

FINAL

Torrance County Board of Commissioners

Regular Commission Meeting

April 27, 2022

9:00 AM

Commissioners Present: **RYAN SCHWEBACH – CHAIR**
 LEROY CANDELARIA-VICE CHAIR
 KEVIN McCALL- MEMBER

Others Present: **JANICE BARELA – COUNTY MANAGER**
 JUAN TORRES - DEPUTY COUNTY MANAGER
 JEREMY OLIVER – FINANCE DIRECTOR
 JOHN BUTRICK – COUNTY ATTORNEY, ABSENT
 YVONNE OTERO – COUNTY CLERK
 VALERIE SMITH – ADMINISTRATIVE ASSISTANT

1. CALL MEETING TO ORDER

Chairman Schwebach: Called meeting to order at 9:04 A.M.

2. INVOCATION & PLEDGE

PLEDGE:

Chairman Schwebach: Led the Pledge of Allegiance.

INVOCATION:

Commissioner McCall: Led the invocation.

3. CHANGES TO THE AGENDA:

Chairman Schwebach: No Changes to the Agenda This Day.



4. PROCLAMATIONS

5. CERTIFICATES AND AWARDS

Madam County Manager Barela: Presented the Employee of the Quarter to Keith Webb.

Christine Snow, Torrance County Dispatch: Congratulated Keith Webb on his nomination and award and thanked him for his service.

Keith Webb: Thanked the County for the award.

6. BOARD AND COMMITTEE APPOINTMENTS

7. PUBLIC COMMENT and COMMUNICATIONS

Chairman Schwebach: Opened the floor for public comment and communications.

Madam County Manager Barela: Introduced the public commenters.

Charlene Guffy: Spoke about the Torrance County Park, and how the trees look mangled due to the fire prevention action of thinning the trees. The Edgewood Soil and Water Conservation District did the thinning by using the Natural Resource Conservation Service (NRCS). She believes the debris left is a fire hazard. She wants to see the park closed to camping. There are no posted signs and no rules for camping.

Chief Don Dirks, Torrance County Fire Department: Late Thursday, April 21, 2022, there was a call to the Fire Department by Emergency Manager Samantha O'Dell, asking for assistance in the Calf Canyon fire. 4 Firefighters were sent, 2 from District 2 and 2 from District 3. They also sent a Tender and an Engine to assist the Las Vegas Fire Department with structural protection.

The new Rescue will be sent on Sunday and accepted by Jeremy Oliver.

The Medicaid/Medicare application is complete, they are waiting on a PO and 30 to 60 days from now there should be word on whether it was accepted.

Two new employees were hired recently, EMT Intermediate Larry Hughes and EMT Basic Jennifer Garcia. There are now positions open.

The State of New Mexico has enacted a Class 2 burn ban, which means only barbeques or fire pits. They called Chief Dirks and are considering a Class 3 burn ban, otherwise known as a complete burn ban.

Commissioner McCall: Asked Chief Dirks if he had said there was a 60 to 90 day wait on being approved to take the Medicaid/Medicare payments.

Chief Don Dirks: Answered in the affirmative. They must do an on-site inspection to be sure that the County has the right equipment. The insurance billing will begin shortly.

Commissioner McCall: Asked if the Torrance Firefighters that went to the Calf Canyon were still there. He also thanked them for volunteering their time.

Chief Don Dirks: Said that the volunteers came home on Sunday.

Debby Maberry: Introduced herself as the Torrance County Cooperative Extension Program Director and Liaison. She introduced the new Agricultural 4H Agent Anna Davis and explained that she grew up and showed livestock in the County.

Anna Davis: Introduced herself and said that she was excited to be working with NMSU.

Samantha O'Dell, Torrance County Emergency Manager: Came to give an update on the Mutual Aid that Torrance was engaged in with San Miguel County. In addition to the items and staff that Fire Chief Dirks had touched on, the County also sent 4 CERT volunteers to stack and set up an emergency shelter for those who had been evacuated from the Las Vegas area. They are now back home, and Torrance has no staff or volunteers there now.

Madam County Clerk Yvonne Otero: Gave an update on early and absentee voting. Early voting begins on May 10th, with requests able to be put in at www.nmvote.org, or by calling the County Clerk's Office at 1 (505)544-4350. They may also come into the office to request an absentee ballot.

Madam County Manager Barela: Introduced Deputy County Assessor Linda Gallegos but she did not mean to sign up to speak. She then introduced Shane Lutrick.

Shane Lutrick: Came to thank Madam County Clerk Yvonne Otero and the members of the County Government for their transparency and thanked those that came to help him approximately a week or two ago when he began the process auditing the 2020 election. He wanted to let the County know that there are major concerns with some of the citizens about election security. There is a large group of citizens who are willing to help in any way they can. They want to bring people in who "Have dedicated their time to studying election integrity." He wants them to be put on the agenda to show a presentation on the vulnerabilities in the election process. He believes that a majority of the public has concerns. He believes it is a bipartisan issue. He feels it is his place to protect the Republic.

Chairman Schwebach: Told Mr. Lutrick to see him after the meeting.

Rob Wagner: Recently moved to Torrance County. He participated in the audit of the 2020 election and thanked Torrance for being transparent with the process. Mr. Wagner was disabled for 7 years, and when he heard about the changes to allow for easier access to voting for disabled people. In the 2016 General Election he was in the line for an hour. The changes in the last election have scared him. He expects a no confidence vote on the new systems including drop boxes.

Destry Hunt: The Clerk's Office did a great job of overseeing the election audit on April 21st. They have taken measures to ensure the safety of the election process. There is an article posted in the Estancia News that he read an excerpt from. Mr. Hunt said that it went

smoothly, and that everything was above board. He appreciates the professionalism of the County Clerk's Office.

