

**FINAL DRAFT**  
**Torrance County Board of Commissioners**  
**Regular Commission Meeting**  
**Wednesday, March 24, 2021 9:00 AM**

**Commissioners Present:** RYAN SCHWEBACH-CHAIRMAN, DISTRICT 2 (Absent)  
KEVIN MCCALL- VICE CHAIR, DISTRICT 1  
LEROY CANDELARIA-MEMBER, DISTRICT 3

**Other present:** JANICE Y. BARELA- COUNTY MANAGER  
PHILIP TENORIO- DEPUTY COUNTY MANAGER  
JOHN BUTRICK- COUNTY ATTORNEY  
YVONNE OTERO- COUNTY CLERK  
KEVIN PHAM- CLERK II

**1. Call Meeting to order**

**Vice Chair McCall:** Calls the March 24, 2021 Regular Commission Meeting to order at 9:00AM

**2. Pledge lead by: Vice Chairman McCall**

**Invocation lead by: Deputy County Manager Philip Tenorio**

**3. Changes to the Agenda:**

**Madam County Manager Barela:** States that there is a change to the agenda. We are requesting to move item #12-A, Finance motion to approve payment to Mark Allen, be moved between Agenda item #7 & #8, so it will appear before public comments and communication.

**Roll Call Vote:** District 1 voted yes, District 2 Absent, District 3 voted yes, All Commissioners in favor. **MOTION CARRIED.**

**4. PROCLAMATIONS- None**

**5. CERTIFICATES AND AWARDS- None**

**6. BOARD AND COMMITTEE APPOINTMENTS-None**

**7. PUBLIC COMMENT and COMMUNICATIONS**

**Madam County Manager Barela:** States that we have two people signed up for public comments today. First one is Madam County Clerk Yvonne Otero, and the second one is Torrance County Fire Chief Donald Dirks.

**Madam County Clerk Yvonne Otero:** States that there is a quick little update. We finally got information for the Special Election for Congressional District 1. They have finally received the official resignation from Deb Haaland.

Candidate filling day will be held on April 6, 2021, and all of that will be handled by the Secretary of State Office. Early and absentee voting will begin here at the County Administrative Office on May 4, 2021 Monday through Thursday regular office hours 7:30-5:30. The alternate site is at the Moriarty Civic Center on May 15, 2021 from 10:00-6:00 and that will run Tuesday through Saturday. Election day for Congressional District 1 will be June 1, 2021 at all VCC location from 7:00-7:00.

**Fire Chief Donald Dirks:** States that this is an update for the Commission and for the public here.

We continue to see higher than normal fire activity and EMS calls for service. Since the last update we have had a structure fire in the District 2 area. Torrance County, Santa Fe County, Moriarty Fire, Edgewood Fire, and Stanley all responded. I would like to reiterate that we are in a high fire danger time right now.

All districts with the exception of District 2 have been inspected by the State Fire Marshal's Office and awaiting report. District 2 inspection was canceled due to weather and was rescheduled for next week.

District 3 renovations are continuing. Meeting with TLC (Sam Perry) Thursday to set plans and get quotes for Station 2 on Madrid Rd. Come to find out something got lost in the shuffle there with District 2 on their renovations and getting all their plans. They don't seem to have records of that at all. We are setting up tomorrow to get plans and quotes for Station 2 and to finish Station 3.

NFIRS reporting issues resolution is ongoing. We now have access to State System to begin catching up on countywide backlog and getting current with State requirements. Hopefully, we will have all of that caught up by next week.

EMT basic class starts on April 9<sup>th</sup>. We have 13 volunteers from TCFD signed up and we have created a waiting list for people that could not get into this class. We are also in the inference state stage of planning a fire 1 class, maybe by August or September of this year.

I have appointed an interim Chief, Christina Mendez at District 6 in Willard. We have received several applications from new and returning members.

I have also appointed a new Chief at District 2 Indian Hills. They have 14 active members now and I just received two new applications yesterday. The new Chief is Deborah Tucker.

In reference to the water well at District 5. Waterworks Drilling has not returned any of my calls or messages at this time.

**Noah Sedillo- Chief Procurement Officer:** States that he has spoken with Waterworks roughly about that and will forward that email. They had an incident where they should have heard back from the State Engineer's Office in an email. However, they mailed it and was missing one page from their application, so he will provide that to Chief Dirks and update that to County Manager Barela.

**Fire Chief Donald Dirks:** I have contacted Ann Martinez at the EMS Bureau and was informed that EMS funding for Superior was applied for, but not for TCFD Districts 2,3,5. They will not receive the EMS funding from the state. So, we will be coordinating that with the County Manager Office and see if we can alleviate that somehow. That funding is used for meds and supplies for our rescuers.

**Madam County Manager Barela:** States that this is something that will come up as part of our budget presentation before you in a hearing and thanks Chief Dirks for the information.

**Commissioner Candelaria:** Thank you very much, it seems like we are going in the right direction.

**Fire Chief Donald Dirks:** We are trying.

**Vice Chair McCall:** I appreciate the updates, and again appreciates how you are handling all the fire stations and the work you are doing for the County.

