

**FINAL COPY
TORRANCE COUNTY BOARD OF COMMISSIONERS
COMMISSION MEETING
AUGUST 26th, 2020**

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

OTHERS PRESENT:

JANICE Y BARELA-INTERIM COUNTY MANAGER
JOHN BUTRICK-COUNTY ATTORNEY
YVONNE OTERO-ADMIN. ASST.

1.) CALL MEETING TO ORDER

Chairman Schwebach calls the August 26th, 2020 Commission Meeting to order at 9:01 A.M.

2.) Invocation and Pledge of Allegiance

Pledge lead by Chairman Schwebach

Invocation lead by Commissioner McCall

3.) Changes to the Agenda

Madam Interim County Manager Barela is requesting that agenda item 13-D be deferred until the next meeting as Mr. Bobby Ortiz was not able to attend today's meeting. Madam Interim County Manager Barela is al requesting that agenda item 13-E be dismissed from the agenda as this was discussed prior to the meeting and the concern was resolved.

4.) PROCLAMATIONS

There were none presented.

5.) CERTIFICATES AND AWARDS

There were none presented.

6.) BOARD AND COMMITTEE APPOINTMENTS

No board or committee appointments were made.

7.) PUBLIC COMMENT AND COMMUNICATIONS

There was no public comment or communications.

8.) APPROVAL OF MINUTES

a.) **COMMISSION:** Motion to approve the August 12th, 2020 Torrance County Board of County Commission Minutes.

ACTION TAKEN: Commissioner McCall makes a motion to approve the August 12th, 2020 Torrance County Board of County Commission Minutes. Chairman Schwebach seconds the motion. No discussion, all Commissioners in favor. **MOTION CARRIED**

9.) APPROVAL OF CONSENT AGENDA

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

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

10.) ADOPTION OF ORDINANCE/AMENDMENT TO COUNTY CODE

There were none presented.

11.) ADOPTION OF RESOLUTION

There were none presented.

12.) APPROVALS

a.) **GRANTS:** Motion to approve the Professional Services Contract with Estancia Valley Youth & Family Council, Boys Council Services in Estancia, NM with Ware Resources, LLC.

ACTION TAKEN: Chairman Schwebach makes a Motion to approve the Professional Services Contract with Estancia Valley Youth & Family Council, Boys Council Services in Estancia, NM with Ware Resources, LLC. Commissioner McCall seconds the motion.

Cheryl Allen, Grant Coordinator, states that this contract between Torrance County and Ware Resources to provide services as the Boys Council facilitator. The Boys Council Services will only be in Estancia at this point. The contract is fully funded by the grant that the county has with CYFD. Ms. Allen is proposing that the Commission approve this contract. The contract has been reviewed and approved by CYFD as well.

Commissioner McCall asks if there are any changes from last years contract to this current contract.

Cheryl Allen states that there is an increase in salary because they have increased the number of members and sessions that are allowed.

Commissioner McCall states that the increase is covered by the grant, therefore the increase is on their end, is that correct?

Cheryl Allen, replies, yes, that is correct.

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

13.) DISCUSSION

a.) **GRANTS:** Project identification for inclusion in the 2022-2026 Infrastructure Capital Improvement Plan (ICIP)

Chairman Schwebach states that at the last meeting there was a public hearing to discuss the list of items for the ICIP. The list was placed in order of importance, it would give the Commission a chance to look it over and was decided that today's meeting would be to remove, add, or move around items on the list.

Cheryl Allen states that she has placed the list on the board, and they will go over all the items and decide what needs to be done with them. If there is any questions that arise and items that may need to be brought to light, can be discussed at this time.

Ms. Allen states that Mayor Ramon Garcia from the Village of Vaughn is here to discuss Item #11 on the ICIP list concerning the Duran Water Project.

Commissioner McCall states that he has a question before Mayor Garcia comes up. Commissioner McCall states that at the last meeting there was some discussion about the road shop and would like to know if she was able to get the amount of money that was invested in this.

Cheryl Allen replies, yes, they did. The amount is \$550,000.00. The increase that was added was part of a senate bill that would have awarded money, but that bill was vetoed.