Torrance County Sheriff Martin Rivera: Gave an update on calls and response to the public in the past month. He listed how many calls the County received (1216) and broke down what the calls were for.

There were 547 Calls for Service that T.C.S.O. handled. They are broken down as follows.

- 3 Break-ins
- 5 Burglary Cases
- 2 Crimes Against Children Cases
- 3 Criminal Damage to Property Cases
- 3 Damage to Property (Non-Criminal)
- 3 Larceny Cases
- 4 Theft Cases
- 13 Traffic Accidents
- 2 Stolen Vehicles
- 6 Warrant Arrests

Per the Memorandum of Understanding with Estancia, of the 90 calls for service that came into the Town of Estancia Police force, 39 calls were handled by T.C.S.O.

They have driven a total of 45k miles this month.

Chairman Schwebach: Ended the Public Communication portion of the Commission Meeting.

8. A. COMMISSION: Motion to approve the April 4, 2022, Torrance County Special Commission Meeting Minutes.

ACTION TAKEN:

Chairman Schwebach: Made a motion to approve the April 4, 2022, Torrance County Special Commission Meeting Minutes.

Commissioner Candelaria: Seconded the motion.

Roll Call Vote:

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

Motion Passes.

B. COMMISSION: Motion to approve the April 13, 2022, Torrance County Regular Commission Meeting Minutes.

ACTION TAKEN:

Chairman Schwebach: Made a motion to approve the April 13, 2022, Torrance County Commission Meeting Minutes.

Commissioner McCall: Seconded the motion.

Roll Call Vote:

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

Motion Passes.

9. APPROVAL OF CONSENT AGENDA

A. FINANCE: Motion to approve payables.

ACTION TAKEN:

Chairman Schwebach: Made a motion to approve payables.

Commissioner Candelaria: Seconded the motion.

Roll Call Vote:

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

Motion Passes.

10. ADOPTION OF ORDINANCE/AMENDMENT TO COUNTY CODE

None this day.

11. ADOPTION OF RESOLUTION

A. FINANCE: Motion to approve Resolution 2022-25, Budget Increase.

Chairman Schwebach: Opened the Resolution up for discussion.

Jeremy Oliver: Introduced a budget increase for the Dispatch Communications Tax. This is the increased Gross Receipts. Some of the projects that were presented will be seen later in the budget. Fixing the HVAC System and fixing the front entryway are the projects that are the \$60,000 increase. The \$55,000 will be reimbursed by the State through the DFA grant for dispatch centers. They can't reimburse until after July, and if the County waits until June to begin, there will be a 15% price increase.

Christine Snow, Torrance County 911 Director: The items they are purchasing will be the replacement UPS system for the battery backups for the servers. It controls the radios, CAB systems, and all the other internal computer systems. The system hasn't been replaced in 10-12 years.

Commissioner McCall: Asked what appropriations this is.

Jeremy Oliver: It is not appropriations, it is a DFA grant. Typically, there are training and travel direct reimbursements. It is also how they did the main console upgrade for this year. No County funds were spent on it, just DFA direct funds. The County normally wouldn't use its own funds, but since they have already used DFA Direct funds this year, they must wait for them to become available again in the new fiscal year. In the agreement with DFA, they are allowed to go ahead and purchase the items necessary and will be reimbursed after July 1st. Ordering now will save about 15%, or roughly \$8,000 dollars.

Chairman Schwebach: Asked if this was all in writing.

Christine Snow: This is not in writing. She had contact with Nick Lucero.

Madam County Manager Barela: Said that this was a common practice. They appreciate that the County is trying to save money.

ACTION TAKEN:

Chairman Schwebach: Made a motion to approve the Resolution 2022-25, Budget Increase.

Commissioner Candelaria: Seconded the motion.

Commissioner McCall: Asked Jeremy Oliver about the HVAC part of the resolution and how that will play out with the budget hearing.

Jeremy Oliver: Said that it was requested, and the funding was there with the increased GRT. They wanted to get it done this year instead of waiting for the next Capital Outlay.

When the budget is finalized, it will not show up in the FY 2023 budget because it is being completed in 2022. It will still be in the presentation because someone asked him to put it in, but it won't be a part of 2023's budget. The HVAC quote will be just under \$50k. Mr. Solomon was looking into the \$10k part and hoping to keep it under \$10k.

Roll Call Vote:

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

Motion Passes.

B. FINANCE: Motion to approve Resolution 2022-___, Torrance County Finance and Purchasing Policy.

Chairman Schwebach: Opened the floor for discussion on the motion to approve resolution.

Jeremy Oliver, Finance Director: Explained the resolution. If looking in the packet, the highlighted yellow part of the document is new language or added language from the combination of 4 different policies the County has had in place that they have worked on implementing in the last 3 years. He read the two additional lines that did not make it into the packet. The first from Section 8.3 states: "Other invoices may be approved to be generated outside of the finance department with the approval of the Finance Director and the County Manager as needed.

Section 9.3 states: "A Defensive Driving/Road Ready course which is offered by the County shall be completed in accordance with the Torrance County Safety Policy to be eligible to receive mileage and per diem from the County."

He explained other large changes to the Policy that are contained in the packet. He explained that there is a policy that states that if an employee is within a 35-mile radius, they do not have to be paid per diem and mileage. The County can now decide to pay an employee as sometimes our roads take hours to drive, and you can still be in the 35-mile radius.

Madam County Manager Barela: Mentioned that it would be "as the crow flies," as in, a straight line.

Commissioner Candelaria: That County is only responsible if they are collecting a per-diem or mileage, correct?

