

**FINAL COPY  
TORRANCE COUNTY BOARD OF COMMISSIONERS  
COMMISSION MEETING  
SEPTEMBER 25<sup>th</sup>, 2019**

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

**OTHERS PRESENT:** WAYNE JOHNSON-COUNTY MANAGER  
JOHN BUTRICK-COUNTY ATTORNEY  
LINDA JARAMILLO-CLERK  
YVONNE OTERO-ADMIN. ASST.

**1.) CALL MEETING TO ORDER**

Chairman Schwebach calls the September 25<sup>th</sup>, 2019 Commission Meeting to order at 9:03 A.M.

**2.) Invocation and Pledge of Allegiance**

**Pledge lead by Chairman Schwebach**

**Invocation lead by Nick Sedillo**

**3.) Changes to the Agenda**

Wayne Johnson states that there are 2 changes that need to be made to the agenda. Item 13-A, the presentation from the 4-H members, needs to be moved up on the agenda after the public comment because the children need to return to school. The next change will be with Item 14-A in the Executive Session, that item needs to be removed from the agenda.

**4.) PROCLAMATIONS**

There were none presented.

**5.) CERTIFICATES AND AWARDS**

There were none presented.

**6.) BOARD AND COMMITTEE APPOINTMENTS**

There were no appointments made.

**7.) PUBLIC COMMENT and COMMUNICATIONS**

**Albert Beckwith** states that he had one of his issues resolved right before the meeting began. He also states that he was under the impression that the comments made in the room stayed in this room, he understands the meeting is a public record, but people need to keep their comments to themselves and not talk bad about a person. We should all get along and live in peace.

**Alfonso Otero** states that he is a resident of Torrance County and has looked at the map of the Commission districts in the county. He noticed that Commission District 3 is a very large district. It seems like a very large area for just one Commissioner and is curious as to why there is only one Commissioner for that District. There should be another Commissioner so that there is more representation for the residents in District 3.

**Linda Jaramillo** states that she would like to announce that early and absentee voting begins on October 8<sup>th</sup>, 2019. The hours will be Monday through Thursday from 7:30 am to 5:30 pm here in the administrative building where the Sheriff's department was located.

**Betty Cabber** states that she would like to let everyone know about services for Bob Ayre. Mr. Ayre was the former Torrance County Manager. The services will be held Sunday September 29<sup>th</sup>, 2019 at 2:00 pm at the Moriarty Civic Center

### **13.) DISCUSSION**

**a.) EXTENSION OFFICE:** 4-H Update, presentation from 4-H kids.

**Jill Encinias** states that she would like to thank the Commission for having them this morning. She is here to give a brief update on the 4-H program. The calendar year runs from October to October. They are finishing up the current calendar year and are preparing for the 2019-2020 year.

Last year 4-H had a total of 144 members enrolled and 43 adult volunteers. Ms. Encinias states that she is a data person and wanted to know the percentage and with the number of kids in the county that 144 is only 7% of those eligible to join 4-H Her goal is to raise that number.

The theme for this year's 4-H is, Inspire Kids to Do. Ms. Encinias' second goal is to expand. She wants to expand the mind set of what youth can do through 4-H. Raising livestock and showing at the fair will continue, but kids need to know about all the other programs that 4-H can offer. She did bring some 4-H youth with her to the meeting to highlight their accomplishments. These youth have the opportunity to compete in local, state, and national levels.

**Jonathon Aday** states that he is with the Torrance County Meats team. His group competed in July and won the state competition for meats. They will be traveling to the American Royal Livestock Show in Kansas City October 14<sup>th</sup> & 15<sup>th</sup> to judge at the national 4-H meats contest.

What the meats contest consists of is the group judging 30 different retail cuts of beef, pork, and lamb. They also judge retail classes and justify the reasons why they placed those classes

the way they did. Some skills that you can learn from this are leadership skills and public speaking.

**Bella Neish** states that she is here representing the Torrance County Livestock Judging team. Her team also competed in July and won the state championship for livestock evaluation through 4-H. The livestock judging team will be traveling to Louisville, KY November 19<sup>th</sup> & 20<sup>th</sup> to compete at the North American International Livestock Exposition.

This contest consist of them judging 2 aspects of livestock, those consist of market and breeding. This consists of 4 different species of beef, sheep, goats, and swine. For each one you will evaluate them from best to worst and then at the end give the reasons as to why you rated them that way. It's highly competitive and takes a lot of focus. A life skill that we gain from this is to explain why you rate them as such and to stand up for you decisions, and being confident in yourself.

**Chairman Schwebach** asks, by going to these judging contests, what kind of doors does this open for them in terms of college and jobs after high school.

