

**DRAFT**

**Torrance County Board of Commissioners**

**Regular Administrative Meeting**

**DECEMBER 15, 2022**

**1:00 PM**

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

**Others Present:** JANICE BARELA – COUNTY MANAGER  
JUAN TORRES - DEPUTY COUNTY MANAGER  
MICHAEL GARCIA – COUNTY ATTORNEY  
SYLVIA CHAVEZ - CHIEF DEPUTY CLERK  
NOAH SEDILLO - FINANCE DIRECTOR  
VALERIE SMITH – ADMINISTRATIVE ASSISTANT

**1. CALL MEETING TO ORDER**

**Chairman Schwebach:** Called meeting to order at approximately 1:06 PM.

**2. INVOCATION AND PLEDGE OF ALLEGIANCE**

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

**Commissioner Candelaria:** Led the invocation.

**3. CHANGES TO THE AGENDA**

**Chairman Schwebach:** Asked if they had any changes to the agenda.

**Madam County Manager Barela:** Listed the proposed changes to the agenda. She requested Item 5-A and 5-B be deferred to the next meeting in December, as Pete Montano and Brian Sanchez were not there to accept their awards.

She requested that item 13-A be moved up out of respect for the State Police Officer's time.

**Chairman Schwebach:** Moved Item 13-A after Public Comment and approved the changes to the agenda.

4. **PROCLAMATIONS**

5. **CERTIFICATES AND AWARDS**

**Chairman Schwebach:** Introduced the topic.

**Madam County Manager Barela:** Introduced Sylvia Chavez to present the award to Kevin Pham.

**Deputy County Clerk Sylvia Chavez:** Presented the two-year service award to Kevin Pham.

**Kevin Pham:** Thanked the County and the Clerk's Office.

6. **BOARD AND COMMITTEE APPOINTMENTS**

None this day.

7. **PUBLIC COMMENT AND COMMUNICATION**

**Madam County Manager Barela:** Took the opportunity to welcome Noah Sedillo as the new Finance Director.

**Noah Sedillo, Finance Director:** Thanked Madam County Manager Barela, the Commissioners and the County, said he is grateful and looking forward to many more years with the County.

**Samuel Schropp, Torrance County Resident:** Came to the meeting to ask the Commissioners to take care of the roads in his area. He asked that his comments be recorded into the minutes for this meeting, in compliance with the Open Meetings Act. The roads in south Torrance County are not gravel, they are dirt, also called "improved roads" by the U.S. Forest Service and Bureau of Land Management. The USFS closes the roads seasonally depending on the weather. Mr. Schropp would like to be able to travel around his home all year long, not just during the dry seasons. Langley, Akin Farm, Bluegrass Road, Meadows Ranch Road, and Spangler Road have been graded in the past, but all that does is dig up the dirt and move it to the middle of the road, which in turn makes the road muddy when it rains. That is, if the wind doesn't blow the dirt away within days first. After ½ inch of rainfall, Akin Farm Road was full of mud and potholes as well. He would like the County to take the \$11 million from ICIP budget for FY 2023 and put it into the roads. He believes it is \$11,000 per mile to fix the roads with more than just grading. He thinks that if the Road Department has trouble keeping employees that it is either a bad place to work or that they do not get paid enough. He wants to see a civil engineering firm that has nothing to do with Torrance County.

**Marcie Wallin, Torrance County Resident:** Wanted to get an update on the Fairground work and see if there is any news.

**Madam County Manager Barela:** Told the Commissioners that an update was upcoming, unless they just wanted to do it right then.

**Chairman Schwebach:** Suggested that they do the update while Marcie Wallin was there.

**Juan Torres, Deputy County Manager:** Gave an update on the Fairground. They have been speaking with their on-call engineer to try to get designs for the building and get quotes. Once they get the quotes in to the Commission, they will hopefully choose someone with a design they like.

**Tracey Master, Torrance County DWI Prevention:** Last year at this time, there were 61 homeless Moriarty High School students. They cannot house all of these students, but they are working together with the Teen Court Program to provide different community services to the County's youth. One of these services opens on December 16, 2022, and it is called Maliyah's Closet. It is a clothing closet located on the Moriarty High School campus for those less fortunate students who need clothing. There will be an open house from 5-7 p.m. in the Teen Court building. They are accepting donations of new and gently used clothing and new toiletries to stock the closet.

