

**FINAL**

**Torrance County Board of Commissioners**

**Regular Commission Meeting**

**February 23, 2022**

**9:00 AM**

**Commissioners Present:**

**RYAN SCHWEBACH – CHAIR**

**KEVIN MCCALL – MEMBER**

**LEROY CANDELARIA – VICE CHAIR**

**Others Present:**

**JANICE BARELA – COUNTY MANAGER**

**JUAN TORRES- DEPUTY COUNTY MANAGER**

**JEREMY OLIVER – FINANCE DIRECTOR**

**JOHN BUTRICK – COUNTY ATTORNEY**

**YVONNE OTERO – COUNTY CLERK**

**VALERIE SMITH – ADMINISTRATIVE ASSISTANT**

**1. CALL MEETING TO ORDER**

**Chairman Schwebach:** Called meeting to order at 9:00 A.M.

**2. INVOCATION & PLEDGE**

**PLEDGE:**

**Chairman Schwebach:** Led the Pledge of Allegiance.

**INVOCATION:**

**Commissioner Candelaria:** Led the invocation.



**3. CHANGES TO THE AGENDA:**

**Madam County Manager Barela:** Move Item 13-A, "Finance: Presentation of Torrance County FY 2021 Audit-Kubiack, Melton and Associates," before Item 11-A, "Finance: Motion to approve Resolution 2022-12, Torrance County FY 2021 Audit Report."

Move Item 13-B, "Manager: Bohannon Huston's presentation of the Professional Engineering Report for the Duran Water System as approved by the New Mexico Environmental Department (NMED,) presented by Nathan Roberts," before Item 12-A: "Manager: Motion to approve and accept Bohannon Huston's Professional Engineering Report for the Duran Water project as approved by the New Mexico Environmental Department (NMED.)"

Correct Items 12-A and 13-B: Change the word "Professional" to "Preliminary."

**4. PROCLAMATIONS:**

**NONE THIS DAY**

**5. CERTIFICATES AND AWARDS:**

**NONE THIS DAY**

**6. BOARD AND COMMITTEE APPOINTMENTS**

**NONE THIS DAY.**

**7. PUBLIC COMMENT and COMMUNICATIONS**

**Madam County Manager Barela:** Introduced the employees, residents and guests who had signed up for public comment.

**Charlene Guffy:** In 2019, there was an action item to increase the number of Commissioners from 3 to 5. It did not pass. This action needs to be taken out of the Commission's hands and let the public vote on it, like they did.

Planning & Zoning has gone rogue. The County Manager, Attorney, Commissioners, and the P&Z Board have no control over the department. They pick and choose the cases that they follow up on, and the attitude is "it is your property, do what you want."

She was told there are no subdivision ordinances, though there are. To live in an RV, you just need a letter of intent.

She was asked to put these concerns into the County Attorney's hands, which was done on October 13th, but nothing has come of it.

Regarding the EMWT action item: there is no public hearing before the action. The County has asked the State for Capital Improvement money for several years now. Each time it is denied. She believes that that means that it is not in the best interests of the people.

On 12-31-21, Torrance County and the Estancia Valley Solid Waste Authority agreed to a 2nd 3-month extension, and as of today there have been 54 days without a signed contract. Today they are asking for a 6-month extension instead of signing a contract, which is in the best interest of the County's people.

**Jason Quintana:** Here to speak about the EMWT action item.

He wants a copy of the complete design and implementation plan. He has a lot of questions. It says, "the water won't leave the basin," but also says "Edgewood could become a partner," which means the water could leave the basin.

He wants to know what happens to people who sell their water rights, because he has heard conflicting stories. One person told him it was max 25% sale of water rights, Donzil told him it was 100%. He is asking how much it really is.

He also said anyone who gives up their rights, he heard, will have to close up their own wells, and wants to know if that is true.

**Chairman Schwebach:** Asked for a show of hands of who is there concerning the EMWT action item. There were approximately 5 to 10 people in the audience who raised their hands. He said that he was writing the questions down and will answer them all during the meeting.

