the IGA.
- Finalize the first-year RFP once funding is available.
- Continue monitoring the statewide behavioral health credentialing process.
- Continue advocating regarding the Alamo Reservation funding allocation.
- Explore opportunities to blend SB 3, opioid settlement, housing, and other available funds.
- Expand Torrance County stakeholder representation.
- Consider establishing and formally approving a Torrance County behavioral health stakeholder committee.
- Continue collecting local data and developing a regional behavioral health dashboard to identify service gaps and measure outcomes.
- Ms. Muncy offered to add interested Torrance County representatives and community members to her regional email distribution list and continue communication regarding meetings, funding opportunities, and behavioral health initiatives.

B. Juvenile Justice (EVYFC), Rebecca Armstrong, Continuum Coordinator, Annual update and board member renewal

- Rebecca Armstrong provided the Torrance County Commission with the annual update for the Torrance County Juvenile Justice Board, also known as the Estancia Valley Youth and Family Council (EVYFC).
- Ms. Armstrong explained that the presentation covered:
 - The purpose and structure of the Juvenile Justice Board.
 - The youth and families served.
 - Community partnerships.
 - Programs provided throughout Torrance County.
 - Fiscal Year 2026 program participation and expenditures.
 - Board membership updates.

Mission and History

- Ms. Armstrong stated that EVYFC's mission is to develop a community network to serve and support the success of youth and families in a positive, professional, and organized manner.
- The organization's vision is to positively impact and enhance the lives of youth and prepare them for productive adulthood.
- Ms. Armstrong reported that the Juvenile Justice Board was originally established around 2011, experienced a period of inactivity, and was reestablished in 2014. She stated that it has continued operating since that time.

Juvenile Justice Board Structure

- Ms. Armstrong explained that there are 17 Juvenile Justice Boards throughout New Mexico.
- CYFD serves as the primary state partner and funding source through State Juvenile Justice Advisory Committee funds.
- Torrance County serves as the fiscal agent, handling contracts, hiring, payroll, and other fiscal responsibilities.
- The EVYFC meets monthly and is responsible for determining:
 - Programming needs.
 - Funding priorities.
 - Program direction.
 - Services needed by local youth and families.
 - Programs that will provide the greatest benefit to the community.

Board Membership

- Ms. Armstrong explained that the board has statutorily required representation from several areas, including:
 - Courts, with Judge Murdock serving as Chairperson.
 - Torrance County schools, including representation from all three public schools and one charter school.
 - Torrance County government.
 - Local law enforcement agencies.
 - Public Defender's Office.
 - District Attorney's Office.
 - Juvenile Probation.
 - CYFD Protective Services.
 - Office of Substance Abuse.
 - A youth representative.
- Ms. Armstrong noted that local law enforcement agencies try to attend regularly, although officers may occasionally be unable to attend because they are responding to calls.
- She highlighted the participation of the youth members, describing the current youth representative as an excellent addition to the board.

Community Partnerships

- Ms. Armstrong discussed additional community organizations that participate in the board's work even though they are not statutorily required members.
- Community partners have included:
 - DWI Program.
 - Santa Fe Juvenile Probation.
 - CYFD Behavioral Health.
 - New Mexico Department of Health.
 - Waves Behavioral Health.
 - Valencia Shelter Services.

- Wings for Life.
- Ms. Armstrong explained that Santa Fe Juvenile Probation participates because the Edgewood School jurisdiction extends into the area. Youth from that area can sometimes receive services through Torrance County programs rather than traveling to Santa Fe.

Teen Court Program

- Ms. Armstrong reported that the Teen Court Program served 64 youth in Torrance County during Fiscal Year 2026.
 - She reviewed the offenses and stated that many of the referrals involved vaping, THC possession, and other drug-related issues occurring at school.
 - The program served both boys and girls, with boys representing the larger share of Teen Court referrals.
 - Sentencing and intervention activities can include:
 - Community service.
 - Smoking cessation programs.
 - Drug cessation and educational programs.
 - Other interventions are intended to educate youth and encourage better decision-making.
 - Ms. Armstrong stated that most referrals come from schools and Juvenile Probation.
 - She emphasized that Teen Court is intended primarily for first-time offenders, allowing the program to intervene early, provide consequences, involve families, and help prevent youth from becoming more deeply involved in the juvenile justice system.
- Boys Council and Girls Circle
- Ms. Armstrong reported that the Boys Council Program operated in five schools during FY26 and provided approximately 315 sessions.
 - The Girls Circle Program also operated in approximately five schools and provided approximately 315 sessions.
 - Programs are conducted during the school day, with participating schools providing time for the contractors to work with students.
 - Ms. Armstrong stated that the programs have been well received by both schools and students.
 - Sessions address issues affecting youth, including:
 - Bullying.
 - Vaping.
 - Attendance and being late to school.
 - Personal and social challenges.
 - Communication and decision-making.
 - Ms. Armstrong explained that program contractors can incorporate current issues students are experiencing into their sessions, allowing the programming to address immediate needs.

Fiscal Year 2026 Financial Report

- Ms. Armstrong reported that the total FY26 grant award was \$261,602.
- The programs served 193 youth during the fiscal year.
- Total expenditure was \$260,797.
- The board reverted approximately \$805 in unused funds.
- Ms. Armstrong explained that most of the reversion was associated with a single Girls Circle session. The session had been completed, but a billing and payment-schedule discrepancy between CYFD and Torrance County resulted in the session being unable to be paid within the fiscal year.
- Additional unspent funds included approximately \$500 in travel funds and a small amount of program support funding.
- Ms. Armstrong emphasized that essentially all available funding was utilized for youth programming.

Monthly Program Activity

- Ms. Armstrong reviewed monthly spending and explained that spending was highest during the school year, when Boys Council and Girls Circle programming is active.
- Spending decreased during the summer and holiday periods because fewer school-based sessions are conducted during those times.

Youth Demographics

- Ms. Armstrong reported that, among the youth served:
 - 54% were girls.
 - 45% were boys.
- She explained that the gender distribution was not intentional and largely reflected the composition and participation of the classes receiving services.
- Ms. Armstrong also reviewed race and ethnicity information collected from participating youths and noted that 44% of Torrance County youth reported that they did not know their race when completing the program's information forms.
- She stated that the programs serve youth from a variety of racial and ethnic backgrounds.

Survey and Program Accountability

- Ms. Armstrong highlighted the board's survey completion rate as an area of success.
- She explained that statewide survey data is reviewed by the Juvenile Justice Advisory Committee when evaluating the performance of local programs and determining continued funding.
- Torrance County achieved a 100% survey completion rate for FY26, meaning all required surveys were completed.
- Ms. Armstrong stated that only one or two counties statewide achieved a comparable 100% completion rate.
- She credited the contractors working with the board for diligently completing and submitting the required surveys.
- Ms. Armstrong also noted that Torrance County is regarded highly by the Juvenile Justice Advisory Committee for its attention to fiscal requirements and reporting.

Commission Discussion

- Vice-Chair Jaramillo asked Ms. Armstrong about the success rate of the programs, specifically whether youth who participate in Teen Court are less likely to repeat the behavior.
- Ms. Armstrong responded that some youth occasionally return to the program, but she believes repeat participation is relatively minimal.
- She explained that she does not have specific recidivism statistics, because Juvenile Probation does not currently track recidivism specifically for the Teen Court program in a way that provides her with those numbers.
- Ms. Armstrong stated that the board instead relies on:
 - Feedback from schools.
 - Information regarding the issues being addressed.
 - Youth surveys and participant feedback.
- Based on that information, Ms. Armstrong stated that the board believes the programs are having a positive and effective impact.
- Vice-Chair Jaramillo expressed support for the program and thanked Ms. Armstrong for the presentation.
- Chairman Schwebach shared a personal perspective regarding the Boys Council Program, explaining that the Commissioner's son participated through his school and looked forward to the sessions.
 - Chairman Schwebach stated that the program helped youth understand that everyone experiences challenges and that it is appropriate to talk about those experiences and emphasized that the program provides more than recreational activities and contributes to the youth's personal growth and maturity.
- He also commented on Ms. Armstrong's observation regarding students having difficulty spelling local community names and questioned whether the schools were aware of the issue.
- Ms. Armstrong acknowledged the comment.
- Chairman Schwebach expressed appreciation for Armstrong's attention to detail, organization, and management of the program and stated that the program appeared to be one of the better-run programs in the state and encouraged Armstrong and the board to continue their work.

Board Member Renewals

- Ms. Armstrong also presented the annual board member renewal/update.
- She reported that there were only a few changes from the previous year's membership list, primarily due to changes in school administration.
- John Maldonado, the new Superintendent of Estancia Schools, will replace the previous school representative and is expected to begin attending board meetings.
- Josh McLeve, representing EVCA, will replace Jennifer Rivera.
- She also added the youth representative, Stormi, to the current board list.

- Ms. Armstrong stated that the remainder of the board membership remains substantially unchanged from the previous year.
- Ms. Armstrong concluded her presentation by thanking the Commission for the opportunity to provide the annual update and offered to answer additional questions.