Last week they provided a Youth Mental Health/First Aid course at the Estancia Valley Classical Academy, where six individuals completed the course.

Last month at the Estancia Elementary School for their mental health team, they provided a QPR (question, persuade, refer) Suicide Prevention Program. They will be wanting more staff members. Suicidal thoughts and feelings of hopelessness run rampant in our community. They are providing character development classes for Teen Court youth. They met with the incoming Magistrate Judge, Craig Davis. They are working to set up youth and adult mental health/first aid.

The Department of Finance and Administration, Local Government Division and LDWI has just released the 2025 grant application, which is due the 1<sup>st</sup> week of March 2023.

**Tracey Master, Torrance County Resident:** Relayed a story about Superior Ambulance, urging the Commission not to consider a contract with the company, due to the terrible service she had seen members of the Community receive on November 11, 2022, after a fatal motorcycle and car accident. The paramedic that came was extremely rude to a mother and her children who had just been there and held their husband and father as he died in their arms. Mrs. Master believes that the residents of Torrance County deserve better than this treatment, and hope that if this paramedic is representative of Superior as a whole, that the County does not contract with them.

**Samantha O'Dell, Torrance County Emergency Manager:** Gave an update on the Emergency Management Office's current workload. They are currently working on the Threat and Hazard Analysis, and it is a requirement for the EMPG funding, which is due in the third quarter. This provides half of the funding to the Emergency Management Office.

She wanted to provide an update on the Hazard Mitigation Plan. It is required to be updated every five years and is expiring in December of 2022. A grant was applied for before Ms. O'Dell started in the Emergency Management position for the County. There have been many issues, beginning in October of 2021 when the grant was sent in for. In February of 2022, Department of Homeland Security and Emergency Management had requested additional information, which was provided in the beginning of March. In May of 2022, she received a phone call announcing that FEMA guidelines had changed, and that previously the match was 75%/25%, now it was 90%/10%. They were asked to submit a budget for that, which was done. She was told that the Department of Homeland Security was short staffed, so they would have FEMA contractors come to takeover. In August of 2022, additional information was requested and that was provided. In October of 2022, she was advised by someone from the Grants Department that the application was being processed but gave no update on timeline or the process. In November, she received a phone call that said FEMA had never received any paperwork from Torrance County, and if they wanted to continue that she would have to resubmit everything they requested. She did this the same day she received the phone call. They confirmed that it had been received. On November 8<sup>th</sup>, she received a call stating that the Department of Homeland Security was taking over the grant back from FEMA, and that they needed updated forms because the ones they received were outdated. The new ones are due January 6<sup>th</sup>. The Hazard Mitigation Plan is necessary to get further funding, such as funding for Claunch-Pinto Soil and Water Conservation District. She is now working on submitting additional forms and documents.

**Tracey Gallegos, Administrator for Village of Encino, via Zoom:** Recently personally lost \$2,000 worth of livestock because of neighbor's wild dogs. Animal Control did respond and help, but they would like more of a presence of Animal Control and the County Sheriff's Office. There are many close calls.

**Jenette Hunt, via Zoom:** Article in gateway pundit about questionable water-rights sales by Commissioners in Torrance County. She said she hoped this was not happening. She is not happy that the election was certified, that the "Deputy Clerk did not prepare the election; the state of New Mexico did and sent it back." She wonders if the ballots that are still missing from the primary election have been found yet.

Chairman Schwebach Moved on to Item 13. A.