**Jason Quintana:** He wants to know what guarantees there are that say that the water doesn't leave the basin.

**Augustine Montoya:** The people here may run out of water. We have primogeniture rights to this water, and he wants his niece to be able to grow up in Torrance County, Water is life, but also economic opportunity. Putting in a system that sucks water from one end and releases it on the other is not conscientious.

There is a serious concern over Campbell Ranch possibly being brought into the contract. It is a 5,000-home subdivision that will take much more than it gives.

**Yvonne Otero, County Clerk:** Gave an update on the election items coming up. Candidate filing day is Tuesday, March 8, 2022, from 9 a.m. to 5 p.m. The cost is \$50 to file. This is for any of the County Offices, Magistrate Judge, County Commissioners, County Sheriff, Assessor, Senate, and higher up. If you are in Torrance County, you must file in the County Clerk's Office.

If you miss Filing Day, you may still come in on Write-In Day the following week on March 15, 2022, from 9 a.m. to 5 p.m. Candidate guides may be obtained from the County Clerk's Office or the Secretary of State's website.

**Senaida Anaya, Land Grant Communities:** She echoes Jason and Augustine's previous comments. She said that last time there would be discussion and answers regarding the match for the EMWT water. This was never answered.

There are many other water systems asking for support. Duran has been on the agenda for a long time, as well as Tajique, Torreon, and Manzano have been on the agenda looking for support. Abo and Punta de Agua as well, and none have been considered or put at the top of the list. Though they appreciate everything that has been done, it has not been done without opposition.

During the last Commission Meeting, the Commissioners signed a resolution opposing the 30 by 30 Act, and she commends them for standing up for their rights. On the other hand, today a resolution will be signed providing matching funds for the EMWT McIntosh Water Project. This takes rights away from the community members and forces them into paying for water.

Donzil Worthington and Bobby Ortiz were asked "Will the water rights be forfeit or taken from the people who live in that community?" The answer was "in 5 years' time, they will be made to hook up to the system." It hasn't been set out clearly. It was said that there would be town hall meetings to speak to the residents of this community and find out what they want.

Today a bold resolution will be signed to match a very large amount of money- approximately \$1M.

Everyone is worried about the future, but what about the people who are here now, raising their families? Water is life, and not a political tool.

**Wendy Friedrich:** Moved to the area in part because she is not forced to connect to the utilities. Being forced by the government is bad enough but being forced by a private entity makes it even worse. Where is the oversight? Saying it is a non-profit, that just makes it a tax filing. They still get paid. We are privatizing public water. When all they care about is money, the people get the raw end.

She is personally putting in a rainwater harvesting system. She wants to know why we are not doing something like that.

A small solar flare just took out 40 Space link satellites like nothing. If something happens to the power grid because of an EMP, and we lose power for more than a few days, a water system that relies on the power grid will not be a good thing.

If the community members refuse to hook up to the system, will they be able to take liens out on people's homes? Or take people's homes? She wants to know if she will be forced

to connect in 5 years even though she gets her water from rain collection. She wants to know what the punishment is.

She would like to know if some of the American Rescue Act funds could be used to help people in this area set up rainwater collection.

**Mayor Nathan Dial:** Implores the County to commit to paying for the Fairgrounds by the end of the fiscal year. Little league has been set back another year because they were counting on the money to fix the baseball fields. He wants the County to think of the youth of Estancia and Torrance County. Not having the baseball field is a domino effect that impacts a generation of children, who may no longer be competitive in youth sports without a place to play.

**Madam County Manager:** Any public comment on Zoom?

**Jeremy Oliver:** There is not anyone signed up for public comment.

## **8. APPROVAL OF MINUTES**

- A. **COMMISSION:** Motion to approve the February 9, 2022, Torrance County Commission Meeting Minutes.

### **ACTION TAKEN:**

**Chairman Schwebach:** Made a motion to approve the February 9, 2022, Torrance County Commission Meeting Minutes.

**Commissioner McCall:** Seconded the motion. There was no discussion.

### **ROLL CALL VOTE:**

**Commissioner Candelaria:** Yes; **Commissioner Schwebach:** Yes; **Commissioner McCall:** Yes.

**Motion Passed.**

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

- A. **FINANCE:** Motion to approve payables.