C. FIRST AMERICAN FINANCIAL ADVISORS, INC. County Municipal Advisor - Robert Burpo, President. Presentation and introduction of Exus Renewables Battery Energy Storage System and potential Industrial Revenue Bond

- Rob Burpo, First American Financial Advisor, presented a potential renewable energy project for the Commission's consideration.
- Mr. Burpo explained that in 2019, Public Service Company of New Mexico (PNM) and American Electric Power, operating as New Mexico Renewable Development, approached the City of Moriarty and Torrance County regarding development of a solar farm.
- The original project was structured through two Industrial Revenue Bond (IRB) transactions, with approximately 75% of the facility located in Torrance County and 25% within the City of Moriarty.
- Axis Renewables recently acquired the facility, along with other renewable energy projects previously developed by PNM and American Electric Power.
- Axis is proposing to add a \$150 million utility-scale battery energy storage facility within the existing fenced area of the current renewable energy facility.
- The proposed battery project would be located entirely within the portion of the existing facility located in Torrance County, rather than within the City of Moriarty, which is why the proposal was brought in before the County Commission.

Axis Renewables

- Mr. Burpo introduced Brian Reindel, Vice President of Development for Axis Renewables.
- Mr. Burpo described Axis as a large international renewable energy development company with projects in the United States and internationally.
- Axis has offices in New York City, Pittsburgh, and Albuquerque.
- The company is backed by Partners Group, a Swiss financial group that is investing more than \$1 billion in renewable energy development with Axis.
- Mr. Burpo noted that Axis has acquired and manages multiple renewable energy assets, including solar and wind projects.
- Axis is also developing a large renewable energy project in Sandoval County, which Mr. Burpo referenced as an example of the company's work in New Mexico.

Proposed Battery Storage Facility

- The proposed project would be a 60-megawatt utility-scale battery storage facility.
- The project would occupy approximately 7.69 acres within the existing renewable energy facility.
- Because the battery facility would be constructed on property already included in the 2019 IRB, Burpo stated that the project would have no additional effect on property taxes.
- The proposed IRB structure would be like the 2026 Pattern IRB previously considered by the County.
- The proposed Payment in Lieu of Taxes (PILOT) would begin at \$2,800 per megawatt for the first five years, with the payment increasing by 5% annually thereafter.
- Based on the 60-megawatt size, the initial PILOT payment was estimated at approximately \$168,000 annually during the first five years.

Distribution of PILOT Revenue

- Mr. Burpo explained that state law establishes how PILOT revenue from renewable energy projects is distributed.
- Approximately:
 - 60.81% of the PILOT payment would go to Torrance County.
 - 39.1819% would be distributed among the five Torrance County school districts.
- Because the proposed project is located entirely within the Moriarty Municipal School District, the school allocation would be distributed according to the statutory formula.
- Mr. Burpo explained that the school allocation is divided based on:
 - 50% according to the location of the project.
 - 40% according to school district acreage.
 - 10% according to school district enrollment.
- The estimated percentage distribution among the school districts was presented as:
 - Estancia – 8.74%
 - Moriarty – 58.13%
 - Mountainair – 19%
 - Corona – 12%
 - Vaughn – slightly under 2%
- Mr. Burpo stated that the distribution is established by statute and is not discretionary.
- The presentation showed projected PILOT payments over the proposed 30-year period, beginning at approximately \$168,000 annually during years 1–5 and increasing according to the applicable formula.

Community Investment and Economic Impact

- Brian Reindel, Vice President of Development for Axis Renewables, addressed the Commission regarding Axis's approach to community involvement.
- Mr. Reindel stated that Axis operates in 12 states and has approximately 6,000 megawatts of projects in operation or development nationwide, with approximately 2,500 megawatts located in New Mexico.

- He explained that New Mexico is a significant focus for the company and noted that Axis has an office in Albuquerque with approximately six employees.
- Mr. Reindel stated that Axis allocates a portion of the capital expenditure for its projects toward community investments.
- He provided examples of community partnerships in Sandoval County, including:
 - Supporting home construction and repairs through a local organization.
 - Supporting programs that provide meals to senior centers.
- Mr. Reindel said Axis has had preliminary conversations with organizations in Torrance County regarding potential community partnerships but did not want to announce specific commitments before agreements are finalized.
- He stated that Axis is interested in making additional investments in Torrance County and expanding an existing renewable energy project that has operated in the county for nearly 10 years.

Construction and Employment

- Mr. Reindel stated that Axis typically partners with Gridworks, a local Albuquerque-based engineering, procurement, and construction company, on New Mexico projects.
- He noted that when the existing solar project was constructed in 2018, local outreach was conducted regarding construction employment opportunities.
- The proposed battery storage project is expected to generate approximately 100 construction jobs during the construction period.
- Once operational, the facility would require relatively little ongoing maintenance.
- Mr. Reindel estimated that approximately one additional permanent employee would be needed for the facility once operational.

Commission Questions Regarding the Batteries

- Chairman Schwebach asked for additional information about the battery system and its potential effects and benefits to the community.
- Mr. Reindel explained that the project would use utility-scale batteries housed in structures resembling shipping containers.
- Approximately 60 battery units, each representing about one megawatt, would occupy the proposed area of less than eight acres.
- Mr. Reindel identified the primary direct community benefit as the PILOT payments to the County and school districts, along with construction employment and potential community investment.

Battery Lifespan and Replacement

- Vice-Chair Jaramillo asked how long the batteries are expected to last.
- Mr. Reindel stated that the project is designed around an approximately 20-year operating life.
- He explained that the batteries will gradually degrade over time.

- The project design anticipates adding or "augmenting" additional battery units approximately every seven years throughout the project's operating life to maintain the required capacity.

Battery Recycling and Disposal

- Vice-Chair Jaramillo asked about the eventual disposal and recycling of the batteries.
- Mr. Reindel explained that lithium battery recycling is an active and developing industry.
- He stated that utility-scale battery storage is still relatively new, with the first large-scale projects in the United States beginning around 2021.
- Reindel indicated that the company plans for the project to be decommissioned at the end of its useful life.
- He stated that the materials, particularly lithium, have value for recycling and that recycling infrastructure is expected to continue developing as more batteries reach the end of their useful lives.

Purpose of the Battery Storage

- Vice-Chair Jaramillo asked where the energy currently goes when battery storage is not available.
- Mr. Reindel explained that as renewable energy becomes a larger portion of the electricity supply, there is an increasing need for energy storage to help maintain a reliable electric grid.
- He stated that the proposed battery facility would be integrated into the PNM system rather than functioning solely as a storage system for the adjacent solar facility.
- During periods when excess electricity is available, the system can store energy in the batteries.
- When additional electricity is needed, energy can be released from the batteries back into the grid.
- Mr. Reindel explained that the purpose is to provide a more resilient electricity system and support additional renewable energy development in New Mexico.

School District Outreach and PILOT Negotiations

- Commissioner McCall asked Mr. Burpo whether the County Commission was the first governmental body to receive the presentation and whether the school districts had already been contacted.
- Mr. Burpo confirmed that Torrance County was the first presentation regarding the proposed project.
- He stated that Axis and its representatives planned to prepare a separate presentation for the five school districts.
- The school presentation would provide each district with a detailed breakdown of its anticipated PILOT revenue over the life of the project.
- Commissioner McCall asked whether there would be an opportunity to negotiate the proposed \$2,800-per-megawatt PILOT amount.

- Mr. Burpo indicated that the structure was intended to follow the approach used for the Pattern project because of the timing of the projects.
- Commissioner McCall specifically asked whether the County could still negotiate the PILOT amount.
- Mr. Burpo stated that negotiations would be conducted with Axis representatives.
- Commissioner McCall referenced the previous Pattern project and noted that the County had requested approximately \$3,000 per megawatt, although that amount was not ultimately obtained.
- Commissioner McCall indicated that the same level should remain a consideration for the proposed project.

***Recess 10:35 AM**

*** Back from Recess 10:50**

8. ADOPTION OF RESOLUTION/ ORDINANCE:

- A. **Assessor:** Request approval of Resolution 2026-29 approving the AMENDED Mill Rates for 2027 and signing the order to submit to the State of New Mexico Department of Finance and Administration.
- Michelle Jones, Deputy County Manager, presented an amended Certificate of Tax Rates for Fiscal Year 2027 for Commission approval.
- She explained that Linda Gallegos, Chief Deputy Assessor, had presented the original certificate at the previous Commission meeting for approval.
- After the previous presentation, Ms. Gallegos identified an error in the tax-rate certificate and contacted the New Mexico Department of Finance and Administration (DFA) to verify the information.
- DFA confirmed that an error had been made with the certificate and provided a revised certificate.

Corrections to the Certificate

- Michelle Jones, Deputy County Manager, stated that the primary correction involves the County Debt Service Rate, which was incorrectly listed as 0 mills.
- DFA confirmed that the correct County Debt Service Rate is 0.171 mills.
- She also noted the following corrections:
 - School District 16 – Residential and non-residential: reduction of 2 mills under the School Capital Improvements Levy (Senate Bill 9).
 - School District 16 – Outlying Residential and Non-Residential: corresponding 2-mill reduction.
 - School Capital Improvements/Senate Bill 9 levy: should be 0 mills.