## 8. APPROVAL OF MINUTES

### A. Approval of the October 20, 2022, Special Administrative Meeting of the BCC.

**Chairman Schwebach:** Made a motion to approve the October 20, 2022, Special Administrative Meeting Minutes.

**Commissioner McCall:** Seconded the motion.

**Roll Call Vote:**

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

**MOTION CARRIES.**

**B. Approval of the November 9, 2022, Regular Meeting of the BCC.**

**Chairman Schwebach:** Made a motion to approve the November 9, 2022, Regular Commission Meeting Minutes.

**Commissioner McCall:** Seconded the motion.

**Roll Call Vote:**

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

**MOTION CARRIES.**

**C. Approval of the November 17, 2022, Special Administrative Meeting of the BCC.**

**ACTION TAKEN:**

**Chairman Schwebach:** Made a motion to approve the November 17, 2022, Special Administrative Meeting Minutes.

**Commissioner McCall:** Seconded the motion.

**Roll Call Vote:**

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

**MOTION CARRIES.**

**9. APPROVAL OF CONSENT AGENDA**

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

**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 CARRIES.**

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

**NONE THIS DAY**

**11. ADOPTION OF RESOLUTION**

**A. ROAD: Resolution 2022-57: Approving CAP fiscal year 2023-2024 cooperative agreement.**

**Chairman Schwebach:** Introduced the topic.

**Deputy County Manager Juan Torres:** Spoke about the resolution since Leonard Lujan was not available on Zoom at first. The resolution is a cooperative agreement with the State of New Mexico to fix Martinez Road and NM 344, basically .6 miles to the Santa Fe/Torrance County line.

**Leonard Lujan, Road Department Superintendent:** This is the TPO project approved in March. They will be doing an overlay on the chip-sealed area. It will be milled, new culverts installed, then a new overlay will be installed.

**ACTION TAKEN:**

**Chairman Schwebach:** Made a motion for approval.

**Commissioner Candelaria:** Seconded the motion.

**Roll Call Vote:**

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

**MOTION CARRIES.**

**B. ROAD: Resolution 2022-58: Approving SB fiscal year 2023-2024 cooperative agreement.**

**Chairman Schwebach:** Introduced the topic.

**Leonard Lujan, Road Department Superintendent:** This is the School Bus Project. This was submitted in the beginning of the year with the other projects and is for the bottom 3 miles. They were approved from the TPO project to do an overlay on the road, so Mr. Lujan plans to re-allocate the funds and do a different 3 miles of road.

**Chairman Schwebach:** Asked if that would be a problem if this was approved the way it was written.

**Leonard Lujan:** Answered that it made no difference, that he would just be moving the funds to fund another portion of road in Torrance County.

**ACTION TAKEN:**

**Chairman Schwebach:** Made a motion to approve Resolution 2022-58: Approving SB fiscal year 2023-2024 cooperative agreement.

**Commissioner Candelaria:** Seconded the motion.

**Roll Call Vote:**

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

**MOTION CARRIES.**

**C. ROAD: Resolution 2022-59: Approving SP fiscal year 2023-2024 cooperative agreement.**

**Chairman Schwebach:** Introduced the topic.

**Leonard Lujan, Road Department Superintendent:** This is an SP or LGR project, which he said is the same thing. It is for two miles of road by Ten Pines and Manzano. They will be doing a chip seal over the existing chip.

**ACTION TAKEN:**

**Chairman Schwebach:** Made a motion to approve Resolution 2022-59: Approving SP fiscal year 2023-2024 cooperative agreement.

**Commissioner Candelaria:** Seconded the motion.

**Roll Call Vote:**

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

**MOTION CARRIES.**

**D. GRANTS: Resolution 2022-60: Approving Transportation Project and Agreement for completion of the Ewing Road Paving Project. Resolution supersedes Resolution 2022-52.**

**Chairman Schwebach:** Introduced the topic.

**Cheryl Allen, Torrance County Grants Manager:** The Department of Transportation caught an error in the previous resolution. The project has already been approved, and the amount of the project is \$1,274,367.22. She had accidentally omitted the 22¢ on the previous resolution, so she is adding it on this one.

**ACTION TAKEN:**

**Chairman Schwebach:** Made a motion to approve Resolution 2022-60: Approving Transportation Project Fund Agreement for completion of the Ewing Road paving project.

**Commissioner McCall:** Seconded the motion.

**Roll Call Vote:**

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

**MOTION CARRIES.**

## 12. APPROVALS

**A. ROAD: Resident request to vacate the end of A019 (Sanchez) as a County maintained road. (Gilbert Sanchez).**

**Chairman Schwebach:** Introduced the topic.

**Madam County Manager Barela:** Introduced Gilbert Sanchez, resident.

**Gilbert Sanchez, Resident, Sanchez Road:** Writing a petition on behalf of his father, who was in the audience. The road is only used by his father or immediate family. They are asking for .16 of a mile of Sanchez Rd. to be vacated. There is no outlet to other public or private properties. There is a solar powered gate opener. Vandals came and destroyed the gate and the gate opener. They called the County Sheriff's Office but nothing has come of it. If the father needs emergency services, he would be in trouble were there a winter storm. Last year during the February 4 storm, the County did not perform basic road plowing as is required. He is requesting the road be vacated from County records. The rules state that to get the road vacated, this request must be brought before the Commission, who will then choose a 3-person panel of people who do not live in the area to decide whether to vacate or not. While speaking with emergency workers, they were told that if the gate was open then they would come through, and if it was not open, they would not go through. Leonard was the one that suggested that Mr. Sanchez speak to the Commission.