### **ACTION TAKEN:**

**Chairman Schwebach:** Made a motion to approve payables.

**Commissioner McCall:** Seconded the motion.

### **ROLL CALL VOTE:**

**Commissioner Candelaria:** Yes; **Commissioner Schwebach:** Yes; **Commissioner McCall:** Yes.

**Motion Passed.**

**10. ADOPTION OF ORDINANCE/AMENDMENT TO COUNTY CODE**

**NONE THIS DAY.**

ITEM 13-A WAS PRESENTED NEXT.

ITEM 11-A PRESENTED AFTER 13-A.

**11. ADOPTION OF RESOLUTION**

**A. FINANCE: Motion to approve Resolution 2022- 12, Torrance County FY 2021 Audit Report.**

**ACTION TAKEN:**

**Chairman Schwebach:** Made a motion to approve Resolution 2022-12, Torrance County FY 2021 Audit Report.

**Commissioner McCall:** Seconded the motion.

**Roll Call Vote: Commissioner Candelaria:** Yes; **Commissioner Schwebach:** Yes; **Commissioner McCall:** Yes.

**Motion Passed.**

**B. COMMISSION: Motion to approve Resolution 2022- \_\_\_\_, authorizing use of a portion of the Torrance County's American Rescue Plan Act funds to be dedicated as the local match for the EMWT Regional Water Association's Water Trust Board application for the McIntosh Water Project, contingent on the terms of the Resolution.**

**Chairman Schwebach:** Opened the item for discussion. Asked Donzil Worthington of Bohannon Huston to speak and answer questions. He asked Madam County Manager Barela to first read the Resolution in full.

**Madam County Manager Barela:** Read the resolution in full.

**Chairman Schwebach:** Explained that EMWT is not a new idea, and it has been necessary for a long time. It is based on a study from the Estancia Valley Basin Water Planning Committee. The State Engineer's Office is who gives out water rights. EMWT is based on New Mexico laws and how the State interprets those laws. In 1994 is when no new appropriations began. EMWT has been in the works for almost 30 years, is based on what EMW Gas did. EMW stands for Estancia, Moriarty, Willard. It is a non-profit natural gas company, and a quasi-governmental company, with unpaid elected officials on the board. They are bound on their profits. The money they have can only go to expanding the gas systems within Torrance County. If they want to go

outside of Torrance County, it takes the approval of motions and resolutions. Campbell Ranch and Edgewood have been spoken about, but it is not in the overall plan. The way water in New Mexico works is that cities must acquire water rights, while citizens do not, from the State. He said that EMWT is not acquiring new water rights, they are taking existing water rights and turning them commercial, which cuts consumptive use in half. This works because for example a farmer gets 2.5-acre feet of water, but once it is transferred to commercial rights, the farmer may only use 1.25 acre feet of water. Doing this ensures that residents have safe, potable water that they must hook up to.

**Donzil Worthington, Bohannan Huston:** The entities that make up the Board are Estancia, Moriarty and Torrance County and Willard.

**Chairman Schwebach:** This Commission, and the Estancia, Moriarty, and Willard City Councils have control of who sits on the Board.

**Wendy Freidrich:** Asked what the punishment would be for choosing not to hookup.

**Chairman Schwebach:** Answered that this was not the time for discussion and that he was answering questions now. He told her that after the meeting is when questions may be asked. He then asked Donzil about a partnership with Edgewood.

**Donzil Worthington:** The Board would have no comment on that question. In 2007-2008, when this first started, the PER identified a water master plan. Initially they were looking at the basin and adjoining areas such as Edgewood, Mountainair, and Stanley. Since then, because of input from too many concerned citizens, the map has been re-drawn and has excluded those areas from the project. The by-laws were also modified.

**Chairman Schwebach:** All water rights are for the use of New Mexicans, and any changes to where water is destined need to be approved by the State Engineer's Office. Putting in a pipeline would ensure that the water stays in the Estancia Valley more than anything else. There are frequent questions from other entities inquiring about using the water.