Madam County Manager Barela: To her understanding, pending clarification, that if an employee uses their own vehicle to travel somewhere for the County, and they get into accident and their insurance does not cover the accident, the County may be held in a place of liability. If a person is driving their own vehicle, they do provide a copy of their insurance card.



There was more discussion on the liability of the County and how it may break down. New Mexico Counties is the insurance carrier for Torrance County. What the County spoke about is in Section 9.2, where the County does request a private insurance card for mileage.

Jeremy Oliver: If an employee is driving, and they choose to use their personal vehicle, they must have their own insurance as primary insurance.

Commissioner Candelaria: The Commissioners are employees of the County.

Jeremy Oliver: That does not count, going to and from work, or a Commission Meeting in this instance. Normal business doesn't count but traveling on behalf of the County does.

The other large portion that has been added deals with the building rental/ lease and dictates prices and collection policies as well as reserving the building.

Madam County Manager Barela: The Torrance County Fair Board are all volunteers, and do not always have time to make sure there are toiletries, and the space is clean and ready to be rented or leased.

Commissioner McCall: Had a question about 11.7-2-6, which says that alcoholic beverages and smoking are prohibited at all County Facilities. He wants to know how that will be enforced.

Jeremy Oliver: If there are any police calls for smoking or drinking, it would be an automatic forfeiture of damage deposit. He will add that wording to the document.

Commissioner McCall: He believes that with something in black and white it will help. They will not be requiring a deputy or a County Employee to stand watch.

Sheriff Rivera: The County could be held liable for "serving" in the same way a bar can for overserving someone intoxicated, and they get into a car crash and kill someone.

Madam County Manager Barela: Language can be added to include the stipulation that security must be hired for events with so many people.

Jeremy Oliver: The people that rent from the County must acquire insurance through one of the New Mexico Counties approved insurance companies. It is approximately \$100.

Chairman Schwebach: There are no dances anymore because of all the drinking and smoking that the kids did at these functions in years past, but there is not as much drinking and driving as there was 30 years ago. To limit what can be done makes it more difficult to have functions that serve a purpose. He also asked about the other changes to the policy, and Jeremy explained what they were.

Jeremy Oliver: Explained that the per diem was tied to administrative code but has been changed to be tied to State Statute.

Madam County Manager Barela: There has also been a change to the language. “Operations Manager” is now “Facilities Director”. Also, the wording “Or designee” has been removed to allow for the County Manager to assign a designee.

Chairman Schwebach: Asked if time was of the essence to approve this resolution, and since it is not suggested that it be deferred so that the Commissioners and the County Attorney may look it over. He also asked why the policy is being changed, if it was because there are issues that are arising or if it was a wild thought.

Jeremy Oliver: Answered that time is not of the essence, and that there have been some issues with the per diem and mileage. With the new language, there is now an opening for the County to follow the State Statute and adapt without having to come before the Commission for every small issue, and without having to change the policy every time. They are currently having all employees bring in their receipts and paying actual expenses. It still usually ends up being more than the

Madam County Manager Barela: Said that they could remove Section 11 completely in favor of constructing a separate document that intricately lays out the details of County Policy on traveling for business. It would not have to be included in the normal Policy.

Commissioner McCall: Believes that it needs to be reviewed by the Attorney.

Chairman Schwebach: Agreed with Commissioner McCall

ACTION TAKEN:

Chairman Schwebach: Made a motion to defer the motion.

Commissioner McCall: Seconded the motion.

Roll Call Vote:

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

Motion to Defer Passes.

12. APPROVALS

A. FINANCE: Motion to approve FY 2023 Interim Budget.

Chairman Schwebach: Opened the floor for discussion on the FY 2023 Interim Budget.

Madam County Manager Barela: Explained that the Manager's Office got a chance to speak with each Commissioner separately after the Public Budget Hearing on April 14, 2022, and that they asked questions that made it into the presentation. Everything has been put into the presentation.

SHERIFF'S OFFICE:

Jeremy Oliver, Finance Director: Mr. Oliver left all the questions and original requests in the presentation. He updated the presentation to include the math for the request from the Clerk's Office, \$1/hr. raises for all Admin Assistant employees. He also updated to include the changes to the Sheriff's Office. He updated the Manager's request slide to include the Dispatch Center salary schedule cost. He also updated the presentation to include the Sheriff's Office Uncertified Deputy salary schedule. There are 2 that he knows of right now that will be needing to become certified in the next fiscal year. They would have to go over they have been in continuous service for their whole time of employment with the County.

He also made a change with the Domestic Violence salary. He suggested that instead of letting one part-time employee go and making the other into a full-time employee, to keep both part-time but give them each a raise. It would be a little bit less than the \$10k estimated benefit for health coverage would cost.

Madam County Manager Barela: The slideshows will look very familiar, because they're going to be the same slides as what was previously presented to the public and Commissioners in the last meeting.

Chairman Schwebach: Decided to open the discussion with the decision on cost-of-living increases.

Madam County Manager Barela: Explained the two options for cost-of-living increases, which were either: 1.) Increase PERA Retirement Account by 3%, or 2.) Increase salaries 75 per hour across the board on all employees, except those that are placed this year into a salary schedule.

Chairman Schwebach: Decided, after visiting with some department heads, that the 75¢ hourly increase would be more beneficial.

