

TORRANCE COUNTY
COMMISSION MEETING
SEPTEMBER 11, 2019
9:00 A.M.

For Public View Do Not Remove



Torrance County

BOARD OF COUNTY COMMISSIONERS (BCC)

Ryan Schwebach, Chair – District 2

Javier Sanchez, Vice Chair – District 3

Kevin McCall, District 1

Wayne Johnson, County Manager

ADMINISTRATIVE MEETING AGENDA

WEDNESDAY, SEPTEMBER 11TH, 2019 @ 9:00 AM

- 1. Call to Order
- 2. Invocation and Pledge of Allegiance
- 3. Changes to the Agenda
 - A. Item 13B may need to be advanced on the Agenda to accommodate the presenter.
- 4. PROCLAMATIONS
- 5. CERTIFICATES AND AWARDS
- 6. BOARD AND COMMITTEE APPOINTMENTS
- 7. PUBLIC COMMENT and COMMUNICATIONS
- 8. APPROVAL OF MINUTES
 - **A. COMMISSION:** Motion to approve the August 28, 2019 Torrance County Board of County Commission Minutes.
 - **B. COMMISSION:** Motion to approve the August 28, 2019 Board of Finance Minutes.
- 9. APPROVAL OF CONSENT AGENDA
 - **A. FINANCE:** Approval of Payables.
- 10. ADOPTION OF ORDINANCE/AMENDMENT TO COUNTY CODE
 - **A. MANAGER:** Motion to approve Ordinance 2019-___, the Torrance County Code of Conduct. (CONDUCT PUBLIC HEARING)
- 11. ADOPTION OF RESOLUTION

A. FINANCE: Motion to approve Resolution 2019___, Torrance County Budget Adjustment Procedures.

12. APPROVALS

- **A. COMMISSION:** Motion to approve the appointment of Danielle Johnston from District 1 to the Estancia Valley Solid Waste Authority.
- **B.** MANAGER: Motion to approve the Assessor's Office reorganization plan creating one new position.
- **C. EMERGENCY MANAGER:** Motion to approve submission of grant application for FY2019 State Homeland Security Grant Program (SHSGP).

13. DISCUSSION

- A. ASSESSOR: Presentation of Assessor's Annual Report.
- **B. FINANCE/OPERATIONS:** WASP Asset tracking software demonstration. (Note: Presentation needs to take place between 9:30 and 10:00 AM.)

14. EXECUTIVE SESSION

- **A. MANAGER:** Discuss the possibility of purchasing the Wells Fargo Bank Building in Estancia. Closed pursuant to NMSA 1978 § 10-15-1(H)(8)
- 15. Announcement of the next Board of County Commissioners Meeting: Wednesday, September 25th at 9:00 AM at the Torrance County Administrative Bldg.
- 16. Signing of Official Documents

















Agenda Item No. 8-A

DRAFT COPY TORRANCE COUNTY BOARD OF COMMISSIONERS COMMISSION MEETING AUGUST 28, 2019

COMMISSIONERS PRESENT: RYAN SCHWEBACH – CHAIRMAN

KEVIN MCCALL- DISTRICT 1
JAVIER SANCHEZ –DISTRICT 3

OTHERS PRESENT: WAYNE JOHNSON-COUNTY MANGER

BELINDA GARLAND-DEPUTY COUNTY MANAGER

JOHN BUTRICK-COUNTY ATTORNEY LINDA JARAMILLO- COUNTY CLERK SYLVIA CHAVEZ-ADMIN. ASST.

1.) CALL MEETING TO ORDER

Chairman Schwebach calls the August 28, 2019 Commission Meeting to order at 9:05 A.M.

2.) INVOCATION AND PLEDGE

Pledge lead by Chairman Schwebach

Invocation lead by Nick Sedillo

3.) CHANGES TO THE AGENDA

<u>Commissioner Sanchez</u> asks if item 12A can be heard as soon as possible, there are people here that would like to speak on the item but need to leave by 10.

<u>Chairman Schwebach</u> states that he believes that the agenda will move along in time for this item to be heard before 10.

4.) PROCLAMATIONS

<u>Chairman Schwebach</u> would like to recognize Cindi Sullivan at animal services for a job well done on the Facebook page for the animal shelter. Ms. Sullivan is thanked for her service and a round of applause is given.

5.) CERTIFICATES AND AWARDS

There were no items presented

6.) BOARD AND COMMITTEE APPOINTMENTS

There were no items presented

7.) PUBLIC COMMENT and COMMUNICATIONS

Linda Jaramillo, Torrance County Clerk informs the Commission that yesterday was candidate filing day for the local election that will be held on November 5, 2019. There were a total of 28 candidates that filed yesterday. 7 for the Town of Mountainair Town Council, 5 for the Town of Estancia board of Trustee's with one withdrawing at the end of the day. 5 for the Mountainair School District, 4 for the Moriarty-Edgewood School District and 3 for the Estancia School District. 2 for Claunch Pinto Soil & Water Conservation District, 2 for the East Torrance Soil & Water Conservation and 2 in the Edgewood Soil & Water Conservation. Ms. Jaramillo states that she can give the Commission of the list of Candidates if they would like a copy of them.

Marcie Wallin, TCFB member states that she is here to talk about agenda item 12A, Ms. Wallin states that she attended the meeting for the Heritage Center, Ms. Wallin does not feel that it is appropriate for her to support this project when she is on another Commission appointed board, which also is funded by the Commission. Her goal is to improve the fair, the current board members are progressive in thinking of how to improve the fair for the kids. The fair board stays within its budget and tries not to ask the Commission for more money.

<u>Cindi Sullivan, Animal Services Director</u> states that as the director and with all the changes that have taken place within the County and with all the new positions comes new ideas as well as new agendas. Ms. Sullivan is sure when you the new Commissioners came into office they wanted to make changes to improve the County. Nick Sedillo has a new position and is doing a very good job at it, he has been very helpful with Animal Services and she is very appreciative with his help. Wayne Johnson our new County Manager has been a positive role model for the County and Belinda has continued to do an amazing job. But Ms. Sullivan asks that the changes stop, it is hard for the department heads (us) with all the new changes. Ms. Sullivan also thanks County Attorney John Butrick for his assistance in her department. She thanks everyone again.

<u>County Manager Johnson</u> thanks Cindi for her words and welcomes any input to help with the process in the County there will be more changes to come for they will only improve the County. Mr. Johnson states that all the employees from each department are important to the county and are very valuable. The County is getting better every day.

8.) APPROVAL OF MINUTES

A.) Commission: Motion to approve the August 14, 2019 Torrance County Board of County Commission Regular Minutes.

ACTION TAKEN: <u>Commissioner McCall</u> makes a motion to approve the August 14. 2019 Regular Commission Meeting minutes. <u>Chairman Schwebach</u> seconds the motion. No further discussion, all in favor. **MOTION CARRIED**

9.) APPROVAL OF THE CONSENT AGENDA

A.) Finance: Approval of Payables

ACTION TAKEN: Chairman Schwebach makes a motion to approve the payables. Commissioner McCall seconds the motion. No further discussion, all in favor. MOTION CARRIED.

10.) ADOPTION OF ORDINANCE/AMENDMENT TO COUNTY CODE

There were no items presented

11.) ADOPTION OF RESOLUTION

A.) MANAGER: Approval for adopting the FY2021-2025 Infrastructure Capital Improvement Plan (ICIP), Resolution No. 2019-48

Belinda Garland and Cheryl Allen present the Commission with the list that was based off the ranking from the last Commission meeting. The ICIP is due to Santa Fe by September 3, so there is time to change if the Commission chooses to do so. The list is as follows:

- 1. County Fair Ground Improvement
- 2. New Road Department Yard/Shop
- 3. New County Government Offices
- 4. Riley Road
- 5. McNabb Road Improvements
- 6. Road Department Equipment
- 7. 4x4 Sheriff Patrol Vehicles

- 8. Security Fencing
- 9. Heritage Center
- 10. Torreon Community Renovation
- 11. Records Restoration and Storage
- 12. Duran Water System Improvements
- 13. Purchase & Equip Medical Response

Vehicles

<u>County Manager Johnson</u> explains that he met with Mayor Garcia from the Town of Vaughn in regards to the water system in Duran. Currently Duran is getting their water from Vaughn. Mr. Johnson has a piece of the pipe that runs to Duran, which shows a crack in the pipe. They are currently using a 2' pipe to run the water, what their long term solution would be is to use a 4' pipe. Mayor Garcia has also written a letter to the Commission with suggestion on what needs to be done to help the residents in Duran with their water system. There are currently 30 hook-ups in Duran.

Belinda Garland, reads the letter into record, letter hereto attached.

Resolution hereto attached. **ACTION TAKEN:** <u>Commissioner McCall</u> makes a motion to approve Resolution 2019-48 FY2021-2025 Infrastructure Capital Improvement Plan (ICIP) with the exception of striking the Heritage Center from the list. <u>Chairman Schwebach</u> seconds the motion.

<u>Belinda Garland</u> states that if you are amending the list can we as the employees suggest an addition, we would like to have the Mescalero Dam at the bottom of the ICIP.

<u>Commissioner Sanchez</u> asks why the Heritage Center is being stricken from the list.

<u>Commissioner McCall</u> replies that he is not ready to ask the legislators for money on a project that needs more studying done. The operational costs need to be looked at before we get any kind of funding for this project. Commissioner McCall states that he does not want to see the County get in a financial strain trying to operate the museum. When 1st running for this office Commissioner McCall made a vow that he would stand up for the entire County and not let other items come before the entire County needs. And if you take a look around the County you will see that this County is in dire need of some capital outlay monies for infrastructure.

<u>Commissioner Sanchez</u> asks if Commissioner McCall is willing to support the concept plan/feasibility study.

Commissioner McCall responds that he is not ready to support that either.

<u>Chairman Schwebach</u> states that it has been well know that he is on the fence with this project. He has spoken to the community and they are supportive of this project but are cautious about the cost for a museum. This list is to set the priorities of the County to take to our elected officials in Santa Fe and to say here are the priorities in the County. This list is to say to our elected officials that this is what we need as citizens and to operate and maintain the safety and wellbeing of our citizens in this County. And Chairman Schwebach does not see how a museum will fit into that.

<u>Chairman Schwebach</u> would like to talk about the water projects, Chairman Schwebach is hesitant when it comes to these water projects. The County is not into water but EMWT is and that is something the County needs to stay away from. EMWT can do this, that's what they were established for, to get water to the people in the County. They have access to monies for water projects because of the type of organization that they are and they are able to submit ICIP as well. He states with that being said he is inclined to strike both of these projects from the ICIP but he does not know if that is the best move because potentially there can 30 people in Duran without water but how is that any different than people in McIntosh or in the land grants.

Belinda Garland states that Torreon has their own water association which is very effectively ran, they manage their water well in Torreon. Ms. Garland did some research and found that in the prior year's legislative session Torreon was awarded \$50,000.00 to improve their building. Ms. Garland submitted paperwork to have those monies reallocated to the water association because the County does not own the building in Torreon. DFA got back to Ms. Garland and informed her that the reauthorization did not go through because the water assoc. is not compliant with their paperwork. Ms. Garland has spoken with Mr. Alderete from the water assoc. and informed him of what needs to be done in order to become compliant to receive the monies for the their building. The Torreon Mutual Domestic Water Assoc. can submit their own ICIP. Which Ms. Garland feels is the right move because if they submit an ICIP and receive funding they can receive the money directly. The Commission can give the water assoc. a letter of support for them to receive capital outlay funds.

<u>County Manager Johnson</u> states that becoming the Fiscal Agent for projects comes with problems. If there are any type of compliant issues the County can be held liable for those issues which may end up costing the County. Mr. Johnson suggests to the Commission that prior to the ICIP list being submitted these entities should get prior approval from the Commission to be the fiscal agent for projects being submitted for funding.

<u>Commissioner McCall</u> clarifies for the record on project #2 for the New Road Department Yard/Shop that it includes a chain-link fence for security purposes.

Belinda Garland states that Steve Guetschow has done a lot of work on the Duran water line, the agencies he has spoken with are hesitant on funding this project because the County does not own the water, its actually Vaughn's water system. Ms. Garland feels that the storage tank can be something the County can help them with.

<u>Chairman Schwebach</u> states that the County is a member of EMWT, getting a tank for Duran might fix the problem but drilling a new well will definitely fix the problem and EMWT can do that.

<u>County Manager Johnson</u> explains that Torreon has an active Mutual Domestic Water Assoc. system but Duran does not nor do they feel they would be capable of running such an

association due to their aging population. Torreon just needs to become compliant and they will be able to receive funds directly.

<u>Steve Guetschow, P/Z Director</u> states that there has been research done on the Duran project, he spoke with the NM environmental water quality bureau. They were the ones that were in charge of the grant that Vaughn got to do the repairs on the water lines. This will be an expensive project to have new lines put in but if the County can get them a storage tank put in it will be an improvement for their system. Drilling a well would be the best thing so having EMWT get involved would be the way to go.

<u>County Manager Johnson</u> explains that the idea of drilling a well was brought up but Duran does not feel they will be capable of being able to maintain or have the resources to keep it up.

<u>Chairman Schwebach</u> states that if the storage tank will band aid the water situation in Duran he is willing to go that route until something further can be sought out for the water system in Duran. He feels going through EMWT is going to be the best route for Duran.

<u>County Manager Johnson</u> states that there may be the possibility of drilling a well for Duran but there have been several wells go dry out in that area. So getting water from Vaughn may be the only option for Duran to get water. So he suggest leaving it on the ICIP and get with EMWT as well as Mayor Garcia and see what the options can be for the water system.

<u>Commissioner McCall</u> states that the Commission needs to be careful on leaving Duran on the list and striking Torreon. We need to be careful of going into the water business because there are people in McIntosh whose wells have gone dry.

<u>Chairman Schwebach</u> asks for clarification on Torreon, they need to get their paperwork done and they will be compliant and then they will be able to submit their own ICIP. So does that mean they want us to remove them from our ICIP list or keep them on?

Commissioner Sanchez answers that they want to be left on the County's ICIP.

<u>Belinda Garland</u> states that if Torreon could create their own ICIP it would be better due to the County not being able to give Torreon money for a building or property that the County does not own. It would be cleaner for them to submit than the County.

<u>County Manager Johnson</u> states that having other Community projects on our ICIP list is like the county competing for money within our own ICIP.

Belinda Garland mentions that she will call Mayor Garcia to see if they put the Duran water system on their ICIP list.

<u>Chairman Schwebach</u> asks if these two projects should remain on the ICIP list with the intention of Torreon becoming compliant with their paperwork and they submit their own ICIP and Duran we will move forward with help from EMWT for their water system.

<u>Commissioner McCall</u> makes the statement that he would like to see if Vaughn placed Duran on their ICIP. He wants to make sure that some governmental agency will be advocating for their water system. Commissioner McCall is cautious about becoming a water company but wants to assure these projects get some type of funding.

ACTION TAKEN: <u>Commissioner McCall</u> makes a motion to table the ICIP list. <u>Chairman</u> <u>Schwebach</u> seconds the motion. All in favor, this will be revisited later on in the agenda.