**Fire Chief Donald Dirks:** Thank you, I do have one more thing to mention. I spoke with County Manager Barela and was informed that there are a lot of jobs opening within the County. I ran that with dispatch, and we are looking for a venue to start a job fair. We are going to coordinate that with dispatch and reach out to other places where people are looking for jobs and try to have a job fair. We will have an update on that soon.

**Madam County Manager Barela:** That is great to hear, that was one thing, we have discussed at our Department Head Meeting. We also have our HR Director Kristin Oliver working on that. We will make that a collaborative effort.

## 12. APPROVALS

**A. FINANCE:** Motion to approve payment to Mark Allen.

**ACTION TAKEN:** **Vice Chair McCall:** Makes a motion to approve payment to Mark Allen.

**Commissioner Candelaria:** second the motion.

**John Butrick- County Attorney:** States that this is regarding two invoices that need to be paid. One from early last year and the other is from earlier this month. In the last couple of days Mr. Allen has provided me with two committee substitute invoices. The difference between these invoices and the one you have

in your packet shows Torrance County as the payee, so we are the client in this. Whereas previously Mr. Allen worked under Mr. Wallin when he was the County Attorney.

This has been a long preexisting case that began first in 2014 extended into second case in 2017. In early 2020 this case came to the fore front of the County's attention. Due to many motions and trials that were coming up I was unable to put together a formal agreement and procurement purchasing procedure. So, the mistake here is mine and mine alone. What I do know, is that Mr. Allen did do this work and he did it well. We would also like to continue working with Mr. Allen. In 2020 Mr. Allen got in contact with us which I think was in August or September of last year and was asking for payments. I then sent it to finance, and I will let Jeremy explain that.

**Jeremy Oliver- Finance Director:** Yes, County Attorney Butrick did send me an email back in August or September. He asked me to look into the payment status to make sure we were not being billed by Mr. Wallin on an ongoing case that is being completed. I looked into all payment history in that, and we did not pay for any work conducted for this case. I then sent the information over to Mr. Butrick to get Mr. Allen paid directly and that we need a W-9 with the actual invoices. That was the last time I dealt with it.

**John Butrick- County Attorney:** What is also important is that I have not had any prior involvement in this. I knew that Mr. Allen represented us well in the past. Giving that my focus has always been on legal stuff, this was my fault. I should have taken it to procurement and purchasing through the proper steps. I know that Mr. Allen would like to continue working with us until this goes away. Mr. Allen did do this work and he did it well and he deserves to be paid.

**Vice Chair McCall:** Remind me again. When was Mr. Wallin's contract up?

**John Butrick- County Attorney:** I believed it was up in May 2019. That is when I became County Attorney.

**Vice Chair McCall:** So, Mark Allen did the work after Wallin had left, and you were the County Attorney?

**John Butrick- County Attorney:** Yes, that is correct. There were some extraneous circumstances. I'm sure Mr. Allen can get into with if he'd like. There was a death in his family last year. With your permission I would like to turn it over to Mr. Allen.

**Vice Chair McCall:** Mr. Allen do you have anything to say?

**Mark Allen:** Yes, what Mr. Butrick was referring to is my mother-in-law passed away and she was my legal assistant. That is some explanation on why I was less than completely diligent on pursuing this payment during that time frame. There was some confusion on my end. At some point I was working as a subcontractor for Dennis Wallin, that arrangement stopped, and I became a subcontractor directly for the County. The original bill for this I have submitted to Mr. Wallin. So, there was some delay and confusion for that. I appreciate Mr. Butrick for taking responsibility, I certainly think it was incumbent upon me to

be more diligent in seeking payments and making the County aware of these receivables. For my role in that I certainly apologize.

**Vice Chair McCall:** So is it safe for me to say that the \$809.10 is quite old and no contract was in place with the County and Mr. Allen at the time? Are we now in contract with him for this new charge of \$336.00?

**John Butrick- County Attorney:** We are not, and that is why it is coming before the Commission. I did the same thing this time without realizing I had made the same mistake. For that I apologize. Therefore, I have begun the process on putting together an agreement with Mr. Allen, so this would not happen again.

**Vice Chair McCall:** I would like to bring in Noah to further understand where we sit as far as procurement goes to where we do not get in trouble with the law.

**Noah Sedillo- Chief Procurement Officer:** We are here before you today to hopefully correct some wrongs that were made. Mr. Butrick did contact me after realizing he had made a mistake. I informed him yes, that he did not follow the proper procedure. The outstanding invoice from 2020 is based off the old contract procurement. The contract reads there will be no subcontracting. So, Mr. Allen if you would like to speak on that after I have made my point, please feel free to do so.