- County Debt Service: should be 0.171 mills, rather than 0 mills.
- Michelle Jones, Deputy County Manager, stated that DFA immediately issued a revised Certificate of Tax Rates after confirming the error.
- The Commission was provided with:
 - A copy of the revised certificate.
 - A spreadsheet showing the specific changes, including the corrected 0.171-mill County Debt Service Rate.

Commission Action Requested

- Michelle Jones, Deputy County Manager, requested that the Commission approve the resolution adopting the amended Certificate of Tax Rates for Fiscal Year 2027.
- She concluded her presentation and stated that she was available to answer questions.
- Commissioners had no questions.

Motion; Chairman Schwebach made a motion to approve Resolution 2026-29; Seconded by Vice-Chair Jaramillo

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

Motion Carried

B. **Manager:** Request approval of Resolution 2026- 30 approving budget adjustments as follows: Increase expenditures by \$100,000.00 to County Infrastructure for repairs and upgrades to the Judicial Complex, Increase expenditures by \$300,000.00 to Capital Infrastructure for the Roads Department for road repairs, Increase expenditures by \$50,000.00 to the Election Fund for Election costs and the addition of re-authorized grant to the Legislative Appropriations fund budget in the amount of \$115,713.08.

- Michelle Jones, Deputy County Manager, presented several requested adjustments to the FY 2027 County budget and noted that representatives from the affected departments were present to answer questions from the Commission.

Judicial Complex

- Requested an increase of \$100,000 to County Infrastructure for repairs and upgrades to the Judicial Complex.
- Mrs. Jones explained that members of the judiciary previously appeared before the Commission to discuss the needed improvements, and the Commission approved the expenditure.
- The \$100,000 was inadvertently not included in the FY 2027 budget and is now being requested as a budget adjustment.

Roads

- Requested an increase of \$300,000 to Capital Infrastructure for roads.
- Mrs. Jones explained that Mr. Luján completed his FY 2026 project, but the project was paid from FY 2027 funds when it should have been paid from FY 2026 funds.
- Approximately \$400,000 remained unspent in FY 2026.
- The requested \$300,000 adjustment would allow the Roads Department to have funding available for its FY 2027 road project.

Elections

- Requested an additional \$50,000 for the Election Fund to cover election-related costs.
- Mrs. Jones explained that the County has conducted several special elections, resulting in additional expenses for the Clerk's Office.
- During the budget review, the County had approximately \$150,000 in budgeted election revenues, while only approximately \$94,000 in expenditures had originally been budgeted.
- The additional \$50,000 expenditure is intended to better align the election budget with the anticipated costs and available revenues.

Water Project Grant

- Mrs. Jones reported that a water project grant originally awarded in FY 2022 was reauthorized for FY 2027, but the grant was not included in the final FY 2027 budget.
- The requested budget adjustment would add \$150,713.08 to both budgeted revenues and expenditures for the water project.
- Jones noted that representatives from the applicable departments were available to provide additional information and answer questions regarding the requested adjustments.

Judicial Complex

- Dorela Molina, CEO of the Seventh Judicial District Court, addressed the Commission regarding needed repairs at the courthouse serving Torrance, Cibola, Socorro, and Catron Counties.
- Ms. Molina explained that representatives previously appeared before the Commission in May to request funding for necessary courthouse repairs and maintenance.
- Two contractors have since inspected the building and provided repair estimates, which were included in the Commission packet.
- Ms. Molina reported that the total estimated cost of the needed work exceeds \$100,000.
- The State has indicated that it will provide \$100,000 in matching funds, contingent upon the County committing its \$100,000 first.
 - Ms. Molina explained that the State needs documentation of the County's commitment before releasing its matching funds.
 - She noted that additional State funding may be available, up to \$300,000, if the project requires more funding.

Courthouse Roof and Water Damage

- Ms. Molina described continuing problems with the courthouse roof and water intrusion.
- She reported that the roof has been patched multiple times, but leaks continue.
- During a recent significant rain event, water reportedly came through the ceiling and onto Judge Murdock's desk through a light fixture, with additional leaks occurring throughout the judge's office.
- Photographs documenting the recent leaks and damage were provided to the Commission.
- Ms. Molina reported that contractors have identified several areas requiring attention, including damage to the building's walls and stucco caused by water intrusion.

Priority of Repairs

- Ms. Molina explained that not all proposed work is considered equally urgent and that the courthouse would need to prioritize the repairs based on need.
- Denise Lujan, Court Manager, explained that when contractors were asked to prepare bids, they were asked to identify work according to priority.
- Ms. Lujan stated that the roof is the highest priority, because continued water intrusion is contributing to additional damage to the stucco and other portions of the building.
- The contractors also provided estimates for flooring replacement, as portions of the existing flooring are cracking and lifting and have become a safety hazard.

- Ms. Lujan emphasized that the goal is to address the major problems before cosmetic improvements.
- Potential priorities discussed included:
 - Roof repairs;
 - Drainage issues;
 - Water-related damage;
 - Stucco repairs where deterioration and mold are creating health and safety concerns; and
 - Flooring repairs.
- Ms. Lujan suggested that if the insurance claim covers the roof and related water damage, the combined \$200,000 from the County and State could potentially be used for other necessary repairs and improvements.

Insurance Claim Discussion

- The Commission discussed a recently submitted insurance claim involving the courthouse roof and stucco.
- Victoria Archuleta, Operations Manager, explained that she submitted the claim specifically for repairs to the roof and stucco.
- She stated that the insurance company requested photographs, which were provided, and that an inspector/adjuster will be sent to evaluate the property.
- Commissioner McCall questioned whether the claim was based on a specific covered event, such as hail damage, or whether it involved general deterioration of the building.
- Commissioner McCall also expressed concern about the potential effect of an insurance claim on the County's insurance premiums and wanted to ensure that the claim was appropriate before relying on insurance funds.
- It was noted that the County should also investigate whether previous roof repairs were covered by a contractor warranty and whether the current damage could be related to prior work.

County and State Funding

- Chairman Schwebach confirmed that the previously discussed \$100,000 County allocation was intended for courthouse maintenance and preventative repairs, rather than specifically for construction of a wall between the Court and Sheriff's Department areas.
- Stephanie Reynolds, County Manager, clarified that the wall project was a separate discussion from the \$100,000 maintenance allocation.

- Chairman Schwebach expressed support for applying the \$100,000 toward the most pressing courthouse repairs and maintenance needs, particularly in light of the current roof, water, flooring, and structural concerns.
- Ms. Molina confirmed that the State is prepared to match the County's \$100,000 contribution.
- Ms. Molina further explained that the State has up to \$300,000 available and that she initially requested \$100,000 specifically to match the County's contribution.
- The Commission indicated support for addressing the courthouse repairs comprehensively rather than continuing to make temporary repairs.

Courthouse Space and Proposed Wall

- The discussion also revisited a previously considered proposal to construct a wall between the Court and Sheriff's Department areas.
- Ms. Molina explained that the proposed wall had previously been estimated at approximately \$30,000, but the funding associated with that proposal had expired rather than being transferred to another project.
- Chairman Schwebach discussed whether the wall remains necessary, particularly because the space on the other side of the building could potentially be utilized depending on future decisions regarding the Sheriff's Department.
- Ms. Molina noted that the lack of space at the courthouse continues to be a concern and invited Commissioners to tour the courthouse to see the areas requiring repairs and evaluate the available space firsthand.

Direction/Consensus

- Chairman Schwebach expressed support for moving forward with the \$100,000 County allocation for courthouse repairs and maintenance.
- Chairman Schwebach indicated that the funds should be directed toward the most pressing repair and maintenance needs identified by the contractors, rather than automatically being used for the previously discussed wall.
- If additional funding is necessary, Ms. Molina indicated that she can return to the State to request additional matching funds, potentially up to the State's available \$300,000.
- The discussion reflected a shared goal of addressing the courthouse's problems properly and comprehensively, particularly given that the building, constructed around 2003, is the newest courthouse in the district but is experiencing significant maintenance issues.

Motion; Chairman Schwebach made a motion to approve \$100,000; Seconded by Commissioner McCall

- **Roll call Vote;**

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

Motion Carried

Roads

- Leonard Lujan, County Road Superintendent, explained the circumstances surrounding the requested \$300,000 FY 2027 budget adjustment for the Road Department.
- Mr. Lujan explained that the Road Department completed its planned projects during the prior fiscal year using the funds that had been allocated for those projects.
- Some project invoices from CES were not received until after the prior fiscal year had ended and the County was in the process of closing out the fiscal year.
- Because the prior fiscal year had to be closed, the related purchase orders were closed before the outstanding invoices could be paid.
- Once the invoices were received, the County paid them using the current fiscal year's budget allocation.
- As a result, funds allocated for the current fiscal year were used to pay expenses associated with projects completed during the previous fiscal year.
- Mr. Lujan clarified that the prior-year funds were not available to simply carry forward because the fiscal year had already been closed.
- The timing of the invoices from CES contributed to the situation, with Lujan noting that CES sometimes provides invoices promptly while other invoices can take longer to arrive.
- Commissioners asked for clarification regarding whether the \$300,000 represented a new funding request.
- Leonard Lujan, County Road Superintendent, clarified that the request is a budget adjustment resulting from the fiscal-year closeout and the timing of payment, rather than a request for an additional new expenditure beyond the County's prior allocation.
- Chairman Schwebach indicated that it understood the explanation and the reason for the requested \$300,000 budget adjustment.

