

**FINAL COPY
TORRANCE COUNTY BOARD OF COMMISSIONERS
COMMISSION MEETING
JULY 22nd , 2020**

COMMISSIONERS PRESENT: RYAN SCHWEBACH -CHAIRMAN
KEVIN MCCALL –DISTRICT 1
JAVIER SANCHEZ –DISTRICT 3

OTHERS PRESENT:

WAYNE JOHNSON-COUNTY MANAGER
JOHN BUTRICK-COUNTY ATTORNEY
JANICE Y. BARELA- DEP. COUNTY MANAGER
LINDA JARAMILLO-COUNTY CLERK
YVONNE OTERO-ADMIN. ASST.

1.) CALL MEETING TO ORDER

Chairman Schwebach calls the June 24th, 2020 Commission Meeting to order at 9:08 A.M.

2.) Invocation and Pledge of Allegiance

Pledge lead by Chairman Schwebach

Invocation lead by Commissioner McCall

3.) Changes to the Agenda

County Manager Johnson states that the auditors asked if they could give their presentation sooner, so County Manager Johnson is requesting that they be moved from item 12-A and allow them to give their presentation after the approval of the Consent Agenda.

County Manager Johnson also states that there is a revenue report that he has requested Jeremy Oliver to present to the Commission during item #7. This report is to give us information concerning GRT's & property tax in regards to the employee raises.

4.) PROCLAMATIONS

There were none presented.

5.) CERTIFICATES AND AWARDS

There were none presented.

7.) PUBLIC COMMENT and COMMUNICATIONS

a.) Ray Sharbutt states that he is present to speak on behalf of the proposed location of the emergency shelter at the District 5 Fire Station, but there is also another issue he would like to address. Mr. Sharbutt states that there is a proposed change to the appeal time for P & Z. The appeal would change it from 30 days to 14 days. Mr. Sharbutt states that this change would give the people less time to get everything in place for the appeal and goes on to explain the difference.

County Manager Johnson states that the appeal time is still the 30 days the 14 days is giving them time to file the motion for the appeal. In most cases it may even be 6 weeks instead of 4 weeks.

County Attorney Butrick states that Mr. Sharbutt is talking about the District Court Rules where if its under 10 days only workdays are counted and if its 14 days both weekdays and weekends are counted.

b.) Madam Deputy County Manager Barela states that she was asked by Cheryl Allen, Torrance County Grant Coordinator, to give a brief public comment on her behalf. Ms. Allen would like for everyone to know that a public hearing will be held at the next County Commission meeting to discuss the ICIP projects. Torrance County is requesting public input regarding public infrastructure projects. If a person is unable to attend the meeting, that person may submit a request in writing and gives the information on where to send the documents.

8.) APPROVAL OF MINUTES

a.) **COMMISSION:** Motion to approve the July 8th, 2020 Torrance County Board of County Commission Minutes.

ACTION TAKEN: Commissioner McCall makes a motion to approve the July 8th, 2020 Torrance County Board of County Commission Minutes. Chairman Schwebach seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

9.) APPROVAL OF CONSENT AGENDA

a.) **FINANCE:** Approval of Payables

ACTION TAKEN: Commissioner McCall makes a motion to approve the Consent Agenda: Approval of Payables. Chairman Schwebach seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

10.) ADOPTION OF ORDINANCE/AMENDMENT TO COUNTY CODE

There were none presented

11.) ADOPTION OF RESOLUTION

a.) **FINANCE:** Motion to approve 4th Quarter Report, Resolution No. 2020-27

Jeremy Oliver, Finance Director, states that he is here to present the Commission with the 4th Quarter Report. The report goes over the finances for FY2020. The revenue for the county was at \$33,115,520.82 and the expenditures came in at \$33,713,222.55. Mr. Oliver asks the Commission if they have any questions.

ACTION TAKEN: Chairman Schwebach makes a motion to approve Resolution 2020-27 4th Quarter Report. Commissioner McCall seconds the motion. No discussion, all Commissioners in favor. **MOTION CARRIED**

b.) **FINANCE:** Motion to approve FY2021 Budget, Resolution No. 2020-28

Jeremy Oliver, Finance Director, states that he is requesting approval for proposed 2020-2021 Fiscal Year budget. Mr. Oliver states that there were some minor expenditure changes that came from the fire department. There were a few departments that did not use all of their money, so they were carried over to the new budget. There were also a few other departments that had minor changes as well.

Commissioner McCall asks Mr. Oliver to point out on the report where the fire allotment is district by district.

Jeremy Oliver states that he does not have the full budget, but he points out the line items on the handout. Mr. Oliver also states that there were some adjustments due to rollovers in the budget because the department did not spend all the money or because the fire department received some sort of grant money or refund.

Commissioner McCall asks Mr. Oliver to explain the deal with the rollovers if he can.

Jeremy Oliver states that the fire department was told in the past not to spend everything, but in recent years they were told to spend the money, or it would be lost. If there is a rollover in funds, it must be approved.