**Vice Chair McCall:** Let me Clarify that this is the contract with Mr. Wallin.

**Noah Sedillo:** Yes

**Vice Chair McCall:** The contract with Mr. Wallin reads there shall not be any subcontractor.

**Noah Sedillo:** Correct, with out further amendment between both parties.

**Vice Chair McCall:** Mr. Allen can you speak or do you have any information upon that?

**Mark Allen:** I do not have any independent information on that. I did not review Mr. Wallin's agreement with the County. Part of my agreement for working for him for approximately two years, is I would sit in various meetings such as Planning and Zoning and did all the prosecution works that was necessary on code enforcement matters. As for the procurement side with the County I must confess I was just ignorant. At the time I thought there was nothing wrong with me working for Mr. Wallin. After submitting bills directly to Mr. Wallin, it was clear to me that I was not getting paid by him. Mr. Butrick emailed me and said I would be compensated for the work I have done.

**John Butrick-County Attorney:** Mr. Allen is correct, I did in writing state that the County would pay him directly. To my understanding we did not receive any bills from Mr. Wallin on behalf of Mr. Allen.

**Vice Chair McCall:** Mr. Allen how were you paid when you did work for Mr. Wallin when the contract reads no subcontracting?

**Mark Allen:** I would submit all invoices directly to Mr. Wallin; he then would submit it himself and credited me in those bills.

**John Butrick-County Attorney:** Mr. Allen do you have any agreement or formal agreements signed with Mr. Wallin?

**Mark Allen:** I did not.

**Commissioner Candelaria:** The only real concern that I have is always procurement, and a finding in our audits. It does not matter the amount of money, but it is the finding for the 2021 audit is what concerns me the most. If we do not follow the right procedure it will bite us. When we apply for grants or anything else the first thing they look at are findings in the audits. I would like to move forward and get this done with. Mr. Butrick you were saying that you now have steps to follow so this will not occur again?

**Madam County Manager Barela:** If I may address this as well. The Procurement Ordinance does have a remedy for this type of situation, and since today in testimony that we received during this Commission meeting that has been establish. With the work Mr. Allen had completed for the County was not done during the time that we had a contract or an agreement in place with Mr. Wallin. So, this falls outside of that agreement.

Any work that is done now during the time that County Attorney Butrick has been here will follow any other procurement process that we have. If it was not followed properly it will come before the Commissioners for an approval for any payments to be made. Mr. Sedillo you can step in any time to correct me for any misinformation I may have. With the documentation we have before you today, it proves that Mr. Allen has completed this work. We feel that Mr. Allen deserves to be paid.

Commissioner Candelaria, as for the audit, if we follow up and have the approvals by the Commissioners for payments for these items, we will be ok. If we did not come before you to get an approval for payments today, and paid him out, then we will have an audit finding. With our Finance Department and Procurement Officer doing such amazing jobs of making sure that all approvals are in place before any payments are made.

**Noah Sedillo- Procurement Officer:** With concern for the payments process, yes, we do have this policy in place, and we do have to come before the Board of County Commissioners to seek approvals. For the \$336.00 that we are requesting is a small issue. I am told by Mr. Butrick that this will be corrected. Commissioner McCall to further answer your question now that I have understand this fully. For the previous payment for \$809.10 we were unaware of that, until I started to review it and reviewed the previous contract in that clause, Mr. Allen was invoicing Mr. Wallin directly.

**Commissioner Candelaria:** I entertain a motion to pay this \$1,145.42 to Mr. Allen.

**Vice Chair McCall:** Seconds the Motion. With the comment, I want this to be known that we must follow our own guidelines. Mr. Butrick to move forward with this and we will pay Mr. Allen because we owed it to him.

**Roll Call Vote:** District 1 Voted Yes, District 2 Absent, District 3 Voted Yes, All Commissioners in favor.  
**MOTION CARRIED.**

## **8. APPROVAL OF MINUTES**

**A. COMMISSION:** Motion to approve the March 10, 2021 Torrance County Board of County Commission Minutes.

### **ACTION TAKEN:**

**Vice Chair McCall:** Makes a motion to approve the March 10, 2021 Torrance County Board of County Commission Minutes.

**Commissioner Candelaria:** Seconds the motion.

**Madam County Manager Barela:** States that there are a few corrections that need to be made. The first one is on page 2, under roll call vote where Commissioner Candelaria said I seen no problem with this either. It should read I see no problem with this either. Also, on page 5 under Danette Mead Langdon. There is a statement there that says we also have the Sammy Foundation it is 5013c, it should be 501c3. On page 8, under the Capital Outlay information #1, it reads currently to purchase and equipment's for emergency medical response. It should read to purchase an equipped emergency medical response. Same goes for #3 it says to quipp of double steel roller. If that could be corrected to, to purchase an equipped double steel roller. Those are the corrections we are recommending being corrected.

**Vice Chair McCall:** I will amend my motion to approve the minutes with the correction stated by County Manager Barela.