**Bella Neish** states that she has been judging livestock since she was 8 years old. Her goal is to go to college and judge competitively at that level. This will offer many scholarships and help pay for school. This gives us more opportunities to work with other teams and compete in a fun way as well as gain skills on what to do if one decides to run a livestock operation. It helps us prepare for the path we are taking.

**Chairman Schwebach** congratulates the kids on their accomplishments and asks the audience to give them a round of applause.

**Commissioner McCall** states that as they have heard there are few individuals in this county that represented the county very well. Those people were Jade Perea who won grand champion sheep and Cash Wrye with reserve sheep. Torrance County was represented very well in the sheep barn at the New Mexico State Fair. As you hear what they do collectively as a team they still strive to do their best individually. The best thing about this program is that it teaches both team and individual ways to learn.

## **8.) APPROVAL OF MINUTES**

**a.) COMMISSION:** Motion to approve the September 11, 2019 Torrance County Board of County Commission Minutes.

**b.) COMMISSION:** Motion to approve the September 16, 2019 Torrance County Board of County Community Special Commission Minutes.

**ACTION TAKEN:** **Chairman Schwebach** makes a motion to approve the September 11, 2019 Torrance County Board of County Commission Minutes and the September 16, 2019 Torrance County Board of County Community Commission Special Commission Minutes. **Commissioner McCall** seconds the motion. No discussion, all Commissioners in favor.

**MOTION CARRIED**

## 9.) APPROVAL OF CONSENT AGENDA

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

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

## 10.) ADOPTION OF ORDINANCE/AMENDMENT TO COUNTY CODE

There was nothing presented.

## 11.) ADOPTION OF RESOLUTION

a.) **COMMISSION:** Motion to approve the creation of the Torrance County Land Grant Advisory Board. Resolution 2019-52. (Sanchez)

Wayne Johnson states that there was a small typo in line 10 of the resolution. It reads “has desires” and it should just read “desires.”

Commissioner Sanchez states that they are thinking of creating this board, however the land grants are still in discussions for this matter and he is requesting that this item be deferred until the next meeting.

**ACTION TAKEN:** Commissioner Sanchez makes a motion to defer this item until the next Commission Meeting. Chairman Schwebach seconds the motion. No further discussion, all Commissioners in favor. **ITEM DEFFERED**

b.) **COMMISSION:** Motion to approve the creation of the Heritage Center Advisory Board. Resolution 2019-53. (Sanchez)

Commissioner Sanchez states that he is proposing the creation of a committee to work with the auspices of the county towards the creation of a feasibility study. This committee will work on gathering the information to give to a contractor that could possibly work on the study for the county. He would like to keep the committee simple with the land grants and the municipalities, but also include the Moriarty Historical Society and a non-voting member being the park service.

We are not ready to make appointments at today’s meeting but we could create the committee and appoint them at one of the next couple of meetings and allow the members to come to the meeting.

So far we have recommendations from Estancia, Mountainair, Torreon, Tajique, Manzano, and the Historical Society. The recommendation from Estancia is Ted Barela, from Mountainair is Mayor Peter Nieto, from Manzano is Land Grant President Jason Quintana, from Torreon it is Leo Chavez, from Tajique it is Johnny Romero, and from the historical museum is Jace

Alderson or Tina. The park service is willing to participate and their recommendation is either Norma Pineda or Tom Dets.

**Chairman Schwebach** asks if it is prudent to have government officials, from the park service, sitting on a committee of this nature.

**Wayne Johnson** states that he does not have a clear answer on this. He is concerned about federal regulations in regards to employees serving on a board such as this and it being a voting membership. In order for this board to function the park service would need to have an ex-officio type of position to sit on the board.

**Chairman Schwebach** states that he thinks the land grants should only have 1 vote since most of their concerns are common and not separate.

**Commissioner Sanchez** states that he does not think there is anything to vote on at this point. That is something that can be ironed out later. This is just the committee working with the contractor for a feasibility study.

**Commissioner McCall** states that with that being said he thinks it is too early to create this committee until the studies come out.

**Commissioner Sanchez** states that this will not cost anything. This would be a great benefit for the contractor. It is good to have a group of people to work with that is speaking for the communities. The information gathering is more observational, it is critical that we have the local partners involved so that we make sure all the information is present.

**Commissioner McCall** states that there is already an ad hoc committee formed for this, is that correct?

**Commissioner Sanchez** replies, yes, but that is exactly what it is ad hoc. In order for it to maintain its organizational integrity, it needs to run under the auspices of the county that way we maintain control and have adequate information

**Commissioner McCall** states that he fills the ad hoc committee would be able to help these studies enough to get their feet wet. He fills it is premature to create this committee.

**Chairman Schwebach** states that he agrees with Commissioner McCall. In light of the current grant they have, he would like to see more of that, and he also has more questions for his district that he needs answered.