**Donzil Worthington:** There are many people looking to export water. The number 1 job of EMWT is to support economic growth, to keep the water in the Estancia Valley, and to help the people of Torrance County.

This project has been submitted to the Office of the State Engineer. The water comes from a closed basin, and the water rights would come from individuals willing to sell. The water rights would also have to be approved to be sure they don't affect adjoining water levels or usage.

If the funding is approved, that is the first step to the entire process. The process needs to be approved every step of the way by the New Mexico Finance Authority (hereafter referred to as NMFA) and the State Engineer.

**Chairman Schwebach:** Asked if the funds that the County is matching are coming from the Water Trust Board.

**Donzil Worthington:** Answered in the affirmative. Explained the application to the NMFA, and that it is hopefully between an 85%-90% grant. 90% meets the criteria. It would require a 10%

local match to be approved by the NM Water Trust Board. The \$981,155 on the resolution being discussed would be an in-kind contribution that would reduce the cost of the project almost \$1M, to \$626,000, of which 90% is hopefully funded, at 0% interest over 20 years. The County's successful match from ARPA is dependent upon the meeting the criteria from the NMFA and the parameters of the project.

**Commissioner Candelaria:** The County is always looking out for it's people regarding water. EBWRA is a watchdog, and he thinks more people should join. The Soil and Water Conservation Districts help protect the water. He believes that this is a good thing for keeping our water in this County.

**Commissioner McCall:** Reading resolutions from 2007 and 2013, he sees that the stakeholders and previous Commission saw the need for the water to stay in the County and he is standing up for what they wanted. He appreciates Manager Barela writing this Resolution. He asked her to read lines 30-31.

**Madam County Manager Barela:** Read the lines requested.

**Commissioner McCall:** Today with the ARPA funds that are granted to the County, and the Federal Government wanting to see water infrastructure, he sees that this is a great thing. Water is for the use of all the citizens of New Mexico. As he sees people hauling water, his heart goes out to them. Water is life. Do not let this water leave this valley, and don't let the State take the water out.

**Chairman Schwebach:** Is a 3rd generation, raising 4th generation, Torrance County resident. He is trying to do right by the County and his family,

#### **ACTION TAKEN:**

**Chairman Schwebach:** Made a motion to approve Resolution 2022-13, as written, authorizing use of a portion of the Torrance County's American Rescue Plan Act funds to be dedicated as the local match for the EMWT Regional Water Association's Water Trust Board application for the McIntosh Water Project, contingent on the terms of the Resolution.

**Commissioner McCall:** Seconded the motion.

#### **Roll Call Vote:**

**Commissioner Candelaria:** Yes; **Commissioner Schwebach:** Yes; **Commissioner McCall:** Yes.

#### **Motion Passed.**

**C. COMMISSION: Motion to approve Resolution 2022- 14, declaring the intent to consider for adoption an ordinance authorizing the issuance and sale of payment in lieu of taxes bonds; directing the County Clerk to publish notice of**



**intent to consider such ordinance in a newspaper of general circulation, for the purpose of designing, developing, and constructing a new County Administration Office.**

**Chairman Schwebach:** Introduced Item 11-C: Motion to approve Resolution 2022-14, declaring the intent to consider for adoption an ordinance authorizing the issuance and sale of payment in lieu of taxes bonds; directing the County Clerk to publish notice of intent to consider such ordinance in a newspaper of general circulation, for the purpose of designing, developing, and constructing a new County Administration Office. Commissioner Schwebach introduced Mr. Robert Burpo to present.

**Robert Burpo:** There are formal steps when financing, and today's is to pass an Intent Resolution, which notifies the public that you will consider making a debt. It starts the clock running so that any cost that may be incurred that is unbudgeted, you may use bond proceeds for. He believes that they may work with two banks and the New Mexico Finance Authority (henceforth referred to as NMFA.) They would then bring all of this information before the Commission, the Commission chooses who they want to go with, and then an ordinance must be passed to formalize the debt. 30 days later, the loan is closed, and the funds are available. The intent resolution is a short document.