Mayor Ramon Garcia would like to thank the Commission for the willingness to work with the Village of Duran and their water needs. Mayor Garcia states that Representative Salazar awarded Duran \$120,000,00 for the improvements of the storage tank. Mayor Garcia had taken the previous County Manager to the site and explained the issues and needs. The improvement for the tank was placed on the ICIP last year, the money was awarded, and it was decided that this year the request for the repair of the water line would be placed on the ICIP list for this year. Mayor Garcia proceeds to give information about the water line and states that the best person to speak to about this would be Nazim Hindi.

Commissioner McCall states that the \$120,000.00 has not been spent, so he asks Mayor Garcia what his hope is with the \$120,000.00. Is it just for the tanks?

Mayor Garcia states that the language in the request is specifically for the storage tanks.

Chairman Schwebach states that he would like some clarification on this. Is it to replace the existing tank with a new one or to repair the tank?

Madam Interim County Manager Barela states that it is her understanding that the money is to replace those two tanks with a new 200,000-gallon tank. The issue that the county has run into is there was some missing information that was required by the state. The money has been awarded but the bonds need to be in place for us to receive the funds for this project. There needs to be more work done so that we can get the tanks repaired as well as the lines.

There is more discussion between Mayor Garcia, the Commission and Madam Interim County Manager Barela regarding the tanks and the lines concerning the project.

Commissioner Sanchez states that it would be his recommendation to allow Madam Interim County Manager Barela to correlate with Mayor Garcia, Nazim Hindi, and Joseph Hindi to identify and design a next step to this project. Get the numbers so that way it can be introduced into the county's ICIP.

Chairman Schwebach agrees with Commissioner Sanchez. There has been a lot of numbers thrown around. We need something more solid with a possibility of breaking it down in phases. Chairman Schwebach asks if the \$120,000.00 can be used for planning.

Madam Interim County Manager Barela states that she would need to visit with the people that handle Capital Outlay to see if the funding can be used for planning, just the tanks, and if the project can be done in phases.

Cheryl Allen would like to add that the legislative language that is tied to this project is to plan, design, and construct water systems improvements for Duran and Torrance County. With that language we are flexible as to how we can use the funding.

Ms. Allen states that we can now look at the ICIP list and rearrange items, add items, or delete items that may have already be done or are no longer needed. Ms. Allen goes over the lists on the white board.

Chairman Schwebach asks about item #9 for the Torreon Community Renovation Project. From his understanding, wasn't that project already funded? If so, can it be removed?

Cheryl Allen replies, yes, that was all taken care of and everything will be handle by Torreon.

Chairman Schwebach states that we can remove item #9 from the list since it has been funded.

Commissioner McCall states that there are two projects he would like to discuss. First one is the road shop. We received \$550,000.00. Has this been funded? Can it be removed from the list?

Madam Interim County Manager Barela replies, yes, it has been funded and can be removed from the list.

Item #2 on the ICIP list will be removed from the list.

Commissioner McCall's next question is concerning the security fencing. We have spent \$26,000.00 out of our Capital Outlay money. This is to be done in phase's. He asks for more information on this.

Cheryl Allen states that there are phases. Those phases are the Fire Admin. Building, dispatch, the animal shelter and the county fleet. There is another request that is for Security Cameras. The first phase of the Sheriff's Department fencing has been completed.

Commissioner McCall asks about Item #7 which is the request for funding for the Sheriff's Department vehicles. There was money given, can we remove these if they were already funded? Should we remove this from the list or keep it on there every year?

Chairman Schwebach states that we should keep this item on the list as there is always a need for new vehicles in the Sheriff's Department. Chairman Schwebach also asks about Item #12, the request for Emergency Response vehicles. We were awarded \$503,000.00. There is always a need, but this item should be moved down on the list.

Cheryl Allen states that this project can be moved to year 2. The way the lists are set up is by projects that are ready to go now and projects that can wait for the second or 3rd year and so forth.

Lester Gary, Torrance County Fire Chief, states that they were funded for a vehicle this year so this year's request can be moved to next years request.