**ACTION TAKEN:** **Chairman Schwebach** makes a motion to defer this item until the next meeting. **Commissioner Sanchez** seconds the motion. No further discussion, all Commissioners in favor. **ITEM TABLED**

c.) **FINANCE:** Motion to approve Budget Increase from HB6 distribution. Resolution 2019-54

**Wayne Johnson** states that we normally do not find money in our distributions. This is from HB6 and resulted in an increase distribution to the county. The state is changing it's GRT collection process from one that is point of business to point of service. Therefore we need to request a budget increase to absorb the funds.

**Jeremy Oliver** states that the amount giving is \$59,000.00. The manager's office has decided to invest the money in vehicles for the different department for basic maintenance and repairs.

**ACTION TAKEN: Chairman Schwebach** makes a motion to approve Budget Increase from HB6 distribution. Resolution 2019-54. **Commissioner McCall** seconds the motion. No discussion, all Commissioners in favor. **MOTION CARRIED**

**d.) MANAGER/GRANT COORDINATOR:** Motion to approve 2020 Census Complete Count Committee. Resolution 2019-55

**Cheryl Allen** states that this is a resolution that is required in order to receive funding from the state of New Mexico. We would need to form a complete count committee and they will be working through June 30<sup>th</sup>, 2020. The grant funding amount is \$24,219.00. The purpose of the committee is to raise awareness of the US Census and mobilize action to increase self-response by people within the county, especially those in hard to count areas. This is beneficial to most of our grant funding, the appropriations are based on the census counts for the county. Ms. Allen is asking for the Commission's approval on this resolution

**ACTION TAKEN: Commissioner McCall** makes a motion to approve 2020 Census Complete Count Committee. Resolution 2019-55. **Chairman Schwebach** seconds the motion and asks if there are people that are going to sit on the committee. **Cheryl Allen** replies, yes, there are 4 items that follow along with this resolution. No further discussion, all Commissioners in favor. **MOTION CARRIED**

## 12.) APPROVALS

**a.) MANAGER/GRANT COORDINATOR:** Motion to approve Intergovernmental Grant Agreement for Complete Count effort for U.S. Census

**Cheryl Allen** states that this is an agreement between Torrance County and the State of New Mexico to obtain the funding for the Complete Count Committee. This funding will help them to do promotions and an outreach effort in Torrance County.

**Wayne Johnson** asks if the motion needs to be made to authorize the County Manager to sign the grant agreement.

**Cheryl Allen** replies, yes, that is correct. The signature line requires that the County Manager sign the grant agreement.

**ACTION TAKEN: Commissioner McCall** makes a motion to approve the Intergovernmental Grant Agreement for Complete Count effort for U.S. Census and to allow County Manager

Johnson to sign the agreement. **Chairman Schwebach** seconds the motion. No discussion, all Commissioners in favor. **MOTION CARRIED**

**b.) MANAGER/GRANT COORDINATOR:** Motion to approve Torrance County Complete Count Committee Members

**Cheryl Allen** states that they have already started to assemble the committee. They have already spoke to the individuals and received their letters of intent. Letters hereto attached. The committee members are Peggy Schwebach, chair, Shannon Cobb, co-chair, Angela Creamer, Melissa Fox, and Kathleen Jesse are all members. The county member will be Kassandra Sandy, and is the complete count committee coordinator.

**Wayne Johnson** states that this is the beginning committee. Should there be a need to add additional members they have the ability to do so. This needs to get taken care of because this all has to be turned in today so that we can get the \$24,000.00 in grant funding.

**Chairman Schwebach** states, as he understands, there is no limitations on committee members and what we are looking for is community members with the knowledge to do this job.

**Cheryl Allen** states that the states has given a limitation of up to 30 committee members. She wants to reach out to other areas of the county. So far Moriarty, Duran, Encino, and Willard have no representation. We want to make sure every area is represented.

**Chairman Schwebach** asks if they can add the committee members as needed.

**Cheryl Allen** replies, yes, the members can be added at any time.

**Commissioner McCall** asks if the members can just be added or will the request to add the new members have to be brought to the Commission for approval.

**Wayne Johnson** states that it is up to the Commission if they want to allow the committee to appoint or bring the appointment to the Commission for approval.

**ACTION TAKEN:** **Chairman Schwebach** makes a motion to approve the Torrance County Complete County Committee members and to authorize the committee to add new members as they see fit. **Commissioner McCall** seconds the motion. **Chairman Schwebach** asks if there is any further discussion.