**ACTION TAKEN:**

**Chairman Schwebach:** Made a motion to approve Resolution 2022- 14, declaring the intent to consider for adoption an ordinance authorizing the issuance and sale of payment in lieu of taxes bonds; directing the County Clerk to publish notice of intent to consider such ordinance in a newspaper of general circulation, for the purpose of designing, developing, and constructing a new County Administration Office.

**Commissioner McCall:** Seconded the motion.

**Roll Call Vote:**

**Commissioner Candelaria:** Yes; **Commissioner Schwebach:** Yes; **Commissioner McCall:** Yes.

**Motion Passed.**

**D. MANAGER: Motion to approve Resolution 2022- 15, accept appropriation of \$25,000 for the Duran Water System Improvements project and authorizing County Manager, Janice Y. Barela, to act as signatory.**

**ACTION TAKEN:**



**Chairman Schwebach:** Made a motion to approve Resolution 2022- 15, accept appropriation of \$25,000 for the Duran Water System Improvements project and authorizing County Manager, Janice Y. Barela, to act as signatory.

**Commissioner Candelaria:** Seconded the motion.

**There was no discussion.**

**Roll Call Vote:**

**Commissioner Candelaria:** Yes; **Commissioner Schwebach:** Yes; **Commissioner McCall:** Yes.

**Motion Passed.**

**E. MANAGER: Motion to approve Resolution 2022- 16, accept appropriation of \$544,500 for Road Shop/Yard project and authorizing County Manager, Janice Y. Barela, to act as signatory.**

**Chairman Schwebach:** Made a motion to approve Resolution 2022- 16, accept appropriation of \$544,500 for Road Shop/Yard project and authorizing County Manager, Janice Y. Barela, to act as signatory.

**Commissioner McCall:** Seconded the motion.

**There was no discussion.**

**Roll Call Vote:**

**Commissioner Candelaria:** Yes; **Commissioner Schwebach:** Yes; **Commissioner McCall:** Yes.

**Motion Passed.**

**F. MANAGER: Motion to approve Resolution 2022- 17, updating the Torrance County Property Disposition Policy.**

**ACTION TAKEN:**

**Chairman Schwebach:** Made a motion to approve Resolution 2022- 17, updating the Torrance County Property Disposition Policy.

**Commissioner McCall:** Seconded the motion.

**Madam County Manager Barela:** Changing the Torrance County Property Disposition Policy from including the Operations Manager to the Chief Procurement Officer, as there is no Operations Manager at this time. The Chief Procurement Officer is the manager of the assets so she felt this was appropriate.

**Roll Call Vote:**

**Commissioner Candelaria:** Yes; **Commissioner Schwebach:** Yes; **Commissioner McCall:** Yes.

**Motion Passed.**

**G. DWI: Motion to approve Resolution 2022- 18, FY 2023 Local DWI Grant and Distribution Application. (Resolution, Memorandum of Understanding, Statement of Assurances, and Application Cover Sheet).**

**ACTION TAKEN:**

**Chairman Schwebach:** Made a motion to approve Resolution 2022- 18, FY 2023 Local DWI Grant and Distribution Application. (Resolution, Memorandum of Understanding, Statement of Assurances, and Application Cover Sheet).

**Commissioner McCall:** Seconded the motion.

**Tracey Master:** Explained the Resolution. Each of these need to be voted on individually, as per Torrance County Attorney John Butrick in previous years. She explained that the Resolution authorizes them to apply for the grant, and the MOU between Torrance County and the Department of Finance and Administration (hereafter referred to as DFA) assures that the County follow the rules of the grant. The Statement of Assurances goes into more detail of the grant and the policies that the County must follow and how the grant money must be spent. Then there is the Application Cover Sheet. The distribution amount is \$100,827 and is only a rough amount as it is formulaic in nature. DFA lets the County know in January or February of each year how much exactly they may expect, as distribution is based on the liquor excise tax. In the competitive grant, they are requesting \$139,703. The components to the grant are prevention, law enforcement, treatment, coordination planning and evaluation. The total between the grant and distribution is \$240, 530. They should find out in early April what funds they will receive.