**Commissioner Candelaria:** Second the motion.

**Roll Call Vote:** District 1 Voted Yes, District 2: Absent, District 3 Voted, Yes, all Commissioners in favor. **MOTION CARRIED**

## **9. APPROVAL OF CONSENT AGENDA**

**A. FINANCE:** Approval of payables.

### **ACTION TAKEN:**

**Vice Chair McCall** makes a motion to approve payables.

**Commissioner Candelaria:** Seconds the motion.

**Roll Call Vote:** District 1 Absent, District 2 Voted Yes, District 3 Voted Yes, all Commissioners in favor.  
**MOTION CARRIED**

**10. ADOPTION OF ORDINANCE/AMENDMENT TO COUNTY CODE- None**

**11. ADOPTION OF RESOLUTION-**

**A. ROAD:** Motion to approve and submit the Annual Certified Torrance County Maintained Mileage Report Pursuant to New Mexico Statutes 67-3-28.3, due by April 1, 2021, Resolution No. 2021-16

**Vice Chair McCall:** makes a motion to approve and submit the Annual Certified Torrance County Maintained Mileage Report Pursuant to New Mexico Statutes 67-3-28.3, due by April 1, 2021, Resolution No. 2021-16

**Commissioner Candelaria:** seconds the motion.

**Madam County Manager Barela:** States that she will be presenting this today. We have of course our Road Department working diligently with the weather we have today, and with some not able to make it in, for example our administrative assistance that was going to be presenting this to you today. So, if I may, this is a brief resolution I would like to read it into record with your permission.

**Vice Chair McCall:** States to go ahead.

**Madam County Manager Barela:** States, this is resolution 2021-16. Resolution of the annual certified Torrance County maintained mileage. Whereas the Torrance County Commission does here by accept public roads to be maintain and conformance with section 67-3-28.3 NMSA 1978. Whereas to enclosed data disc and hard copies will provide an alphabetical and numerical listing of each County maintained roads. A route description and ending termini with total length of each roadways and surface type. A total of 934,116 for the entire submittal of the 2013 road map, whereas the total miles maintained with in Torrance County are subject to change. 95% of roads is indicated on the road map are considered county maintain and will also signified school routes. Whereas all roads listed in these descriptions are also approved by the Torrance County Commission. Now there for it be resolved. A copy of the forgoing resolution and mileage be included in the minutes of the Board of County Commissioner of Torrance County as a permanent record and will be submitted in conformance with section 67-3-38.3 NMSA 1978 done this 24<sup>th</sup> day of March 2021.

In review of this documents that is being submitted with this resolution and talking to Commissioner Candelaria. There are a couples of changes that we would like to have as far as amendment to these descriptions of the roads. Unfortunately, these roads are not numbered but I can give you the descriptions of what I am talking about that way we can get it updated. Route name La Cienega Rd. route #B064 beginning termini junction 14 proceed southeast should be HW55 instead of HW14. And then under ending termini it should also be read as HW55 instead of HW14. Moving on to the next page also references HW14 so this would be El Gato Rd. SE. and La Entrada Rd. S. and route #B069 the beginning termini junction #B070 proceeds West and South and then ending termini says HW14. We would like to HW55 on that one as well. On the same page El Gato Rd. S. and Camino Viejo Rd. NE. route #B070



junction it says HW14. We would like to have that change it to HW55 proceed Loop and ending termini HW55 instead of HW14. Same page La Cienega Rd. W. route #B074 West and Mountainair N. to NM 55 that one is corrected. NM 542, 5.07 miles West 1.05 miles and ending it says HW14 we would like to have that change to HW55 as well. That would end the amendments that we are recommending today.

**Vice Chair McCall:** States thank you; I will amend my motion to read the changes that County Manager Barela just stated.

**Commissioner Candelaria:** Seconds the motion.

**Roll Call Vote:** District 1 Voted yes, District 2 Absent, District 3 Voted yes, all Commissioners in favor.  
**MOTION CARRIED**

**B. FINANCE:** Motion to approve Budget Increase for General Fund, Indigent, Domestic Violence, Fair and Dispatch, Resolution No. 2021-17

**ACTION TAKEN:**

**Vice Chair McCall:** Makes a motion to approve Budget Increase for General fund, Indigent, Domestic Violence, Fair and Dispatch, Resolution No. 2021-17

**Commissioner Candelaria:** Second the Motion.

**Jeremy Oliver- Finance Director:** States that he has a budget increase, mostly based on the increased GRT from the Wind Farm. We can go over it individually if you want.

**Vice Chair McCall:** I would appreciate that please.

**Jeremy Oliver:** First on the list we have \$60,000 for a generator for the Dispatch Center. They were asking for it in the budget process. Since we have increased GRT, we feel it is opportune time to get this equipment as soon as possible. They have had some issues with the current generator in the past years to my understanding.

Next line is basically just to meet our required reserve with some of the increases this year. This was another item that was being asked for in the budget process, but with the increased GRT, we were trying to get some of it done. The next one on the list is for \$5,000 is to purchase a fireproof cabinet for personnel files. The next line is for \$45,000 to finish paving the parking lot on the North side of the Administrative building and to put a sidewalk along side of the building. Next is \$3,000 for computers in the Assessor's Office. Then we have \$2,000 for purchasing new chairs for the Commission Room.

Next, we have is for the fair. For the animal sales, during budgeting we were unsure on how much to do so we under budgeted it. It turns out we were over the previous year sales numbers, so we have to increase

those to compensate our budget. The last line is for the Domestic Violence grant that was approved last commission meeting for \$7,500.