Motion; Chairman Schwebach made a motion to approve \$300,000; Seconded by Commissioner McCall

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

Motion Carried

Elections

- Senaida Anaya, Chief Deputy Clerk, explained that the Secretary of State's Office provides funding to the County for election-related expenses. These funds are deposited into a general fund revenue line but need to be budgeted within the election expenditure line so the Clerk's Office can use the funds for eligible election expenses.
- She stated that the County received \$67,002.86 for the Primary Election, of which approximately \$10,000 would otherwise have to be reverted if not properly budgeted and expended. She also reported that \$59,049.69 has been received for the upcoming election.
- Senaida Anaya, County Clerk's Office, clarified that the request is not for additional County taxpayer funding, but rather to authorize expenditures from election funds already received from the State.
- Michelle Jones, Deputy County Manager, explained the County's budget structure. Election-related revenue is recorded in a general fund revenue line, while election expenses are budgeted separately in an expenditure line. The County budgeted approximately \$150,000 in election revenue, and approximately \$72,000–\$74,000 has been received to date.
- Michelle Jones, Deputy County Manager, explained that approximately \$45,000 was originally budgeted for election expenditures, with approximately \$25,000 already expended. Staff is requesting an increase of approximately \$50,000 to the election expenditure budget to more closely align the expenditure authority with the election revenue being received.
- Mrs. Jones clarified that the requested \$50,000 is not an additional \$50,000 being taken from County taxpayers or borrowed from the General Fund. The funds have already been received and are currently recorded in a revenue line; the budget adjustment is needed to provide expenditure authority for those funds.
- Kathryn Hernandez, Torrance County Treasurer, explained that when the election funds were received through the bank, they were deposited into the revenue line available to the Treasurer's Office. The funds therefore remain in the revenue account until the appropriate budget adjustment is made.
- Chairman Schwebach questioned why the process was different from prior years. Mrs. Jones explained that previous procedures had effectively allowed the funds to be transferred directly, while the current budget structure requires a Budget Adjustment Request (BAR) to increase the appropriate expenditure authority.
- Michelle Jones, Deputy County Manager further explained that eligible election expenditures are ultimately reconciled with the Secretary of State's funding requirements. Ms. Anaya noted that approximately \$10,000 from the prior election was returned because it was not expended on eligible costs.
- Senaida Anaya, County Clerk's Office, also noted that the County has received additional revenue from two special elections conducted for school districts. She stated that some election-related needs, such as signage, furniture, and other items that remain in use beyond a single election, may not be reimbursed by the Secretary of State and may require separate consideration.

- The Commission requested a profit-and-loss statement and specific line-item information before taking action so that the Commissioners could clearly identify the source of the funds and the expenditure being authorized.
- Following discussion, Commissioners clarified that the requested action is to move approximately \$50,000 already received as election-related revenue into the election expenditure budget, rather than provide a \$50,000 General Fund loan.
- Staff agreed that, moving forward, the County can work with the Clerk's Office and Treasurer's Office to establish a separate revenue line for election funds so that future State election funding is more clearly identified and can be matched with the appropriate election expenditures.
- Michelle Jones agreed to work with the Clerk's and Treasurer's Offices to establish a cleaner process for recording future election revenue and expenditures.

Motion; Chairman Schwebach made a motion to transfer \$50,000; Seconded by Vice-Chairman Jaramillo

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

Motion Carried

Water Project Grant

- Jody Cornwall, Grants Administrator, presented an existing capital outlay grant that predates her tenure with the County.
- Ms. Cornwall explained that the original grant was approximately \$120,000 and was designated for the Duran Water Project. The County fulfilled its commitment to that project, but additional funds remained available for the same project.
- Prior to the implementation of House Bill 247, Ms. Cornwall was able to have the remaining authorization reauthorized for approximately \$115,703, accounting for expenditures that had previously been made from the original appropriation.
- Ms. Cornwall explained that the reauthorization preserves the availability of the remaining funds because it was completed before the new HB 247 restrictions took effect. HB 247 subsequently established new limitations on capital-outlay reauthorizations, including limits on the number and duration of reauthorizations.
- The proposed action would redirect/reapply the remaining grant funds from the completed Duran Water Project to the water system associated with the McIntosh Fire Department.
- Chairman Schwebach clarified that the request is to reauthorize or reapply the existing grant funds for a different eligible use, rather than leave the funds assigned to the completed Duran project.
- Commissioner McCall asked whether the grant has a sunset or expenditure deadline, specifically when the remaining funds must be expended.

- Ms. Cornwall acknowledged the question regarding the sunset date and indicated that the expenditure deadline would need to be confirmed.
- Ms. Cornwall clarified that the funds under discussion did not revert because the Duran Water Project was completed. Rather, the County received multiple capital outlay appropriations over time for various components associated with the Duran Water System repairs.
- She explained that the County completed the work that the Commission had determined was necessary for the Duran Water System. Additional funding had subsequently been received for related aspects of the project, leaving funds available that were no longer needed for the completed work.
- The remaining funds are still available to the County. Ms. Cornwall previously obtained authorization from the Department of Finance and Administration (DFA), prior to the implementation of House Bill 247, to change the scope of the remaining funding and apply it to another water-related project.
- Ms. Cornwall clarified that the County is not submitting a new grant application. The existing grant has already been reauthorized, and the current request is to place the approximately \$115,000 remaining balance into the County's budget and allocate it to the McIntosh Fire water system.
- Commissioner Schwebach and McCall confirmed that the proposed action is essentially to move the existing authorized funding from the Duran Water System project to the McIntosh water project.
- Ms. Cornwall noted that this type of scope change would generally no longer be permitted under the current provisions of House Bill 247, but the reauthorization was completed before those restrictions took effect.
- Commissioner McCall expressed support for the request but raised concerns about being cautious when redirecting State capital outlay funds from the project for which they were originally appropriated.
- Commissioner McCall noted that a former State legislator had been particularly involved in securing funding for the Duran Water System and emphasized the importance of using legislative appropriations consistent with their intended purpose.
- He clarified that the decision to allow the scope change was made by DFA, rather than solely by the County, and stated that the concern was intended as a caution for future capital outlay decisions.
- Ms. Cornwall explained that the Duran Water System had been included on the County's Infrastructure Capital Improvement Plan (ICIP) for several years. Funding had been provided incrementally over multiple years, with individual appropriations addressing different portions of the overall project.
- She explained that preliminary engineering had been completed and that the County ultimately completed the repairs it determined were necessary. Additional appropriations continued to arrive after the project had reached the stage the Commission considered appropriate for completion.

- Because the additional funding arrived incrementally and was beyond the engineering and scope that had already been completed, using the remaining funds for the original project would have required additional planning, engineering, and scope development.
- Commissioners discussed whether it would be appropriate to contact the current State Representative regarding the change in use of the funds. It was noted that the legislator who had previously advocated for the Duran Water System is no longer serving in the Legislature following an election.
- Commissioner McCall discussed the importance of being careful when developing the ICIP so that the County does not become unnecessarily restricted by overly specific project descriptions when funding is received incrementally over several years.
- Ms. Cornwall indicated that the current reauthorization was appropriate because DFA had approved the change in scope before HB 247 restrictions applied.
- Chairman Schwebach expressed agreement that the County should exercise caution with similar scope changes in the future and avoid making the practice routine.
- The discussion concluded with staff and Commissioners indicating that they believed the current reauthorization was appropriate, while emphasizing the need for careful consideration of future State-funded projects and ICIP requests.

Motion; Chairman Schwebach made a motion to re-authorize grant; Seconded by Commissioner McCall

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

Motion Carried

C. **Manager:** Request approval of Resolution 2026- 31 Declaring the Intent to approve an Ordinance issuing Industrial Revenue Bonds, Series 2026, for up to \$150,000,000 for a new renewable energy battery farm to Britton Storage LLC. (Rob Burpo, First American Financial Advisors and Jill Sweeney, Taft Law Firm)

- Chairman Schwebach noted that the developer had previously presented the proposed project to the Commission. The current action is intended to move forward with the Industrial Revenue Bond process and does not constitute final approval of the bond issuance.
- Stephanie Reynolds, County manager, explained that the next steps in the process include required public notice and consideration of the ordinance through a future public hearing.
- Chairman Schwebach asked about the required publication period and the earliest date a public hearing could be held.

- Eddie Duffy, Bond Counsel for Axis Renewables, explained that the notice of consideration of the ordinance must be published in the newspaper at least two weeks before the ordinance is considered.
- Mr. Duffy further explained that, separate from the newspaper publication requirement, letters must be sent to the County Assessor, the Town, and the applicable taxing entities within the County at least 30 days before adoption of the ordinance.
- Commissioner McCall clarified that the inducement resolution being considered at this meeting does not itself constitute the required public hearing or final approval of the ordinance. Rather, the resolution authorizes the County to proceed with the process and required public notice.
- Chairman Schwebach indicated that, based on the required notice periods, the earliest anticipated public hearing would likely be at the first regular Commission meeting in November, potentially November 11.
- Commissioner McCall asked whether that anticipated timeline would work with the developer's schedule. The developer indicated that the proposed timeline would work.
- The Commission continued discussion regarding the required notices to taxing entities, including schools and other governmental entities, before the ordinance can be considered.