ACTION TAKEN: Chairman Schwebach makes a motion to approve FY2021 Budget, Resolution No. 2020-28. Commissioner McCall seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

12.) APPROVALS

a.) **COMMISSION:** Discussion of proposed emergency shelter on the grounds of the District 3 Fire Station. Motion to approve placement of proposed shelter on the site of to seek alternate locations. (McCall)

ACTION TAKEN: Commissioner McCall makes a motion to authorize County staff and admin to seek an alternate location for the emergency shelter. Chairman Schwebach seconds the motion.

Commissioner McCall states that on Monday July 13th, 2020 there was a special meeting to have a public hearing to discuss the placement of the emergency shelter on the grounds of the District 5 Fire Station. Commissioner McCall and Chairman Schwebach had decided to go with P & Z as they had followed all the rules perfectly. After the hearing it was very evident that the residents of Homestead Estates did not want the emergency shelter placed there. Upon looking into this matter in depth Commissioner McCall agrees that this may not be the best place for the shelter.

County Attorney Butrick states that is the Commissioners would like to allow Mr. Sharbutt to speak before this is voted on, they may do so at this time.

Ray Sharbutt, President of the Homestead Estates HOA, states that Commissioner McCall is correct in saying that it is the consensus of the residents to not have this emergency shelter placed in this area. Mr. Sharbutt states that if the shelter was to be placed here it would be a violation on the restrictive deed that was issued to the county. Mr. Sharbutt asks the Commissioners to please make a motion to seek an alternate location.

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

13.) DISSCUSSION

a.) **MANAGER:** State of the County report to the Commission as required by the Torrance County Personnel Ordinance Section 4.2(D)

County Manager Johnson states that he is going to present to the Commission the State of the County as required per ordinance. County Manager Johnson reads from a list of accomplishments that have happened in the county from the past 18 months. List hereto attached.

County Manager Johnson would also like to let everyone know that this will be his last Commission meeting as he has taken the job as the County Manager in Sandoval County. He would like to thank the Commission for the opportunity and allowing him to work here in Torrance County. He has met friends that will last a lifetime and has enjoyed working with everyone here in the county and would like to thank the staff for accepting him. It has been a great pleasure working here.

Commissioner McCall gives a brief speech on having the privilege of working with County Manager Johnson. Commissioner McCall thanks him for his work and everything he has done for the county since he has been here.

Chairman Schwebach would also like to thank County Manager Johnson for all of hard work he has done and wishes him good luck at his new job.

Commissioner Sanchez thanks County Manager Johnson and bids him farewell

14.) EXECUTIVE SESSION

Chairman Schwebach states the following items listed below will be discussed in Executive Session.

- a.) **COMMISSION:** Discuss County Manager position, closed pursuant to Section 10-15-1(H)(2).
- b.) **MANAGER:** Purchase of the County Fairgrounds, closed pursuant to Section 10-15-1(H)(S).
- c.) **ATTORNEY:** Discuss County Attorney contract, closed pursuant to Section 10-15-1(H)(2).

ACTION TAKEN: Chairman Schwebach makes a motion to enter into Executive Session. Commissioner McCall seconds the motion. Roll Call Vote: District 1-Yes, District 2-Yes, District 3-Yes. **MOTION CARRIED**

ENTERED INTO EXECUTIVE SESSION AT 9:45 am

ACTION TAKEN: Chairman Schwebach makes a motion to return from Executive Session. Commissioner McCall seconds the motion. Roll Call Vote: District 1-Yes, District 2-Yes, District 3-Yes. **MOTION CARRIED**

RETURN FROM EXECUTIVE SESSION AT 10:22 am

Chairman Schwebach states the following items listed below were discussed in Executive Session.

- a.) **COMMISSION:** Discuss County Manager position, closed pursuant to Section 10-15-1(H)(2).
- b.) **MANAGER:** Purchase of the County Fairgrounds, closed pursuant to Section 10-15-1(H)(S).
- c.) **ATTORNEY:** Discuss County Attorney contract, closed pursuant to Section 10-15-1(H)(2).

Chairman Schwebach stats that no action was taken during executive session.


15.) Announcement of the next Board of County Commissioners Meeting.

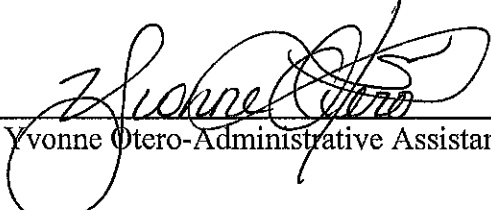
Chairman Schwebach announces that the next Board of County Commissioners Meeting will be held August 12th, 2020 at 9:00 am

ADJOURN

ACTION TAKEN: Chairman Schwebach makes a motion to adjourn the July 22nd, 2020 Commission Meeting. Commissioner McCall seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

MEETING ADJOURNED AT 10:23 AM


Chairman Ryan Schwebach


Yvonne Otero-Administrative Assistant

August 12, 2020
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.