**Commissioner Candelaria:** Explained how the committee works, and how they go out to look at the area and speak to the neighboring homes.

**Gilbert Sanchez, Resident, Sanchez Road:** The area he is asking to have vacated is an area that is a dead end that only his father's house sits on. They own most of the land in the area.

**Madam County Manager Barela:** Suggested she put together a committee to go to the area and observe the facts that Mr. Sanchez brought forth.

**Chairman Schwebach:** Agreed with Madam County Manager Barela.

**NO ACTION TAKEN, INSTRUCTED MADAM COUNTY MANAGER BARELA TO PUT TOGETHER A COMMITTEE.**

**B. PURCHASING: Request approval of award and signatory authority for County Manager-RFP TC-FY 23-01 for fully insured life, disability, and vision coverages.**

**1.) MetLife- Basic Life, Basic AD&D, Supplemental Dependent Life, Long Term Disability.**

**Chairman Schwebach:** Opened the topic for discussion.

**Noah Sedillo, Torrance County Finance Director:** The County put forth the RFP for fully insured life, disability, and vision coverages. This was potentially a multi-source award, and they will be requesting a multi-source award. Met Life is giving a comparable deal on this,

which the County currently had through Alliance Standard. Met Life is willing to provide a three-calendar-year price lock-in.

**Commissioner McCall:** Asked what the differences and changes are with the two companies.

**Noah Sedillo:** A committee of County employees was put together to research the rates and compare prices. After much discussion together and with the insurance broker the consensus was unanimous.

**Chairman Schwebach:** Asked what the difference in price was with the previous plan and the new one.

**Noah Sedillo:** Said that he was not prepared to give that information but would be willing to follow up with the Chairman.

**Chairman Schwebach:** Asked Mr. Sedillo if he could guarantee that these prices were comparable and the right choice for the employees.

**Noah Sedillo:** Answered in the affirmative.

**ACTION TAKEN:**

**Chairman Schwebach:** Made a motion to approve award and signatory authority for County Manager-RFP TC-FY 23-01 for fully insured life, disability and vision coverages.

**Commissioner Candelaria:** Seconded the motion.

**Roll Call Vote:**

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

**MOTION CARRIES.**

**2.) BlueCross BlueShield of New Mexico- Vision**

**Chairman Schwebach:** Opened the topic for discussion.

**Noah Sedillo, Torrance County Finance Director:** After speaking with the insurance broker, Gallagher Benefits Services, the committee concluded that BlueCross BlueShield will have much better services than the previous plan. With the approval of the Commission, the County will be moving their vision services to BlueCross BlueShield.

**Chairman Schwebach:** Asked if the services are within budget and comparable to the previous insurer.

**Noah Sedillo:** Answered in the affirmative.

**Commissioner McCall:** Asked if the employee's portion changed much.

**Noah Sedillo:** He said that the premiums went down. The copay also went down. This is for a period of two years. The County is entering its third year with Presbyterian.

**ACTION TAKEN:**

**Chairman Schwebach:** Made a motion to approve award and signatory authority for County Manager-RFP TC-FY 23-01 for fully insured vision coverage.

**Commissioner McCall:** Seconded the motion.

**Roll Call Vote:**

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

**MOTION CARRIES.**

**C. FIRE: Request for approval to submit the FY-24 EMS Fund Act application on behalf of Torrance County for Districts 2, 3 and 5.**

**Chairman Schwebach:** Introduced the topic for discussion.

**Hanna Sanchez:** It is the time of year that the EMS must ask for funds from the EMS Fund Act for medical supplies for Districts 2, 3 & 5 as volunteer providers.

**ACTION TAKEN:**

**Chairman Schwebach:** Made a motion to approve the request to submit the FY-24 EMS Fund Act application on behalf of Torrance County for Districts 2, 3 and 5.