Motion; Chairman Schwebach made a motion to approve Resolution 2026-31; Seconded by Commissioner McCall

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

Motion Carried

-
- D. Planning and Zoning:** (PUBLIC HEARING) Appeal application presented by Kate Ullrich. The applicant is aggrieved by the decision of the Planning and Zoning Board to grant the Southwest Property Solutions, LLC application for a summary Review; Create Type 3 Subdivision at the August 5, 2026, Planning and zoning meeting.

Motion; Chairman Schwebach made a motion to begin public hearing; Seconded by Commissioner McCall

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

Motion Carried

Public Hearing began at 11:40 AM

Chairman Schwebach; “I’m going to turn the floor over to our attorney to begin this public hearing”

Michael I. Garcia, County Attorney; “Chair, I’m not sure if we have all the parties here. I believe Mr. Oden is here as the appellee, but the appellant is not here, so I think we’re in a situation where it’s kind of a default. I think what we could do is, just swear Mr. Oden in, have him come up, and ask for his request. But seeing as the appellant is not here to actually present a case, the likely outcome is that we’ll just affirm the decision of the Planning and Zoning Board. So, again, maybe Don, do we have the appellant here?”

Chairman Scwebach; “I would like to interject a little bit. So what we have here is Mr. Oden, who was approved by the Planning Zoning Board. It was appealed. The appellant is not present for this hearing.”

Michael I. Garcia, County Attorney; “Correct.”

Chairman Scwebach; “I think that says all we need to say. We have a Planning and Zoning Board for a reason, to make decisions. We have an appeal process to appeal those decisions, and if we have no word whatsoever from the appellant, I do not think we need to go into the weeds. That’s my opinion. Do you agree?”

Commissioner McCall; “yes.”

Chairman Schwebach; “with that being said, I think if the appellant is not here on the appeal process, then the P and Z upholds.”

Vice-Chair Jaramillo; “is that the law if they don’t come?”

Chairman Schwebach; “it’s not the law. it’s the decision of this board.”

Michael I. Garcia, County Attorney; “I think it's both. Because if a party that makes a motion or an appeal doesn't show up, they have pretty much defaulted on what we have.”

Chairman Schwebach; “We have no communication that she's in the hospital or sick. We have nothing?”

Stephanie Reynolds, County Manager; “No, Commissioners, I have not had any communication from her.”

Michael I. Garcia, County Attorney; “I think, for the record, I would like for Don to state what his efforts were to provide notice.”

Chairman Scwebach; “We will do that, and I guess within a public hearing, I think we do need it here. Understood. Don, go ahead.”

Donald Goen, County P & Z Director; “I need to be sworn in.”

Michael I. Garcia, County Attorney; “Yes, Mr. Goen, state your name.”

Donald Goen, County P & Z Director; “Don Goen, Director of Planning and Zoning. Yes, I swear to tell the truth. The requirement is 15 days prior. The notifications were postmarked accordingly. The public notice signage was posted. It was also posted in the Albuquerque Journal. I did make an attempt to call and left a voicemail, but never got a response. There was also no further communication from the appellant.”

Michael I. Garcia, County Attorney; “Mr. Chair, I'm assuming that Mr. Oden doesn't have any objection to the course of action that you propose, to just affirm the decision from the P&Z Board.”

Chairman Schwebach; “you do not represent the appellant.”

Michael I. Garcia, County Attorney; “Mr. Oden is the appellee, he’s the guy who won, so he wants to keep that victory.”

Chairman Schwebach; “Thank you. I understand now. Do you wish to speak”

Mr. Oden indicated he did not wish to speak

Chairman Schwebach; “Is there anybody else who wishes to speak on this item? Do we need a motion out of the public hearing for a decision? I say come out of the public hearing and make a motion.”

Motion; Chairman Schwebach made a motion to end public hearing; Seconded by Vice-Chair Jaramillo

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

Motion Carried

Public hearing ended at 11:45 AM

Motion; Chairman Schwebach made a motion to uphold Planning and Zoning’s decision; Seconded by Commissioner McCall

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

Motion Carried

E. **Planning and Zoning:** Request approval of Resolution 2026- 32 approving the finding of rubbish, wreckage or debris upon lot numbered lot F-51 of Echo Ridge replat, better known as 17 Washinton Loop, Moriarty, to be a menace to public comfort, health, peace, or safety and requiring removal.

- Victoria Carr, Planning and Zoning, presented a property cleanup matter involving a property located in the Echo Ridge area.
- She provided photographs of the property, which were also included in the Commission packet, showing significant amounts of debris, rubbish, and other materials on the property.
- Ms. Carr stated that, since beginning her position in January, this was one of the most severe property conditions she had encountered.
- The property was described as a menace to public comfort, with debris and rubbish reportedly spreading across the property and being blown into surrounding areas.
- She also reported information that an individual may be squatting on the property intermittently, creating an additional safety concern.
- Ms. Carr requested permission to use available County cleanup funds to address the property conditions and then place a lien on the property to recover the County's cleanup costs.
- She explained that cleaning up the property would address the immediate safety and nuisance concerns and could also serve as an example to other property owners in the area regarding expected property maintenance standards.
- The Commission discussed the photographs and identified the property being presented as the first property under consideration.
- It was clarified that the property does not contain a traditional dwelling; the property includes an RV, with another RV located along the side of the property.
- Ms. Carr indicated that the proposed resolutions had already been reviewed and were ready to proceed.
- Chairman Schwebach asked whether an estimated cleanup cost was available. No specific estimate was provided during the discussion.

Motion; Commissioner McCall made a motion to approve Resolution 2026-32; Seconded by Vice-Chair Jaramillo

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

Motion Carried

F. Planning and Zoning: Request approval of Resolution 2026- 33 approving the finding of rubbish, wreckage or debris upon lot numbered lot A of the lands of Stuart on 2 Dusty Court to be a menace to public comfort, health, peace, or safety and requiring removal.

- Victoria Carr, planning and zoning, stated she had not personally inspected the property and understood that Chuck Cavaness Sr., P & Z Code Enforcement Officer had managed the matter in its entirety.
- Chairman Schwebach asked whether the property owners had been contacted regarding the condition of the property.
- Ms. Carr responded that efforts had been made to contact the property owners and that staff had taken the appropriate steps on their end to address the matter.

Motion; Chairman Schwebach made a motion to approve Resolution 2026-33; Seconded by Vice-Chair Jaramillo

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

Motion Carried

G. Planning and Zoning: Request approval of Resolution 2026- 34 approving the finding of rubbish, wreckage or debris upon lot numbered lot 14 Block 5 Unit 10 of Estancia Ranchettes located in Moriarty, to be a menace to public comfort, health, peace, or safety and requiring removal.

- Victoria Carr presented another property with significant amounts of blowing trash and debris, as documented in the photographs provided to the Commission.
- She reported that the residence is uninhabitable and does not meet applicable property standards, with the structure deteriorating and appearing to be in poor condition.
- Ms. Carr further indicated that the structure and other items located on the property may not be permitted to remain on the property, contributing to the overall nuisance and property-maintenance concerns.
- The Commission reviewed the photographs and discussed the extent of the debris, deteriorating structure, and other conditions present on the property.
- Commissioner McCall wanted to clarify that the property being discussed was the property shown with a dog in one of the photographs.

- Ms. Carr explained that the photograph showing the dogs represented one of the more severe conditions observed at the property. Staff reported that the dogs have since been removed.
- Commissioner McCall noted that one of the photographs appeared to show a newer vehicle on the property and questioned whether efforts had been made to contact the individuals associated with the property.
- Ms. Carr stated that the County had completed the required posting and notification efforts and had spoken with individuals who were present on the property.
- She further stated that Chuck Cavaness Sr., P & Z Code Enforcement Officer had personally made contact with the individuals at the property and that they had been advised that they were not authorized to be there.
- Ms. Carr reported that, despite those efforts and communications, the individuals had not vacated the property.

Motion; Chairman Schwebach made a motion to approve Resolution 2026-34; Seconded by Vice-Chair Jaramillo

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

Motion Carried

H. Roads: Request approval of Resolution 2026- 35 approving PARTICIPATION IN TRANSPORTATION PROJECT FUND PROGRAM ADMINISTERED BY NEW MEXICO DEPARTMENT OF TRANSPORTATION

- Leonard Lujan, County Road Superintendent, presented an update on the Transportation Project Fund (TPF) application submitted several months ago.
- He reported that the County's Lexico Road project was approved, while the Green Road project was not approved.
- The current request is for the Commission to sign the required documentation so the County can submit it to the State and continue moving the approved Lexico project through the State's review process.
- Mr. Lujan explained that, after the required paperwork is submitted and reviewed by the State, additional documentation will be provided to the County allowing it to proceed with requesting the project funds.
- The approved project involves approximately seven miles of Lexico Road.
- The proposed work includes a two-inch asphalt overlay along the full seven-mile project.