12.) APPROVALS

A.) Commission: Motion to approve budgeting of funds for the Heritage Center from PILT (Commissioner Sanchez)

<u>Commissioner Sanchez</u> states the request is for funding from the PILT money for up to \$30,000.00 for the Heritage Center which will be the concept plan/feasibility study. The ad-hoc committee met and came up with the scope of work, general concept, market assessment, profitability/sustainability, capital and facility description. Commissioner Sanchez reads the concept and market assessment and list the members of the ad-hoc members. Attachment hereto attached.

<u>Chairman Schwebach</u> asks why the City of Moriarty is not on the list of the ad-hoc members. <u>Commissioner Sanchez</u> states that perhaps the Commissioners from district 1 and 2 could reach out to Mayor Hart and talk to him. Commissioner Sanchez is unaware of how the City of Moriarty feels about this project and thought Commissioners from district 1 and 2 would be better able to judge their feeling about this project.

<u>Chairman Schwebach</u> states that he talked with them and he was unware of the ad-hoc meeting. Maybe he missed the email, but he was not able to invite the City of Moriarty to this meeting. Chairman Schwebach states that when he ran for this position he ran on bringing this County together from North to South, so regardless of what district you represent the City of Moriarty should be on here as an ad-hoc member.

<u>Commissioner Sanchez</u> responds that this just isn't his idea, every step that has been made on this project he has reached out to all the stakeholders on this project. Since January there have been meeting on economic growth for the County and this is one of them. Commissioner Sanchez is open to bringing more stakeholders into this project.

Public comment:

Johnny Romero, on behalf of the Tajique Land grant reads a letter of support from the land grant. The land grant would like to see either grant funding or money from the PILT funding to move forward with this project. Mr. Romero asks why the other two Commissioners want to shoot this project down, this will benefit the whole Community. It should be left on the ICIP, you may not get any funding for it or you could get a little bit of funding.

Tom Betts, Superintendent of Salinas Pueblo Missions National Monument reads a letter of support for the Heritage center. Mr. Betts explains that he is new to the area but he has been here long enough to see businesses close and not reopen. He explains that the National Monument brings in 37 to 40 thousand visitors a year and the county needs to capitalize on those visitors it can bring revenue into the County. The museum is something to be looked into, the operational costs is something to be concerned about but that all can be looked into with this plan.

<u>Commissioner Sanchez</u> states that there are more people in the audience that will replicate the support for this project, Torreon, Willard and the Town of Estancia.

Noah Sedillo, Mayor Pro-Tem Town of Estancia states that this is a good idea but there are other issues that need to be addressed such as the water issues for Duran, Torreon and even in Estancia. The County does need economic development, this area is struggling but perhaps not right now with this project.

<u>Commissioner Sanchez</u> states that all these projects are something to look at, they will all take time and we can take small steps. The Heritage center is not being built today but we can cultivate a plan, we don't have answers to the question on if this is even a feasible concept. The

plan may not even use the \$30,000.00 but could use up to it. All of these issues can be worked on at the same time, water issues and the heritage center. The center merits some research, this could help revitalize the County's business. Commissioner Sanchez goes over the valley's economical changes. First it was sheep, then on to cows, then there was wheat to bean then onto potatoes.

<u>Chairman Schwebach</u> states that a museum can drain public and private funds faster than it can create funds but he is not sure of that. The belief is that this is a good idea, in light of what is being said Estancia may not be the area for this museum but perhaps Mountainair is. Chairman Schwebach is 100% sure that baby steps need to be taken with this project and is in favor of using PILT money to facilitate this study but not to the tune of \$30,000.00. The County will soon have a study on the southern part of the County that perhaps this could not piggy back off of. Chairman Schwebach explains that Commissioner Sanchez has him thinking about this project but feels that the County should take baby steps with it.

<u>Commissioner Sanchez</u> states that these projects are different types of projects, yes one can be used to help the other but one is more of a lower altitude project to see what need the County needs for example for infrastructure needs and the other is to see if this project is going to be feasibility for the County.

Public comment:

<u>Michael Godey</u> states that he is in favor of seeing the PILT money used for this project, the benefit of that is the money is readily available for the county to use.

Kathleen Jesse states that grant money could be available to the County to use for this project if they involve UNM and NMSU. Using these two different resources could also help with the water issues the County is having. Torrance County is just like the rest of the nation where are resources are diminishing.

<u>Commissioner McCall</u> asks why this cannot wait till the CEDS to be done and see what that \$50,000.00 has to say before using \$30,000.00 of the PILT money.

Commissioner Sanchez replies that the CEDS will not answer the project questions.

<u>Commissioner McCall</u> states that the County is losing population because of the lack of services within the County.

<u>Commissioner Sanchez</u> explains that the County will always struggle with basic services, the County needs to improve the economic development which will lead to better services for the County.

ACTION TAKEN: <u>Chairman Schwebach</u> makes a motion to commit \$10,000.00 to the scope of work for the Heritage project presented by the ad-hoc committee from the PILT money. <u>Commissioner Sanchez</u> seconds the motion. No further discussion, 2 in favor Commissioner McCall against. **MOTION CARRIED.**

11.

A.) ICIP Resolution 2019-48 (continued)

<u>Chairman Schwebach</u> asks for clarification on the motion, the motion was made to approve the ICIP list with striking the Heritage Center.

Sylvia Chavez (myself) replies that the motion was to approve the list and to strike the Heritage Center from the list.

<u>Chairman Schwebach</u> explains that there is too much risk on having the museum on the list, when there are other projects like the water issues in Duran and Torreon.

<u>Commissioner McCall</u> states that he was a new Commissioner and set back with the ICIP, he did some research and found the numbers to be a bit staggering. The County only received 6% of its capital outlay requests and other government agencies/land grants received 114% of their requests. The County has been very careful in developing this ICIP list and we should keep it to the County needs. Commissioner McCall feels that if the heritage center is on this list it could circumvent the County needs and the funding we could get.

<u>Commissioner Sanchez</u> explains that capital outlay funding has a lot to do with who holds office in Santa Fe and how money is disbursed among the requests.

<u>Chairman Schwebach</u> agrees with that statement, that is why the County needs to be cautious of having the heritage center on the ICIP list because it could get funding and the other projects not get any. If the heritage center gets funding it could be detrimental to the County's operations because we are not ready to facilitate a museum.

<u>Commissioner Sanchez</u> agrees with Chairman Schwebach, the County will not be ready for funding in January for this project. So what if we modify the request and ask for \$50,000.00 for the planning phase of the project. The County's Senators and Representatives are willing to help with this heritage center one way or the other. We do not need to sacrifice needs this way or that way because we are asking for funding for this project.

<u>Commissioner McCall</u> replies that they can sacrifice those needs by funding this project and not the other projects on our list. It's their prerogative to fund what they want not necessarily what's on our top 5. That is the concern that Commissioner McCall has.

Chairman Schwebach states that Commissioner Sanchez is right when he talks about it all depends who is sitting in office and how or what gets funded. As he sits and looks at the list, he thinks about how the County Fair, it is near and dear to his heart but is a million dollars for a building being wise? Look at this building (county admin. building) what happens if the water goes down or if the heating goes out, at that point we cannot do the day to day business for the County because the building is not operational and that is a major problem. So in light of that Chairman Schwebach feels the Admin. Building needs to be pushed to the top of the list. Chairman Schwebach admits he is green when it comes to the ICIP but he feels the County needs to send the message that these are the County's "needs", you may want a museum or a luxurious building but those are wants these are our needs. The County was gifted a dam and that dam is going to cost the County \$30,000.00.

<u>Commissioner Sanchez</u> states that it would be nice if the state would have grant funding to help with this documents needed for the complex. But how can the County not include a project that the legislators have already indicated that they are willing to help us with.

<u>Chairman Schwebach</u> replies that he is willing to keep it on the ICIP if it is dropped down to a \$30 or 50 thousand for planning only.

<u>Commissioner Sanchez</u> states that he has no objections to that.

Steve Guetschow states that he has been dealing with the Mescalero dam for the past 4 years since it was passed to him. It's a compliance issue with the OSC, the dam is a public safety issue. According to the OSC studies the dam is retaining up to 75 acre feet of water and has not been maintained. It is not a flood protection dam, it was developed as a reservoir dam to draw people into the Indian Hills subdivision. The development of this dam was done illegally but it is a shovel ready project for the County. All that needs to be done is to have the engineering

study done and then have our road department go in and tear it down and leave a 5 foot dike over it and at that point the County would be in compliance with OSC.

<u>Cindi Sullivan</u> states in the 16 almost 17 years that she has been with Animal services she has been trying to get a cat room. Ms. Sullivan gives some stats: 2017 there was 200 cats through the animal shelter with 2 cages, 2018 (when they were not taking cats) there was 143 and 2 cages and so far in 2019 there has been 60 cats and they are still not taking cats. So you can see the type of demand there is for animal services to handle cat calls but there is no room at their facility to handle the cats.

<u>Commissioner McCall</u> states that going to back to the Heritage cultural museum being on the list, it tells our legislators that it is a priority of the County's. We just gave that project \$10,000.00 to study it and we are still waiting on the CEDS to go through. Commissioner McCall suggests that at the very least the Heritage project needs to go on next year's ICIP list. <u>Chairman Schwebach</u> agrees that the heritage project is not a priority for the County and can be put on next year's ICIP list in the tune of \$50,000.00 for planning only.

Belinda Garland states that she spoke with Mayor Garcia and the Town of Vaughn did not put the Duran water system on their ICIP list.

<u>County Manager Johnson</u> states that the Commission needs to worry about the County's priorities so they can move the heritage project back on the timeline for funding.

CALL TO VOTE:

MOTION ON THE TABLE- motion to approve the ICIP list, striking the Heritage Center from the list. 2 in favor, Commissioner Sanchez did not vote.

<u>Commissioner Sanchez</u> thanks the Commissioners for leaving the water systems on the list. When the list was being created we all picked projects to be put on the list, you two each picked 3 projects and I only picked 2.

12.) Approvals

B.) Manager: Motion to authorize the County Manager to negotiate and execute agreement with Torrance County and Gallagher Benefit Services Inc., for broker services.

<u>County Manager Johnson</u> reminds the Commission that this is an item the County has been working on for a while. The County has had some struggles with our current broker. Open enrollment will be coming up soon before the end of the year. In the County's best interest it would be better for the County and its employees to go with Gallagher Benefit Services Inc. They will offer HR assistance being our broker, we will be leaving our current broker but with good reason.

<u>Commissioner McCall</u> asks if there will be any cost to the County for leaving our current broker.

<u>County Manager Johnson</u> replies that there will be a small fee but this will be a better move for the County and its employees. It will end up costing the County \$2,700.00 because there will be an overlap month of coverage.

ACTION TAKEN: <u>Commissioner McCall</u> makes a motion to authorize the County Manager to negotiate and execute agreement with Gallagher Benefit Services Inc. <u>Chairman</u>. <u>Schwebach</u> seconds the motion. No further discussion, all in favor. <u>MOTION CARRIED</u>.

- C.) Emergency Manager: Approval of Emergency Management Performance Grant (EMPG) Nick Sedillo, Operations Manager presents this item for Matt Propp Emergency Manager. This is the EMPG grant which is 50/50 grant match, this grant covers the emergency manager's salary. The County has had this grant for 20-30 years now. This went before the grant committee as well as the County Attorney. ACTION TAKEN: Commissioner Sanchez makes a motion to approve the Emergency Management Performance Grant (EMPG). Chairman Schwebach seconds the motion. No further discussion, all in favor. MOTION CARRIED.
- **D.) Purchasing:** Approval of RFP award TC-FY20-01 Southern Torrance County Economic Development Plan.

Noah Sedillo, Chief Procurement Officer informs the Commission that an RFP was put out for the Southern Torrance County Economic Development Plan. There were 8 submittals, of the 8 submittals there was one that was nonresponsive and therefore it was not scored. The other submittals were scored by the anonymous evaluation committee there recommendation is Sites Southwest LLC. Mr. Sedillo explains that he has a floor site plan that changes the payment terms with their proposal.

<u>County Manger Johnson</u> informs the Commission that the change order does not change the amount of the overall cost.

<u>County Attorney Butrick</u> informs the Commission of a few changes within the contract, invoices will be sent out on a quarterly basis and on #20 disclaimer and hold harmless-prohibiting assigning the contract. #27 Survival- we added a 3 provision which is to maintain records for 3 years. #28 Succession- the same as the previous change to prohibiting assigning of contract. Also on the scope of work under "B" it was clarification on what minutes they were pertaining to and we got the clarification on that. Contract hereto attached.

ACTION TAKEN: <u>Chairman Schwebach</u> makes a motion to award RFP TC-FY20-01 Southern Torrance County Economic Development Plan to Sites Southwest LLC. **Commissioner McCall** seconds the motion.

Commissioner Sanchez asks if Sites Southwest LLC was the cheapest of the proposals.

<u>Noah Sedillo</u> replies, that no they were not. With the RFP process it goes with the best value for the job, "more bang for the buck" so to speak.

No further discussion, all in favor, MOTION CARRIED.

E.) Planning and Zoning: PUBLIC HEARING, vacation of Val Verde Estates Subdivision Steve Guetschow, P/Z Director informs the Commission that the applicant has submitted an application to vacate the Val Verde Estates subdivision. Mr. Guetschow lists the exhibits in the packet: Applicant Exhibits- Exhibit 1 the original application, Staff Exhibits- S1 public notice letters sent to adjoining property owners regarding August 7, 2019 P&Z meeting, Public Notice Ad appeared in the August 8 and August 23 editions of the Independent and Public notice sign posted at the subject property. S2 Draft minutes from the August 7, 2019 Planning & Zoning meeting. S3 written comment from the utility companies regarding utility easements on subject property received prior to August 7 P&Z meeting. S4 Century Link comment received after August 7 P&Z meeting.

Mr. Guetschow explains that Tim Oden is the agent for the applicant, Gerald Ohlsen but Mr. Oden had to leave early. Mr. Guetschow explains that this is a type 2 subdivision there are 96 5 acre lots. It is surrounded by an AP 5 zone district and in the past has been used as farming

land. There are two irrigation wells that were placed in the right of way easements. In other matters under section 11.5 of the County's zoning regulations commercial agricultural and horticultural activities are prohibited in type 1 and 2 subdivisions regardless of zone district that they are in. This is a PL district which is Pre-plated lands, which means they are pre-plated lands that existed prior to 1973 and that was part of the amendments to the Zoning districts approved in 2016. This subdivision has been used for farming from time to time throughout the years but has been dormant for a number of years. So in order for them to use the land for farming they are vacating the subdivision and thus the wells that are in the public's right of ways will be able to be utilized. Mr. Guetschow explains this will be a benefit to the County because in the PL zone districts they are a subdivision that have nonconforming lot sizes and the goal of the County under the PL zoning was to have those lots consolidated into sizes that were appropriate for the surrounding districts and then to change the zone districts to the appropriate zone and them be enforced. There will be 96 domestic wells that will not be in use and that is a huge benefit to the County. So the recommendation from the Planning and Zoning board is a do pass and this will bring everything into compliance.

There was no public comment on this issue.

ACTION TAKEN: <u>Commissioner McCall</u> makes a motion to approve the vacation of Val Verde Estates Subdivision. <u>Chairman Schwebach</u> seconds the motion.