**Commissioner Sanchez** asks what the requirements are to serve on the committee.

**Cheryl Allen** states that the US Census Bureau has developed a guide that lists activities and publications that they may want to pursue. The state has also developed templates that the committee can use to prepare different types of media to get the word out. The census count will also be available on line and they are wanting to have a location where citizens can go with train individuals to assist in the on line process. This is one reason Angela Creamer was

selected, she works at the library and will have the training to assist those using the online process.

**Commissioner Sanchez** asks when the committee will meet and if there will be per diem for the workers.

**Cheryl Allen** states that they will leave the times the meeting will take place up to the committee members.

**Wayne Johnson** states that there is no per diem as of yet. If it comes to that it must come to the Commission for approval. We are looking for people who want to serve and reach those hard to count areas of the county.

**Cheryl Allen** states that once they have established the committee members the state will be sending down personnel to train the committee as well as a representative who will develop any of the hard to count maps that will be handed over to the census bureau. There is funding available to train the committee members elsewhere if necessary and prepare the promotional items and make the outreach to the citizens of the county.

**Wayne Johnson** one of the things the committee will help with is to determine the best way to spend the money to reach the maximum number of people. They have all sorts of options on how they use the money. Mr. Johnson prefers that the outreach be tailored specifically for Torrance County.

**Cheryl Allen** would like to add that they will be making outreach in the further regions of the county to get more committee members, we do not want to limit the members to the 5 they have now.

**Commissioner McCall** states that he would like it if Kassandra could update the Commissioners and staff with a quick email on what is going on and if the committee has any questions or concerns. It is important to know where we are at and what we are doing.

**Wayne Johnson** states that Kassandra is an employee in the assessor's office and this is going to be extra work for her. Mr. Johnson thanks Kassandra for taking on this task.

**Kassandra Sandy** states that part of the goal in communicating with Ms. Allen was to get any financial updates, any needs from the county or the Commission, and communications between herself and the other committee members. She just wants an open line of communication. No further discussion, all Commissioners in favor. **MOTION CARRIED**

**Chairman Schwebach** asks if there are any of the members of the Committee present and says that he would like to thank them for volunteering. This is a lot of work and is very important to the county. If in the future you see anything that the county needs to facilitate, do not hesitate to ask.

c.) **MANAGER/GRANT COORDINATOR:** Motion to approve outreach program for Complete Count effort for U.S. Census

**Cheryl Allen** states that this is the last part of the census item. This is for the approval of the outreach plan. It is a generalized plan that has been written by the state of New Mexico. The only contribution from the county was adding the complete county committee. They understand that this only a partial list of members and will be adding members to the list. The plan is an outline for the committee members to follow and adapt to the needs of Torrance County.

**ACTION TAKEN:** **Commissioner McCall** makes a motion to approve the outreach program for the Complete Count effort for U.S. Census. **Chairman Schwebach** seconds the motion. No discussion, all Commissioners in favor. **MOTION CARRIED**

**Wayne Johnson** states that he would like to thank Ms. Allen for all of her hard work on this. We are playing catch-up with this and she has done an amazing job in getting this all together in a short amount of time.

**Chairman Schwebach** would also like to thank Ms. Allen for all of her hard work and for her improvement on speaking in front of the Commission.

**d.) FIRE:** Motion to approve publication for adoption of the 2015 International Fire Code and the 2015 International Wildland-Urban Interface Code for County Ordinance.

**Lester Gary** states that a few months back he was looking into the approval of the 2009 International Fire Code. He came to find out at the time the State adopted the 2015 International Fire Code. We pulled the 2009 from the agenda so that he could come forth with the 2015 version so that his department could be in compliance with the state.

What the Commission has before them is the ordinance that Mr. Gary and Mr. Butrick have been working on. This is still under review by the attorney and we are looking to have it completed by the week of the 7<sup>th</sup> so that we can publish this ordinance in the newspaper. Mr. Gary states he will also be meeting with P & Z to make sure everything in the IFC is compliant with what the county has already adopted. Mr. Gary is asking to have this published around the 9<sup>th</sup> of October and he will make copies and deliver it to the libraries so that the ordinance will be accessible to the public.

**Wayne Johnson** states that these are alterations and not the IFC itself. We are trying to make sure that there are no conflicts with the existing ordinance and that we don't unintentionally create a scenario in Torrance County where it makes it difficult to build homes. One example is that a sprinkler system is required in any home that is built over 3,000 square feet.

**Lester Gary** states that as you read through this that is the proposed ordinance. There are amendments and deletions for that concern. We do not want to have any conflicts for residential or commercial structures that will come into the county. They have also looked at the International Wildland-Urban Interface Code. This goes with the IFC and will be looking for approval of this as well. We have so many areas that fall under the wildland jurisdiction that we are able to maintain. One example is the proper widths of roads in and out of different communities. For the homeowners, this is to make sure that we can get the fire apparatuses in and out of their areas as well.