**Chairman Schwebach:** Asked if the County must provide matching funds.

**Tracey Master:** There is a 10% match requirement, but they have never had a problem meeting the match, as it comes in many forms. The office space provided counts, as well as usage of County vehicle and utilities for example, as well as the insurance on the Smart Choice Ride vehicle. In the area of compliance monitoring, the County demonstrates it's "buy in" because the program does not, but the County does, monitor DWI offenders. They are often 25-35% in kind match. This includes panel members and attendees.

**Roll Call Vote:**

**Commissioner Candelaria:** Yes; **Commissioner Schwebach:** Yes; **Commissioner McCall:** Yes.

**Motion Passed.**

**John Butrick, County Attorney:** Stated that all three documents must be approved separately.

**Chairman Schwebach:** Explained that is what happened when he passed the Resolution, he stated each document separately.

**No further discussion.**

**12. APPROVALS**

**A. MANAGER: Motion to approve and accept Bohannan Huston's Preliminary Engineering Report for the Duran Water project as approved by the New Mexico Environmental Department (NMED.)**

**ACTION TAKEN:**

**Chairman Schwebach:** Made a motion to approve and accept Bohannan Huston's Professional Engineering Report for the Duran Water Project as approved by the New Mexico Environmental Department. (NMED.)

**Commissioner Candelaria:** Seconded the motion.

**Commissioner McCall:** Asked if the motion needed to be changed to "Preliminary" from "Professional."

**Madam County Manager Barela:** Answered in the affirmative.

**Chairman Schwebach:** Asked to strike "professional" and replace with the word "preliminary" in the motion; made a motion to approve and accept Bohannan Huston's Preliminary Engineering Report for the Duran Water project as approved by the New Mexico Environmental Department (NMED.)

**Commissioner McCall:** Seconded the motion.

No further discussion.

**Roll Call Vote:**

**Commissioner Candelaria:** Yes; **Commissioner Schwebach:** Yes; **Commissioner McCall:** Yes.

**Motion Passed.**

**Commissioner Candelaria:** Wanted to make it clear that the State may give the County a lot of money to do a project like this but would not consider it without an actual plan.

**B. MANAGER: Motion to approve Professional Services Contract with First American Financial Advisers, Inc. for financial advisor duties in matters pertaining to the issuance of a new County debt obligation for a new County Administration Building.**

**ACTION TAKEN:**

**Chairman Schwebach:** Made a motion to approve Professional Services Contract with First American Financial Advisers, Inc. for financial advisor duties in matters pertaining to the issuance of a new County debt obligation for a new County Administration Building.

**Commissioner McCall:** Seconded the motion.

**Madam County Manager Barela:** This is a follow up to Resolution 2022-14, and this is a motion to use Mr. Rob Burpo and his company First American Financial Advisors. His fee schedule is in the packet, it will be under the threshold of \$60,000 which would have forced us to go to RFP or to bid. He has given us his schedule, which is 50 basis points, which is not to exceed \$59,999. He will also be able to submit for reimbursement up to 6 round trips to Estancia, 61 miles each direction, at the federal rate of 58.5C per mile, as well as other services. If financing is contemplated but not issued, this company will not charge a fee. They would request out of pocket expenses, and if they are providing other services such as debt consulting, they will charge on an hourly basis at rates mutually agreed upon.

**Commissioner McCall:** Asked John Butrick if he had reviewed the contract.

**John Butrick:** Answered in the affirmative and that he and Mr. Burpo have discussed and made changes to the contract.

**Madam County Manager Barela:** The Chief Procurement Officer has looked over the contract as well. Mr. Burpo has been very kind and the Madam County Manager felt as though she needed to ensure that Mr. Burpo was properly compensated for his time.

**Commissioner McCall:** He has brought a level of professionalism and knowledge to the County that we have not had in the past. When he works on the bonds for the IRB's, the developer pays his fees. That is why we are moving more into the contract.