**Commissioner McCall:** Seconded the motion.

**Roll Call Vote:**

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

**MOTION CARRIES.**

**D. FIRE: Request approval of Professional Services Contract with HealthFront, P.C. for medical director services to include Fire Department, Dispatch and Emergency Management.**

**Chairman Schwebach:** Introduced the topic for discussion.

**Hanna Sanchez:** Dr. Hazen spoke with Ms. Sanchez and let her know that there were some personal problems that came up and he will not be able to work with Torrance as their Medical Director as of January 2023. Ms. Sanchez got a new provider to partner with through HealthFront, P.C. The new doctor is Dr. Kah. The previous contract only covered the Fire Department and Dispatch for EMT purposes, but since Emergency Management has two paramedics, this contract will cover them as well. The difference is in cost. Dr. Hazen's contract was \$500 a month, this contract will be \$1,500 a month.

**Chairman Schwebach:** Said that prior to this the County had one doctor, now there is a firm, and that there would now be emergency coverage.

**Commissioner McCall:** Asked how this would work regarding procurement and what the new program would be like.

**Noah Sedillo, Finance Director:** Answered that this is a professional services agreement and that is went up to \$60,000.

**ACTION TAKEN:**

**Chairman Schwebach:** Made a motion to approve the Professional Services Contract with HealthFront, PC for medical director services to include Fire Department, Dispatch and Emergency Management.

**Commissioner McCall:** Seconded the motion.

**Roll Call Vote:**

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

**MOTION CARRIES**

**E. FIRE: Discussion and possible approval of changes for Torrance County Firefighter and EMT positions.**

**1.) Salary increases to retain current staff and fill current vacancies.**

**Chairman Schwebach:** Introduced the topic.

**Hanna Sanchez, Torrance County Fire Department:** Ms. Sanchez and Chief Dirks have been looking at the income they have been receiving for medical transports; they have approximately \$80,000 in the account, which averages \$15,000 a month in income. She went on to provide estimations of surrounding Counties and how much they pay their EMTs, Paramedics and other emergency services personnel. In an effort of retention and to attract new applicants, they would like to raise everyone's salaries by \$2/hr.

**Chairman Schwebach:** Asked if this was for all EMTs.

**Hanna Sanchez:** Answered that it was for the EMTs, but it was also to make up for the fact that they are also firefighters.

**Deputy County Manager Torres:** To do this, this would be an increase of \$87,240.

**Commissioner McCall:** Asked what credentials someone would need to prove they are a firefighter.

**Hanna Sanchez:** Most Firefighters carry their firefighter IFSAC seals, or AHJ, or Authority Having Jurisdiction, which means they can fight fires in Torrance County. With an IFSAC they are allowed to fight fires anywhere. They only make money starting at \$14.25 an hour and \$1 an hour starting after that. There are only 8 out of 14 positions filled. Hanna and Chief Dirks have also been covering because they are so short staffed. The surrounding counties have all raised their rates of pay. The people that work for them could just do their 48 hours and then get a second job, but they don't. They are from the area, and they have heart and dedication.

**Chairman Schwebach:** Asked if the employees are okay with lowering their overtime or if they want to keep the overtime they are getting right now, after they are fully staffed, but with a \$2 raise.

**Hanna Sanchez:** The employees like to have 48 to 72-hour shifts at most. The 96-hour shifts are running them into the ground.

**Chairman Schwebach:** He would prefer to go deeper into the research on this and address this at the following meeting.

**Commissioner McCall:** Believes that if Torrance County raises the rate of pay, then Moriarty will do the same. It seems like everyone just keeps raising the pay.

**Hanna Sanchez:** Was told to find comparable counties rates and report them. She doesn't understand why an administrative assistant is getting paid \$1 more than a basic that runs a

48-hour shift. She was told that this was because “the administrative assistant does a full 40-hour work week.” Nobody sees what happens after 5:30. They can go on back-to-back calls, out for hours at a time. The previous day there were four cardiac calls, one from Moriarty. They are lucky to have a 10-to-30-minute break in between. She has two employees that want to quit if they cannot change something.

**Chairman Schwebach:** Said that he would like to talk to her privately and speak to employees. He asked for the comparative numbers. He wants to know what else they can do for employee retention, rather than “throwing money” at the problem.