- The project also includes cutting approximately one foot from each side of the roadway to widen the road by approximately 12 inches on each side, providing additional roadway width.
- In response to a Chairman Schwebach's question, Leonard Lujan confirmed that the project includes roadway striping.

Motion; Chairman Schwebach made a motion to approve Resolution 2026-35; Seconded by Commissioner McCall

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

Motion Carried

9. APPROVAL/ACTION ITEM

A. **Manager:** PMS Medical Services discussion. Request approval of MOA between Presbyterian Medical Services and Torrance County concerning the allocation of funds to offset the increased expenses for cleaning and meals for Torrance County Senior Citizen Centers.

- Stephanie Reynolds, County Manager, presented the Memoranda of Agreement (MOAs) with Presbyterian Medical Services (PMS) that had been discussed at a previous Commission meeting.
- The County currently provides \$40,000 for senior meal services, including preparation, delivery, and related food costs, and \$10,000 for janitorial services at the senior facilities.
- Ms. Reynolds explained that the proposed MOAs would increase the amount available for food and meal services, while the \$10,000 janitorial allocation would remain unchanged. Two MOAs were prepared based on previous discussions between PMS representatives and County staff regarding the increased cost of food preparation and cleaning services.
- Greg Smith, Presbyterian Medical Services, explained that the previous MOA expired June 30, 2026. PMS has continued providing janitorial services during FY2027 without reimbursement under a current agreement, creating urgency for the County to address the new MOA.
- Mr. Smith expressed appreciation for the County's prior support, noting that the \$30,000 for meals and \$10,000 for janitorial services helped offset PMS's ongoing operating deficit for senior services.

PMS Senior Services

- Mr. Smith explained that Presbyterian Medical Services serves as a subcontractor to Torrance County for senior services.
- PMS operates senior service locations in Estancia, Mountainair, and Moriarty within Torrance County.
- Services include:
 - Congregate meals served at senior centers.
 - Home-delivered meals ("Meals on Wheels") for homebound residents who cannot travel to a senior center.
 - Transportation assistance for eligible seniors, including transportation to medical appointments and grocery stores.
- Services are available to individuals 60 years of age and older who reside in Torrance County, subject to a basic screening process. Smith stated that individuals are not denied services simply because they request assistance.
- Mr. Smith clarified that PMS also operates medical clinics in Torrance County, including facilities in Mountainair and Estancia, but the medical operations are financially separate from the senior services program.

Senior Services Funding

- Mr. Smith explained that the majority of senior-services funding comes from the State of New Mexico through the Aging and Long-Term Services Division, with funds administered through the Area Agency on Aging (AAA).
- PMS also receives federal Title III funding for home-delivered meals, congregate meals, and transportation.
- Additional funding sources include the New Mexico Grown program and a United Way grant.
- The County's contribution was identified as a separate local funding source. Smith stated that the previous County contribution was the first local funding received from Torrance County for the senior program.

- PMS provides senior services in Torrance and McKinley Counties, with three locations in each county.

Demand and Increasing Costs

- Mr. Smith stated that the funding shortage is statewide, with the demand for senior services exceeding available revenue.
- PMS staff in Torrance County travel approximately 300 miles per day delivering meals.
- PMS anticipates providing approximately 35,000 home-delivered meals and nearly 10,000 congregate meals during the current fiscal year, for approximately 40,000 meals total.
- Meal volume has remained relatively consistent with the prior two fiscal years, although there has been a slight increase.
- Mr. Smith reported that food costs alone increased approximately \$20,000 in one year, while fuel, insurance, and other operating costs have also increased.
- Vehicle insurance costs have increased significantly, and the vehicles used for the program are insured through both the County and PMS.
- Mr. Smith stated that PMS requested approximately \$700,000 from the Area Agency on Aging based on the program's actual needs, but the funding awarded is substantially less.
- PMS's current Torrance County senior-services revenue was described as just under \$500,000, while projected annual expenses are approximately \$637,000, resulting in a projected deficit of approximately \$140,000.

Discussion Regarding County Funding

- Commissioner McCall expressed support for the services provided by PMS and appreciation for the assistance provided to elderly residents.
- Commissioner McCall stated that the County's contribution should be viewed as a short-term response to increased food and fuel costs, while emphasizing the need to work collectively with PMS, the State, and the Area Agency on Aging to seek increased funding at the State level.
- Mr. Smith noted that the State's agreement includes language indicating that local funds are to be sought, meaning local government support is contemplated as part of the funding structure.

- Mr. Smith explained that PMS has operated the senior program at a loss for several years in order to maintain services. He stated that PMS has advocated through the Legislature and other avenues for increased funding.
- Commissioner McCall discussed the possibility of working with the County's State legislative delegation to seek additional funding rather than relying increasingly on County funds.
- It was also discussed that other counties provide local support for senior services, although the exact amount provided by McKinley County was not available during the meeting.

Long-Term Funding and County Responsibilities

- Commissioner McCall expressed concern that the County's contribution could become a recurring budget line item that increases as program costs increase.
- Chairman Schwebach emphasized the importance of determining the long-term funding structure and identifying the appropriate responsibilities of the County, PMS, the State, and federal funding sources.
- Mr. Smith agreed that the issue should become more of a partnership between the County and PMS, rather than PMS independently attempting to manage the funding shortfall.
- Mr. Smith explained that PMS responded to the most recent RFP and was the only organization to submit a response. PMS continued to pursue the contract despite the known funding shortfall because it did not want to discontinue senior services in Torrance County.
- Mr. Smith stated that PMS's annual requests to the State for Torrance County services were approximately \$800,000, while the State funding received is substantially less.
- Chairman Schwebach discussed the possibility of examining whether the County should eventually serve as the direct contractor for the program rather than relying on a subcontractor, although no decision was made regarding that approach.
- Mr. Smith explained that certain jurisdictions, including Bernalillo County and the Navajo Nation, operate their senior service programs through separate public service areas, while other communities operate through the non-metropolitan Area Agency on Aging structure.
- Mr. Smith stated that, based on his experience, senior-service contractors throughout the State are generally not fully funded to meet their actual program needs.

- He further stated that senior-services funding in Torrance County has increased only modestly over approximately the last decade, while operating expenses have increased substantially.

Proposed MOAs and Projected Deficit

- Mr. Smith reviewed the two proposed MOAs and stated that, even at the maximum amount proposed under the agreements, PMS would continue to operate at a projected deficit.
- Based on projected FY2027 revenue of approximately \$498,445 and projected expenses of approximately \$637,000, PMS anticipates a shortfall of roughly \$140,000.
- Mr. Smith explained that the proposed County contribution would therefore not fully fund PMS's projected deficit, but would help reduce the funding gap.
- When asked how PMS covers the remaining deficit, Smith stated that PMS uses its general operating funds to cover the shortfall.
- Mr. Smith also explained that, on occasion, unspent funds from other contractors may become available near the end of the fiscal year and may be redistributed to organizations experiencing shortages. However, he emphasized that such funds are not guaranteed, recurring, or sufficient to serve as a dependable funding source.
- The Commissioners continued discussion regarding the need for a sustainable long-term funding structure while recognizing the importance of maintaining senior services for Torrance County residents.

Motion; Commissioner McCall made a motion to approve MOA; Seconded by Vice-Chair Jaramillo

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

Motion Carried

B. **Manager:** PMS Medical Services discussion. Review, discussion and request approval for the PMS Mountainair Clinic Lease and Slide letter of leases with PMS.

This item was removed from the meeting.

C. **Manager:** Request approval to revert Grant Funds to the State of New Mexico for the Duran Water projects.

- Jody Cornwall, Grants Administrator, provided clarification regarding House Bill 247 and the reforms to the State's capital outlay process.
- She explained that there had initially been some conflicting information regarding the expenditure requirements for capital outlay funds. The requirements have since become more stringent.
- Under the revised requirements, 85% of the funds must be expended by December of the year preceding the fiscal year in which the appropriation is scheduled to revert. If the required percentage has not been expended by the December deadline, the funds may be frozen and ultimately subject to reversion.
- The purpose of the reform is to allow the State to recover unspent capital outlay funds and place them into a pool that can be used to fund completion of larger projects in the future.
- Ms. Cornwall clarified that the \$50,000 Duran grant expires in June 2027. If the County cannot expend the required amount by the applicable December deadline, the funds could be frozen before the expiration date.
- During the discussion, it was clarified that these funds are not new funds. They are existing capital outlay funds previously discussed, including funds that have been reauthorized or reallocated.
- Ms. Cornwall further clarified that the \$50,000 being discussed was not specifically part of the original \$120,000 Duran grant, which had already been reauthorized/reallocated.

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

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

Motion Carried

D. **Manager:** Request approval to revert Grant Funds to the State of New Mexico for the Fire Department's comprehensive plan grant.