<u>Steve Guetschow</u> explains that EMW has a 2' pipe line out there in the easements, so if the owner wanted to maintain the line an easement would need to be granted to EMW for the pipeline on the new survey of the property. However the owner does not want the gas lines out there, he will not be running the irrigation wells off of gas, so he will be removing those. He will keep the CNMEC easements so they will create the easement when the property gets surveyed. CenturyLink does not have any underground service lines out in this subdivision.

No further discussion, all in favor. **MOTION CARRIED.**

F.) Finance: Budget Increase

<u>Jeremy Oliver, Finance Director</u> presents the Commission with Resolution 2019-49 for a budget increase. The RPHCA grant came in higher than anticipated, more money came in for spay and neutered for Animal Services and the Sheriff's department received money from insurance on their vehicles that was not budgeted. Resolution hereto attached. **ACTION TAKEN:** <u>Commissioner McCall</u> makes a motion to approve Resolution 2019-49 Budget Increase. <u>Chairman Schwebach</u> seconds the motion. No further discussion, all in favor. **MOTION CARRIED.**

13.) DISCUSSION

A.) Finance: Approval of the FY20 Budget

<u>Jeremy Oliver</u>, <u>Finance Director</u> informs the Commission that DFA has approved the County's budget for FY19-20. The only correction that needed to be done was the roll over from the LEPF that was in the amount of \$11,548.23 from last year, other than that it was good. The Commission congratulates the finance department on a job well done.

B.) Commission: Land Grant Advisory Board (Commissioner Sanchez)

Commissioner Sanchez states that he has been in discussion with the County Manager and the Land Grants as well. Torrance County has 4 different land grants that are heavily active. These land grants should have regular interface with the County. The land grants for a long time did not have any official organized structure which was more than likely due to the economy. The land grants are taking the steps they need to be recognized by the state as a functioning land grant. Commissioner Sanchez has spoken with the land grants about having meetings with them so that there is interface with them and the Commission. To open the lines of communication and keep them informed of things going on in the County. There could be discussion on solid waste issues, law enforcement issues and water issues through EMWT. This board would serve as a good line of communication between the Land Grants and the Commission. The board could meet on a quarterly basis. If the Commission is in favor of this, the County Manager could draw up a resolution of rules and regulations to govern the board.

Chairman Schwebach states that he would be in favor of the advisory board.

<u>County Manager Johnson</u> states that the resolution will be easy to draw up, his only suggestion would be to have the land grants appointees approved by the Commission. Essentially, county board appointees are the County's responsibility and the County wants to be ok with the members that are on these types of boards. So all board members should be approved by the Commission.

<u>Chairman Schwebach</u> asks for clarification on the process of the board members, so the land grants would pick their members and the Commission would then approve those members?

<u>Commissioner Sanchez</u> states that the advisory board would be comprised of a member or members of each land grant and Commission. Which then would become a County board, so once the County Manager puts together the regulations to govern the board it will then be an appointment by concurrence. Which means the Commission would then approve their appointee or appointees to the committee.

<u>County Manager Johnson</u> agrees with what Commissioner Sanchez just mentioned, the need for conformation is rare but when it is needed it is necessary. The Commission needs to have the ability to not approve a member to a board if they feel there would be a conflict with an appointee.

<u>Chairman Schwebach</u> asks how the advisory board will be comprised, how will this board be any different than the current land grant boards.

<u>Commissioner Sanchez</u> replies that each land grant will make their appointment to the advisory board then the Commission would then approve the appointment(s). The board would then met on a quarterly basis with someone from the manager's office to attend the meeting.

Commissioner McCall asks how many members will be on the board.

<u>Commissioner Sanchez</u> replies that it needs to be the 4 land grants but to also include, Punta de Agua and Abo. Punta de Agua is part of the Manzano land grant but they are two distinct communities. Just to give everyone the chance to be at the table to have open discussions.

<u>Commissioner McCall</u> asks if Commissioner Sanchez foresees any non-agreement with those board members. Will this cause a wedge between the land grants?

<u>Commissioner Sanchez</u> replies, no it won't this will heighten the understanding and provide a forum for discussion or debate but understanding amongst all the land grants and the Commission. An open dialogue so to speak for their concerns to be addressed by the Commission and Vis versa.

<u>Chairman Schwebach</u> states that this would be more of a formal communication between the land grants and the Commission. Chairman Schewbach is in favor of this.

Public Comment:

<u>Johnny Romero</u> states that this would benefit the Commission because the land grants often feel like they are left out when it comes to issues within the County that concern them and will have an impact in their communities. The land grants often feel like they are not represented by the Commission and they do not have a voice. Mr. Romero reminds the Commission that the land grants have a lot influence with the legislators, so that is something to keep in mind. He feels that this is a good thing for the land grants as well as the Commission.

<u>Commissioner Sanchez</u> asks for clarification, he and the County Manager will work on a resolution to get this moving forward, correct? <u>Chairman Schwebach</u> replies, yes he is good with that.

14.) EXECUTIVE SESSION

There was no executive session

15.) Announcement of next Board of County Commissioners Meeting

Next meeting to be held on September 11, 2019 in the Torrance County Administrative Chambers at 9am.

16.) Signing of Official Documents

*ADJOURN

ACTION TAKEN: <u>Chairman Schwebach</u> makes a motion to adjourn the August 28, 2019 Commission Meeting. <u>Commissioner Sanchez</u> seconds the motion. No further discussion, all Commissioners in favor. <u>MOTION CARRIED</u>

MEETING ADJOURNED AT 11:20 AM

Chairman Ryan Schwebach	Sylvia Chavez-Administrative Assistant
Date	

The video of this meeting can be viewed in its entirety on the Torrance County NM website, Audio discs of this meeting can be purchased in the Torrance County Clerk's office and the audio of this meeting will be aired on our local radio station KXNM.



Agenda Item No. 8-B

DRAFT COPY TORRANCE COUNTY BOARD OF COMMISSIONERS BOARD OF FINANCE MEETING AUGUST 28, 2019

COMMISSIONERS PRESENT: RYAN SCHWEBACH --CHAIRMAN

KEVIN MCCALL- DISTRICT 1
JAVIER SANCHEZ –DISTRICT 3

OTHERS PRESENT: WAYNE JOHNSON-COUNTY MANGER

BELINDA GARLAND-DEPUTY COUNTY MANAGER

JOHN BUTRICK-COUNTY ATTORNEY LINDA JARAMILLO- COUNTY CLERK SYLVIA CHAVEZ-ADMIN. ASST.

1. Call to Order

<u>Chairman Schwebach</u> call the Board of Finance meeting to order at 11:38 am.

2. Changes to the Agenda No Changes

3. Treasurer's Report:

Presentation by Torrance County Treasurer

Tracy Sedillo, Torrance County Treasurer presents the Commission with the County's funds. Ms. Sedillo states that overall the County financial health is stable but would like the Commission to look at fund 642. It is the County's investment fund, the total earning for the FY was \$143,658.30, \$14,224.18 were charges incurred for bank fees and administration fees off the investments accounts. Ms. Sedillo goes over the investment accounts, currently there is \$5,634,012.48 in the investment account and \$92,461.64 in the taxes under protest account. These monies have to be in an interest bearing account. July's monthly earnings were \$13,520.80 with a current yield of 2.3536. Ms. Sedillo asks if the Commission has any questions for her. Finance report hereto attached.

<u>Chairman Schwebach</u> questions the amount of the bank fees and if there are other options for the County.

Ms. Sedillo explains that the fees are mostly from the Wells Fargo account, since the County has moved to a different bank those fees will go down. There are checks that still need to clear the Wells Fargo account before the County can close that account. The fees have since dwindled since moving to the other bank. So there will be a significant change in fees in the future.

<u>County Manager Wayne Johnson</u> gives kudos to Madam County Treasurer for a job well done on the investment earnings. Mr. Johnson explains that in FY15 there was \$1,300.00 in the investment account to \$143,658.34 in FY18. That says a lot about the national economy.

4. Board and Committee Appointments

A. Investment Committee Public Member Appointments

<u>Ms. Sedillo</u> explains that at the last Commission meeting the investment policy was adopted, Ms. Sedillo is making recommendation of David Tixier and Johnny Romero to be the public members for the investment committee. **ACTION TAKEN:** <u>Chairman Schwebach</u> makes a motion to approve David Tixier and Johnny Romero to be the public members for the Investment Committee. <u>Commissioner McCall</u> seconds the motion. No further discussion, all in favor. <u>MOTION CARRIED</u>.

5. Signing of Official Documents

MEETING ADJOURNED AT 11:43 AM

6. Adjourn

ACTION TAKEN: <u>Commissioner Sanchez</u> makes a motion to adjourn the Board of Finance meeting. <u>Chairman Schwebach</u> seconds the motion. No further discussion, all in favor.

Chairman Ryan Schwebach	Sylvia Chavez-Administrative Assistant
Date	

The video of this meeting can be viewed in its entirety on the Torrance County NM website, Audio discs of this meeting can be purchased in the Torrance County Clerk's office and the audio of this meeting will be aired on our local radio station KXNM.



Agenda Item No. 9-A SIGNED

CERTIFICATION

TOTAL CHECKS PRINTED

THE UNDERSIGNED MEMBERS OF THE TORRANCE COUNTY BOARD OF COMMISSIONERS DO CERTIFY THAT THE CLAIMS ENUMERATED ABOVE WERE APPROVED ALLOWED & DO AUTHORIZE THE WARRANTS AGAINST THE FUNDS OF TORRANCE COUNTY FOR THE SUM OF 39,637.56 ON ACCOUNT OF OBLIGATIONS IN-CURRED FOR THE SERVICES AS SHOWN ABOVE FOR THE PERIOD ENDING 09/05/2019 . WE CERTIFY THAT THE WITHIN NAMED PERSONS ARE LEGALLY ENTITLED UNDER THE CONSTITUTION OF THE STATUTES OF NEW MEXICO TO RECEIVE THE COMPENSATION STATED HEREIN. THAT THE SERVICES HAVE BEEN PERFORMED AS STATED IN THE ACCOUNTS HEREIN, THAT THEY ARE NECESSARY AND PROPER, THAT THIS VOUCHER HAS BEEN EXAMINED, THAT THE AMOUNTS CLAIMED ARE JUST, REASONABLE, AND AS AGREED AND THAT NO PART HAS BEEN PAID BY TORRANCE COUNTY.

SIGNED				ATTEST BY
	Kevin McCall	Javier Sanchez	Ryan Schwebach	Linda Jaramillo
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		Tracy I Cadillo		

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BANK01 US BANK ** BANK TOTALS ** 39,637.56	**DEPT 911-DISPATCH CENTER 1,722.35 911-80-2207 FELECOMMUNICATIONS 62.57 911-80-2208 UTILITIES - ELECTRICITY 1,659.78	**TOTAL EMERGENCY-911 FUND 1,722.35	**DEPT RURAL ADDRESSING 51.26 675-07-2202 SUPPLIES - VEHICLE FUEL 51.26	DISTRIBUTION CHECKS PRINTED
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Agenda Item No. 10-A

TORRANCE COUNTY BOARD OF COUNTY COMMISSONERS ORDINANCE NO. 2019-

TORRANCE COUNTY CODE OF CONDUCT

WHEREAS, it is the desire of the Torrance County Commission to earn and maintain the trust of the public they serve; and,

WHEREAS, an effective an ethical government is critical to the securing public trust; and,

WHERAS, the public expects and deserves to be treated with respect and the conduct of County employees should represent the highest of ethical standards and fair dealing when accomplishing their daily tasks; and,

WHEREAS, the Commission has the responsibility to clearly define for County employees their expectations for ethical conduct.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF TORRANCE COUNTY, NEW MEXICO that the attached document entitled the Torrance County Code of Conduct is hereby adopted.

DONE THIS 11th DAY OF SEPTEMER, 2019.

APPROVED AS TO FORM ONLY:	BOARD OF COUNTY COMMISSIONERS
County Attorney Date	Ryan Schwebach, Chair
ATTEST:	Javier Sanchez, Vice Chair
Linda Jaramillo, County Clerk	Kevin McCall, MemberDate:
Date:	

Torrance County Code of Conduct



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SECTION 1 – DECLARATION OF POLICY

The proper operation of county government requires that candidates, elected officials, employees, and volunteers of the county be independent, impartial and responsible to the people; that county decisions and policy be made in proper channels of the governmental structure; that public office or the pursuit of public office not be used for personal gain; that the public have confidence in the integrity of its county government; and, that, persons and businesses seeking to contract and contracting with the county abide by the requirements set out herein to prevent conflicts of interest and unfair contracting practices. To assist in attaining these goals, there is established a code of conduct for all candidates, elected officials, employees and volunteers of county government, including members of boards, committees and commissions (hereinafter "candidates and public servants").

The purpose of this code is to establish standards of conduct for all candidates for elected office, public servants, and employees by setting forth those acts or actions which are incompatible with the best interests of the county and by requiring candidates, and public servants to disclose personal interests, financial or otherwise, in matters affecting the county. It is the further purpose of this code to protect county employees and volunteers from undue influence, threats or fear of threat or reprisal with respect to the exercise of their constitutional right to support candidates of their choice.

This code is promulgated under the county's authority to regulate the conduct of candidates, public servants under its control and contractors doing business with the county and prospective contractors. The penalties and remedies are not exclusive, and are complementary to other standards of conduct, including criminal prohibitions, and New Mexico's Governmental Conduct Act, NMSA 1978, § 10-16-1 et seq., which apply to individuals covered by this code. The penalties under the Governmental Conduct Act may be more stringent than this code. Nothing herein shall preempt or prevent law enforcement or other governmental jurisdictions to investigate or pursue penalties for the same course of behavior prohibited under this code.

SECTION 2 - RESPONSIBILITY OF PUBLIC OFFICE

Public servants hold office, employment, or volunteer for the benefit of the public. They are bound to uphold the Constitution of the United States and the New Mexico Constitution; to observe the highest standards of law in the exercise of the powers and duties of their office; to impartially carry out the laws of the nation, state and county; to discharge faithfully the duties of their office regardless of personal considerations; and to recognize that the public interest must be their prime concern.

Public servants have the common obligation of serving the public. In performing their duties, public servants shall treat the public and each other with respect, concern, and responsiveness, recognizing that their common goal of exceptional public service can only be achieved by working together. Disputes that arise among public servants shall be resolved at the lowest possible level; keeping in mind that public money spent on resolving these disputes is money not spent on important public needs.

SECTION 3 – DEFINITIONS

[The following words, terms and phrases, when used in this Code of Conduct, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

Business means a corporation, partnership, sole proprietorship, firm, joint venture, association, organization or individual carrying on a business.

Candidate means any person who has filed a declaration of candidacy for the position of County Commissioner, Sheriff, Treasurer, Assessor, Probate Judge or Clerk, including the period of time from the filing of the declaration of candidacy through being sworn into the elected office.

Commissioner interference means any member of the Board of County Commissioners taking an action that interferes with or infringes on the power, duty and authority granted to the County Manager, staff or other elected official or an act that violates the prohibitions set forth herein. Commissioner interference further means any act by a Commissioner that attempts to delay or override an order, directive or decision made by a majority vote of the Board of County Commissioners.