Jeremy Oliver: Explained the reason that for the hourly employees, the 75¢/hr. raise would be more beneficial than the 3% PERA increase. Only the salaried, higher paid employees would benefit a great deal from the 3% PERA increase. He explained that it can be adjusted to make everyone get something equal to the 75¢/hr. raise, except with PERA instead of a salary increase. They can do up to an 8% total increase. 75% total of the employee's portion, which is at about 11.15% now

Madam County Manager Barela: During the initial budget hearing, she overlooked the fact that the position of Evidence Lieutenant would have been harmed by the 75¢ or 3% PERA

increase. It is an uncertified position, and his salary is a three-year-plan. On the third year he would have had an increase of \$1.95 that was scheduled to be given to him to offset his rising cost of his PERA plan. If the Commission approves the 75¢ cost of living increase, he will forfeit the \$1.95 increase, so Madam County Manager is asking for a \$2 increase, outside of the 75¢ increase, just for his position.

Jeremy Oliver: He is eligible for the police plan because it is a sworn position.

Chairman Schwebach: They are trying to deal with the cost of living, which has increased, while also still dealing with comparatively lower salaries for the staff. They decided to discuss and decide on the Sheriff's Department employee salary budget first.

Madam County Manager Barela: The County Manager explained the salary schedule for the Sheriff's office, which brings the salaries up to current standards of comparative areas, such as The City of Moriarty, and the Town of Edgewood. She is requesting the starting pay for certified deputy to begin at \$28 an hour, with a 50¢ raise schedule every 5 years. She asked Jeremy Oliver to explain how the salary schedule would impact the budget and the liability that the County initially has to have in their budget, especially since there will be rollover due to salaries being lower than average in surrounding areas.

Jeremy Oliver: The total liability on the County with the salary increases are \$328,186.22

The estimated actual costs are \$272,111.71. That is rollover of \$56K next year automatically.

Chairman Schwebach: Asked Mr. Oliver to explain total liability.

Jeremy Oliver: It is \$328,186.22, which is budgeting for the maximum out for each position. It will change with cost-of-living increases in 4 years. That is the amount that is going to reflect in the budget each year for rollover, the actual is what is going to change yearly. Actual salary projections for FY 2023 are \$272,111.71.

Chairman Schwebach: Asked how the increase of pay works.

Madam County Manager Barela: Explained how the increase in pay works is if they have experience with Torrance County, it counts year for year. If they come in from another agency, we only give them credit on this salary schedule for half of their experience.

Jeremy Oliver: Just because they must budget for the max allowable because they may have a few deputies that hit that. The actual expected next year is about \$56k less than that.

Sheriff Rivera: Explained that there are 3 positions that need to be filled. This costs probably (roughly) close to \$5,000 to send someone to the academy, get them trained, get them new equipment, etc.

Commissioner McCall: Asked the Sheriff about the vehicles and expenses for the Sheriff's Department.



Sheriff Rivera: There are 20 vehicles that tallied 45,000 miles in the past month. This includes driving to and from work with their County cruisers, and he explained the importance of the 10+ deputies that live outside of the central Torrance area being able to speed to an incident site if necessary.

Madam County Manager Barela: Explained that she spoke with Sheriff Rivera, and they decided that new hires in the Sheriff's Department that need to be certified will start at an increased rate of \$18/hour, with previous starting salary being \$17/hour.

Chairman Schwebach: Discussed the previous conversation topics of the tier setup for the Sheriff's office, increase in pay concerning the Sheriff's Department and the employee's listed on this page. He asked the commissioners if they agree with it.

Commissioner McCall: Said that he wished he didn't have to but appreciates there being police and doesn't want to have a community without police. He asked Mr. Oliver about the \$328K versus the \$272K and if it has been integrated into the budget, and if it includes Lieutenant Stocum's \$2/hour raise.

Jeremy Oliver: Told the Commission that he had input the raise for Lieutenant Stocum, and it is all finalized.

Chairman Schwebach: Asked if the Commission was okay with everything that had been spoken about with the Sheriff's Office. When they said "Yes," he moved on to the Sheriff's Capital Outlay. There is another \$10k vehicle maintenance because the County is adding new vehicles and not maintaining them properly. He asked if everything they are looking at is increased cost on top

Jeremy Oliver: It is the new cost to maintain vehicles due to inflation.

Chairman Schwebach: Said that there would be a Sheriff structure which will impact increase of \$328,187. Moving on to Sheriff's Capital Outlay next. There is \$250k for Capital Outlay. He asked when the last time the State picked up any of the vehicles because in the past they would put in an ICIP, though that hasn't happened lately. The County finished purchasing some of them from the 2020 session. The County was not awarded anything in the 2021 or the 2022 session for the State.

Madam County Manager Barela: One of the things that she heard from legislators is that there's a hesitancy to fund this with Capital Outlay money because the bonds are sold and paid for across a certain number of years, typically 15 or more, and it doesn't last that amount of years.

Jeremy Oliver: Spoke about the vehicles that the County Sheriff's Department needs.

Madam County Manager Barela: While discussing where in the budget maintenance and fuel needs come from and go, the County Manager explained to Mr. Chairman and the

Commissioners that it would be at the County Manager's discretion if they do an interfund transfer trying to use that money for another expense. If they want to move it from maintenance, into fuel, for example, and they budgeted enough money, they'd have to have her approval.

Sheriff Rivera: Explained that they always go over their maintenance budget on vehicles because of the breakage and mileage that happens. The extra \$10k would most likely break them even so they wouldn't have to pull from a different fund to cover vehicle maintenance.

Sheriff Rivera explained the need for Tahoe vehicles for the Deputies. They need them because there is space to put evidence and hold suspects and evidence, where evidence won't become ruined like it would in the back of a pickup truck.

DECISION:

Chairman Schwebach: The Chairman and the Commission approved the purchase of the SUVs for the Sheriff's department.