- Jody Cornwall, Grants Administrator, explained that the grant being discussed was originally the idea of the previous Fire Chief, Gary. She stated that she had spoken with Gary and that he has been communicating with County Manager Stephanie Reynolds regarding the grant.
- The grant is designated for the development of a Comprehensive Fire Plan. Ms. Cornwall explained that the scope is relatively broad and could potentially include planning related to issues such as hydrology or financial resources; however, the current Fire Chief, Chief Smith, does not believe there is currently a project or plan that would make effective use of the funding.
- A possible use discussed previously was conducting a hydrogeologic study related to continuing the pipeline project toward Willard. However, Ms. Cornwall explained that a hydrological study is already being pursued by other means at no cost to the County.
- She stated that the County has discussed the grant extensively with Chief Smith. He does not currently have a plan that would meet the grant requirements and does not want the County to expend time and resources on a project that would not provide a meaningful benefit.
- Because the County does not anticipate being able to meet the required expenditure percentage by the applicable December deadline, staff recommended that the County voluntarily revert the funding rather than allow the State to freeze or subsequently recover the funds.
- Commissioner McCall expressed concern about giving up capital outlay funds, noting that such funding can be difficult to obtain and that the County should make every effort to identify an appropriate use before reverting it.
- Michelle Jones, Deputy County Manager, explained that the County cannot simply change the scope to another type of project. The funding must remain within the parameters of the approved Comprehensive Fire Plan.
- Commissioner McCall also explained that House Bill 247 has changed the way capital outlay funds are handled by establishing stricter expenditure deadlines. Previously, capital outlay funds could remain unspent for extended periods or receive extensions. Under the new requirements, entities must meet specified expenditure thresholds or risk having the funds frozen and eventually recovered by the State.
- The discussion noted that the new requirements are affecting municipalities and counties throughout New Mexico as they adjust to the revised capital outlay rules.
- Chairman Schwebach acknowledged the importance of the new requirements while expressing concern about reverting funds that could otherwise benefit the County. The Commissioner noted that the County has generally been successful in spending its capital outlay funds, with the Duran project being an unusual situation because of issues involving ownership and jurisdiction over the project.
- Ms. Cornwall clarified that the \$90,000 Comprehensive Fire Plan grant does not expire until June 2028. However, under the new expenditure requirements, the funds would be subject to the State's review/recovery process by December 2027 if the required expenditure level has not been met.

- Ms. Cornwall offered that Chief Smith could address the Commission directly regarding the decision not to proceed with the grant, but he was absent from the meeting due to illness.
- The discussion concluded with staff indicating that, given the lack of an identified project that meets the grant's existing scope and the inability to meet the new expenditure requirements, reverting the funds voluntarily may be the most appropriate course of action.

Died due to lack of motion.

-
- E. **Treasurer:** Request approval to re-classify the position of Delinquent Tax Field Specialist to Delinquent Tax Field and Property Specialist with a \$1.50/ hourly wage increase.
- Kathryn Hernandez, County Treasurer, requested Commission approval to:
 - Change the position title from Delinquent Tax Field Specialist I to Delinquent Tax Field & Property Specialist I;
 - Approve the expanded position specifications provided in the Commission packet; and
 - Approve a \$1.50 per hour wage increase for Miles Rodriguez based on the additional responsibilities being assigned to the position.
 - She emphasized that the request is not simply a title or pay increase. Her goal is to expand the County's delinquent tax collection program and move toward a more proactive approach to collecting delinquent property taxes throughout Torrance County.

Results from current field collection efforts

- Miles Rodriguez began actively working delinquent manufactured/mobile home accounts in the field in February.
- Since beginning those efforts, his collection activities have resulted in approximately \$279,161.05 in previously delinquent manufactured/mobile home taxes being collected.
- Ms. Hernandez explained that these results demonstrate the potential benefit of having an employee consistently working delinquent accounts in the field, making taxpayer contacts, locating properties, following up, and encouraging payment.

Current delinquent accounts

- Torrance County currently has approximately 3,297 delinquent properties.
- The State is also working on another property auction involving approximately 400 delinquent properties, with the auction process anticipated for November.
- Kathryn Hernandez, County Treasurer, stated that rather than waiting until properties reach the final stages of the State auction process, the Treasurer's Office would like to intervene earlier and attempt to resolve delinquent accounts before they reach auction.

Expanded position responsibilities

- Miles would continue his existing responsibilities involving delinquent manufactured/mobile homes while expanding his duties to include delinquent real-property accounts.
- The revised position specifications include:
 - Conducting fieldwork on delinquent real-property accounts throughout Torrance County;
 - Locating delinquent properties and verifying property information;
 - Posting or attaching County-approved delinquent tax notices and/or property tags as authorized;
 - Documenting each property visit, including the date, location, parcel or account information, and outcome;
 - Photographing and documenting field activity when appropriate;
 - Maintaining records of field visits, notices or tags posted, taxpayer contacts, and collection activity;
 - Conducting follow-up visits on properties that remain delinquent;
 - Communicating professionally with taxpayers regarding delinquent balances, deadlines, payment procedures, and available options;
 - Coordinating with the Treasurer's Office, other County departments, and appropriate State agencies to verify ownership, property locations, property status, and other information necessary for delinquent tax collection; and
 - Following additional safety procedures associated with conducting property visits and working independently in the field.

- The revised position also recognizes the **increased physical and field requirements**, including traveling throughout the County, walking on uneven or unimproved surfaces, locating properties, posting notices, and documenting field activity.

Purpose of the expanded program

- Ms. Hernandez, County Treasurer, emphasized that the objective is not simply to send more properties to auction.
- The goal is to make earlier contact with property owners, encourage them to resolve delinquent taxes, and prevent as many properties as reasonably possible from reaching the State auction process.
- With approximately 3,297 delinquent properties, Ms. Hernandez stated that even collecting from a portion of those accounts could make a meaningful difference in County revenue.
- Proactive collection could result in delinquent taxes being collected sooner rather than remaining outstanding until a property reaches the State auction process.
- Early contact can also benefit taxpayers by giving property owners an opportunity to resolve their delinquent accounts before reaching the auction stage.

Requested wage increase

- Ms. Hernandez explained that the proposed \$1.50 per hour increase represents approximately \$3,120 annually in additional base wages for a full-time, 40-hour-per-week employee.
- She stated that the increase is intended to recognize the substantially greater responsibilities and increased field workload being assigned to Miles.
- Ms. Hernandez referenced the approximately \$279,161.05 in delinquent taxes collected through Miles's fieldwork since February, while clarifying that the funds were taxes already owed to the County and should not be characterized as new revenue generated solely by the employee.
- She stated that the results demonstrate the effectiveness of having someone consistently and proactively work delinquent accounts.

Recommendation

- Ms. Hernandez asked that the Commission approve:
 1. The position title change from Delinquent Tax Field Specialist I to Delinquent Tax Field & Property Specialist I;
 2. The revised position specifications reflecting the additional real-property and field collection responsibilities; and

3. The \$1.50 per hour wage increase for Miles Rodriguez associated with the expanded responsibilities.
- She concluded that the proposed changes would provide the Treasurer's Office with an additional tool to proactively address delinquent taxes, increase collections, provide a more consistent flow of revenue, reduce the number of long-standing delinquent accounts, and potentially resolve more accounts before they reach the State auction process.

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

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

Motion Carried

10. Discussion

A. Clerk's report; Sylvia Chavez

Sylvia Chavez, County Clerk, provided an update on upcoming election activities and Clerk's Office operations.

Tabulator Certification

- Sylvia Chavez, County Clerk, reported that the County will conduct tabulator certification next Tuesday and Wednesday, beginning at 9:00 a.m. at the County's election warehouse.
- She emphasized that the certification process is open to the public and invited the Commission and members of the public to attend.

Early Voting

- Early voting is scheduled to begin October 6.
- Early voting hours will be 8:00 a.m. to 5:00 p.m., Monday through Thursday.
- Additional Friday and Saturday voting opportunities will be provided during the last weekend in October at the Torrance County Administration Building.

Election Worker Training

- Ms. Chavez reported that the Clerk's Office has only a few remaining election trainings for precinct workers, and she stated that the County is nearing completion of its election-worker training schedule.

Encino Polling Location

- Ms. Chavez advised the Commission that the Village of Encino is conducting construction at its Community Center, which will prevent the County from using the Community Center as a polling location for the November election.
- The County will instead use the Encino Community gym as the polling location.
- Ms. Chavez noted that the gym had been used as a polling location during a previous election and should not present any operational problems.
- The Clerk's Office will provide signage and public notification to ensure voters in the Encino area are aware of the change.

New Mexico Counties Board of Directors

- Ms. Chavez reported that she has an upcoming New Mexico Counties Board of Directors meeting on October 2.
- She asked Commissioners if there were any issues, questions, or concerns they would like her to bring forward at the meeting.
- Commissioner McCall requested that Ms. Chavez look into IPRA (Inspection of Public Records Act) issues, particularly legislative issues or proposed changes that have previously been considered but have not passed.
- Ms. Chavez agreed to obtain an update and follow up with the Commissioners regarding the matter.

B. Manager's report:

1. The publications for the public hearing for the amendment to County Ordinance 2003-01 the Economic Development Ordinance have been published and is scheduled for October 14, 2026, during the commission meeting which begins at 9:00am.

Stephanie Reynolds, County Manager, provided the Commission with additional information and updates regarding several county matters, including DWI funding, vendor payments, the Finance Department, and upcoming public hearings.