Contract means an agreement or transaction having a value of more than \$1,000.00 with the County of Torrance for:

- 1. The rendition of services, including professional services.
- 2. The furnishing of any material, supplies or equipment.
- 3. The construction, alteration or repair of any public building or public work.
- 4. The acquisition, sale or lease of any land or building.
- 5. A licensing arrangement.
- 6. A loan or loan guarantee.

Domestic partners Domestic partners means two adults, capable of consent who have chosen to share one another's lives in an intimate and committed relationship of mutual caring, where both persons have a common residence, and neither person is married to someone else or is a member of another domestic partnership with someone else that has not been terminated, dissolved or adjudged a nullity. The two persons are at least 18 years of age and not related by blood in a way that would prevent them from being married to each other in this state. A "common residence" means that both domestic partners share a common residence. It is not necessary that the legal right to possess the common residence be in both of their names. Two people have a common residence even if one or both have additional residences. Domestic partners do not cease to have a common residence if one leaves the common residence but intends to return.

Elected official means the members of the Board of County Commissioners, sheriff, treasurer, assessor, and clerk, but does not include the probate judge.

Employee means all persons filling an allocated position of county employment, including appointees of a County Commissioner, the Board of County Commissioners, or any other elected official.

Employment means rendering of services for compensation in the form of salary as an employee.

Family member means an individual's spouse, parents, children or siblings, by consanguinity or affinity and includes an individual's domestic partner.

Financial interest means an interest held by an individual or the individual's family that is:

- 1. An ownership interest in business or property.
- 2. Any employment or prospective employment for which negotiations have already begun.

Gift means any money, property, real property, personal property, service, license, permit, contract, authorization, loan, travel, entertainment, food, hospitality, gratuity, or any promise of these, or anything

of value that is received or given without equivalent consideration or compensation. For purposes of this division, "gift" does not include:

- 1. Opportunities, benefits, and services that are available on the same conditions as for the general public.
- 2. Anything for which the elected official, employee or volunteer, or his or her spouse, or family member pays the market value.
- Any (i) contribution that is lawfully made and reported in accordance with the election code, or
 (ii) activities associated with a fundraising event in support of a political organization or candidate, unless otherwise prohibited by this code.
- 4. An award, plaque, certificate, or similar personalized item given in recognition of the official's public, civic, charitable, or professional service.
- 5. An honorary membership in a service or fraternal organization presented merely as a courtesy by such organization.
- 6. The use of a public facility or public property made available by a governmental agency for a public purpose.
- 7. Gifts provided directly or indirectly by a state, regional or national organization whose primary purpose is the promotion of the exchange of ideas between governmental officials or employees or to provide for the professional development or training of such governmental officials or employees.
- 8. Any gift accepted on behalf of and to be used by the county for the costs of attending public meetings or conferences where elected officials or employees are attending as part of their official duties, including local events and the costs of travel and related expenses associated with attending such events outside of the county.
- 9. Any gift given by a family member for personal reasons.
- 10. Food or beverage with a value under \$45.00.

Official act means an official decision, recommendation, approval, disapproval or other action that involves the use of discretionary authority.

Person means any individual, corporation, partnership, joint venture, sole proprietorship, firm, association or business.

Political activity means:

- 1. Preparing for, organizing or participating in any political meeting, political rally, political demonstration or other political event.
- 2. Soliciting contributions on behalf of a political candidate or political party including, but not limited to, the purchase of, selling, distributing, or receiving payments for tickets for any political fundraiser, political meeting or other political event.
- 3. Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a political contribution.
- 4. Soliciting votes on behalf of a candidate for elective office or a political organization.
- 5. Initiating for circulation, preparing, circulating, reviewing or filing any petition on behalf of a candidate for elective office.
- 6. Preparing or reviewing responses to candidate questionnaires in connection with a campaign for elective office or for or against any referendum question.

- 7. Campaigning for any elective office.
- 8. Managing or working on a campaign for elective office.
- Preparation or design of any campaign materials or any form of media for a candidate for elective office.

Privileged or confidential information means any written or oral material, or electronic data or media related to county government which had not become part of the body of public information and which is designated by statute, rule, court decision, lawful order, ordinance, resolution or custom as privileged, confidential or exempt from disclosure pursuant to the New Mexico Law, including but not limited to, the Inspection of Public Records Act.

Public servant means elected officials, employees and volunteers of Torrance County as those terms are defined herein.

Restricted donor means any person or entity as defined by the New Mexico Gift Act NMSA 1978 § 10-16B-1 et seq. and includes, but is not limited to, anyone who:

- 1. Is seeking official action (i) by an elected official or volunteer, or (ii) in the case of an employee by the employee or by an elected official, a county department or an employee's supervisor. Such official actions shall include, but are not limited to, the decisions regarding legislation, employment decisions, contract approval, approval of permits or development plans or any other action or decision that is discretionary with an elected official or employee.
- 2. Does business with or seeks to do business (i) with the Board of County Commissioners, the county, an elected official or volunteer, or (ii) in the case of an employee, with an employee or his/her department, elected office or an employee's supervisor.
- 3. Conducts activities regulated (i) by an elected official or volunteer, or (ii) in the case of an employee, by the employee or his/her department or the employee's supervisor.
- 4. Restricted donor shall not include persons or entities where a direct financial transfer from the entity or person who holds the contract with the county to an elected official or candidate cannot be established.

Standards mean the conduct required by the code of conduct.

Substantial financial interest is an ownership interest greater than 20 percent.

Volunteer means any person who is appointed by an individual County Commissioner or by a majority of the Board of County Commissioners to any board, committee or commission for which the individual receives no compensation.

SECTION 4 – STANDARDS OF CONDUCT

A. General ethical standards of public service.

- 1. Public servants shall treat their position as a public trust, with a fiduciary duty to use the powers and resources of public office only to advance the public interest and not to obtain personal benefits or pursue private interests.
- 2. Public servants shall conduct themselves in a manner that justifies the confidence placed in them by the people, at all times maintaining the integrity and discharging ethically the high

responsibilities of public service.

- 3. Full disclosure of real or potential conflicts of interest shall be a guiding principle for determining appropriate conduct. At all times, reasonable efforts shall be made to avoid undue influence and abuse of office in public service.
- 4. No public servant may request or receive, and no person may offer any money, thing of value or promise thereof, other than any county pay received, that is conditioned upon or given in exchange for promised performance of an official act.
- B. Improper influence. No public servant shall make, participate in making or in any way attempt to use his or her position to influence any county governmental decision or action in which they know, he or she has reason to know, or should know that he or she or any person within the second degree of relations has any substantial interest. No County Commissioner shall make, participate in making or in any way attempt to use his or her position to influence any hiring decision or other decision regarding employment for any county employee, except for appointees of the County Commission which include the County Manager, the County Attorney, and the Fire Chief. It shall be considered improper influence for a Commissioner to participate in the creation of a job description for any county position unless they are specifically appointed to do so by the Board of County Commissioners through a resolution presented at a public meeting of the board. This prohibition does not prohibit:
 - 1. A County Commissioner from being listed as a reference for an applicant seeking employment with the county.
 - 2. A County Commissioner from participating in and making comments during any concurrence process.
 - 3. A County Commissioner raising his or her concerns regarding the performance or conduct of a Deputy County Manager or department director with the County Manager, or stating their satisfaction, dissatisfaction, compliment, criticism or concern regarding the actions of a deputy County Manager or department director publicly.
 - 4. A County Commissioner notifying the County Manager or County Attorney, in a confidential communication, of allegations of poor employee performance or employee misconduct and requesting appropriate investigation and action if found by the County Manager to be warranted.

C. Prohibited bidding and contracting.

- 1. No public servant shall accept a bid or proposal from a person who directly participated in the preparation of the specification, qualifications or evaluation criteria on which the specific competitive bid or proposal was based.
- No public servant shall attempt, directly or indirectly, to influence the process or outcome of
 a competitive bid, proposal or request for a proposal, unless formally or specifically
 appointed to participate in the bid or proposal process.

- 3. No public servant shall obtain financial interests or compensation from a person or business that is, or is attempting to have business with the county where the public servant has influence or decision-making authority.
- 4. No public servant who participated, directly or indirectly in a county procurement process shall seek employment, be an employee, or receive any financial consideration from a person or business contracting or seeking to contract with the county.
- 5. No public servant shall enter into contracts with, or take any action favorably affecting, any person or business that is represented in the matter by a person who has been an elected official or employee of the county within the preceding year.
- 6. No person or business who is doing business with the county or seeking to do business with the county shall attempt to influence the outcome of a bid process by contacting any candidate or public servant about a bid or proposal process unless the public servant contacted is formally or specifically appointed to participate in the bid or proposal process and such communication is a part of the bid or proposal process and is documented by the purchasing department in the bid or proposal file. Persons or businesses doing business or seeking to do business with the county shall be required to comply with the provisions of this code of conduct as they apply to their interactions with the county and any violation of the code of conduct requirements shall be a breach of a county contract they hold and shall be grounds for rejection of any bid or proposal. Any public servant who is contacted by a person or business seeking assistance in influencing the outcome of a bid or proposal shall report that contact immediately, or as soon as practicable, to the procurement officer.
- D. Receiving and soliciting gifts. No candidate, or public servant shall intentionally solicit or accept a gift or gifts with a market value greater than \$100.00 from any restricted donor within a calendar year. No candidate or public servant shall intentionally solicit or accept a gift or gifts in violation of any federal or state statute or regulation, or any county ordinance, rule or regulation. This ban applies to and includes family members of the candidate, elected official, employee or volunteer. No restricted donor shall intentionally offer or make a gift that violates this restriction. Any candidate or public servant who accepts a gift subject to the conditions of this section shall not allow receipt of the gift to influence in any way the execution or integrity of their official actions or decisions.
- E. County-owned property. No public servant shall engage in or permit the unauthorized use of county-owned property for any political activity or in violation of any county policy. No public servant shall receive county property at their personal residence or private place of business. The County Manager shall establish a policy regarding the tracking and storage of all county-owned property.
- F. Use or disclosure of privileged information. No public servant shall use or disclose privileged or confidential information gained in the course of or by reasons of his or her position or employment, other than: (i) in the performance of his or her official duties; (ii) as may be required by law; or (iii) as permitted by this code of conduct.

G. Conflicts of interest.

1. Official act for personal financial interest.

- a. It is unlawful for public servant to take an official act for the primary purpose of directly enhancing or improving their financial interest or financial position.
- b. A public servant shall be disqualified from engaging in any official act directly affecting their or their family members' substantial financial interest.
- c. No elected official during the term for which elected, nor any employee or volunteer during the period of their service shall acquire a substantial financial interest when they believe or should have reason to believe that the new substantial financial interest will be directly affected by the public servant's official act.
- 2. No public servant shall make, or participate in making, any county governmental decisions with respect to any matter in which the public servant or their family member has any substantial financial interest.
- 3. Any employee who has a conflict of interest as described in subsections (1) or (2) above shall advise his or her supervisor of the conflict or potential conflict in writing. The immediate supervisor may ask for guidance on the nature of the potential conflict from the County Manager or County Attorney. If it is determined there is a conflict, the supervisor shall either:
 - a. Assign the matter to another employee.
 - b. Require the employee to eliminate the substantial interest giving rise to the conflict and only thereafter shall the employee continue to participate in the matter.
 - c. It shall not be considered a violation of this code of conduct where an employee timely discloses his or her potential conflict of interest and complies with the direction of his or her supervisor, so long as that direction is in compliance with New Mexico Law and this Code of Conduct.
- 4. Any public servant, while acting in a quasi-judicial, legislative or adjudicative role, shall disclose the potential conflict of interest and shall disqualify themselves from participating in any official act, including any substantive discussion or vote. Any elected official may ask guidance on potential conflicts of interests from the County Attorney.

5. Interest in county business.

a. No public servant shall have any substantial financial interest in his or her own name, or in the name of a family member, in any contract, work or business of the county or in the sale of any article, whenever the expense, price or consideration of the contract, work, business or sale is paid with funds belonging to or administered by the county. It shall not be considered a violation of this section where the County is lawfully exercising its eminent domain powers and the public servant who has a financial interest in the property does not participate in the identification, selection or approval of the taking. No public servant shall have a substantial financial interest in the purchase of any property that: (i) belongs to the county; or (ii) is sold for taxes or assessment unless the sale is subject to a competitive bidding process following public notice.

- b. For purposes of subsection (a) "substantial financial interest" shall not include the interest of the spouse of a public servant which interest is related to the independent occupation, profession or employment of the spouse.
- c. The county shall not enter into a contract with a public servant or with their family or with a business in which they or their family has a substantial interest unless the public servant has disclosed through public notice to the county clerk their substantial interest and unless the contract is awarded pursuant to a competitive process and the public servant does not take part in any decision-making process; provided that this section does not apply to salary for the elected office or employee compensation by the county. A person negotiating or executing a contract on behalf of the county shall exercise due diligence to ensure compliance with the provisions of this section.

H. Political activity.

- No candidate or public servant shall compel, coerce or intimidate any elected official, volunteer or employee to make, or refrain from making, any political contribution. No candidate or public servant shall directly solicit any political contribution from county employees or immediate family of county employees. Nothing in this subsection shall be construed to prevent any candidate or public servant from voluntarily making a contribution or receiving a voluntary contribution.
- 2. No candidate or elected official shall accept any campaign contribution for a county office in excess of \$1,000.00, per primary, general or special election, from any restricted donor or in violation of any federal or state statute or regulation, or any county ordinance, rule or regulation. This ban applies to and includes immediate family members of the restricted donor. No restricted donor shall offer or make a contribution that violates this Code of Conduct. No candidate or elected official shall accept a campaign contribution from an individual or group of individuals when the candidate or elected official knows, or has reason to believe, that the original source of the campaign contribution was a restricted donor.
- 3. No employee with contract management authority or property management authority shall serve as a paid political consultant or as a member of the political fundraising committee of any elected official or candidate.
- 4. No employee shall be permitted to serve as a paid campaign consultant, paid campaign treasurer or paid campaign manager for a candidate for federal, state, city or county office.
- 5. No employee shall be permitted to receive more than \$250.00 in reimbursement from any political campaign or political candidate, in any 12-month period.
- 6. County employees shall not perform any political activity while at work and during any compensated time, other than annual leave, personal leave, holidays or other time off. Public servants shall not use any county property or resources for any political activity for the benefit of any campaign for elective office or any political organization.

- 7. At no time shall any public servant solicit or require any employee to perform any political activity: (i) as part of the employee's county duties; (ii) as a condition of county employment or placement on any board, committee, or commission; or (iii) during any time off that is compensated by the county (such as annual leave, personal leave or holidays).
- 8. At no time shall any public servant: (i) threaten to deny a promotion or pay increase to a county employee who does or does not vote for certain candidates; (ii) require an employee to contribute a percentage of the employee's pay to a political fund; (iii) influence a subordinate employee to purchase a ticket to a political fundraising dinner or similar event; or, (iv) advise an employee to take part in political activity or similar activities.
- 9. No county employee shall be directly or indirectly coerced or attempt to coerce another county employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political activity as defined by this Code of Conduct.
- 10. A county employee shall not be awarded any additional compensation or employment benefit in the form of a salary adjustment, promotion, or continued employment in consideration for the employee's participation in any political activity.
- 11. Nothing in this section prohibits activities that are otherwise appropriate for a county employee to engage in as a part of their official county employment duties or activities that are undertaken by an employee on a voluntary basis as permitted by law.
- I. Honoraria. No public servant may request or receive an honorarium for a speech or service rendered that relates to the performance of public duties. For the purposes of this section, "honorarium" means payment of money, or any other thing of value in excess of \$100.00, but does not include reasonable reimbursement for meals, lodging or actual travel expenses incurred in making the speech or rendering the service, or payment or compensation for services rendered in the normal course of a private business pursuit.
- J. Outside employment. Pursuant to the county personnel ordinance, an employee shall disclose in writing to the employee's respective office or employer all employment engaged in by the employee other than the employment with or service to the county and must receive written approval of that outside employment.
- **K.** *Prohibited employment.* It is unlawful for an employee who is participating directly or indirectly in the contracting process to become or to be, an employee or contractor for any person or business contracting with the county.