There is discussion between Chief Gary and Chairman Schwebach about the emergency response vehicles.

Chairman Schwebach asks Chief Gary what the deal with the water system upgrade is.

Lester Gary states that this is so the department can increase their ISO rating. They are wanting to place tanks to house 20,000 gallons of water at the fire stations.

Chairman Schwebach states that he is happy with the list and the animal shelter can be moved up to item #12 so that it is part of year 1 projects.

Commissioner Sanchez states that there is a project that he would like to add, if possible. He is requesting some sort of water system for the Village of Abo. The residents are on personal well's and the well's are running low on water. They would like a water system. A plan would need to be designed, get the plan secured, and then get the funding. Commissioner Sanchez is requesting that the County Manager sit down with members of the community and see if there is a possibility to start something with this need.

Commissioner McCall states that Duran has put in a lot of work into their project request concerning their water system and would hate to see Abo placed above them on the list.

Commission Sanchez states that he is not wanting to put Abo above Duran on the list. IT can stay at the bottom. He is just wanting to get things started and see what can or cannot be done.

Chairman Schwebach states that this project should be placed on the bottom of the list and start work on the planning. We may need to bring in EMWT this and see what they can do about running the water system.

Madam Interim County Manager Barela states that she agrees with what Chairman Schwebach is saying. EMWT has been looking at the entire county and their idea of a water system. She would hate to duplicate work the EMWT has already done.

Cheryl Allen stats that an inaugural meeting has already been set up with the ICIP work group. Ms. Allen suggests inviting EMWT and community leaders from Abo & Duran to come and speak at the meeting and coordinate these efforts.

Chairman Schwebach asks Ms. Allen to refresh his memory on the time frame of when all this needs to be approved.

Cheryl Allen states that the final list will need to be approved at the next Commission meeting in September.

All 3 Commissioners are happy with the list and good directives have been made.

There is more discussion on the water systems and having EMWT more involved with this issue. The ICIP requests are looked at more closely when the projects are ready to go.

Commissioner McCall states that the Road Department was blessed with \$50,000.00 do we need to keep this request on the list.

There is discussion on the Road Department and their requests, and it is suggested that this item remain on the list.

Cheryl Allen states that there has yet to be discussion on the security emergency management building or the security upgrade at dispatch.

Chairman Schwebach asks for a dollar amount on the dispatch project.

Cheryl Allen states that the amount given was \$73,100.00 which was based off a quote that was given. This is the first time it has been placed on the list because dispatch is having a difficult time in securing any type of funding for this project.

Madam Interim County Manager Barela makes a few comments on the security upgrade at dispatch and how legislatures look at the projects and their importance. Madam Interim County Manager Barela states that this request came about when the previous Emergency Manager, Martin Lucero, brought up the lack of security at dispatch and was trying hard to get that taken care of. She states that she would like to see this higher on the list.

Martin Lucero, Manager of EVSWA, states that this was resolved during the last fiscal year that he was here with the county. They were awarded \$17,000.00 to construct the security fencing. An issue arose with the towers at dispatch, so the money was re-prioritized and allocated for the towers. This is a need and it should be placed higher on the list. Mr. Lucero explains everything that was requested and its importance.

The Commission decides to place this item higher on the list as 7.5

Cheryl Allen states that the next items are those for the Senior Centers in the county.

Nick Sedillo, Operations Manager, states that the 3 centers are in need or repairs. The Moriarty Senior Center needs a new building altogether. It's a very old house that just keeps being added to and repaired. Mr. Sedillo states that he proposed to Mayor Hart that the City or Moriarty donate the property and the county would pay for the new building. Something does need to be done with that center.

The Commission is good with the way the ICIP list stands. No further discussion. **NO ACTION TAKEN, DISCUSSION ONLY.**

b.) MANAGER: Estancia Valley Solid Waste Authority update (EVSWA), Danielle Johnston and Johnny Romero

Johnny Romero, EVSWA Board Member, states that he is present at today's meeting to give an update on how things are running, but first he would like to Recognize Mr. Gerald Chavez for all the hard work he did while he was on the board.