**Chairman Schwebach** ask if this is a good starting point.

**John Butrick** replies, yes, that is correct.

**ACTION TAKEN:** **Chairman Schwebach** makes a motion to approve the publication for adoption of the 2015 International Fire Code and the 2015 International Wildland-Urban Interface Code for County Ordinance. **Commissioner McCall** seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

e.) **FIRE:** Motion to approve completion of Volunteer Fire Assistance Funding Grant.

**Lester Gary** states that this is a grant put out by the EMNRD, which is the state forestry division in the State of New Mexico. The grant is available and Mr. Gary would like to apply for the 10% matching grant and he is looking to hire a wild land coordinator. This grant, if awarded, will give us \$25,000.00 with a 10% match to hire the coordinator part time. This would allow us to establish a wildland attack division. This person would work closely with the grants coordinator to work on grants that are available to the department.

**Commissioner McCall** asks if there are people out there that would like a job like this that is part time.

**Lester Gary** replies, yes, there are people interested.

**Chairman Schwebach** asks if this is a renewable grant so that we can fund this part time position down the road.

**Lester Gary** replies, yes, there are several counties in the state that renew the grant. This grant is not only for staffing but is also for wildland firefighting equipment. With the position being in place and the regional mobilization plan we would have a team together and be able to deploy them to that fire. State and local agencies do get reimbursed therefore it brings money back to the county. Other agencies will use this grant to establish this position and once the other funding comes in the county would be able to make this position a full time position.

**Commissioner McCall** asks if Mr. Gary is going to pull the 10% match from his budget.

**Lester Gary** replies, yes.

**ACTION TAKEN:** **Chairman Schwebach** makes a motion to approve completion of Volunteer Fire Assistance Funding Grant. **Commissioner Sanchez** seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

f.) **PURCHASING/FINANCE:** Motion to approve RFP TC-FY20-02 printing services for the Treasurer's and Assessor's Office.

1.) Contract approval for Master's Touch, LLC

**Noah Sedillo** states that he has a floor substitute that he and Mr. Butrick worked on the day before, and he will pass that out now.

**John Butrick** states that most of the most of the changes were technical and non-substantive in nature. The only change that could be considered quasi substantive is in section 17 applicable law. In the section it was an addition of words and it talks about Torrance County and the contractor agree that the laws of the State of New Mexico shall govern. We added in “without giving effect to the choice of law principles thereof or any canon, custom, or rule of law requiring construction against the drafter and that venue will likely be in the 7<sup>th</sup> Judicial District Court in Torrance County.

**Noah Sedillo** states that the reason the Treasurer and Assessor want to go out to RFP is for consistency. The two departments send out different notices and bills throughout the year, and in using different vendors each time, there has been a lot of inconsistencies. In going out for RFP we can gain some consistencies and be in contract for the next 4 years, but there is a clause that will allow us an option to get out of the contract every year if we chose to do so. The amount is \$16,513.00, and does not include the GRT. The county will pay for overages, this has included there price point that they proposed, it is broken down to what each item will cost.

**Commissioner McCall** asks if each department will be responsible for their overages.

**Noah Sedillo** replies, yes, that is correct.

**Chairman Schwebach** ask how we are currently doing this procedure. He is also under the impression that the Treasurer and Assessors agree to this.

**Noah Sedillo** replies, yes, they both agree and Mr. Sedillo states that currently they have to go out and get 3 quotes and then award to the lowest quote. The two departments get with these vendors each time, it is a very time consuming process.

**ACTION TAKEN: Chairman Schwebach** makes a motion to approve RFP TC-FY20-02 printing services for the Treasurer’s and Assessor’s Office with Master’s Touch, LLC. **Commissioner McCall** seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

**G.) MANAGER/HR:** Motion to approve the purchase of Applicant Tracking and New Hire Onboarding System.

**Kristin Oliver** is asking for the approval from the Commission to purchase and applicant tracking and new hire onboarding system. This system will allow applicants the ability to apply online as well as complete their orientation. This systems will insure that we are in compliance with the application process, help us to source and screen for qualified candidates, streamline, and modernize paper based work flow, and help us with record retention requirements without having to store 100’s of applications.

Ms. Oliver states that the main reason this system would be good for the county is that it will get us better outreach and bring in more candidates. The county currently receives 0-5 applications for departments in the county. It is proven that counties that switch to online application increase their applications by 300%. This will also save time by allowing the applicants to do their orientation and training online. The county has lost out on qualified candidates because we only take paper applications.

In using this new system, it will allow the county to post any new jobs on various hiring sites and social media sites and those we currently use. Ms. Oliver stated that she talked to each of the department heads about using this systems and they stated that this is a great idea and would help the departments out. The main departments that would benefit would be the road department, dispatch, and sheriff. These are the departments that receive the most applications and have the highest turnover.