L. Prohibited Sales.

1. An elected official or employee shall not sell, offer to sell, coerce the sale of or be a party to a transaction to sell goods, services, construction or items of tangible personal property directly or indirectly through their family or a business in which the elected official or employee has a substantial interest, to an employee supervised by the elected official or employee. An elected official or employee shall not receive a commission or shall not profit from the sale or a transaction to sell goods, services, construction or items of tangible personal property to an employee supervised by the elected official or employee. The provisions of this subsection shall not apply if the supervised employee initiates the sale. It is not a violation of this subsection if an elected official or employee, in good faith, is not

- aware that the employee to whom the goods, services, construction or items of tangible personal property are being sold is under their supervision.
- 2. An elected official or employee shall not sell, offer to sell, coerce the sale of or be a party to a transaction to sell goods, services, construction or items of tangible personal property, directly or indirectly through their family or a business in which the elected official or employee has a substantial interest, to a person over whom the elected official or employee has regulatory authority.
- 3. An elected official or employee shall not receive a commission or profit from the sale or a transaction to sell goods, services, construction or items of tangible personal property to a person over whom they have regulatory authority.
- 4. An elected official or employee shall not accept from a person over whom they have regulatory authority an offer of employment or an offer of a contract in which the elected official or employee provides goods, services, construction, items of tangible personal property or other things of value to the person over whom they have regulatory authority.

M. Prohibited contributions; financial service contractors.

- A business that contracts with the county to provide financial services involving the
 investment of public money or issuance of bonds for public projects shall not knowingly
 contribute anything of value to an elected official or employee of the county who has
 authority over the investment of public money or issuance of bonds, the revenue of which is
 used for public projects.
- 2. An elected official or employee of the county that has authority over the investment of public money or issuance of bonds, the revenue of which is used for public projects, shall not knowingly accept a contribution of anything of value from a business that contracts with the county to provide financial services involving the investment of public money or issuance of bonds for public projects.
- 3. For the purposes of this section:
 - a. "Anything of value" means any gift as prohibited by the code of conduct.
 - b. "Contribution" means a donation or transfer to a recipient for the personal use of the recipient, without commensurate consideration.

N. Contracts involving former elected officials and employees.

- 1. The county shall not enter into a contract with, or take any action favorably affecting, any person or business that is:
 - a. Represented personally in the matter by a person who has been an elected official or employee of the county within the preceding year if the value of the contract or action is in excess of \$1,000.00 and the contract is a direct result of an official act by the elected official or employee.

- b. Assisted in the transaction by a former elected official or employee of the county whose official act, while in county employment, directly resulted in the county's making that contract or taking that action.
- 2. For a period of one year after leaving county service or employment, a former elected official or employee shall not represent for pay a person before the county.

O. Commissioner interference.

- 1. It is the intention of this section that the Board of County Commissioners shall act in all matters as a body, and it is against the spirit of this Code of Conduct for any of its members to seek to influence the official acts of the County Manager, or any employee under the jurisdiction of the County Manager, or to interfere in any way with the performance of employees under the jurisdiction of the County Manager in the performance of their duties.
- No individual County Commissioner shall order or direct the appointment of any person, except as specifically authorized by state law or county ordinance, to employment or removal therefrom by the County Manager or any Deputy County Manager or department director.
- 3. No individual County Commissioner shall give orders or directives to any public servant including, but not limited to, any subordinates of the County Manager, except as provided in subpart 4 of this section.
- 4. Individual County Commissioners shall deal with employees under the jurisdiction of the County Manager solely through the County Manager except:
 - a. For matters related to a direct request from a Commissioner by a constituent related to an issue from that Commissioner's district (e.g. repair of pothole or street light within the Commissioner's district. In the event of this situation the Commissioner may directly contact an employee under the jurisdiction of the County Manager to request assistance for the constituent. However, the Commissioner shall not direct the means, manner or method for resolving the dispute or demand resolution within a set timeframe). The Commissioner shall inform the County Manager if the corrective action is not satisfactory.
 - b. In connection with an investigation being conducted by the Board of County Commissioners and the Commissioner contacting an employee under the jurisdiction of the County Manager has been delegated by a majority vote of the Board of County Commissioners to head the investigation.
 - c. In connection with the procurement of goods or services only when the Commissioner has been appointed by a majority vote of the Board of County Commissioners to serve on the selection committee.
 - d. In connection with the hiring process of the County Manager, County Attorney or fire chief.

- e. For routine requests for information and inquiries where staff is asked for information that is readily available to the general public on a regular basis (e.g. What are the library hours of operation?).
- f. For non-routine requests for readily available information where staff is asked to gather readily available information that may not be routinely requested by the general public (e.g. How many traffic lights are in the unincorporated area of the county?).
- g. Non-routine requests requiring special effort where staff is required to compile information that is not readily available or easily retrievable and/or that requests staff to express an opinion (legal or otherwise). These requests should ordinarily be directed to the County Manager or County Attorney, as appropriate. However, circumstances may dictate the need to contact staff directly to handle the requests and in such case the request shall be submitted by email and a copy sent to the County Manager and County Attorney. (e.g. How many studies were conducted last year that involved more than 500 hours of staff time? Or What is the logic behind the county's night skies ordinance?). The County Manager or County Attorney shall be responsible for distributing such requests to his/her staff for follow-up. Responses to such requests shall be copied to all members of the Board of County Commissioners and shall include the name of the member of the board making the request.
- h. Any request made by a Commissioner to the County Attorney through an attorney-client communication shall not be subject to the procedure listed in subpart g. above.
- 1. Any county public servant who has information that a Commissioner has, or may have violated a provision of this Code of Conduct, shall report the violation to the County Manager or the County Attorney.

SECTION 5 - REPORTING VIOLATIONS OF THE CODE OF CONDUCT

- A. Any person who has reason to believe the code of conduct has been violated may report the suspected violation in the following manner:
 - 1. By submitting to the County Manager or County Attorney, a sworn and signed complaint alleging facts which, if true, would constitute a violation of this code. The sworn complaint must identify with particularity the specific section(s) of the code allegedly violated and the facts that support such a violation. The complaint must include the complainant's name and contact information. Complaints will be handled in the following manner:
 - a. If the complaint involves allegations against a county employee, the County Manager, County Attorney, and human resources director shall investigate the complaint to determine if there is enough evidence to support the allegation(s). The County Manager may, at their discretion, hire an independent licensed investigator to review the allegations. Violations of this code by county

employees shall be considered violations of the County's Personnel Ordinance and subject to discipline up to and including termination per the Personnel Ordinance.

- b. If the complaint involves allegations against a county elected official other than a Commissioner, the County Manager and County Attorney shall investigate the complaint to determine if there is enough evidence to support the allegation(s). The County Manager may, at their discretion, hire an independent licensed investigator to review the allegations. If the allegation(s) are found to be supported by a preponderance of the evidence, the County Manager shall present the findings to the Board of County Commissioners at the board's next regular meeting.
- c. If the complaint involves allegations against a County Commissioner, the County Manager and County Attorney shall convene a review board of three (3) officials with government ethics, legal, management, or human resources experience to review the complaint. The review board shall have the authority to dismiss the complaint or to order an independent investigation by a licensed investigation firm. If the allegation(s) are found to be supported by a preponderance of the evidence, the investigator shall present the findings to the Board of County Commissioners at the board's next regular meeting.
- **B.** The complaints that are not dismissed shall be served by the County Manager on the respondent within three business days after the determination not to dismiss the complaint has been made. Service of all documents required under this section may be done by electronic delivery and return receipt.
- C. Given the Board of County Commissioners and other county elected officials' commitment to open, ethical and transparent government, reporting a good faith complaint for a known violation of the code of conduct by a public servant shall afford that person all the protections of the non-retaliation provision of this code and the protections contained in the Whistleblower Protection Act.

SECTION 6 – RIGHT OF APPEAL

Any decision of a violation of this code, with respect to an elected official, candidate or volunteer may be appealed to the Seventh Judicial District Court. Any decision regarding an employee shall be covered by the terms of the county's Personnel Ordinance.

SECTION 7 – NON-RETALIATION

The Board of County Commissioners does not tolerate retaliation against any person who has reported a violation of this code or of other county ordinances or state laws when made in good faith. This non-retaliation provision applies whether the complaint is ultimately determined to be well founded or unfounded. All public servants are specifically prohibited from taking any adverse employment action or other retaliatory action against anyone in retaliation for reporting a good faith claim of violation. Anyone

who feels that they have been retaliated against in violation of this policy should submit a sworn and signed complaint to the County Manager or County Attorney setting forth the claim of retaliation.

A complainant's report of facts may be regarded as being covered by the Whistleblower Protection Act, NMSA 1978, 10-16C-l, et seq., and the county shall not retaliate against a complainant for filing a complaint. However, in regard to county employees, merely filing a complaint shall not provide immunity, or protection from county actions related to the complainant's own misconduct, poor job performance, a reduction in work force or other legitimate business purpose. The county reserves the right to act in the public interest in balancing the rights of the complainant to bring forward charges of misconduct while maintaining orderly and efficient operations of county government.

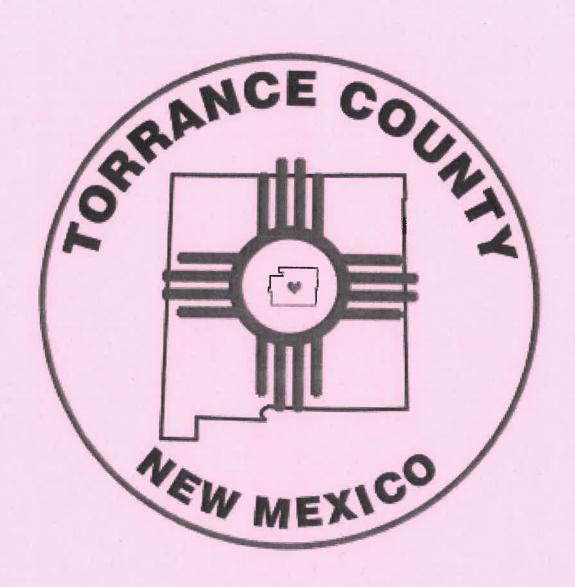
If after an independent investigation, the County Manager finds that a complaint for violation of the Code of Conduct submitted by an employee is without merit and was made with an intent to harm, harass or intimidate the subject of the complaint, the employee shall be subject to discipline up to and including termination per the Torrance County Personnel Ordinance. The County Manager is authorized to remove any volunteer or County board member for violations of this Code of Conduct or if the volunteer or County board member's complaint has been found to be without merit and used to harm, harass, or intimidate another public servant. For complaints of violations not covered by the Code of Conduct found to be without merit, the County Manager and the County Attorney may determine if a complaint was made with the intent to harm, harass or intimidate the subject and may take disciplinary action.

SECTION 8 – SERVERABILITY

The provisions of this Code of Conduct are severable, and if any provision, sentence, clause, section, or part thereof is held illegal, invalid, unconstitutional, facially or in application, the illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Code of Conduct or their application. It is hereby declared to be the intent of the Board of County Commissioners that this Code of Conduct would have been adopted as if such illegal, invalid, or unconstitutional provision, sentence, clause, section, or part had not been included therein, or alternatively held exempted from or inapplicable to a specific person or circumstance.

SECTION 9 – FIRST AMENDMENT

Nothing in this Code of Conduct shall be construed to in any way restrict or abridge a public servant's freedom of speech as guaranteed by the United States Constitution's First Amendment during non-work hours or when not conducting official County business.



Agenda Item No. 11-A



TORRANCE COUNTY Budget Adjustment Procedures

Resolution 2019 - ____

Section I: General Provisions

1.1 Purpose

The purpose of this document is to outline procedures and deadlines for submitting budget adjustments within the fiscal year for Torrance County.

1.2 Employee Knowledge and Information of Policy

County Manager or designee shall provide a copy of this policy to current employees and to all new employees with instructions to read and know all provisions of these rules. Employees shall sign for the copy upon receipt.

Section II: Definitions

2.1 Line Item Transfer

The Transfer of funds from one line item to another.

2.2 Intra fund

Transactions within the same fund.

2.3 Inter Fund

Transactions between two funds.

2.4 Budget Increase

The increase of the operating budget of a fund both on the expense and revenue sides.

2.5 Journal Entry

A transaction for recording or correcting revenue and expenditure activity.

Section III: Procedures

3.1 Line Item Transfers

A Line Item transfer (LIT) request is to be completed by the Department Head or designee to move funds from one line item to another. LITs are required to transfer funds to cover deficits or future expenditures within the budgeting cycle.

Intra-fund Transfers

- A. Intra-fund LITs will require approval from the Finance Director and the County Manager or Designee. Once all approvals are obtained, the LIT request will be submitted to the Department of Finance and Administration (DFA) through the Local Government Budget Management System (LGBMS) for the official budget record. Finally, the intra-fund LIT will be recorded by journal entry in the TRIADIC system.
- B. The Finance Department will strive to complete all intra-fund LIT requests within one week upon submission to the Finance Director if all necessary approvals can be obtained. Intra-fund LIT will be accepted until the 15th of June for the current fiscal year. New intra-fund LIT requests will not be processed until the final budget is approved by DFA, typically by September 1st. The Finance Director has the right to waive the June deadline for submission of intra-fund LIT requests.

Inter-fund Transfers

- C. Inter-fund LIT will require approval by the Finance Director, County Manager or Designee, and the County Commission by resolution. Once those approvals are obtained, the LIT request will be submitted to the DFA through the LGBMS for approval. Once approved by DFA, the inter-fund LIT will be recorded by journal entry in the TRIADIC system.
- D. The deadline for inter-fund LIT requests is the close of business the day before agenda items are required to be turned in for the subsequent Board of County Commission (Commission) meeting. Inter-fund LIT will be submitted into LGBMS for DFA approval within one week of Commission approval by resolution. There is no set time frame for DFA approval. Inter-fund LIT request deadline for the end of fiscal year will be the close of business the day before agenda items are required to be turned in for the first scheduled Commission meeting in. The Finance Director has the right to waive the deadline for this submission for budget balancing purposes. New inter-fund LIT requests will not be processed until the final budget is approved by DFA, typically by September 1st.

3.2 Journal Entries

Journal entries require the approval of the Department Head, the Finance Director and/or the County Treasurer. Journal entries will be completed to correct expenditures drawn from an incorrect line item or revenues recorded to an incorrect line item. Journal entries

will be completed by the Finance Department and/or Treasurer's Office within one week of receipt and approval. The fiscal year deadline for journal entries will be July 7th or the last business day prior to July 7th for the previous fiscal year.