**Vice Chair McCall:** States he has a couple of questions. Refresh my memory of what the \$7,500 increase was for, was it for salary.

**Madam County Manager Barela:** States that this is not for salary. This one was for DVOTI. The state had additional funding that they were willing to give to our Domestic Violence Program. It had to do with victim services. It was just an additional amount that they were able to receive, and so in order to incorporate that into the budget it does require for a budget increase to that fund.

**Vice Chair McCall:** So, the \$7,500 will come from the State?

**Madam County Manager Barela:** Yes, it is from the state. It is not any money that the County would be putting into the line item, it just needs to be captured in our budget.

**Vice Chair McCall:** You lost me a little bit on the fair on the animals' sales.

**Jeremy Oliver Finance Director:** So, when we were building our budget for the FY2021 it was right on the on rise of COVID. We were not sure of how or if we would even have a fair to do it. So, we budgeted it at a lower amount. However, we did end up having the sales and we were over the previous year sales amount, so we must increase it. It's just the flow through so we can capture it in our budget.

**Madam County Manager Barela:** Thank you to our County who has supported our young kids in this sale and did have an excellent sale during a very difficult time. We are capturing the flow through money that has to be booked in our budget.

**Vice Chair McCall:** For clarification on the cabinets. Is it for HR records, and is that a locking cabinet?

**Jeremy Oliver Finance Director:** Yes, it is a lock and fireproof cabinet.

**Vice Chair McCall:** The snowplow is going on the new Ford pickup that we have, and what was the amount on that?

**Jeremy Oliver Finance Director:** Yes, Nick originally requested \$10,000, but he had recently got a quote for just under \$9,000.

**Vice Chair McCall:** Commented, this is due to the fact of the wind generator contractors being here, to give an increase in our GRT to pay for these things. That would probably come before us in a general fund type in our budget hearing. I think it is great to see that we can do that with GRT.

**Roll Call Vote:** District 1 Voted Yes, District 2 Absent, District 3 Voted Yes, All Commissioner in Favor.  
MOTION CARRIED.

## 12. APPROVALS

**B. SHERIFF:** Motion to approve USDA Forest Service Grant Agreement.

### ACTION TAKEN:

**Vice Chair McCall:** Makes a motion to approve USDA Forest Services Grant Agreement.

**Commissioner Candelaria:** Seconds the motion.

**Stephanie Dunlap- Sheriff Dept.:** Is here before you to ask for approval for the Forest Patrol Grant Agreement. This is a grant is for \$5,000 and covers all law enforcement, patrol officers, and enforcement up in the National Forest.

**Vice Chair McCall:** Correct me if I am wrong, Stephanie is that a decrease from last year?

**Stephanie Dunlap- Sheriff Dept.:** A few years ago, we would usually get \$10,000 for it. It was hard to get with the little staff that we have to spend it, so it got decreased a few years back to \$5,000.

**Vice Chair McCall:** Is this used for overtime pay for officers?

**Stephanie Dunlap- Sheriff Dept.:** Yes sir, and it is completely reimbursable, and we do it quarterly.

**Vice Chair McCall:** So, its above and beyond what their typical salary is?

**Stephanie Dunlap- Sheriff Dept.:** Yes sir.

**Vice Chair McCall:** Makes a motion to approve this grant for the USDA Forest Service Agreement.

**Commissioner Candelaria:** Seconds the motion.

I have been here for several years and we have always used this and I think it works well. I think they have been helpful for both us and them also.

**Vice Chair McCall:** I agreed, and one last clarification is that there will be no matching funds from the county needs to be on this.

**Stephanie Dunlap- Sheriff Dept.:** No.

**Roll Call Vote:** District 1 Voted Yes, District 2 Absent, District 3 Voted Yes, All Commissioners in favor. **MOTION CARRIED.**

**C. GRANTS:** Motion to approve Amendment No. 1 to the Professional Services Agreement, Estancia Valley Youth & Family Council, Boys Council Services in the Estancia Valley with Ware Resources LLC.

**ACTION TAKEN:**

**Vice Chair McCall:** Makes a motion to approve Amendment No. 1 to the Professional Services Agreement, Estancia Valley Youth & Family Council, Boys Council Services in the Estancia Valley with Ware Resources LLC.

**Commissioner Candelaria:** Seconds the motion.

**Jeanne Thompson:** States that Cheryl is not able to be here today, so I will be presenting the request for approval of the Amendment No. 1 to the Professional Services Agreement, Estancia Valley Youth & Family Council, Boys Council a/k/a CYFD, and Sid Ware, also known as Ware Resources. This is to provide boys council services in the Estancia Valley. The contract is a Torrance County contract with an existing subcontract. The amendment that is in your packet has been reviewed by our County Attorney John Butrick and approved by the Estancia Family Youth Council. The next step is to obtain the Commission's approval on the amendment with the authorization for County Manager Janice Barela to act as a signatory for Torrance County. The amendment for the following items, Sid Ware will be able to hold more classes at more locations. Changing it from being exclusively in Estancia, for boys ages 11 to 17 who are at risk of becoming involved in the juvenile justice system. CYFD has increased its potential annual contract income limits from \$9,900 to \$29,700 with no financial increase out of Torrance County pockets. Rebecca Armstrong, the juvenile justice coordinator, is in attendance via zoom she will help with any question that you might have.