**Marty Rivera** states that this would help his department get better more qualified applicants. The department gets about 6 applicants to test, but out of the 6 only 1 will qualify.

**Christie Humphrey** states that Jesse Lucero, Torrance County Assessor, wanted her to speak in support of this system. The department gets very little applicants, with this system it will hopefully get us a larger pool with more qualified applicants.

**Kristin Oliver** states that she has done a lot of research on this program. She did get 3 quotes and would like to go with CivicHr. They are half the price of the other 2 companies. This company works specifically with government entities so they are aware of our needs.

**Chairman Schwebach** asks if the county will be held liable in any way for personal information on the applications. Chairman Schwebach also asks if Ms. Oliver has spoken with other entities or counties that have used this system.

**Kristin Oliver** states that the system is very secure. There is an area in the proposal that goes into detail with the security. In the event that we cancel the contract with them, they will return to us all the documentation they have. Ms. Oliver states that she reached out to the HR affiliate, but not of them have used this system. The feedback that she did get back was that those that do use the online application process have gotten a lot more qualified applicants.

**Chairman Schwebach** states that this program is expensive and is curious if they offer a trial basis. He reads that the first year is \$11,000.00

**Kristin Oliver** replies, the contract is yearly, so if we try it the first year and decide it's not working for us we can cancel the contract. Ms. Oliver states that she was able to get them to come down on the fee. The implementation costs would be \$10,750.00 for the first year. The yearly there after would be \$5,600.00. The other companies were over \$10,000.00 yearly.

**Commissioner McCall** asks how many applications the county received last year.

**Kristin Oliver** replies, 45.

**Chairman Schwebach** asks how many of those are out in the field.

**Kristin Oliver** replies, 10. That amount is average, and it's low because the sheriff's department is almost fully staffed. The road department has 3 open positions and dispatch has 4 open positions. This new system will screen the applicants and will send those that are qualified to the department.

**Chairman Schwebach** asks who is screening the applications now.

**Kristin Oliver** states that there is an officer that is doing the background checks now.

**Chairman Schwebach** states that this company will help potentially put an officer back on the streets, is that correct?

**Marty Rivera** states that the department has two officers that are qualified to do background checks. This will allow the officer to be back on patrol.

**Commissioner Sanchez** asks where this money will be budgeted from.

**Kristin Oliver** states that it will come out of capital outlay or the general fund.

**Wayne Johnson** asks if the Sheriff's department would still do the final background check on any new hires.

**Kristin Oliver** states that they would still have to go through the NCIC process, so yes the sheriff's department would still be involved,

**Christine Snow** states that the Sheriff's department does the initial background check. Once they are officially hired they go and get their fingerprints done, dispatch receives them back, and they will run them through NCIC. John Stocum does an extensive background check and makes sure that when they are hired we aren't firing them a week later because something came up.

**Chairman Schwebach** ask how we are currently advertising for jobs. He also states that he has noticed the county has had issues with hiring since he has been here.

**Kristin Oliver** states that we advertise in the Independent, KXNM radio station, it's posted on the county website, and also with the association of counties. Ms. Oliver states that most job boards cost about \$600.00 to post. This company includes a job board.

**ACTION TAKEN:** **Chairman Schwebach** makes a motion to approve the purchase of Applicant Tracking and New Hire Onboarding System. **Commissioner McCall** seconds the motion. **Wayne Johnson** states that he will need the Chairman Schwebach to modify the motion to allow himself to sign on behalf of the county. **Chairman Schwebach** will amend his motion and make a motion to approve the purchase of Applicant Tracking and New Hire Onboarding System and allow County Manager Johnson to sign on behalf of the county.

**Commissioner McCall** seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

**H.) DISPATCH:** Motion to approve Dispatch re-organization removing an existing part-time position and using the budget proceeds to fund staff raises.

**Wayne Johnson** states that he is encouraging all of the department heads to look within their budgets and find ways to better utilize that budget. We have done this in the past with the Assessor's Office.

**Kristin Oliver** states that all departments are underpaid and dispatch is one of those departments. We have researched other dispatch salaries in the state and the closest dispatch can get to is \$14.00 p/h. They currently start off at \$12.75 p/h. Dispatch has a part time position that is rarely ever filled. By doing away with this position they will be able to give their employees a 3% raise and raise the starting pay to \$13.00 p/h.

**Wayne Johnson** states that this is simpler and more straight forward than what they did with the assessor's office. This could be implemented by the next pay period. This is money that has already been budgeted and approved by the Commission. This is within Dispatch's budget the money is being distributed to the other employees. It is hard to find someone that just wants to be a part time dispatcher. He and the staff are in full support of this.