3.4 Budget Increases

- A. Budget increase requests will be completed by the Department Head to capture an increase in funding. Budget increases require approval by the Department Head, Finance Director, County Manager or Designee and the County Commission by resolution. Once those approvals are obtained, the budget increase request will be submitted to the DFA through the LGBMS for approval. Once approved by DFA, the budget increase will be recorded by journal entry in the TRIADIC system.
- **B.** The deadline for budget increase requests is the close of business the day before agenda items are required to be turned in for the subsequent Commission meeting. Budget increase requests will be submitted into LGBMS for DFA approval within one week of Commission approval by resolution. There is no set time frame for DFA approval. Budget Increase request deadline for the end of fiscal year will be close of business the day before agenda items are required to be turned in for the first scheduled Commission meeting in. The Finance Director has the right to waive the deadline for this submission for budget balancing purposes. New budget increase requests will not be processed until the final budget is approved by DFA, typically by September 1st.

RESOLVED: In Regular Board Session this 11th day of September 2019.

	TORRANCE COUNTY COMMISSION
Attest:	Kevin McCall, District 1
	Ryan Schwebach, District 2
County Clerk	Javier E. Sanchez, District 3



Agenda Item No. 12-A

RESUME

Danielle Pressly Johnston

147 Cedar Lane Drive

Moriarty, NM

Desired Appointment: EVSWA Board Member

Qualifications:

- MA from University of New Mexico Education Administration
- 42-year resident of Torrance County and EVSWA customer
- Committed to serving Torrance County Residents and to strengthening the relationship between EVSWA and all customers
- 40 years serving the Torrance County and Bernalillo Education Communities
 - 21 years in the Estancia Municipal School District
 - 10 years in the Moriarty Edgewood School District
 - 5 years in Bernalillo County Charter Schools
 - 4 years in NM CYFD Juvenile Justice Education
- Appointed to the New Mexico Public Education Commission 2016-2018

Reasons for Seeking this Appointment:

I have a profound respect and appreciation for the residents and cultural diversity of our county. I am looking for ways to represent the residents of District 1 and ways to strengthen our collaborative county processes when addressing the varied needs of our constituents.

References available upon request



Agenda Item No. 12-B



Torrance County Board of Commissioners Meeting 9/11/19Departm

Department: Manager Prepared By: Wayne Johnson

Title: Torrance County Assessor's Office Reorganization Plan

Action:

Motion to approve Assessor's Reorganization Plan creating two new positions, removing two existing positions, and increasing specified salaries.

Summary:

The Torrance County Assessor has requested a reorganization of his office in order to more effectively meet his statutory and constitutional responsibilities. The reorganization would create two new positions Senior Appraiser Lead and Data Analyst/CAMA Appraiser, as well as increase the salaries of two Appraiser positions and the Office Manager. The Assessor justifies the increased salaries by comparing current Appraiser salaries to industry standards and pays for the increases by removing three positions – the Re-Appraisal Clerk, Chief Appraiser position and one Appraiser position. If implemented as proposed, the reorganization would result in a \$3,634 savings over the Assessor's currently approved budget.

Significant Issues:

Timing will be critical in the implementation of this plan due to the use of existing positions – some currently filled - to fund salary increases and new positions. The Assessor will begin by collapsing the Chief Appraiser position and creating and posting the Senior Appraiser Lead position. The Senior Lead position will be advertised in-house and requires appropriate certifications. It is anticipated that one of the existing Appraisers will be the successful candidate. Concurrently, the Data Analyst/CAMA Appraiser position will be created and advertised in-house. The Re-Appraisal Clerk position will be removed once the Data Analyst/CAMA Appraiser position is filled. The new position does not require specific appraisal certifications and will be open to all County employees. It is anticipated that the current Re-Appraisal Clerk will apply for the Data Analyst/CAMA Appraiser position. If unsuccessful, the Re-Appraisal Clerk will be laterally moved to vacant the Appraiser Assistant position. In either case, following the hiring and/or transfer the Re-Appraisal Clerk position will be collapsed. In order to maintain budget integrity, the positions of Appraiser and Office Manager who are identified to receive pay increases will receive their increases in the next pay period after the reorganization is complete. Another significant issue is the possibility that none of the current Appraisers choose to apply for the newly created Senior Appraiser Lead position, in which case the reorganization and pay raises would be impossible to implement and the current structure would remain in place.

Financial

County Finance has completed a financial review and determined that if carefully implemented and costs are not increased by failing to collapse positions whose funds have been identified for use in implementing staff raises and funding new positions, the impact will be revenue neutral or

slightly budget friendly. If the move requires any unforeseen costs, it is likely that these costs can be absorbed through vacancy savings. The reorganization will require an increased reliance on the Assessor's Valuation Fund to fund the Data Analyst/CAMA Appraiser position. The increase from the Valuation Fund is predicted to be 2% or \$520.

Budget Analysis

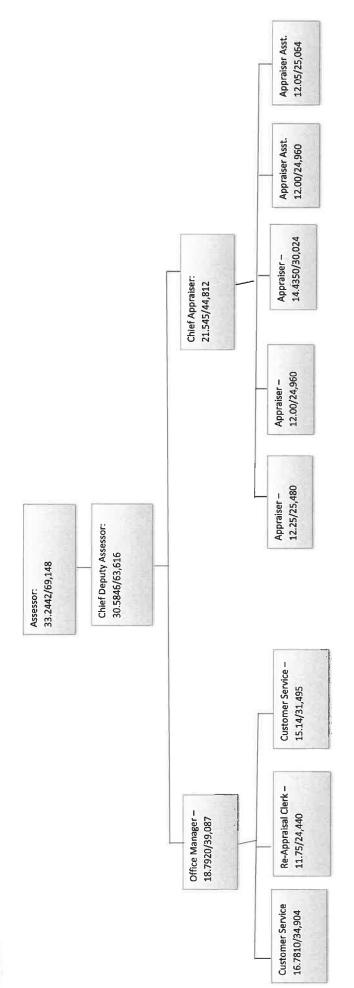
Department	Job Title	HR	Annual Salary	FICA	PERA	Retiree Health	Total
Assessor							
Employee							
Lucero	County Assessor		\$69,148	\$5,290	\$6,777	\$1,383	\$82,597
Humphrey	Deputy Assessor	80	\$63,616	\$4,867	\$6,234	\$1,272	\$75,989
V. Sedillo	Office Manager	80	\$39,520	\$3,023	\$3,873	\$790	\$47,207
Sedillo, Sandy	Customer Service	80	\$34,904	\$2,670	\$3,421	\$698	\$41,693
Jones, Sandy	Customer Service	80	\$31,720	\$2,427	\$3,109	\$634	\$37,890
Hubbard Garcia,Holt,	Appraiser Assistant	80	\$24,960	\$1,909	\$2,446	\$499	\$29,815
Sasnow Garcia, Holt,	Lead Appraiser	80	\$37,960	\$2,904	\$3,720	\$759	\$45,343
Sasnow Garcia, Holt,	Appraiser	80	\$35,360	\$2,705	\$3,465	\$707	\$42,238
Sasnow	Appraiser	80	\$35,360	\$2,705	\$3,465	\$707	\$42,238
Vacant	Appraiser Assistant Appraisal Database Analyst/Reapprasal		\$24,960	\$1,909	\$2,446	\$499	\$29,815
Any	Coordinator	80	\$37,440	\$2,864	\$3,669	\$749	\$44,722
	Sub-Total		\$434,948	\$33,274	\$42,625	\$8,699	\$519,545
Current Salaries			\$437,990	\$33,506	\$42,923	\$8,760	\$523,179
Difference			\$3,042	\$232	\$298	\$61	\$3,634

Staff Recommendation: Approval

The Assessor's reasoning and justification for his office reorganization appear to be sound. The Manager's Office and HR will work with the Assessor to implement the proposed reorganization and keep the department within the FY2020 approved budget.

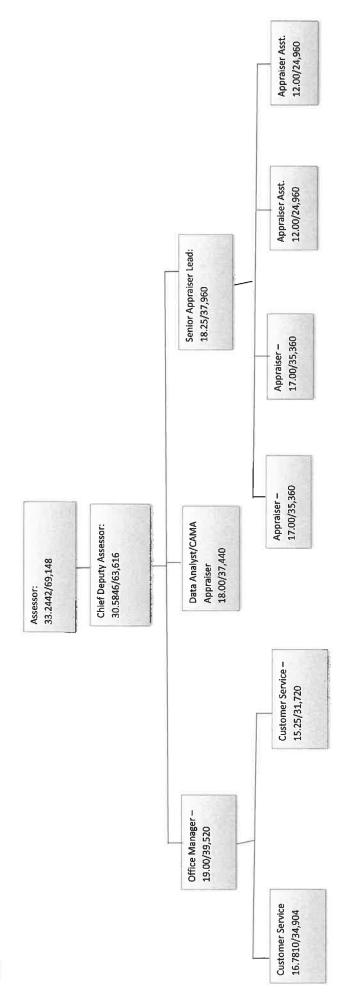
GENERAL BUDGET SALARY ANALYST	- SALARY ANALYST															
PROPOSED POSITION	CURRENT POSITION	NOTES	INDUS	TRY PAY BASE	INDUST	RY PAY MID	INDUSTRY PAY BASE INDUSTRY PAY MID INDUSTRY PAY MAX		CURRENT SALARY	CURRENT HOURLY PAY		PROPOSED SALARY	PROPOSED HOURLY	- 1	DIFFERENCE SALARY	4RY
		Eleminating Position to														
Chief Appraiser	Chief Appraiser	resturcture Dept						ł/s	44,812.00	Ŷ	21.55	•		••	(44,812.00)	12.00)
Office Manager	Office Manager		w	34,379.00	s.	42,973.00	\$ 51,568.00	\$ 00	39,087.00	٠,	18.79	\$ 39,520.00	\$ 00	\$ 00.61	43	433.00
		Above Max Pay -														
Customer Service/Data Entry	Prop Assessment	No Increase	٠	22,593.00	\$	28,242.00	\$ 33,890.00	\$ 00	34,904.00	\$	16.78	\$ 34,904.00	\$ 00	16.78 \$,
Customer Service/Data Entry	Customer Service		√ >	22,593.00	ς,	28,242.00	\$ 33,890.00	\$ 00	31,495.00	\$	15.14	\$ 31,720.00	\$ 00	15.25 \$. 22	225.00
Appraiser Asst.	Appraiser		\$	23,158.00	\$	28,948.00	\$ 34,737.00	\$ 00	25,064.00	\$	12.05	\$ 24,950.00	\$ 00	12.00 \$	(10	(104.00)
Appraiser Asst.	Old Position/New 2019		ψ,	23,158.00	•	28,948.00	\$ 34,737.00	\$ 00	24,960.00	\$	12.00	\$ 24,960.00	\$ 00	12.00 \$,
Appraisal Database																
Analyst/Reappraisal		58% Reappraisal,	_*													
Coordinator	Reappraisal Clerk	42% General	٠,	39,869.00	\$	49,836.00	\$ 59,803.00	\$ 00	,	Ş		\$ 13,000.00	\$ 00	6.25 \$	13,00	3,000.00
Senior Lead Appraiser	Appraiser Apprentice		<>	38,896.00	•^	48,620.00	\$ 58,344.00	\$ 8	24,960.00	\$	12.00	\$ 37,960.00	\$ 00	18.25 \$	13,00	13,000.00
Appraiser	Appraiser		٠,	35,238.00	٠,	44,048.00	\$ 52,857.00	\$ 00	25,480.00	s	12.25	\$ 35,360.00	\$ 00	17.00 \$	88'6	9,880.00
Appraiser	Appraiser		\$	35,238.00	\$	44,048.00 \$	\$ 52,857.00	\$ 00	30,024.00	\$	14.44	\$ 35,360.00	\$ 00	17.00 \$	5,33	5,336.00
1% (PROPERTY VAI	1% (PROPERTY VALUATION) BUDGET SALARY ANALYST	SALARY ANA	\LYST													
PROPOSED POSITION	CURRENT POSITION	NOTES	INDUS	INDUSTRY PAY BASE INDUSTRY PAY MID	INDUST	RY PAY MID		CURE	CURRENT SALARY	CURRENT HOURLY PAY		PROPOSED SALARY	PROPOSED HOURLY		DIFFERENCE SALARY	\RY
Appraisal Database Analyst/Reappraisal		58% General,														
Coordinator	Reappraisal Clerk	42% Reappraisal	\$	39,869.00	s	49,836.00		¢s.	24,440.00	\$	11.75	\$ 24,440.00	\$ 00	11.75 \$		5
Reduction In Salary Budget		100					THE LIES		THE PERSON		300	ST TOTAL	COLUMN TO SERVICE			