There was no further discussion.

**Roll Call Vote:**

**Commissioner Candelaria:** Yes; **Commissioner Schwebach:** Yes; **Commissioner McCall:** Yes.

**Motion Passed.**

**C. COMMISSION: Motion to approve paving the last mile of McNabb Rd., appropriating County Funds.**

**ACTION TAKEN:**

**Chairman Schwebach:** Made a motion to approve paving the last-, retracted motion. Opened the floor for discussion.

**Madam County Manager Barela:** This is to pave the last mile of McNabb Road, at the last Commission Meeting there was discussion on the cost being approximately \$300,000 for the last mile of road. Road Department Superintendent Leonard Lujan is here to speak today. The contractors are in high demand right now.

**Leonard Lujan, Road Department Superintendent:** Greeted the Commission. Asked about allocating the money to get the contract scheduled. The approximate price is \$310,000 for the last mile. They will take out the MOAB of \$20K every mile they have to reset and come back out.

**Chairman Schwebach:** Asked when it would be done.

**Jeremy Oliver, Finance Director:** Scheduling is already into July, so it will be on next fiscal year's budget, but a letter of intent must be finalized before scheduling can happen. The current budget there was \$300K approved, so this will take that spot.

**Chairman Schwebach:** Couldn't remember if it had been approved at the last meeting.

**Manager Barela:** This was a discussion item last meeting, this meeting it is up for approval.

**Commissioner McCall:** Asked for a timeline on the road.

**Leonard Lujan:** County funds paid for one mile paved, one mile from Capital Outlay funds, that has not been paved yet, the one that last mile, which is why we are here. There is also a State of NM project that has been submitted that will be coming up in July. He would like to pave all three of the miles at once to save money. There is one mile complete. The pavement would meet with Lexco.

**Chairman Schwebach:** Looking at this 4-mile project, the State has picked up the tab for two, and the County for two.

**Chairman Schwebach:** Made a motion to approve paving the last mile of McNabb Rd., appropriating County Funds.

**Commissioner McCall:** Seconded the motion.

**Roll Call Vote:**

**Commissioner Candelaria:** Yes; **Commissioner Schwebach:** Yes; **Commissioner McCall:** Yes.

**Motion Passed.**

**D. MANAGER: Motion to approve a six-month extension to lease agreement with the Tajique Land Grant for current location of the Tajique Transfer Station.**

**ACTION TAKEN:**

**Chairman Schwebach:** Made a motion to approve a six-month extension to lease agreement with the Tajique Land Grant for current location of the Tajique Transfer Station.

**Commissioner McCall:** Seconded the motion.

**Madam County Manager Barela:** Has been in talks with Tajique Land Grant President Andrew Gutierrez, and they agree. He wants the extension to be 6 months, which gives EVSWA to work through the issues they are having to work through, and at the end of the 6 months, the Land Grant can enter into an agreement with EVSWA instead of the County. There are talks of putting electricity, possibly even moving the Solid Waste center, and this is a placeholder until that contract can be put in place. This extension extends the contract for 6 months instead of 3, and there were other small issues that need to be worked out.

**John Butrick:** Lease Amendment #2 was written so that the \$300/month rent for 3 months in the last amendment would be ending at the end of the lease extension. This increased the \$200/month to \$300/month.

**Roll Call Vote:**

**Commissioner Candelaria:** Yes; **Commissioner Schwebach:** Yes; **Commissioner McCall:** Yes.

**Motion Passed.**

**E. ANIMAL SERVICES: Motion to approve submission of the application to the Carroll Petrie Foundation for funding of a Spay/Neuter Program.**

**ACTION TAKEN:**

**Chairman Schwebach:** Made a motion approve submission of the application to the Carroll Petrie Foundation for funding of a Spay/Neuter Program.

**Commissioner Candelaria:** Seconded the motion.

**Danette Langdon:** Explained that the County has been invited to apply to the Carroll Petrie Foundation for funding of a Spay/Neuter Program. No matching funds are required and if awarded, the County would receive \$27,500. This would cover spay/neuter and vaccination. When they are taken in to get sterilized, a rabies shot is required. We also do Parvo and Distemper vaccinations.