DISPATCH:

Madam County Manager Barela: Presented the Dispatch Center's budget. They are requesting that an uncertified dispatcher be started at \$15 an hour, and then once they get certified, they are required to do that within one year. They would then jump \$17 an hour. After that there would be a 75¢ raise every 5 years. She also spoke about the swing shift differential. The current differential is 35¢/hour, for graveyard, it is 45¢/hour, and she requested both of these be moved to 60¢/hour. Making the shift differential the same for swing and graveyard shifts would be beneficial to the County because it would make those working a 12-hour shift that begins in swing and ends in graveyard shifts the same. Both the Sheriff and the Dispatch would be affected by this. The differential has not changed in many years.

Christine Snow, Torrance County Dispatch: Has been at Torrance County for 20 years in August and the differential has been 35¢ to 45¢ per hour since before she started working for the County in 2002.

Jeremy Oliver: While speaking about the shift differential, he said that the overall cost out be estimated at \$6k. The budgeted cost liabilities for salary is \$144,636. The actual costs just under \$23k. He is confident on the actual usage. He said they would have \$120k. There is a lot of turnover so this is what they expected. They have six steps There is the potential of retiring at 25-30 years instead of 20.

Christine Snow: Explained that the current rate for uncertified dispatchers is \$14.35/hour. After certification, which must be achieved within 1 year from date of hire, the salary is \$15/hour. The salary study showed that surrounding comparable sized counties pay on

average \$17/hour for a certified Dispatcher, so she hopes the raise does more to keep good employees.

Jeremy Oliver: An increase to the differential will result in an additional \$6,000 in the budget. Its about 20¢ on average for the hours that they worked.

Chairman Schwebach: There are 4 vacant positions and there has been an issue filling them since he can remember. He made the point that there are 144 hours that are being filled with a lot of overtime hours. He wants to save the County money and hopes that raising the shift differential will help. There will be an increase of \$144,636.18 in the budget.

Currently, there is a request for \$100k for Capital Outlay in the budget.

Jeremy Oliver: Currently their request was \$60k, \$50k for HVAC which was approved with the budget increase that will not be incorporated into the FY 23 budget, and \$10K for the floor, which was approved. The only thing not approved was the vehicles.

Chairman Schwebach: Asked what type of vehicle is needed. Suggested sharing a vehicle from the vehicle pool at the Admin Building.

Christine Snow: Another 4-door sedan. Explained why vehicle sharing is not a viable solution to needing a new vehicle.

DECISION:

The Commissioners: Agreed that no new vehicle is needed at this time, and they are taking restructuring how they manage the rolling stock.

Madam County Manager Barela: Asked for a decision on the differential pay.

The Commissioners: Agreed that the potential \$6k overall increase was approved.

ANIMAL SERVICES:

Madam County Manager Barela: Animal Services is asking for a new Kennel Assistant.

DECISION:

Chairman Schwebach: Spoke for all the Commissioners in saying that they agreed to a new position.

Madam County Manager Barela: The next item is a new truck.

Chairman Schwebach: Suggested salaries be the next discussion item. Asked why there was a blank line for Cindy.

Madam County Manager Barela: Cindy did not want to suggest her own salary increase so there was a blank line on the line for Animal Services Director. They need a new truck in Animal Services because the van they have is not meeting their needs. They would keep the van for shopping and the truck would go to the Animal Control Officer.

Sheriff Marty Rivera: Has agreed to give Animal Services a 2017 Dodge pickup truck.

Chairman Schwebach: Wants to circle back to this item later. They want to go through the rolling stock to see what is available.

DECISION:

Unable to understand audio.

ROAD DEPARTMENT:

Madam County Manager Barela: The Road Department did not request a salary increase because they have a salary schedule, but the 75¢ cost-of-living increase will affect them. They were waiting on Leonard to report back on buying tires in bulk, but they have not heard back from him yet on this.

Chairman Schwebach: Does not recommend the \$37k for the tires for the rolling stock. He asked what the Road Department spends on leasing equipment.

Jeremy Oliver: Answered that roughly \$375k/year is spent on all the leases.

Leonard Lujan, Road Department: Explained where the money comes from if he busts his budget, which is another line item. He also explained how the maintenance is taken care of and the pr

Chairman Schwebach: Wants the Road Department to have a maintenance person to cut back on maintenance costs.

DECISION:

Chairman Schwebach: Wants to put \$15k to tires instead of \$37k right now. Mr. Lujan agrees with the Chairman. He also told Mr. Lujan to come back midseason if he uses his full budget and asking for more money, rather than moving from section of his budget to the other. The Commission need to have a full understanding of the budget needs of every department. They will be leaving the \$80k where it is at and moving forward with the maintenance of the CAT.

Commissioner McCall: Said that agreed with buying the 6 quoted trucks from Tillery Chevrolet for \$190k.

Madam County Manager Barela: Asked for the proposed position be put on hold for the new Maintenance position until the next budget cycle.

HUMAN RESOURCES:

Madam County Manager Barela: The minimum wage is increasing, and they are requesting for the work study program. There is one student from each of the school districts coming to work in the County. The minimum wage cost would be \$900. Also requesting an increase on the operations for subscriptions, dues and fees that has gone up as well.

DECISION:

Chairman Schwebach: Approves the request.

PLANNING AND ZONING (GIS):

Madam County Manager Barela: There was a request for a new position here, and it would be inclusive of workplace setup or recurring operation cost of \$3ki in a future vehicle, as this would be considered a field position. She requested that the position not be granted during the FY 2023 budget cycle. She asked them not to discount it, because it may be necessary at a future date. In regard to the salary for the GIS individual, she would like to include the 75¢ cost-of-living increase. This office also needs the software and software upgrade.