**ACTION TAKEN:** **Chairman Schwebach** makes a motion to approve Dispatch re-organization removing an existing part-time position and using the budget proceeds to fund staff raises. **Commissioner McCall** seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

**I.) SHERIFF:** Motion to approve purchases exceeding on Kaufman's and Pro-Vision invoices

**Stephanie Dunlap** states that she is here to ask for approval on invoices that were done the previous fiscal year. There was a miscommunication between the sheriff's department and finance. This has been rectified and is requesting payment of these invoices from the Commission. Ms. Dunlap states that there are 4 invoices from Kaufman's that need to be paid.

**Jeremy Oliver** states that the first invoice is from Kaufman's that was done in December. The sheriff's department did turn in a request for payment. It did get held up and he cannot find the information on the communication. The PO went over the amount of \$2499, which according to the policy, required 3 quotes. That is why it was held up and miscommunicated. The department is asking for approval to waive the need for the 3 quotes so that this invoice can get paid.

The second was a closed out PO. The PO was closed when it maxed out and there was no request made to increase the PO amount. This PO did not go over the \$2,499.00 amount. This PO closed out so there was a purchase made without a PO.

The third Kaufman's PO again had nothing turned in. The invoice was made in May and the PO was closed in June. The amount was about \$2,300.00, which exceeded the PO amount but

did not exceed the \$2,400.00 amount that requires 3 quotes. The purchase here was made through a closed PO.

The 4<sup>th</sup> PO did not exceed any amounts it was a purchase that was made on a closed out PO.

The 5<sup>th</sup> PO is from Pro-Vision. There was a PO in place for \$2,390.00, the total for the purchase was \$2,792.00. After peaking with a representative from Pro-Vision the reason for the overage was for shipping costs. This did go over the amount of \$2,499.00 and would have needed to have 3 quotes.

**Chairman Schwebach** states that as he understands all these invoices are for services rendered, the contractors have delivered the products, the county hasn't delivered, therefore these are before the Commission for proper procurement procedure, is that correct?

**Wayne Johnson** replies, yes, that is correct. Some of these are communication as well as procedural issues. They are working on simplifying the procedure. There have been changes made and some of these invoices came up as a result of the changes. The sheriff's department makes a lot of purchases and it's a lot of work on both that department as well as finance and they have to be able to work closely and communicate. We are in the process of going through an electronic Purchase Order request systems and this should help to eliminate some of the paper flow problem.

**Chairman Schwebach** states that he is under the impression that these a little glitches that are slowly getting fixed so that this type of issue doesn't happen again, correct?

**Stephanie Dunlap** replies, yes, that is correct. She also states that they are getting away from using Kaufman's as their uniform supplier. The department has found a company that will better suit their needs.

**Chairman Schwebach** asks if this is within their approved budget.

**Wayne Johnson** states that this is within their approved budget. These invoices will have to be paid from this current budget because the budget from last year has been closed out. This will reduce the amount of money they have now to be able to purchase items that they need. This payment should clear up any issues, and not need to come back before the Commission for additional funding. This action here is not asking for additional funding.

**John Butrick** asks about item #1, invoice 2159S, on page 5 of the packet the Torrance County correction to existing PO, and has a dollar amount of \$216.27. Is that the amount that was left in the PO at that time?

**Stephanie Dunlap** replies, yes, that is correct. We are requesting an additional amount of \$812.49 to pay that PO.

**Jeremy Oliver** states that the original PO amount was for \$2,200.00. When the bill was paid there was only \$216.27 left on the PO and the PO needs to be raised to \$3,012.49.

**ACTION TAKEN:** Chairman Schwebach makes a motion to approve purchases exceeding on Kaufman's and Pro-Vision invoices. Commissioner McCall seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

**J.) SHERIFF:** Motion to approve creation of shift differential pay for deputies performing Special Investigations

Marty Rivera states that they spoke about this item and decided to put this as an incentive pay and not a differential pay. Special Investigations is not a full time position. This pay will only be used when the officer is being used in a detective capacity. This pay is not just for one individual, it will be used for any officer being trained, or that is handling the investigation.

Wayne Johnson states that it came to their attention that incentive pay is something that the Commission can grant at this point. The sheriff's department has money in their budget. They have \$3,000.00 available in their budget that is labeled as SID, but because it does not have a specific label it can be used in another area. They want to move this into an incentive pay class. In doing this as in incentive pay we would not have to make changes to the ordinance.

Marty Rivera states that this would include the code on the time clock that the officer will use while doing the investigation.

Commissioner McCall asks if this money has been budgeted every year and up until now, were they not able to utilize it?