2019 CURRENT TORRANCE COUNTY ASSESSOR'S OFFICE ORG CHART



Total Salary: 437,990.00

2019 NEW AFTER REORGANIZTION TORRANCE COUNTY ASSESSOR'S OFFICE ORG CHART



Total Salary: 434,948.00

Reduction in Salary Budget of 3,042.00

County Assessor	Department:	1 Job Title	H	Annual Salary	FIGA	PERA	Retiree Health	Health Ins.	Work. Comp.	Total
County Assessor E \$60,146 \$6,250 \$6,777 \$1,383 \$18,166 \$10 \$	Assessor	401-40-2101								
Sub-Total	Lucero	County Assessor	Ш	\$69,148	\$5,290	\$6,777	\$1,383	\$18,165	\$10	\$100.772
Appraiser Apparature Appraiser Appraiser Apparature Apparature Appraiser Apparature Appraiser Apparature Appraiser Apparature Appraiser Apparature Apparature Apparature Apparature Appara		Sub-Total		\$69,148	\$5,290	\$6,777	\$1,383	\$18,165	\$10	\$100.772
Property Assessment A \$65,616 \$4,4877 \$6,246 \$1,1272 \$18,181 \$10		401-40-2102						•	•	1
Apprinser Apprendice	Humprhey	Deputy Assessor	<	\$63,616	\$4,867	\$6,234	\$1,272	\$18,181	\$10	\$94.180
Appriliser	vacant	Appraiser Apprentice	80	\$25,064	\$1,917	\$2,456	\$501	\$14,000	\$10	\$43,949
	Garcia	Appraiser	80	\$25,480	\$1,949	\$2,497	\$510	\$6,131	\$10	\$36,577
	V. Sedillo	Office Manager	80	\$39,087	\$2,990	\$3,831	\$782	\$1,462	\$10	\$48,161
Apprisiser 80 \$44.812 \$3.428 \$4,392 \$5896 \$4,197 \$10	D. Sedillo	Property Assessment	80	\$34,904	\$2,670	\$3,421	\$69\$	\$6,197	\$10	\$47,900
Appriniser Appriniser 80 \$34,0024 \$1,2947 \$2,3446 \$4500 \$15,002 \$15,002 \$10,	vacant	Chief Appraiser	80	\$44,812	\$3,428	\$4,392	\$896	\$6,197	\$10	\$59,735
w Appraiser 80 \$24,990 \$1,998 \$2,446 \$460 \$16,062 \$10 Customer Service 80 \$24,490 \$2,409 \$2,469 \$13,642 \$10 \$10 Sub-Total \$319,442 \$22,402 \$7,772 \$99,613 \$10	Pot	Appraiser	80	\$30,024	\$2,297	\$2,942	\$600	\$876	\$10	\$36,750
Customer Service 80 \$31,485 \$2,409 \$30,907 \$65,309 \$10,542 \$10,544<	Sasnow	Appraiser	80	\$24,960	\$1,909	\$2,446	\$499	\$15,062	\$10	\$44,887
Sheriff	Jones	Customer Service	80	\$31,495	\$2,409	\$3,087	\$630	\$13,542	\$10	\$51,173
Sheriff		Sub-Total		\$319,442	\$24,437	\$31,305	\$6,389	\$81,648	06\$	\$463,311
Sheriff		Department Total		\$388,590	\$29,727	\$38,082	\$7,772	\$99,813	\$100	\$564,084
County Sheliff E \$72,086 \$1,045 \$74,497 \$14,442 \$18,229 \$10 401-E0-2102 401-E0-2102 \$10,046 \$71,497 \$11,442 \$18,229 \$10 \$10 401-E0-2102 401-E0-2102 \$10,046 \$71,497 \$11,442 \$10 <td>Sheriff</td> <td>401-50-2101</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td>	Sheriff	401-50-2101								
Sub-Total \$17,086 \$1,045 \$7,497 \$1,442 \$18,229 \$10 </td <td></td> <td>County Sheriff</td> <td>ш</td> <td>\$72,086</td> <td>\$1,045</td> <td>\$7,497</td> <td>\$1,442</td> <td>\$18,229</td> <td>\$10</td> <td>\$100.309</td>		County Sheriff	ш	\$72,086	\$1,045	\$7,497	\$1,442	\$18,229	\$10	\$100.309
401-60-2102 401-60-2102 \$66,320 \$962 \$6,897 \$1,326 \$411 \$10 b. Cacutive Secretary A \$66,320 \$5,073 \$6,899 \$1,326 \$12,205 \$10 Sheriff's Deputly 80 \$39,620 \$573 \$4,110 \$790 \$10 \$10 In Sheriff's Deputly 80 \$39,620 \$573 \$4,110 \$790 \$11,205 \$10 In Sheriff's Deputly 80 \$39,620 \$573 \$4,110 \$790 \$11,14 \$10 Sheriff's Deputly 80 \$39,620 \$573 \$4,110 \$790 \$11,14 \$10 a Sheriff's Deputly 80 \$43,680 \$633 \$4,543 \$874 \$10,846 \$10 B Sheriff's Deputly 80 \$43,680 \$52,33 \$4,543 \$874 \$10,846 \$10 B Sheriff's Deputly 80 \$43,680 \$573 \$4,110 \$790 \$10,986 \$10 B <td></td> <td>Sub-Total</td> <td></td> <td>\$72,086</td> <td>\$1,045</td> <td>\$7,497</td> <td>\$1.442</td> <td>\$18.229</td> <td>\$10</td> <td>\$100,309</td>		Sub-Total		\$72,086	\$1,045	\$7,497	\$1.442	\$18.229	\$10	\$100,309
Dudersheriff A \$66,320 \$5073 \$6,897 \$1,326 \$411 \$10		401-50-2102			•	•	•		!	
Executive Secretary A \$66,320 \$5,073 \$6,499 \$1,326 \$12,206 \$10 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$306 \$10 Sheriff's Deputy 80 \$49,400 \$716 \$573 \$4,110 \$790 \$306 \$10 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$15,166 \$10 Sheriff's Deputy 80 \$33,520 \$573 \$4,110 \$790 \$16,166 \$10 Sheriff's Deputy 80 \$33,620 \$573 \$4,120 \$790 \$16,166 \$10 Sheriff's Deputy 80 \$43,680 \$4,543 \$4,110 \$10,846 \$10,846 Sheriff's Deputy 80 \$43,680 \$4,410 \$790 \$10,936 \$10 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$10,936 \$10 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$13,000 \$10 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$13,000 \$10 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$13,000 \$10 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$13,000 \$10 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$13,000 \$10 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$13,000 \$10 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$13,000 \$10 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$13,000 \$10 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$13,000 \$10 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$13,000 \$10 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$13,000 \$10 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$13,000 \$10 Sheriff's Deputy 80 \$34,777 \$10 Sheriff's Deputy 80 \$34,772 \$10 \$10,000 \$10 Sheriff's Deputy 80 \$34,772 \$10,000 \$10,000 \$10 Sheriff's Deputy 80 \$34,772 \$10,000 \$10,000 \$10 Sheriff's Deputy 80 \$34,772 \$10,000 \$10,000 \$10,000 \$10 Sheriff's Deputy 80 \$34,772 \$10,000 \$10,000 \$10,000 \$1	Tyrolf	Undersheriff	∢	\$66,320	\$962	\$6,897	\$1,326	\$411	\$10	\$75.926
Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$306 \$10 Sheriff's Deputy 80 \$49,400 \$716 \$513 \$4,110 \$790 \$306 \$10 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$16,166 \$10 Sheriff's Deputy 80 \$33,720 \$5,904 \$3,720 \$18,141 \$10 Sheriff's Deputy 80 \$43,680 \$633 \$4,543 \$814 \$11,690 \$10 Sheriff's Deputy 80 \$43,680 \$630 \$4,543 \$814 \$11,690 \$10 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$11,900 \$10 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$11,900 \$10 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$11,900 \$10 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$11,000 \$10 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$11,000 \$10 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$11,000 \$10 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$11,000 \$10 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$11,000 \$10 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$11,000 \$10 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$11,000 \$10 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$11,000 \$10 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$11,000 \$10 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$11,000 \$10 Sheriff's Deputy 80 \$34,586 \$500 \$4,748 \$11,01 \$10 \$10 Sheriff's Deputy 80 \$34,565 \$10,246 \$11,01 \$10,01 \$10,01 \$10,01 \$10,000 \$10 Sheriff's Deputy 80 \$45,656 \$10,246 \$11,01 \$10,01 \$10,000 \$10 Sheriff's Deputy 80 \$45,656 \$10,246 \$11,01 \$10,01 \$10,000 \$10 Sheriff's Deputy 80 \$45,656 \$10,246 \$11,01 \$10,000 \$10,00	Dunlap	Executive Secretary	∢	\$66,320	\$5,073	\$6,499	\$1,326	\$12,205	\$10	\$91,434
Sheriff's Deputy 80 \$49.400 \$716 \$5,138 \$988 \$6,313 \$10	Duran	Sheriff's Deputy	80	\$39,520	\$573	\$4,110	\$790	\$306	\$10	\$45,310
rdel Sheriff's Deputy 80 \$39,520 \$673 \$4,110 \$790 \$15,166 \$10 a Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$18,141 \$10 a Records Manager 80 \$37,960 \$2,904 \$3,720 \$769 \$18,065 \$10 Sheriff's Deputy 80 \$43,680 \$633 \$4,543 \$874 \$10,846 \$10 Ind Sheriff's Deputy 80 \$43,680 \$633 \$4,140 \$790 \$10,846 \$10 Ind Sheriff's Deputy 80 \$40,706 \$633 \$4,110 \$790 \$10,936 \$10 Ind Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$10,936 \$10 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$14,777 \$10 Records Clerk 80 \$43,680 \$662 \$4,140 \$790 \$7,277 \$10	Ballard	Sheriff's Deputy	80	\$49,400	\$716	\$5,138	\$988	\$6,313	\$10	\$62,565
Annace of the condition of the con	Schwerdel	Sheriff's Deputy	80	\$39,520	\$573	\$4,110	\$790	\$15,166	\$10	\$60,170
a Records Manager 80 \$37,980 \$2,904 \$3,720 \$759 \$18,065 \$10 Sheriff's Deputy 80 \$43,680 \$633 \$4,543 \$874 \$10,846 \$10 1 Evidence Officer 80 \$43,680 \$633 \$4,543 \$874 \$10,846 \$10 1 Evidence Officer 80 \$44,706 \$590 \$4,533 \$814 \$10,846 \$10 1 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$10,777 \$10 2 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$13,000 \$10 3 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$10,000 \$10 4 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$7,277 \$10 8 \$1,172 \$2,427 \$3,109 \$634 \$18,148 \$10 8 <	Whitson	Sheriff's Deputy	80	\$39,520	\$573	\$4,110	\$790	\$18,141	\$10	\$63,145
Sheriff's Deputy 80 \$43,680 \$633 \$4,543 \$874 \$13,641 \$10 The Evidence Officer 80 \$43,680 \$633 \$4,543 \$874 \$10,846 \$10 Ind Evidence Officer 80 \$43,680 \$590 \$4,233 \$814 \$13,630 \$10 Ind Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$10,846 \$10 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$10 \$10 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$13,000 \$10 Records Clerk 80 \$39,520 \$573 \$4,110 \$790 \$14,777 \$10 Records Clerk 80 \$39,520 \$573 \$4,110 \$790 \$7,277 \$10 Records Clerk 80 \$31,720 \$2,427 \$3,109 \$634 \$18,148 \$10 Sheriff's Deputy 80 \$45,656 \$4	Zamora	Records Manager	80	\$37,960	\$2,904	\$3,720	\$759	\$18,065	\$10	\$63,418
Sheriff's Deputy 80 \$43,680 \$633 \$4,543 \$874 \$10,846 \$10 Evidence Officer 80 \$40,706 \$590 \$4,233 \$814 \$13,630 \$10 Ind Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$13,000 \$10 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$13,000 \$10 Sheriff's Deputy 80 \$43,680 \$633 \$4,543 \$874 \$14,777 \$10 Records Clerk 80 \$31,720 \$2,427 \$3,109 \$634 \$18,148 \$10 Sub-Total \$18,640 \$10,246 \$14,715 \$10 Sub-Total \$18,640 \$170 \$18,640 \$10	Cobb	Sheriff's Deputy	80	\$43,680	\$633	\$4,543	\$874	\$13,641	\$10	\$63,381
Evidence Officer 80 \$40,706 \$599 \$4,233 \$814 \$13,630 \$10	Garcia	Sheriff's Deputy	80	\$43,680	\$633	\$4,543	\$874	\$10,846	\$10	\$60,586
ind Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$19,936 \$10 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$6,197 \$10 Sheriff's Deputy 80 \$43,680 \$633 \$4,543 \$874 \$13,000 \$10 a-Coiller Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$13,000 \$10 Records Clerk 80 \$39,520 \$573 \$4,110 \$790 \$7,277 \$10 Records Clerk 80 \$31,720 \$2,427 \$3,109 \$634 \$634 \$10 Sheriff's Deputy 80 \$45,656 \$662 \$4,748 \$913 \$18,148 \$10 Sheriff's Deputy 80 \$45,656 \$662 \$4,778 \$18,148 \$10 Sub-Total \$745,762 \$19,246 \$714,915 \$18,640 \$17.0 \$1,70	Stocum	Evidence Officer	80	\$40,706	\$590	\$4,233	\$814	\$13,630	\$10	\$59,984
t Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$6,197 \$10 Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$13,000 \$10 Records Clerk 80 \$39,520 \$573 \$4,110 \$790 \$14,777 \$10 Records Clerk 80 \$31,720 \$2,427 \$3,109 \$634 \$15 \$10 Sheriff's Deputy 80 \$31,720 \$2,427 \$3,109 \$634 \$18 \$10 Sheriff's Deputy 80 \$45,656 \$662 \$4,748 \$31 \$18,148 \$10 Sub-Total \$745,762 \$19,246 \$76,743 \$14,915 \$188,640 \$170 \$1	Woodard	Sheriff's Deputy	80	\$39,520	\$573	\$4,110	\$790	\$19,936	\$10	\$64,940
Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$13,000 \$10 Sheriff's Deputy 80 \$43,680 \$633 \$4,543 \$874 \$14,777 \$10 Records Clerk 80 \$31,720 \$2,427 \$3,109 \$634 \$581 \$10 Sheriff's Deputy 80 \$45,656 \$662 \$4,748 \$913 \$18,148 \$10 Sheriff's Deputy 80 \$45,656 \$662 \$4,748 \$913 \$18,148 \$10 Sub-Total \$745,762 \$19,246 \$76,743 \$14,915 \$188,640 \$170 \$1	Arreola	Sheriff's Deputy	80	\$39,520	\$573	\$4,110	\$790	\$6,197	\$10	\$51,201
Sheriff's Deputy 80 \$43,680 \$633 \$4,543 \$874 \$14,777 \$10 ra-Colller Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$7,277 \$10 Records Clerk 80 \$31,720 \$2,427 \$3,109 \$634 \$581 \$10 Sheriff's Deputy 80 \$45,656 \$662 \$4,748 \$913 \$18,148 \$10 Sub-Total \$745,762 \$19,246 \$76,743 \$14,915 \$188,640 \$170 \$1,00	vacent	Sheriff's Deputy	80	\$39,520	\$573	\$4,110	\$790	\$13,000	\$10	\$58,004
a-Coiller Sheriff's Deputy 80 \$39,520 \$573 \$4,110 \$790 \$7,277 \$10 Records Clerk 80 \$31,720 \$2,427 \$3,109 \$634 \$581 \$10 Sheriff's Deputy 80 \$45,656 \$662 \$4,748 \$913 \$18,148 \$10 Sub-Total \$745,762 \$19,246 \$76,743 \$14,915 \$188,640 \$170 \$1,	Watts	Sheriff's Deputy	80	\$43,680	\$633	\$4,543	\$874	\$14,777	\$10	\$64,517
Records Clerk 80 \$31,720 \$2,427 \$3,109 \$634 \$581 \$10 Sheriffs Deputy 80 \$45,656 \$662 \$4,748 \$913 \$18,148 \$10 Sub-Total \$745,762 \$19,246 \$76,743 \$14,915 \$188,640 \$170 \$1,	Cordova-Colller	Sheriff's Deputy	80	\$39,520	\$573	\$4,110	\$790	\$7,277	\$10	\$52,281
Sub-Total 80 \$45,656 \$662 \$4,748 \$913 \$18,148 \$10 Sub-Total \$745,762 \$19,246 \$76,743 \$14,915 \$188,640 \$170	Salas	Records Clerk	90	\$31,720	\$2,427	\$3,109	\$634	\$581	\$10	\$38,481
\$745,762 \$19,246 \$76,743 \$14,915 \$188,640 \$170	Young	Sheriff's Deputy	80	\$45,656	\$662	\$4,748	\$913	\$18,148	\$10	\$70,137
		Sub-Total		\$745,762	\$19,246	\$76,743	\$14,915	\$188,640	\$170	\$1,045,476