Mr. Chavez recently resigned his position on the board and would like to thank him for all his hard work that he did. He helped with getting better communication between EVSWA and Torrance County. He was a great asset and will be missed.

Mr. Romero goes on to give an update on what has been going on and would like to remind the Commission that it is almost time to renew the contract between EVSWA and Torrance County. The Contract is for \$800,000.00 and it took \$860,000.00 to do the contract. There has been some overages and the county will be getting some money back. This is just a heads up so that everyone can look things over when its time to start the renewal process for the contract.

John Butrick, Torrance County Attorney, states that he was provided a copy of the contract prior to the meeting and is requesting an electronic copy of the contract be sent to him.

Martin Lucero states that he would like to echo what Mr. Romero said about Mr. Chavez and would also like to thank Gerald for all his hard work. Mr. Lucero has provided a handout for the Commission to show the numbers for he stations and the actuals. Handout hereto attached.

Danielle Johnston, EVSWA Board Member, states that she is the newest member to the board. She would like to continue working with the county and keep improving the communication between the two entities. Ms. Johnson would also like to thank Commissioner McCall for the

prayer at the beginning of the meeting. There is great staff in all the areas of the authority they all do an amazing job. She would like for everyone to consider making sure that the person that applies for the new board position has some knowledge of trash. Ms. Johnston also states that she appreciates all the hard work from the EVSWA and Torrance County. **NO ACTION TAKEN, DISCUSSION ONLY.**

c.) **FINANCE:** Update of FY2021 Budget Approval from Department of Finance and Administration (DFA)

Jeremy Oliver, Finance Director, would like to present the letter from DFA approving out FY20-21 Budget. Letter hereto attached.

Madam Interim County Manager Barela states that the department was excited to get a quick response from DFA on the approval of the budget. Everything went smooth with no issues. She would like to thank Mr. Oliver, all the department heads, and everyone working together on the budget. She would also like to thank the Commission on all their input as well.

Chairman Schwebach would like for Mr. Oliver to expand on one thing that is in the letter concerning the estimated expenditures and transfers exceeding revenue, your entity's General Fund cash balance is being depleted by -6%. Please explain this.

Jeremy Oliver states, that section deals with the rollover cash. When this money is re-budgeted it is negative. The amount is more than what was in the budget last year which was at -8%. As long as the reserve is not depleted, we are good.

14.) EXECUTIVE SESSION

ACTION TAKEN: Chairman Schwebach makes a motion to enter into executive session to discuss the following items:

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)(8).

C.) **MANAGER:** Purchase of real property for Emergency Management, closed pursuant to NMSA § 10-15-1(H)(8)

Commissioner McCall seconds the motion. Roll Call Vote: District 1-Yes, District 2-Yes, District 3-yes. No discussion, all Commissioners in favor. **MOTION CARRIED.**

EXECUTIVE SESSION ENTERED INTO at 10:48 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. No discussion, all Commissioners in favor. **MOTION CARRIED.**

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.

RETURN FROM EXECUTIVE SESSION AT 12:43PM

Chairman Schwebach states the following items 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)(8).

C.) MANAGER: Purchase of real property for Emergency Management, closed pursuant to NMSA § 10-15-1(H)(8)

Chairman Schwebach states that no action was taken during executive session. The County Attorney and Interim County Manager have been instructed to move forward with items discussed.


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

Chairman Schwebach states that the next commission meeting will be held on September 9th, 2020 at 9:00 am at the Torrance County Administrative Building.

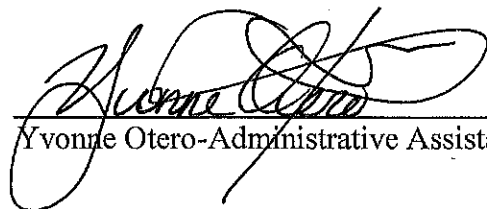
ADJOURN

ACTION TAKEN: **Chairman Schwebach** makes a motion to adjourn the August 26th, 2020 Commission Meeting. **Commissioner McCall** seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

MEETING ADJOURNED AT 12:44 PM



Chairman Ryan Schwebach



Yvonne Otero-Administrative Assistant

9-9-2020

Date