**Deputy County Manager Juan Torres:** Gave the Commissioners the starting salaries for the firefighters and EMTs.

**Hanna Sanchez:** Believes that the starting pay needs to be better than \$14.75.

**Hanna Sanchez:** This is the requested pay schedule.

Basic: \$16.75, from \$14.75/hour

Intermediate: \$17.75, from \$15.75/hour

Paramedics: \$18.75, from \$16.75/hour

Lieutenant position: Their position already requires an additional \$1 for their responsibilities, plus she is asking for the \$2 per their starting position (whether they are intermediate or paramedic).

**Commissioner McCall:** Suggested that Hanna and Fire Chief Dirks go into the schools in the area to recruit kids to work for them.

**Don Dirks, Fire Chief:** There is just no time at the moment to do that. He recognizes that it is rough.

**Chairman Schwebach:** More information was needed before moving on, and that they would discuss approval at the next meeting.

## 2.) EMT PRN positions to help fill schedule gaps

**Chairman Schwebach:** More information was needed before moving on, and wanted to discuss this item at the next meeting.

F. **SHERIFF: Request approval of prior year invoice from Staples in the amount of \$1,901.40.**

**Chairman Schwebach:** Opened the item for discussion.

**Stephanie Dunlap, Torrance County Sheriff's Office:** In July of 2021, the Sheriff's Office purchased a display case from Staples. They did not get an invoice until October of the current year, 2022.

**ACTION TAKEN:**

**Chairman Schwebach:** Made a motion to approve the request for payment to Staples for a prior year invoice in the amount of \$1,901.40.

**Commissioner Candelaria:** Seconded the motion.

**Roll Call Vote:**

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

**MOTION CARRIES**

**G. EMERGENCY MANAGEMENT: Request approval of Memorandum of Agreement with FEMA Integrated Public Alert and Warning System (IPAWS).**

**Chairman Schwebach:** Introduced the topic.

**Samantha O'Dell, Emergency Management Director:** IPAWS is the Integrated Public Alert and Warning System, which can send out emergency alerts even if they have not signed up for alerts. Torrance County did have this service, but the County was dropped because the monthly testing was not being completed because they did not have a platform to do it on. That is no longer the case. They now have Code Red Emergency Alerting Systems. It costs nothing for IPAWS because it is included in Code Red. People may get a text message or phone call to their phones.

**ACTION TAKEN:**

**Chairman Schwebach:** Made a motion to approve the Memorandum of Agreement with FEMA Integrated Public Alert and Warning System (IPAWS).

**Commissioner McCall:** Seconded the motion.

**Roll Call Vote:**

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

**MOTION CARRIES.**

**H. FINANCE: Request approval of 2023 employee and first responder calendars.**

**Chairman Schwebach:** Opened the item for discussion.

**Noah Sedillo, Finance Director:** Presented the proposed 2023 employee and first responder calendars for approval.

**Commissioner McCall:** Asked Madam County Manager Barela if she had reviewed the calendar.

**Madam County Manager Barela:** She did have a chance to review it, and she saw no issue with it.

**ACTION TAKEN:**

**Chairman Schwebach:** Made a motion to approve the 2023 employee and first responder calendars.

**Commissioner Candelaria:** Seconded the motion.

**Roll Call Vote:**

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

**MOTION CARRIES**

**13. DISCUSSION**

**A. MANAGER: New Mexico State Police introduction and outline of upcoming plans in Torrance County (Captain Alex Rodriguez, District 5; Sergeant Edgar Lemus, East Mountains)**

**Captain Alex Rodriguez, District 5, NMSP:** Captain Rodriguez introduced himself to the community and let Torrance County know that his District covers most of the County. He and his Sergeant, Edgar Lemus, and incoming Lieutenant, t.b.a., will be patrolling and visiting schools in the district. They will not be school resource officers but will be part of the community. He thanked the Commission for the opportunity to introduce himself.

**B. FAIR BOARD: Discussion of open Fair Board positions.**

**Chairman Schwebach:** Opened the item for discussion.

**Marcie Wallin, Torrance County Fair Board:** Came to discuss the open positions, one that the secretary, Angela Redondo, resigned from to teach full time, and an administrative assistant position. She was there to request to work together with Madam County Manager Barela to appoint the two positions.