**Chairman Schwebach:** Asked what it meant that the County was invited to apply, and if the County had ever participated before in this program.

**Danette Langdon:** Laura Bonner who was with Animal Protection now works for the Carroll Petrie program, and since we were not awarded any money with the animal food tax, we were invited to apply. The program is by invitation only.

**Chairman Schwebach:** Said that must mean the County is doing a good job.

**Roll Call Vote:**

**Commissioner Candelaria:** Yes; **Commissioner Schwebach:** Yes; **Commissioner McCall:** Yes.

**Motion Passed.**

**F. ROAD: Motion to approve School Bus Route (SB) State Funding Project FY22-23 including the 25% matching County funds.**

**ACTION TAKEN:**

**Chairman Schwebach:** Made a motion to approve School Bus Route (SB) State Funding Project FY22-23 including the 25% matching County funds.

**Commissioner McCall:** Seconded the motion.

**Leonard Lujan, Road Department Superintendent:** This is our yearly road projects, the first is the school bus chip-seal project that must be submitted for. It is on Martinez Road from Green Road to Lexco. They patch it and go over the top. It has been sealed; it needs to be re-sealed.

**Commissioner Candelaria:** Asked if because it is a state school bus road, why is the County maintaining it?

**Leonard Lujan:** It is a County maintained road.

**Chairman Schwebach:** Asked if they got the life expectancy out of the current chip-seal that was expected.

**Leonard Lujan:** Yes. They got many years out of the current seal. The maintenance schedule is working and getting better. Now that the County owns a gravel pit, they can maintain the gravel roads year-round, which keeps them in better shape.

**Commissioner McCall:** This is the road with the wicked S-turn. What can we do about that?

**Leonard Lujan:** He has put reflectors and signs, and they don't seem to work. "There were never wrecks there before since they put the metal pipe fence up, now it seems like they are going straight through it."

**Chairman Schwebach:** Asked how often there are accidents at the S-curve.

**Martin Rivera:** He said that there are approximately 2-3 a year.

**Commissioner McCall:** What can be done in the safety aspect of this issue, as far as straightening the curve out?

**John Butrick:** We would have to find out who owns the land first, and to see if they would be willing to sell a portion of it. He doesn't have the answers to those questions right off hand. He believes it would be a section line correction.



**Commissioner McCall:** Would like to look at some possible fixes before it is chip sealed in one year.

**Leonard Lujan:** A lot of signage has been put up, including chevron signs, but it doesn't seem to work that well. Putting up solar powered signage seems like a good idea until you realize that theft is rampant. Someone may take it.

**Commissioner McCall:** A new chip-seal job will increase speed. Having someone possibly speak to Ms. Langell could help.

**Roll Call Vote:**

**Commissioner Candelaria:** Yes; **Commissioner Schwebach:** Yes; **Commissioner McCall:** Yes.

**Motion Passed.**

**G. ROAD: Motion to approve County Arterial Project (CAP) State Funding Project FY22-23 including the 25% matching County Funds.**

**Chairman Schwebach:** Made a motion to approve County Arterial Project FY 22-23 including the 25% matching County Funds.

**Commissioner McCall:** Seconded the motion.

**There was no discussion**

**Roll Call Vote:**

**Commissioner Candelaria:** Yes; **Commissioner Schwebach:** Yes; **Commissioner McCall:** Yes.

**Motion Passed.**

**H. ROAD: Motion to approve Cooperative (SP) State Funding Project FY22-23 including the 25% matching County Funds.**

**ACTION TAKEN:**

**Chairman Schwebach:** Made a motion to approve Cooperative (SP) State Funding Project FY22-23 including the 25% matching County Funds.

**Commissioner McCall:** Seconded the motion.

**Leonard Lujan:** This is another project; it is in Ten Pines by Manzano and Torreon to do a re-lift. It is already chip sealed.

**Roll Call Vote:**