DECISION:

Chairman Schwebach: Agreement with the operating capital outlay for the software. They will visit with the salary based on what they decide later.

PLANNING & ZONING:

Madam County Manager Barela: Explained that the request is for Operating Increase for the increased cost of fuel, training and travel and per diem, as well as the training and additional correction.

DECISION:

Chairman Schwebach: Said he approved the request.

CLERK'S OFFICE:

Madam County Manager Barela: Asked for increase in communications because of the reoccurring cell phone, laptop, and recurring monthly subscriptions payments. They have

increased training; the Clerk's Office are asking for the \$1 salary increase requests for 3 staff members. She is asking for that to be the 75¢ cost-of-living.

DECISION:

Chairman Schwebach: Said he approved the request.

TREASURER:

Madam County Manager Barela: Part of this is the fuel, some is printing, publishing and advertising. It is \$4,500, with the \$1/hour salary increase that the Manager wants to have as 75¢ increase instead.

DECISION:

Chairman Schwebach: Approved the request.

ASSESSOR:

Madam County Manager Barela: The main request was for a new position, this would be the Business, Personal Property and Livestock Clerk. Their amount is \$41,200. She thinks that the staff can handle the position on their own for now and ask again next year. As far as salaries, she is asking for the 75¢ cost-of-living for each employee.

DECISION:

Chairman Schwebach: Said that he does not want a new position, but the operating is good and approved.

Madam County Manager Barela: The biggest increase that has been requested is the chief appraiser. She is currently at \$19.34/hour. The request is to go up \$4.21/hour to \$23.55/hour. The manager is asking for at least \$2/hour raise for the Chief Appraiser. The cost-of-living would go to the rest of the staff.

DECISION

Chairman Schwebach: Felt he needed more information and was inclined to go for the straight 75¢ across the board.

FINANCE:

Madam County Manager Barela: There was a total request of \$2k. The Finance Director's Request is in the Manager's Office.

Madam County Manager Barela: The Finance Department is requesting an increase in telecommunications due to getting the cell phones, we also have an increase in the contract

for the copy machine, travel is increased, and subscriptions and dues are increased. The total is \$2k. She also suggested a 75¢ cost-of-living increase across the board.

DECISION:

Chairman Schwebach: The Commissioners all agreed to okay Madam County Manager Barela's request.

LEGAL:

Madam County Manager Barela: Introduced the requested budget for legal, which is a \$2k increase for training.

DECISION:

Chairman Schwebach: \$2k for training, the Commissioners agree that they approve this budget request.

MAINTENANCE:

Chairman Schwebach: Began with speaking about the Capital Outlay. There is a \$1k request that he believed has already been used.

Madam County Manager Barela: That can be removed from the request.

Jeremy Oliver: Tinting the windows and other energy saving projects has gone a long way, enough to offset the increased cost of Natural Gas.

DECISION:

Commissioner McCall: They get the cost-of-living increases.

DWI:

Madam County Manager Barela: In the DWI request, they have requested \$55k for a new vehicle. The Sheriff has graciously offered one of his SUVs for a SafeChoice ride van. Because of this she recommended to not approve this request.

Chairman Schwebach: Agrees with the Madam County Manager Barela. Will not approve the \$55k Capital Outlay.

DOMESTIC VIOLENCE:

Madam County Manager Barela: The request for \$41,969 is for the Executive Director, for an increase in salary. She recommends the 75¢ cost-of-living increase as well. On the part-time salary, her initial request was that we changed the two-part time salaries to one full time position. If that was approved, the County would possibly have been picking up \$10k

estimated for health insurance. Instead of the full-time position, she is requesting two part-time positions, with salaries to be raised to \$18/hr. Currently they are at \$14.75. The Director, Anna Martinez, believes that it would be a great option to have two part-timers.

Chairman Schwebach: Suggests going with the two part-time employees with a check in at approximately 6 months down the road to see if it is still working out well.

Commissioner McCall: They can pay into PERA if they want, but do not have to.

Conversation continued with Jeremy Oliver explaining PERA rates to the Commission.

DECISION:

Chairman Schwebach: The Chairman said that he likes Madam County Manager's idea and is ready to continue with it.

MANAGER'S OFFICE:

Madam County Manager Barela: Explained what she was asking for. She had already explained the Sheriff's Office salary schedule, and the Dispatch salary schedule. She explained what she was asking for the Department Heads. She said that she would prefer the entire increase, but that half of the increase would work, too. She wants to bring the Department heads to standards for the area.

For Finance Director: a \$3/hour increase.

For Human Resources: \$2.98/hour increase

Grants Manager: \$2.75/hour increase.

Commissioner McCall: Asked for the math of the 75¢ raise. When Mr. Oliver showed what the total would be, he agreed that the 75¢/hour raise would work better for the County. This would be \$16,282 instead of \$21,472.31.

Chairman Schwebach: Agree with Commissioner McCall that the Commission give the requested Department Heads a 75¢/hour raise until next year, when they will look at it again.

Madam County Manager Barela: Asked about the 75¢/hour cost-of-living raise for 98 employees.

DECISION:

Chairman Schwebach: The 75¢ increase is a better way to go for the employees and the Commissioners agree.

SHERIFF'S OFFICE APPOINTED POSITION SALARY DISCUSSION:

Madam County Manager: Next wanted to talk about an appointed official's salary, specifically the Executive Assistant to the Sheriff. In Torrance, it is titled as Administrator, not Executive Assistant. The Sheriff may appoint two employees, the Executive Assistant and an Undersheriff. There was concern with the Commissioners about the fact that the Executive Assistant was being paid \$66,320 for a salary, when the average, not including Torrance is \$46,153.91. She is requesting to bring the salary down to \$49,000.00 if it is brought down by \$9,010 it would make the paychecks an even number.