**Madam County Manager Barela:** Wanted to know how the Commissioners wanted the positions to be filled and when the deadlines should be. Also, as it is a 5-person committee, there should be representatives that live in each district.

There was discussion on who is representing which district.

**Madam County Manager Barela:** Asked Commissioner Candelaria and Chairman Schwebach if they have a preference on who shall represent District 3. She said that there is also the matter of the administrative assistant position that does not represent a district. She would like to work together with Mrs. Wallin to get this position filled.

**Chairman Schwebach:** Agreed with Madam County Manager Barela.

**Commissioner Candelaria:** Selected Marcie Wallin as District 3 member, with Johnny Perea as member-at-large.

**C. ROAD: Update on county roads' maintenance and conditions.**

**Chairman Schwebach:** Opened the item for discussion.

**Leonard Lujan, Road Department Superintendent:** December has been a rough month for the Road Department. They lost someone in their department. The three operators have finished their CDL driver's license course, they are all CDL licensed now. They finished two weeks ago. They started on the first project. They bladed all the county roads. There has been moisture since then so it may need to be done again soon. There is about 7/10ths of a mile on Akin Rd. that needs to be completed and built back up. There is a new hire in the Road Department, and they are trying to get another.

**Commissioner McCall:** Asked what it costs to base-force a mile of road.

**Leonard Lujan:** He estimates that is could be done for roughly \$18-20,000.

**D. MANAGER: Update on County Projects.**

**Deputy County Manager Torres:** He told the Commissioners that they received the two pieces of equipment that the Road Department had ordered, as well as the vehicles that were recently purchased for the Road Department and the Fire Department. McNabb Road has

been completed. He introduced Cheryl Allen and James Solomon to speak about the Senior Center renovation projects.

**Cheryl Allen, Grants Manager:** Work has progressed on the Moriarty and Mountainair Senior Centers. There were problems with the crawl space under the recreation room. A second engineer came to check it out, and the fix will be an additional charge not covered by the grant. The lighting has been finished. Funding was approved for renovations at the Estancia Senior Center and the Mountainair Senior Center, as well as planning of the Moriarty Senior Center, in the 2022 Legislative Appropriation and as a grant application for the Aging and Long-Term Services Department. They were told they could expect award letters in February or March with agreements to follow. There are two quotes on the fix, the one where they don't fill the basement is less expensive.

**James Solomon, Facilities Director:** Mr. Solomon expanded on the issues with the crawl space under the rec room in the senior center. He explained that there is dry rot in the crawl space.

**Deputy County Manager Torres:** He is having a hard time getting three quotes about the fencing and gates for the Senior Centers. He got a quote from the people who did the fence and putting up a gate is almost as much as the entire fence.

**James Solomon, Facilities Director:** Continued with his update regarding the senior center and the crawlspace. He thinks that it would be cheaper to fill the space than clear and rebuild it.

**Commissioner McCall:** Regarding the kitchen, asked if that was where the half million dollars grant was going.

**Deputy County Manager Torres:** Answered in the affirmative. Additional funding will possibly be requested from the Commission, but right now they are just using the \$500,000 that was granted and approved. Told the Commission about some of the items that were cut, such as stainless steel. Regarding the Duran waster system, they will be working on bringing forward an application for the water trust board for approval, that way they can install a water line that goes from the water tanks.

**Commissioner Candelaria:** They are trying to work on a water catch system.

**Deputy County Manager Torres:** With the exception of the Administrative Building, that is all the projects that they are working on, he is hoping that they get them finished by early summer.

He asked the Commissioners what they would like to see at the next meeting regarding the Administrative Building that they want to build.

**Chairman Schwebach:** Said that he would like to have representatives from each firm at the next meeting.

**Commissioner McCall:** Asked where they are on financing.

**Deputy County Manager Torres:** The reserve is prepared to be sent to the bank, and the funds are prepared to be moved when necessary.

A ten-minute break was taken at this point.

#### **E. MANAGER'S REPORT**

**Madam County Manager Barela:** Gave an update on the missing ballots from the unofficial audit of the 2022 Primary Election. When last reported, there were eight unaccounted for Libertarian ballots, and 284 unaccounted for Republican before looking at the write-in bin. She asked Chief Deputy Clerk Sylvia Chavez to look for them, and she did a thorough hunt and found an additional four Libertarian and an additional 159 Republican ballots. That leaves four Libertarian and 125 Republican ballots still unaccounted for. She asked yet again for County Clerk Yvonne Otero to tell someone who can get in touch with Madam County Manager Barela where they are, if she knows of any other spots they could be hiding.