**Vice Chair McCall:** Makes a motion to approve Amendment No. 1 to the Professional Services Agreement, Estancia Valley Youth & Family Council, Boys Council Services in the Estancia Valley with Ware Resources LLC and giving County Manager Barela the ability to sign on behalf of the Commission with the amendments that were presented today.

**Commissioner Candelaria:** Second the Motion. I also have a couple of questions. About how many students run through this program?

**Rebecca Armstrong:** States right now at Estancia School, Sid Ware, has about 70 boys enrolled in the boy's council program. Just to let you gentlemen know, we are looking to expand the program. We recently have recruited Estancia Valley Classical Academy to our board. They have also expressed

interest in having a boy's council as well as a girl's circle. With widening Sid's ranges across the Estancia Valley that would allow them to conduct more classes at EVCA and Estancia school.

**Vice Chair McCall:** Question regarding EVCA. Would there be a problem if the school sits in Santa Fe County being that the contract is with Torrance County?

**Rebecca Armstrong:** Initially there was a problem. CYFD said, no, we are not going to cover it, because they do not sit in Torrance County. Our board put together a proposal that includes graphs, spreadsheet data, and a long body of emails. CYFD reviewed it with the decision to approve services that are conducted through Torrance County Juvenile Justice Board.

**Madam County Manager Barela:** Ms. Armstrong, do you happen to have that data in front of you? One of the reasons why CYFD allowed us to do it is because we have a significant number of Torrance County residents that attend the Moriarty and Edgewood School District.

**Rebecca Armstrong:** I do have it. From Torrance County alone we have 134 students at EVCA. The total amount for EVCA is 592. Percentage wise that is 23% of the student bodies that lives in Torrance County and that does not include Edgewood because we get all the students by zip code. Edgewood is incorporated with three counties and holds 51% of the EVCA student bodies. Does that answer your question?

**Madam County Manager Barela:** Yes, thank you.

**Vice Chair McCall:** Did you say there was an increase in it from last year?

**Jeanne Thompson:** Yes sir, CYFD has its current potential annual income from \$9,900 to \$29,700. That does not mean that they are going to pay him that, but he has the potential to receive up to that amount depending on how many classes he conducts.

**Vice Chair McCall:** So, is it based upon classes he puts on?

**Jeanne Thompson:** Yes sir.

**Rebecca Armstrong:** Let me clarify this for better understanding. The contract that CYFD has with Torrance County is for \$29,700, that contract is not going to change, it is for one year. With the contract between Torrance County and Sid Ware, it only allows him to tap into \$9,900 of the \$29,700. With the new language and amendment, it allows him to utilize the full amount and not just limit him to only \$9,900.

**Vice Chair McCall:** I am just confused as to where the remaining money went. Was it ever used or spent?

**Rebecca Armstrong:** With the \$29,700 contract that is for the boy's council and girl's circle. Part of the issue is that we are only one school right now at Estancia School. We are looking to expand into Mountainair and Moriarty, and now with EVCA we can potentially tap into the full amount. That was part of the reason for changing his contract. Last year we reverted some of the money that was not used back to CYFD. As we know the more money that is reverted to CYFD they may limit these funds in the future.

**Vice Chair McCall:** Is he physically able to handle all these additional schools that we are adding?

**Rebecca Armstrong:** Probably not, he has shown some interest in picking up some of the work he has scheduled for EVCA. We are in the process of hiring more subcontractors. Obviously, he will not be able to do the girl's circle at EVCA, so he needs to hire a new contractor to do that. As we expand, we will definitely hire more subcontractors.

**Vice Chair McCall:** Is that up to you and your discretion to bring on more subcontractors?

**Rebecca Armstrong:** This is up to our EVCA Board and is something that we have been discussing. Cheryl and I are actually working on a RFP for a girl's circle subcontractor right now. The board is in agreement that we need more subcontractors.

**Madam County Manager Barela:** This will also require our board's approval from the board that we are talking about. An agreement would have to be drafted and reviewed over by our County Attorney, and then brought before the Commission for approvals of any subcontractors that is receiving funds from this grant.

**Roll Call Vote:** District 1 Voted Yes, District 2 Absent, District 3 Voted yes, All commissioners in favor. **MOTION CARRIED.**

#### **A.) COMMISSION OPERATING AS BOARD OF FINANCE:**

1) **TREASURER:** Motion to approve public member of the County Investment Committee, replacing one public member that resigned.