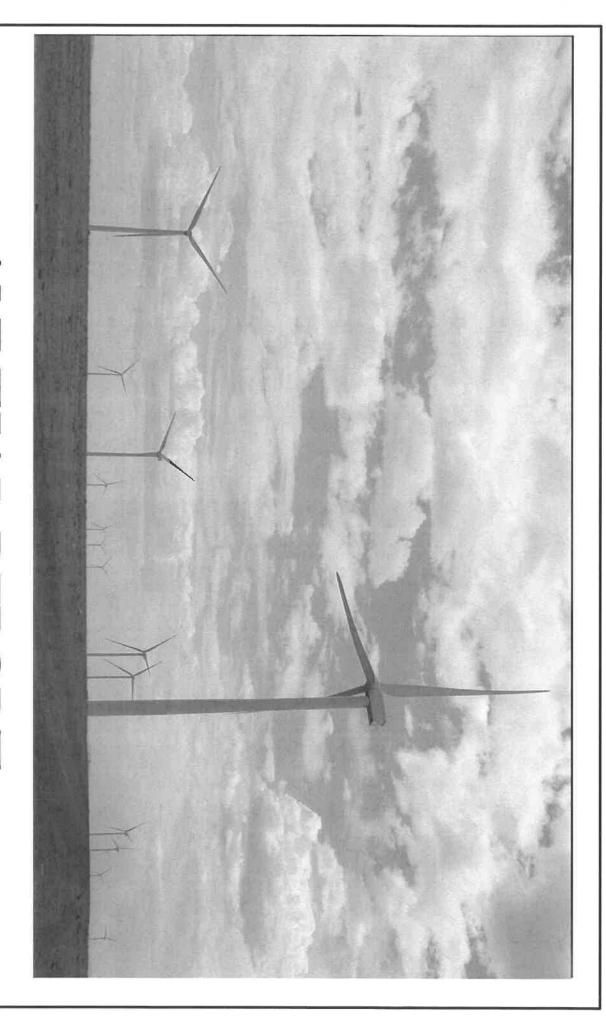
Department	Job Title	HR	Annual Salary	FICA	PERA	Refiree Health	Heath:	Work Comp. *	Totale
Infrastructure Tax	620-94-2102								
Operations	Janitor	80	\$23,920	\$1,830	\$2,344	\$478	\$10,000	\$10	\$38,582
Sherliff	Patrol Sergeant	80	\$52,000	\$754	\$5,408	\$1,040	\$10,000	\$10	\$69,212
Treasurer	Treasury Controller	80	\$39,500	\$3,022	\$3,871	\$790	\$10,000	\$10	\$57,193
Assessor	Appraiser	80	\$24,960	\$1,909	\$2,446	\$499	\$10,000	\$10	\$39,825
	Sub-Total		\$140,380	\$7,515	\$14,069	\$2,808	\$40,000	\$40	\$204,812
	FUND TOTAL		\$140,380	\$7,515	\$14,069	\$2,808	\$40,000	\$40	\$204,812
Rural Addressing	675-07-2102	42							
Gastelum	GIS Mapper/Rural Analys	80	\$40,755	\$3,118	\$3,994	\$815	\$12,632	\$10	\$61,324
	FUND TOTAL		\$40,755	\$3,118	\$3,994	\$815	\$12,632	\$10	\$61,324
Domestic Violence Grant	690-09-2103								
Martinez	Victim Support Specialist	38	\$10,007	\$766	\$0	0 \$	\$3,435	\$5	\$14,213
Milbourn	Victim Support Specialist	38	\$12,597	\$964	\$0	\$	0\$	\$10	\$13,571
Sanchez	Victim Support Specialist	38	\$12,597	\$964	0\$	&	0\$	\$10	\$13,571
Vacant	Victim Support Specialist	38	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Sub-Total		\$35,201	\$2,693	\$0	\$0	\$3,435	\$25	\$41,354
	Department Total		\$35,201	\$2,693	0\$	\$0	\$3,435	\$25	\$41,364
	690-86-2103								
Martinez	Victim Support Specialist	38	\$10,000	\$765	\$0	\$0	\$3,434	\$5	\$14,204
	Sub-Total		\$10,000	\$765	\$0	\$0	\$3,434	\$5	\$14,204
	Department Total		\$10,000	\$765	0\$	0\$	\$3,434	\$5	\$14,204
	FUND TOTAL		\$45,201	\$3,458	0\$	\$0	\$6,869	\$30	\$55,558
Civil Defense	826-88-2102								
Propp	Emergency Manager	80	\$35,616	\$2,725	\$3,490	\$712	\$237	\$10	\$42,790
	Sub-Total		\$35,616	\$2,725	\$3,490	\$712	\$237	\$10	\$42,790
	FUND TOTAL		\$35,616	\$2,726	\$3,490	\$712	\$237	\$10	\$42,790



Agenda Item No. 12-C



Agenda Item No. 13-A





CHRISTIE HUMPHREY, DEPUTY ASSESSOR ANNUAL REPORT JESSE LUCERO, ASSESSOR

Assessor's Office Annual Cyc

Appraisers: Study Markets & Set Value for all Real & MH Properties

Personal Property & Customer Service Staff (Livestock & BPP)- Processed rendition forms to set value for personal property acct.

Administration & CAMA: Performs QC for final

(Jan 1st through March 1st).

values, Runs Sales Ratio & other statistical reports &

prepares file for NOV Printing.

5. Reappraisal of County

5 to 6 year plan: Appraisal Staff

Clean up of data and Land Valuation/Market development in years 1 & 2

Improved Properties Valuation/Market Development in years 3-6 (goal to reappraiser 1/4 of the improved parcels each year.

(Aug 1st - December 31st)

4. Tax roll and Warrant

Administration & CAMA – Tax rates are sent to the counties by 9/1. The rates are then entered into the CAMA. Tax roll is sent over to the Treasurer's office by 10/1 & the warrant is prepared. This is the process that gives the information to the Treasurer so Tax Bills can be sent.

(September 1st - October 1st)

2. Notice of Value Sent, Protest Intake & State Evaluation

Notice of Values are mailed on April 1st.

All staff helps property owners with Protest intake, Exemptions & Valuation Freeze forms. Outreach to Property Owners.

Administration & CAMA: Prepare documents and meet with the state for Evaluation

April 1st - May 1st

3. Protest Settlement, Formal Board Hearings & State Certification of Value

Appraisers: Field Checks, review of value & meetings with property owners on all protest.

Admin & CAMA: Input State Assessed, Balance to PTD-01, Prepare PTD-02, PTD-03 & PTD-13 forms for the state. Run Abstract for file. Due 6/15 every year.

(May 1st - Aug 1st)

Responsibility & Statutory Duty Assessors Office

at the county level for property valuation maintenance, subject only to the general supervisory powers of the director. updating property values so that current and correct values of property are maintained and shall have sole responsibility and authority Property Tax Code [Articles 35 to 38 of Chapter 7 NMSA 1978] and specifically 7-36-16 (A), and the regulations, orders, rulings and instructions of the department. Except as limited in Section 7-36-21.2 NMSA 1978, assessors shall also implement a program of County Assessors are exclusively responsible for determining values of property for property taxation purposes in accordance with the

has been performed in the office. Developing an ongoing plan is essential to the primary function of the Assessors Office Reappraisal is not an option, it is a requirement of the office. One that was started in 2015 with our rural areas of Duran, Encinc Willard, Estancia and last year Moriarty. The Entire Reappraisal process had relied on the cost method of value and no mass appraisal

Property Valuation Program Components:

Please refer to current 2019-2022 Valuation Maintenance Plan for detail on complete reappraisal plan

The valuation maintenance program developed and implemented by the Torrance County Assessor consists of three major components:

- 1- Valuation and data maintenance of all taxable parcels on a yearly cycle;
- 2- Door to door re-inspection or Oblique side view and ortho imagery verification of all taxable improved real property every 5 to 6
- Stratification of markets based on current sales data & development of market value for properties within the county

Responsibility & Statutory Duty Assessors Office

Vacant Land, Agricultural land & Residential Re-inspection Plan: Began in January 2016

improved accounts in each year of the plan to achieve total coverage of approximately 35,000 real property & manufactured reviewing all agricultural land in the first year. Year 2-6 will include re-inspecting both residential and non-residential review. The plan involves reviewing all vacant land, developing market value, setting land codes in the CAMA system and Starting January 2019, the County Assessor began implementing a five to six year improved re-inspection & vacant land home accounts in Torrance County.

Our Approach

plan previously unavailable in the past In regards to the approach to be used for reappraisal inspection, two new technologies will be available in this 5 to 6 year

plan will encompasses a full land reappraisal & 1/5 of the county improved parcels will be re-inspected each year save time and resources. Most properties can be adequately inspected from exterior conditions visible in the imagery. This acquired in the fall of 2019 by Pictometry. This technology will greatly reduce the need for a physical door-to-door review& The first will be the introduction of oblique, side-view imagery of most of the improved portions of the county which will be

- assigned area that will need to be visited, verified and appropriate market value developed •Each appraiser will work with the Reappraisal Coordinator and Chief Deputy Assessor to determine the 1/5 of their
- •This proactive annual approach will ensure accurate assessment, fair and equitable values for all property owners
- •This year will also include a detailed reassessment of all agricultural lands

ASSESSOR'S OFFICE STAFFING

ADMINISTRATION

Elected Assessor	
Chief Deputy Assessor	
Office Manager/BPP/QC	
APPRAISAL	
Reappraisal/QC CAMA Appraiser *	1
Appraiser	ω
Appraiser Asst.	1-2
Agriculture / Livestock	1

CLERICAL

GIS Director/Mapping	GIS/MAPPING/RURAL ADDRESSING	Customer Service/Data Entry
		2



^{*} Pending Commission Approval

Taxable Valuation Comparison

Total Non-Res. Value	Total Res. Value	Total Taxable Value	
\$110,189,754	\$175,692,056	\$285,881,810 \$1,978,695 Net New Value Added	Tax Year
\$116,708,426	\$176,999,178	2018 \$293,707,604 \$1,978,695 Net New Value Added	Tax Year
\$6,518,672	\$1,307,122	\$7,825,794 \$770,382 Net New Value is down from 2017	€\$
.59%	.74%	Change 2.73%	%

Taxable Valuation Comparison

Total Non-Res. Value	Total Res. Value	Total Taxable Value	
\$116,708,426	\$176,999,178	\$293,707,604 \$2,676,020 Net New Value Added	Tax Year 2018
\$111,121,261	\$177,694,996	\$288,816,257 \$2,661,524 Net New Value Added	Tax Year 2019
\$5,587,165	\$695,818	\$4,891,347 \$14,496 Net New Value is down from 2018	\$ Change
4.8%	.39%	1.6%	% Change



In ratio studies, the average percentage deviation from the median numbers from the median expressed as a percentage of the median Coefficient of dispersion (COD). The average deviation of a group of

Price-related differential. The mean divided by the weighted mean. differentials below 0.98 tend to indicate assessment progressivity. The statistic has a slight bias upward. Price-related differentials above 1.03 tend to indicate assessment regressivity; price-related



Torrance County Assessor's Sales Ratio Study 2018 Residential Property Assessed Values Vs 2017 Sales Prices

I.A.A.O. Is the International Association of Assessing Officers

Office Accomplishment & Goals

Increased & Enhanced Customer Service- Several changes have been made to improve customer service:

- Added additional features to the online GIS map.
- and benefits they may qualify for. Launched the office Facebook to keep the public informed of upcoming outreach meetings, important deadlines
- get the word out. The Assessor is working on a Instagram page to show all the outreach and use another source of social media to
- The Assessor has 12 outreach functions, we partner with the Treasurer during tax season, the Veteran Administration, and our newest one will be filing protests.
- Radio broadcast to get the word out regarding property taxes, exemptions, protest process.

The Goal for the 2019/2020 year is to:

- Enhance and improve office website by creating a calendar of events
- Work with CAMA provider to get public access to property records
- Launch "GO GREEN" E-Notifications in 2020 for the notice of values.
- Develop workflows and quality control to ensure data integrity and accuracy of assessments
- International Association of Assessing Officers courses to get all appraisers certified. Additional training opportunities for the customer service staff through New Mexico State Edge classes and (IAAO)
- benefits available to the taxpayer. Do advertising during the 2020 protest season using local radio, and social media to promote exemptions &

benefits. The various meetings have been held at: for the purpose of informing the public on issues relating to property assessments, notice of value, exemptions and Outreach Meetings- Assessor staff members conduct several outreach meetings, some after normal business hours,

- Village of Encino (Town Hall)
- City of Mountainair (Town Hall)
- Moriarty Civic Center
- Edgewood Soil

qualify for. veterans, ensuring customers have Head of family exemption on file, or information of what other exemptions they may All of these locations are Satellite locations for the purpose of collecting property taxes, providing information for

Companies, Surveyor Companies & General Public The goal for Outreach in 2019/2020 year is to schedule Town Hall Meetings with Real Estate Companies, Title

protest period is from April 1, 2019 until May 1, 2019. The office had 140 protests filed for the 2019 tax year. 4 protests were scheduled formal hearings and of those 1 was heard. The other 3 withdrew before the hearing date. Formal Protest Hearings- April 1, 2019 Notice of Values went out to all 34,000 accounts in Torrance County. The

Additional General Goals for 2019/2020

- Provide additional training for the all staff though IAAO, Kaplan & New Mexico State Edge.
- Complete Land reassessment, develop land values based on market sales data
- Clean up data in the Harris CAMA system to ensure accurate assessment
- Create workflows and quality control for all functions of the office
- Additional training with appraisal staff on statute and laws that govern the office
- Work toward market stratification, development of a true mass appraisal system based on market sales data.

Agricultural Land Review Goals 2019/2020 -

- Update agricultural policies and procedures
- Update all agricultural forms. Create informational flyers on all agricultural special use
- Created a workflow for all incoming agricultural applications.
- Have Agricultural Livestock clerk review the field data and evidence to determine if the valuation is in compliance.
- Send notice of non compliance when applicable.

office by December 1 the county. The flyover portion of the project will be completed in the fall of 2019 and the product will be delivered to the Pictometry- Contract with Eagle View was signed to acquire ortho and oblique digital aerial imagery of the built-up areas of

office since our field staff is not always able to access property in person. It will save time and resources as well. This tool will assist the office in ensuring all properties are added to the assessment roles ensuring fair and accurate assessment Imagery will be used as a tool to identify changes in structures and new buildings. This tool will be very beneficial to our

usage of the software. currently been issued outside the Assessors Office. We will be reaching out to all the other departments for training and This imagery will serve a resource and tool for other county departments to accomplish their duties. Note: No licenses have

our citizens, shift the tax burden from one taxpayer to another or create unfair and unequal treatment of property pertaining to property tax. This session was more about testifying against legislation that would increase taxes for **Legislation** - Jesse Lucero in his role as the Vice Chair of the Assessors Affiliate responsible for all legislation

regulations in statute and continue to fight against bad legislation for our taxpayers. properties using the market method of valuation which is the most accurate and fair method. Clean up outdated The Goals for the 2019/2020 year is to work on disclosure legislation which would allow our office to value all

property owners. Training on the Harris CAMA system to ensure the office is using this tool effectively. value based on current sales data. Development of the reappraisal plan to ensure equitable assessment for all the cost method of valuation to the sales market approach to value. To stratify properties into neighborhoods and compliance with all statutory duties of the Assessor's office. The main focus is to move from a huge dependence on State Evaluation - Torrance County is working with the New Mexico Property Tax Division to come into

with the New Mexico State Edge certifications. their AAS international IAAO designation. The office also has several staff working towards different certifications Assessing Officers (IAAO) Certified Appraisers. One instructor of IAAO Courses and one staff member working on **Residential Appraisal Training and Certification:** The office has 4 New Mexico International Association of

staff member to obtain their IAAO Designation. Look for additional mass appraisal training. The Goals for the 2018/2019 year for appraisal training is to get all staff to the next IAAO certification Level, one



Agenda Item No. 13-B



Agenda Item No. 14-A



Agenda Item No. 15



Agenda Item No. 16