DWI Program and Funding

- Ms. Reynolds reported that Torrance County has requested additional funding from the Department of Finance and Administration (DFA) for the county's DWI program.
- The requested funding would support programs and services including:
 - Smart Choices;

- Designated driver initiatives;
 - Maintenance; and
 - Outreach efforts within local schools.
- She explained that the proposed school outreach would include working with school counselors and treatment providers to provide treatment-related resources and services to students.
- The County expects to receive a response from DFA regarding the additional funding request sometime in November.
- Ms. Reynolds emphasized that the county's DWI program is continuing to operate and is not stagnant. The program is currently in the Request for Proposals (RFP) process, with the County awaiting proposals.

Vendor Payments / Moriarty Foods

- Ms. Reynolds addressed concerns previously raised regarding delayed payments to vendors, specifically Moriarty Foods.
- She clarified that the delay was not caused by the County's Finance Department but resulted from a delay in receiving the required receipts from the contractor.
- Ms. Reynolds explained that receipts from January were not received by the County until March, which delayed the payment process.
- Following the issue, Moriarty Foods indicated that it no longer wanted to conduct business with Torrance County.
- Ms. Reynolds stated that the County is looking into developing a standardized operating procedure for contractors and vendors to establish clearer procedures and help prevent similar issues in the future.
- She stated that she will begin actively working on the process and anticipates reviewing the County's RFP procedures within the following week.

Finance Department Coordination

- Ms. Reynolds reported that the Finance Department has been working diligently to address and correct previously reported concerns and complaints.
- She stated that weekly meetings are being held with the Finance Department, Grants, the Treasurer, and other individuals involved with the County's finances and funds.
- Ms. Reynolds explained that the purpose of the weekly meetings is to ensure that all departments and personnel communicate, work together, and follow the same financial goals and procedures and noted that the meetings have been helpful in improving coordination and addressing financial concerns.

Clerk's Certification of Voting Machines

- Ms. Reynolds advised the Commission that Commissioners who would like to attend the Clerk's certification of the voting machines should notify her.
- She explained that if Commissioners attend together and a potential quorum is present, she will ensure that the appropriate quorum notice is posted.

- Vice-Chair Jaramillo indicated she would like to attend the Clerk's certification of the voting machines, potentially on one day, while another Commissioner may attend on a different day.

Economic Development Ordinance

- Ms. Reynolds reported that the required public hearing publications for the proposed amendment to Torrance County Ordinance 22-003-1, Economic Development Ordinance, have been published.
- The public hearing is scheduled for October 14, 2026, during the regular Torrance County Commission meeting.

2. Discussion reallocation of current county administration building after new county administration building is operational.

- The item was identified as a standing agenda item at the request of the Commission.
- Vice-Chair Jaramillo requested that additional background information and supporting materials be included in the meeting packet in advance of future meetings and explained that having the information beforehand would allow Commissioners sufficient time to review and understand the material rather than trying to evaluate detailed information during the meeting.
- Stephanie Reynolds, County Manager, acknowledged the request and stated that additional information will be gathered from individuals responsible for agenda items and provided in the meeting packets whenever possible.

C. Commissioners' reports;

a. Commissioner McCall, District 1

- Commissioner McCall requested an update on the status of the County Fairgrounds project, including whether the project had been financially closed out.
- Ms. Reynolds reported that the project has not yet been closed because several remaining punch-list items must be completed at the fairgrounds building.
- One example discussed was the replacement of a piece of paneling located near the northeast corner of the building.
- Management stated that there are several smaller outstanding items that are still pending.
- Ms. Reynolds has remained in communication with Taylor regarding completion of the remaining work.

Financial status of the Fairgrounds project

- Commissioner McCall asked how much funding remained available from the additional funds allocated to the project.
- Ms. Reynolds stated that an exact remaining balance was not yet available because the County is waiting for a finalized final invoice from Taylor.
- The previously submitted invoice required a change following discussions involving the project parties, and a revised final invoice is expected.
- It was also noted that the County still needs to provide payment to the Road Department for hauling materials, to the extent that remaining funds are available.
- The project will not be considered fully closed until the remaining punch-list items and financial matters are completed.

Administration Building – Wilson & Company

- Commissioner McCall requested an update regarding Wilton & Company and the new Administration Building.
- Ms. Reynolds reported that the most recent meeting included the company's president, vice president, and Michael Wright, who is expected to work with the County on the project.
- She stated that the County is currently waiting for utilities to be incorporated into the existing plans.
- Once the utility information is added and the plans are finalized, the County expects to be ready to issue the project for Request for Proposals (RFP).

Economic Development Discussion

- During discussion of economic development, Commissioner McCall commented on the challenges associated with attracting and advancing economic development projects in the community.
- He stated that after approximately seven and a half years in office, they have found economic development to be more difficult than initially anticipated.
- Commissioner McCall raised the question of whether the community wants economic development, noting that when economic development projects are proposed, there can also be community opposition that makes projects more difficult to advance.
- He emphasized the importance of considering the community's willingness to support and accommodate new industries and economic opportunities.
- Commissioner McCall also provided a personal example from their own business, explaining that they operate the pumpkin patch and have hired approximately 550 employees for the upcoming six-week season and noted that finding approximately 550 employees has been a significant challenge, with many of the workers being young adults who are still in high school.

- Commissioner McCall stated that their seasonal business has effectively outgrown the available workforce within the community and expressed concern that this situation may reflect a lack of openness and willingness to bring additional industries and businesses into the community.
- Commissioner McCall concluded by emphasizing the need for continued consideration of economic growth, workforce availability, and the community's willingness to attract new industries and businesses.

b. Commissioner Schwebach, District 2

- Chairman Schwebach provided a brief update regarding the EMWT meeting held the previous evening.
- The group agreed to moving forward with the current projects and indicated that the necessary permits are expected to be in place.
- Sunset Acres is moving forward with plans for a replacement well, with work anticipated proceeding as early as the following week.
- The Pyramid project appears to be nearing completion, with final details and finishing work underway.
- Chairman Schwebach said that getting these projects completed and operational would be positive for the community.

Economic Development Discussion

- The Commission continued its discussion regarding economic development and the challenges of attracting businesses and new industries to Torrance County.
- Chairman Schwebach agreed that economic development is more difficult and complicated than it may appear and referenced EVEDA as an example of a previous economic development organization that was established to help attract businesses and investment in the area.
- He explained that EVEDA was formed with participation from multiple municipalities and private industry, with the goal of creating an entity capable of pursuing economic development opportunities across the region.
- The organization was funded approximately 51% by private funding.
- The structure allowed EVEDA to work with businesses on projects while utilizing confidentiality/non-disclosure agreements when necessary, during the early stages of economic development discussions.
- Its committee included representatives from local government, including a county commissioner, mayor, council member, and other government appointees.
- Chairman Schwebach described EVEDA as a tool intended to allow private industry and local government to work together on potential economic development projects.
- Chairman Schwebach acknowledged that there are differing opinions regarding how effective Avida was but noted that the organization provided a mechanism

for private and public entities to communicate and explore potential economic development opportunities.

- Chairman Schwebach referenced a recent economic development opportunity that, according to the Commissioner, was rejected before the County had an opportunity to fully discuss or evaluate the proposal.
- He emphasized that the community should have a broader discussion about what it wants economic development to look like and what types of businesses or industries the County is willing to consider.
- Chairman Schwebach connected economic development to the County's ability to fund community needs, noting that the Commission had spent much of the meeting discussing how to identify funding for programs supporting children struggling with substance abuse and senior citizens needing food assistance.
- He stated that while attracting a business that creates 100 jobs would be significant, even a business creating five jobs could provide value to the community.
- Concern was expressed that potential economic development projects can sometimes face opposition before sufficient questions are asked or the project is fully understood.
- He also discussed the impact of social media, stating that information and opinions can spread quickly and result in a project receiving significant criticism before it has an opportunity to be formally presented or evaluated.
- Chairman Schwebach characterized the community as divided regionally and geographically and expressed concern about increasing tensions within the community.
- Chairman Schwebach concluded by emphasizing the importance of communication, mutual respect, and constructive dialogue in order for the County and its communities to make progress and improve relationships while addressing economic development and other community needs.

c. Commissioner Jaramillo, District 3

- Vice-Chair Jaramillo reported attending the Manzano Land Grant meeting on Sunday.
- The organization conducted its leadership selection and appointed/elected new officers, including a new president.
- She also attended the Local Emergency Planning Committee (LEPC) meeting the previous day.
- The meeting included discussion regarding the potential for flooding in Torrance County.
- Participants discussed preparedness measures and planning efforts being undertaken to prepare for possible flooding.

- Vice-Chair Jaramillo concluded the report by noting that, in addition to the meetings mentioned, that she have continued to handle emails, phone calls, and other routine county business.

11. Executive session- None

12. Consideration of Action(s)- None

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

October 14, 2026

14. Signing of official documents

15. Adjournment

Motion; Chairman Schwebach made a motion to adjourn; Seconded by Commissioner McCall

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

Motion Carried

Meeting adjourned at 1:06 PM

Ryan Schwebach - Chairman

Janelle Potts - Admin Assistant

Date

Sylvia Chavez – County Clerk

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