#### **ACTION TAKEN:**

**Vice Chair McCall:** Makes a motion to move Commissioners into operating as Board of Finance.

**Commissioner Candelaria:** Second the motion.

**Tracy Sedillo- County Treasurer:** States, I am here before you to ask for your approval concurrent. The policy states that I have the right to appoint a public member to the Investment Committee. As the Board of Finance, you must agree with that appointment. We did have a resignation from one of our public members. Johnny Romero resigned back in January and it has taken me all this time to find somebody willing to serve on this committee. Ms. Betty Cabber agreed to serve as one of our public members. I'll be back in June to appoint both of them at that point. As of right now I need your concurrent her appointment now until the close of Fiscal year.

**Vice Chair McCall:** makes a motion to approve Betty Cabber to the Board of Investment Committee.

**Commissioner Candelaria:** Seconds the motion.

**Roll Call Vote:** District 1 Voted Yes, District 2 Absent, District 3 Voted Yes, All Commissioner in favor. **MOTION CARRIED.**

**Vice Chair McCall:** Welcome Betty Cabber to the Board of Investment.

**Vice Chair McCall:** Makes a motion to move back into Board of Commission meeting from the Board of Finance.

**Commissioner Candelaria:** Seconds the motion.

**Roll Call Vote:** District 1 Voted Yes, District 2 Absent, District 3 Voted Yes, all commissioner in favor. **MOTION CARRIED.**

**Vice Chair McCall:** States, we are back operating as Board of Commission.

## 12. DISCUSSION

A. **GRANTS:** ICIP Work Group / Projects update.

**Vice Chair McCall:** I understand that we will not be discussing the ICIP updates today. Is that correct?

**Madam County Manager Barela:** That is correct. We are asking for this item to be deferred to April 14<sup>th</sup> meeting.

**ACTION TAKEN:** **Vice Chair McCall:** Makes a motion to defer item 13-A ICIP updates to the April 14<sup>th</sup> Board of County Commissioner meeting.

**Commissioner Candelaria:** Seconds the motion.

**Roll Call Vote:** District 1 Voted Yes, District 2 Absent, District 3 Voted Yes, All Commissioners in favor. **MOTION CARRIED.**



## B. MANAGER BARELA'S REPORT

### Madam County Manager Barela: States We Have Two Great Losses

Torrance County has recently experienced two great losses. The first is Chief District Judge Matthew Reynolds who passed away on March 6, 2021. His passing brings sadness to many who knew him. Judge Reynolds was fair and honest, but most of all funny. It was not uncommon for individuals to have to mute themselves during a telephonic/video hearing to keep their laughter from being heard. Judge Reynolds took each case to heart and brought down decisions based on always keeping the community and the Defendants in mind; he always had the hope that a Defendant will "do better", especially if they were young. He gave many Defendants chances to do what was right; if they didn't, he let them know. Judge Reynolds served as chairman of several committees, bringing a lot of agencies together to get ideas and knowledge of what can be done to make things better. I got to know Judge Reynolds during my time working in the District Attorney's Office, and I always appreciated when he joined the County to help swear in our newly elected officials. It will be tough to fill his shoes.

The second great loss is Johnny Lujan who passed on March 15, 2021. Johnny was a lifetime resident of Torreon, NM. He was one of our own as Johnny retired from Torrance County after 25 years of service with the Road Department, working his way up from crew to foreman. He left a huge legacy as his instruction and influence live on in many of the crew and supervisors in the Road Department. Johnny was also a member of the Torrance County Sheriff's Posse. Many of us have wonderful memories of Johnny. We want to extend our most sincere condolences to his wife, Liz, who is also part of the Torrance County family, as she also retired from Torrance County. Johnny will be greatly missed by so many of us.

### Legislative Update

The 2021 NM Legislative Session ended Saturday, March 20, 2021, at noon.

Here is an update on some of the legislative issues this Commission supported and opposed:

#### Supported:

HB 33 - Creation of a Livestock Board Meat Inspection Died

HB 105 - Electric Generation Project Requirements — Governor's Desk

#### Opposed:

HB 4 - NM Civil Rights Act - Governor's Desk

HB 40 — Private Detention Facility Moratorium Act- Died

SB 220 — Police Body Camera Exceptions — Died

SB 227 — Law Enforcement Violence Reforms — Died

SB 274 — Police Use of Deadly Force Reporting — Died

SB 376 — Prohibit Qualified Immunity for Law Enforcement — Died

Thank you, Senator Liz Stefanics and Representative Matthew McQueen, for funding:

Capital Outlay Reappropriation:

Road Shop and Yard \$550,000

Thank you, Senator Liz Stefanics, Senator Gregg Schmedes, Representative Matthew McQueen and Representative Ambrose Castellano, for funding the following projects:

2021 Capital Outlay:

Duran Water System Improve and Construct \$25,000

McNabb Road Construct \$300,000

Moriarty Senior Center \$60,500

Mountainair Senior Center \$ 176,000

Torrance County Administrative Building Construction \$100,000

Torrance County Animal Shelter Construction \$25,000

Torrance County Fairgrounds Improvements \$700,000

Torrance County Regional 911 Dispatch Center Security System \$75,500

The funding for these projects is now on the Governor's Desk. Assuming Governor Lujan Grisham does not line item veto these projects, we look forward to utilizing these funds to increase County services and to raise the quality of life in Torrance County.