Madam County Manager Barela spoke with Sheriff Rivera previously, who does not want this position's salary to be lowered. He believes that his appointed employee has deserved every bit of her salary. Madam County Manager countered this by telling him that if he relies that heavily on one employee, that more staff may be hired to help fill those duties.

Any time an appointed or elected official's salary is changed, the change does not take effect until after the next election. In this case it would be the upcoming June election. Madam County Manager wanted to request any other changes be made to this appointed position while the topic is at hand and that a resolution can be prepared to make these changes.

Chairman Schwebach: All employees, except for elected officials, are underpaid, and this is a chance to correct this. He believes that this needs to be corrected. He believes all the elected officials are sitting a little bit high on the pay scale. He wants to be competitive with the surrounding and comparable Counties.

Commissioner McCall: Hopes that people see that he has been fair and is ready to correct it. He is not happy that the cost-of-living increases are costing the County \$183k.

Chairman Schwebach: Looked at the elected official's salaries. They have all been above average for the past 4 years, cost-of-living included. Wants to know why this position is \$20k roughly above all other salaries for comparable positions.

Sheriff Rivera: Explained that his Executive Assistant is move like a Department Manager

Madam County Manager: The decision on the Executive Assistant's salary needs to be made before January 1, but technically needs to be made now during the budget cycle so that it may be submitted to DFA.

The reason this position is the highest paid appointed, is because the Sheriff is the highest paid Elected Official. The Undersheriff and the Executive Assistant, as well as all other appoint officials, are paid based on a percentage elected official they work under. Because the appointed official is paid the most, so is their appointed employee.

Commissioner Candelaria: Does not believe that the Commissioners should change the salary because that would be telling an elected official how to do their job.

USDA WILFLIFE:

Madam County Manager Barela: Explained that the USDA has been receiving \$4k from the County for Predator Control.

DECISION:

Chairman Schwebach: Believes that they need to say no, and if they really need it, they will come back. Since it is already supplemented by the State and Federal budgets, they should not need to rely on the County as much.

ACTION TAKEN:

Chairman Schwebach: Made a motion to approve the budget as discussed and presented with notes taken my Madam Count Manager Barela. Asked if there was further discussion.

Jeremy Oliver: Gave a total of the approved capital outlay, which will be \$650k. That includes vehicles for a Sheriff, vehicles for the Road Department, the one mile of McNabb Road going to be done July-August, and the software upgrade for Rural Addressing. To compare, last year's Capital Outlay was \$1,276,000. Some of the projects from last year rolled over to this year, the fence for the Road Department for example.

Commissioner McCall: Asked about GRT excess.

Jeremy Oliver: \$6 million above by the end of the year.

Before the windmill projects, \$2Million is what came in. Now it is \$8Million.

Commissioner Candelaria: Seconded the motion.

Roll Call Vote:

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

Motion Passes.

B. FINANCE: Motion to approve temporary Grant Writer for CDBG Grant.

Chairman Schwebach: Made a motion to approve temporary Grant Writer for CDBG Grant.

Jeremy Oliver: Presented the CDBG grant writer position. It is a 2-year grant with \$2 Million that is almost basically guaranteed. It is a very in depth and time-consuming project that is intense and needs a staff member that needs to be focused solely on this application. The application is approximately 3-4" thick. (Showed a 4" binder.) The Esperanza Medical Center was funded with CDBG.

Cheryl Allen, Grants Manager: Has taken the training. The projects can be applied for every 2 years. Almost anything can be done with the money.

Juan Torres: It needs to have a project planned. Proof of community input and Community buy-in. With this funding the sky is the limit, the only thing big caveat is that anything that is done needs to be Americans with Disabilities Act compliant. 10% of the award can be used as a match for salary.

Jeremy Oliver: This would need a 40 hour per week employee. They considered a contractor, but a contractor would not have the vested interest like an employee whose position relies on doing their job correctly does. He is asking for the Commission to agree to 6 months, with continued employment contingent on the application being completed and approved.

Cheryl Allen: The ballpark figure for hiring an employee on contract would be roughly \$25/hour. The Albuquerque rates are around \$30-35/hour.

Madam County Manager Barela: The timeline gives a couple months to ask questions, get training, and then they open up the application process that closes in mid to late summer. They then do their awards roughly September/October. It follows the Federal Fiscal Cycle.

Juan Torres: There will be additional expenses if this is done. There will have to be a Federal Audit done. Thankfully Torrance wont likely need the extra \$7,000 for this upcoming audit but about \$7,000 extra a year on audit costs.

ACTION TAKEN:

Chairman Schwebach: Made a motion to approve the hiring of a temporary grant writer for the CDBG grant, a temporary position potentially turning into a full-time position providing the County receives the grant with an advertised salary of up to \$25/hour.

Commissioner McCall: Seconded the motion.

Roll Call Vote:

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

Motion Passes

C. PURCHASING: Motion to approve awarding IFB 2022-03-Portable Kennels, for four (4) kennels per allotted NM Legislative Funding (Agreement #21-F2922) for \$22,829.00

ACTION TAKEN:

Chairman Schwebach: Made a Motion to approve awarding IFB 2022-03-Portable Kennels, for four (4) kennels per allotted NM Legislative Funding (Agreement #21-F2922) for \$22,829.00

Noah Sedillo, Purchasing Director: There is a grant amount of \$25k. He made was a mistake on the recommendation of award. The initial award was for the freight of one kennel however there are four kennels, and the freight is increased \$1,113. The total amount has been increased to \$24,806.it is a legislative appropriation through the regular capital outlay.