Stephanie Dunlap states that the money has been budgeted every year but the previous sheriff did not allow them to use the money for what it was for. When Sheriff Rivera took office he knew what he wanted to do with the money so they have been working on this.

Wayne Johnson states that what they have done in the past is use these funds for line item transfers. The department does realize that this money will no longer be available for that as it will be moved to an incentive pay class.

Commissioner McCall states that this money will stay within staffing and payroll, correct?

Stephanie Dunlap replies, yes, that is correct.

Chairman Schwebach asks Sheriff Rivera if these items are budgeted within the current budget and if they will help his staff?

Marty Rivera replies, yes, this will be a big help. There are times that the investigator is not always available, so if we have other people trained, it will help the detective be where he needs to be.

**ACTION TAKEN:** Commissioner McCall makes a motion to approve creation of shift differential pay for deputies performing Special Investigations. Chairman Schwebach seconds the motion. Wayne Johnson states that the motion needs to be clear that this is for incentive pay and not differential pay as listed on the agenda. Commissioner McCall makes a

motion to amend his previous motion and make a motion to approve creation of shift incentive pay for deputies performing Special Investigations. **Chairman Schwebach** seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

#### **14.) EXECUTIVE SESSION**

**a.) Purchase of real property to be used for the Torrance County Road shop.**

Closed Pursuant to NMSA 1978 § 10-15-1(H)(8).

**b.) Purchase of educational trailers to be operated by Mesalands College**

Closed Pursuant to NMSA 1978 § 10-15-1(H)(8).

**c.) PILT Negotiation La Joya I & II**

Closed Pursuant to NMSA 1978 § 10-15-1(H)(8)

**d.) Purchase of Torrance County Fairgrounds**

Closed Pursuant to NMSA 1978 § 10-15-1(H)(8)

**ACTION TAKEN: Chairman Schwebach** makes a motion to enter into executive session. **Commissioner McCall** seconds the motion. Roll Call vote: District 1: Yes, District 2: Yes, District 3-Yes. All Commissioners in favor. **MOTION CARRIED**

**Entered into Executive Session at 10:22 am**

**ACTION TAKEN: Chairman Schwebach** makes a motion to return from executive session. **Commissioner McCall** seconds the motion. Roll Call vote: District 1: Yes, District 2: Yes, District 3-Yes. All Commissioners in favor. **MOTION CARRIED**

**Returned from Executive Session at 11:47 am.**

**Wayne Johnson** states that there are a few housekeeping items that need to be taken care of from the last meetings closed session so it will be for both.

**ACTION TAKEN: Chairman Schwebach** makes a motion to approve the following statement regarding the closed litigation meeting on Wednesday September 25<sup>th</sup>, 2019 at 9 am. Only those items described on the published notice on the agenda for the closed meeting held on Wednesday September 25<sup>th</sup>, 2019 at 9:00 am, were discussed at this closed meeting. **Commissioner McCall** seconds the motion. No discussion, all Commissioners in favor. **MOTION CARRIED**

**ACTION TAKEN: Chairman Schwebach** makes a motion to approve that the County Manager and County Attorney be authorized to proceed with matters discussed in the closed meeting held on Wednesday September 25<sup>th</sup>, 2019. **Commissioner McCall** seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

**ACTION TAKEN: Chairman Schwebach** makes a motion to approve only those items discussed on the published notice and agenda for the closed meeting held on Wednesday September 11<sup>th</sup>, 2019 at 9:00 am were discussed at this closed meeting. **Commissioner**

**McCall** seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

**ACTION TAKEN:** **Chairman Schwebach** makes a motion to approve that the County Manager and County Attorney be authorized to proceed with matters discussed in the closed meeting held on Wednesday September 11<sup>th</sup>, 2019. **Commissioner McCall** seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

**15.) Announcement of the Next Board of County Commissioners Meeting.**

**Chairman Schwebach** states that the next meeting will be held on October 9<sup>th</sup>, 2019 at 9:00 am at the Torrance County Administrative Building in Estancia, NM .

**ADJOURN**

**ACTION TAKEN:** **Chairman Schwebach** makes a motion to adjourn the September 25<sup>th</sup>, 2019 Commission Meeting. **Commissioner McCall** seconds the motion. No further discussion, all Commissioners in favor. **MOTION CARRIED**

**MEETING ADJOURNED AT 11:50 AM**

  
\_\_\_\_\_  
Chairman Ryan Schwebach

  
\_\_\_\_\_  
Yvonne Otero-Administrative Assistant

10-23-19  
\_\_\_\_\_  
Date

**The video of this meeting can be viewed in its entirety on the Torrance County NM website, Audio discs of this meeting can be purchased in the Torrance County Clerk's office and the audio of this meeting will be aired on our local radio station KXNM.**