**Departments Update**

## COVID Update

The Department of Public Health along with all the community partners continue to host vaccination events every Wednesday. Last Wednesday, they administered 1,000 vaccines. Today, they are scheduled to administer almost 2,000 vaccines. Thank you to all who work these events.

## Job Openings

Torrance County is currently accepting applications for the following positions: Dispatcher (911 Operator/Communications Specialist) — Multiple positions Animal Control Officer — 2 positions

Grants Assistant

Victim Support Specialist (PT)

Clerical Float (As needed)

Please visit the County website [www.torrancecountynm.org](http://www.torrancecountynm.org) and click on "Job Opportunities" for more information and to apply.

## Finance

Reminder that the first budget hearing will be held on April 14, 2021, as part of the regular Commission Meeting.

## Animal Services

The Animal Shelter has received a lot of donations. Thank you to everyone who contributed to the Pet Food Pantry.

Due to a staff shortage at the shelter, they are now operating with new business hours:

Monday-Thursday 7:00 AM — 5:00 PM

Closed Friday, Saturday and Sunday, except by appointment only.

## C. COMMISSIONERS' REPORTS

### Commissioner McCall, District 1

**Vice Chair McCall:** States, he would like to see more discussion during the discussion agenda item. We will keep our comments brief. There cannot be any decision made. It is just a discussion item. I would

also like to hear from my two fellow Commissioners as to what project they are working on with the concern for the County. We can move forward, and I appreciate the manager for putting this on the Agenda. I appreciate the reports and just want to give a shout out on HB105.

On the technical changes that were made to the IRB process. Big shout out to some of our champions on that bill. That would be Rob Burkho, John Ryan, and our former County Manager Wayne Johnson and of course Janice was instrumental in that as well. With that we will be seeing more wind turbines coming to Torrance County.

One thing that kind of hit me in District 1 is the trash around Moriarty. I took a 5,000-mile road trip two weeks ago to Tennessee, Georgia, and Atlanta to come back after driving that many miles to see my home that dirty and trashed with litter. He spoke with DOT and Mayor Hart and will be reaching out to see what can be done with this situation. County Manager if you could please reach out and see what it will take, and I know because of COVID community service limited at this time. I'm wondering if that is the case as to why there is more build up and of course the wind has been bad.

**Madam County Manager Barela:** States, this is right in the line with the conversation I had with the Sheriff Department. Particularly with under Sheriff Lucero about finding alternative ways with the trash situation. He is looking toward getting some inmates help with that and to see what it will take. We will be working with Core Civic to see if we can get some of that implemented. We will also be visiting judges to let them know that this can be an option to alternative sentencing. This is definitely an eye sore for people traveling through our County and especially for our residents.

**Vice Chair McCall:** I'm glad that you had that conversation with under Sheriff Lucero. Back in 1966 and 1967 Moriarty was voted one of the cleanest city or town in the whole United States of America. I found that out yesterday, and, wow, we are far from that today. I will be committed to furthering with dialog and with the help of Mayor Hart to see if we can get things cleaned up in Moriarty.

**Commissioner Schwebach, District 2- Absent**

**Commissioner Candelaria, District 3**

**Commissioner Candelaria:** We hear and talked a lot about the trash and stuff like that all the time. To promote Torrance County, one of the ways is by keeping it clean. I know that there is a lot of people that don't agree with a lot of stuff that goes on as far as trash is concerned. We have some missions in the Mountainair area that attracts hundreds of tourists to come and visit these places. If we can promote Torrance County as being clean, it would be a very great asset for people wanting to come here.

I drive around a lot in my District. I got a call from Mr. William Caster asking me to give the Road Department a compliment for how clean the roads are. I have spoken to Leonard and told him to take their time and do it right the first time, so we don't have to come back and do it again. Just keep up with the good work.

**Vice Chair McCall:** States that he has received a lot of compliments for the Road Department. The Road Department has been stepping up and doing a great job.

**Vice Chair McCall:** States that he has received a lot of compliments for the Road Department. The Road Department has been stepping up and doing a great job.

**14. EXECUTIVE SESSION- NONE**

**15. Announcement of the next Board of County Commissioners Meeting: April 14, 2021 @ 9:00 AM.**

**Vice Chair McCall:** States that the next meeting will be April 14, 2021 @ 9:00 AM.


**16. SIGNING OF OFFICIAL DOCUMENTS**

**17. ADJOURN**

**Vice Chair McCall:** Makes a motion to adjourn the March 24<sup>th</sup>, 2021 Commission Meeting.

**Commissioner Candelaria:** Seconds the Motion. **Roll Call Votes:** District 1 Voted Yes, District 2 Absent, District 3 Voted Yes, All Commissioner in favor. **MOTION CARRIED.**

  
\_\_\_\_\_  
Kevin McCall-Vice Chair

  
\_\_\_\_\_  
Kevin Pham-Clerk II

4/14/21  
\_\_\_\_\_  
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 out local radio station KXNM**