Commissioner McCall: Seconded the motion.

Roll Call Vote:

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

Motion Passes.

D. CLERK: Motion to approve Memorandum of Understanding (MOU) between Torrance County and the New Mexico Secretary of State to receive money to help with the cost of the 2022 Primary Election in the amount of \$23,000.00

Chairman Schwebach: Made a motion to approve Memorandum of Understanding ((MOU) between Torrance County and the New Mexico Secretary of State to receive money to help with the cost of the 2022 Primary Election in the amount of \$23,000.00.

Commissioner McCall: Seconded the motion for the sake of discussion.

Torrance County Clerk Yvonne Otero: This is an MOU between Torrance County and the NM Secretary of State . Instead of reimbursing the County as usual, they are now giving the money to run the election ahead of time. If the Clerk's Office should go over the \$23k, then when the County sends out its receipts, the SOS office will reimburse the County.

Commissioner McCall and Chairman Schwebach wanted more information that the County Clerk did not have the answer to.

Madam County Manager Barela: this is part of this memorandum of understanding it states that agency, which is the Secretary of State's office, is required under the New Mexico election code to be responsible to pay all costs of the election, including reasonable costs incurred by each County Clerk. This is not just that they decided to do this on their own, but it's part of legislation that they will provide the funding through New Mexico legislature to pay for the cost of admittance of conducting and administering the elections.

Chairman Schwebach: Asked what happens if they don't sign the MOU. He mentioned that he doesn't like the idea of drop boxes and asked who maintains them.

County Clerk Otero: It will not affect anything, except that Torrance will have to fund their own election. Last election only one ballot was dropped off at the drop box, the Clerk has the key, and she picks up the ballot when it alerts her. The State does not monitor the drop boxes, and she does not have to use them. The reimbursing began 5 years ago when County Clerks took over elections.

Commissioner McCall: Wants to make sure that the Clerk, not the State, takes care of the election. He wants to defer the motion.

Chairman Schwebach: Believes that the last two years have proven some terrible things, and that is why they are now questioning the elections and motivations of the Secretary of State's Office.

Madam County Manager Barela: This MOU may be terminated at any time by either party.

ACTION TAKEN:

Chairman Schwebach: Made a motion to approve Memorandum of Understanding (MOU) between Torrance County and the New Mexico Secretary of State to receive money to help with the cost of the 2022 Primary Election in the amount of \$23,000.00

Roll Call Vote:

Commissioner Candelaria: Yes; **Chairman Schwebach:** Yes; **Commissioner McCall:** No.

Motion Passes.

E. **FIRE:** Motion to approve the submittal of Fiscal Year 2023 County Fire Protection Fund Distribution Application to the State Fire Marshal Division by April 20, 2022.

Chairman Schwebach: Opened the floor for discussion.

Fire Chief Don Dirks: This is to get the approval for submittal of the year 2023 fire protection fund distribution. This is what the County does every year. The State Fire Marshal's Office gives the County the fire funds to operate all their stations, trucks and safety equipment. He just needs approval just to apply for it.

ACTION TAKEN:

Commissioner McCall: Made a motion to approve the submittal of Fiscal Year 2023 County Fire Protection Fund Distribution Application to the State Fire Marshal Division by April 20, 2022.

Chairman Schwebach: Seconded the motion.

Roll Call Vote:

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

Motion Passes.

F. **DWI:** Motion to approve the submittal of Community DWI (CDWI) Grant Application for FY 2023 to New Mexico Department of Transportation by May 13, 2022.

Chairman Schwebach: Opened the floor for discussion.

Tracey Master, Torrance County DWI Prevention Program: What was supposed to be in the packets was a grant application in the amount of \$2,239 to the NM Department of Transportation for community DWI funding. The funds collected and reverted to communities come from a \$75 fee that is imposed and collected from convicted DWI Offenders. The grant application that she wrote was for \$2,239. Last year, (current fiscal year) only \$1,500. There are many things that she does with the money, things such as putting out coasters in the bars reminding people of the ride share van. There is also a 5k, and other community events.

ACTION TAKEN:

Chairman Schwebach: Made a Motion to approve the submittal of Community DWI (CDWI) Grant Application for FY 2023 to New Mexico Department of Transportation by May 13, 2022, with Janice Barela, Torrance County Manager, as signatory.

Commissioner McCall: Seconded the motion.

Roll Call Vote:

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

Motion Passes.

13. DISCUSSION

A. DWI

Presentation of Portable Breath Testers to Torrance County Sheriff's Office.

Tracey Master, Torrance County DWI Prevention Program: There are 2 breath testers that have been presented to the Torrance County Sheriff's Office. They are not evidentiary, and cannot be used as evidence, but work as great deterrent, especially for the youth at dances and such, not to drink.

B. Manager's Report:

Reported that the Fairground Purchase was recorded. As of 4-26-2022, it has been recorded, and they are scheduled to close the following day at 2 pm.

C. COMMISSIONERS' REPORTS

1) Commissioner McCall, District 1

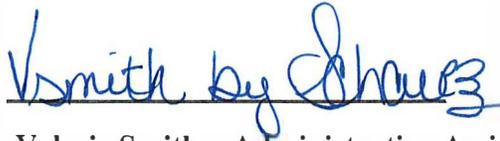
Thanked Finance and Management for working hard on the budget. Thanked whoever cleared up the back wall of the Commission Chambers.

2) Commissioner Schwebach, District 2

Signed By:



Ryan Schwebach – Torrance
County Board of Commission
Chairman



Valerie Smith – Administrative Assistant III,
Torrance County Clerk's Office

Date: 5 / 25 / 2022

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.