Madam County Manager Barela announced that Noah Sedillo was promoted to Finance Director, and so his old position of Chief Procurement Officer will be open soon. There is an opening in the Domestic Violence Prevention Department, which needs a new director. It will be on the next agenda to hopefully restructure the position into a full-time position and from hourly pay to salary pay. There are two part-time victims' advocates, and it is difficult to be ever sure that there is someone there to go to court with the victims. There is a lack of service for people, so she wants restructuring.

#### **F. COMMISSIONERS' REPORTS:**

##### **1) Commissioner McCall, District 1**

**Commissioner McCall:** Asked about the six trucks for the Road Department.

**Madam County Manager Barela:** She was able to acquire vehicles for the Road Department. They had ordered six vehicles, but between the original quoted price and after it was approved, it had gone up roughly \$20,000. They decided to transfer money they had in their budget to cover the cost and still get the trucks that they needed.

**Commissioner McCall:** He spoke with Glen Tillery. There is a price agreement for government vehicles that GM has agreed on. That price changed significantly. What he was willing to do was give each truck a \$1,500 credit for outfitting to help offset the cost.

The rain seems to really be messing with the roads, so he is wondering if each of the districts should get a mile of road work funding to help fix some of these roads.

## **2) Commissioner Schwebach, District 2**

**Chairman Schwebach:** Speaking about the County Roads, he said that no material is best for every situation, and needing different materials is expensive. ARPA funds could be an answer to help, but he would also like to find a more solid plan to fixing these roads. He would like to expand on this later.

## **3) Commissioner Candelaria, District 3**

**Commissioner Candelaria:** Spoke about how Lea County has very good roads, and sometimes their calche roads are better than State roads.

Onto another topic, he said that the exit budget finished, and the audit company got everything they needed, and that the results are great.

**Madam County Manager Barela:** Said that the audit is finished, but they are not allowed to speak about it until it is published.

## **14. EXECUTIVE SESSION**

### **ACTION TAKEN:**

**Chairman Schwebach:** Made a motion to go into executive session to discuss litigation or pending litigation in which the public body is or may become a participant, closed pursuant to NMSA 1978 section 10-15-1 (h)(7), specifically relating to the Torrance County Clerk, to include allegations of job abandonment.

**Commissioner McCall:** Seconded the motion.

### **Roll Call Vote:**

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

**MOTION CARRIES.**

**EXECUTIVE SESSION IS ENTERED.**

**ACTION TAKEN:**

**Chairman Schwebach:** Made a motion to come back to open session from executive session.

**Commissioner McCall:** Seconded the motion.

**Roll Call Vote:**

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

**MOTION CARRIES**

**REGULAR SESSION RECONVENES AT APPROXIMATELY 4:50 P.M.**

**Chairman Schwebach:** During executive session, the Commission discussed only threatened or potential litigation in which the County is or may become a participant, closed pursuant to NMSA 1978 section 10-15-1 (h)(2) and NMSA 1978 section 10-15-1 (h)(2) specifically relating to the Torrance County Clerk, to include allegations of job abandonment.

**Chairman Schwebach:** Directed the County Attorney to draft documents that lay out the job abandonment of the County Clerk.

**County Attorney Mike Garcia:** Understood.

**15. DISCUSSION/APPROVAL**

**A. COMMISSION: Discussion and possible action regarding closed executive session item specified above.**

**See above for discussion.**

**16. ANNOUNCEMENT OF THE NEXT BOARD OF COUNTY COMMISSIONERS MEETING: Dec. 28, 2022, at 9:00 AM**

**17. SIGNING OF OFFICIAL DOCUMENTS**

**18. ADJOURN**

**ACTION TAKEN:**

**Chairman Schwebach:** Made a motion to adjourn.

**Commissioner McCall:** Seconded the motion.

**MOTION CARRIES.**

**MEETING ADJOURNED AT APPROXIMATELY 3:55**

**Signed By:**



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**Ryan Schwebach, Chair,  
Torrance County Board  
of Commission**



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

**Date:     /     / 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.**