

**FINAL COPY**  
**Torrance County Board of Commissioners**  
**Regular Commission Meeting**  
**November 13, 2019**  
**9:00 AM**

**Commissioners Present:**

**RYAN SCHWEBACH – CHAIR**  
**JAVIER SANCHEZ – MEMBER**  
**KEVIN MCCALL – MEMBER**

**Others Present:**

**BELINDA GARLAND – DEPUTY COUNTY MANAGER**  
**JOHN BUTRICK – COUNTY ATTORNEY**  
**LINDA JARAMILLO – COUNTY CLERK**  
**GENELL MORRIS – ADMINISTRATIVE ASSISTANT**

**1. Call Meeting to order**

**Chairman Schwebach:** Calls November 13, 2019 Regular Commission Meeting to order at 9:03 AM

- 2. Pledge lead by: Ryan Schwebach**  
**Invocation lead by Nick Sedillo**

**3. Changes to the Agenda:**

**Belinda Garland – Deputy County Manager:** The sheriff's office has to leave early, move agenda item 12a to after agenda item 5.

**Chairman Schwebach:** Motions to move agenda item 12a to after agenda item 5

**Commissioner McCall:** Seconds the motion.

**All in favor: MOTION CARRIED**

**Belinda Garland – Deputy County Manager:** Items 11A and 12F have two sided pages, the second side was not scanned in the computer, if anyone wants to see a copy, contact the Managers office.

**4. PROCLAMATION**

**EMERGENCY MANAGER:** Present a Proclamation to East Mountain CERT. FEMA Region 6 & the state office of Homeland Security would like to present East Mountain CERT with a community preparedness award.

**Nick Sedillo:** Matt Propp had a death in the family and County Manager is unavailable to make this presentation. In 2016 the Dog Head fire in the Manzano Mountains was devastating for many people. The Community Emergency Response Team (CERT) showed up and helped out. Nick read a letter from Matt Propp. I apologize for not being present I am currently dealing with a family emergency out of state. I would like to take this opportunity to say how proud I am of the East Mountain CERT group on this very deserving award. Emergency management is a whole community approach and can only be successful with people who embrace a cultural of service to others. The East Mountain CERT group embodies that mission of service. The members of this group give their own time without want or thanks or appreciation, although they are deserving of both. As the Emergency Manager for Torrance County I can tell you they are a vital part of how we as a community respond to and recover from a disaster or emergency. I would also like to thank the former Emergency Manager Martin Lucero who recommended the CERT group during his time in this position. I extend my sincere appreciation for their continued service their cooperation and their friendship. Congratulations on receiving this award, there is no group more fitting for this honor. Matt Propp Torrance County Emergency Manager.

**Jeremy Cuddeback - NM Homeland Security and Emergency Management:** State Citizen Corp Coordinator, he has been working with FEMA on the Community preparedness award. This year East Mountain CERT was selected out of Region 6.

**Randy Michelle – Director of National Preparedness Program at FIMA**  
**region 6:** Located out of Denton, Texas. Emergency Management cannot be done without the community support. Thanking the CERT group and community for all they have done and continue to do. One of FEMA's main strategic priorities till 2023 is to focus on a cultural of preparedness. There is no better embodiment of that example than a community emergency response team that is as active and experienced and have been able to accomplish what the East Mountain CERT group has been able do. Whether it was fire and shelter or severe winter weather, in taking in civilians and sheltering animals. Region 6 is made up of Texas, Louisiana, Arkansas, Oklahoma and New Mexico. Cert is one of two award winners, the other one is a youth category. CERT was selected by their peers, not by FEMA. The citation reads: 2019 Region 6 Community Preparedness Award East Mountain CERT in recognition of your exemplary volunteer spirit that has helped your community prepare and respond to disasters. The Region 6 Community Preparedness working group is proud to award you 2019 Whole Community Preparedness Award Signed George A. Robinson Regional Administrator FEMA Region 6

**5. CERTIFICATES AND AWARDS- None**

**12. M. SHERIFF:** Motion to approve MOU between DEA/HIDTA and TCSO.

**Stephanie Dunlap – Administrator:** HIDTA strands for High Intensity Drug Trafficking Area. Sargent Duran will be placed on the task force to start tackling drugs with in Torrance County. The over time is fully reimbursed.

**Chairman Schwebach:** Motion to approve MOU between DEA/HIDTA and TCSO.

**Commissioner McCall:** Seconds the motion.

**All in favor: MOTION CARRIED**

**6. BOARD AND COMMITTEE APPOINTMENTS**

**A. COMMISSION:** Motion to approve Torrance County Land Grant Advisory Board Appointees:

- Jason Quintana, Manzano
- Andrew Gutierrez, Tajique
- Juan Sanchez, Chilili
- Leon Chavez, Torreón
- Phillip Lovato, Abo
- Victor Romero, Punta de Agua

**Phillip Lovato, Abo:** Here to represent the group.

**Chairman Schwebach:** Is there documentation supporting Phillip Lovato appointed for Abo, for the record?

**Phillip Lovato, Abo:** I can get documentation.

**Commissioner Sanchez:** Abo is not an incorporated community. It doesn't have any formal organization. Abo was settled with the understanding that the community was within the boundaries of the Manzano Land Grant. At that time all the land grants were being adjudicated at the federal level. Abo was settled by families that were heirs of Manzano because of the availability of water. Abo was under continued settlement from the 1870's until the present time. All the families that were allowed to settle there were settled under the terms of the Manzano Land Grant. We feel including Abo would give them an opportunity to bring their concerns to the table. When the land was adjudicated, Manzano ended up being out side of the boundaries. They didn't have the ability to become incorporated and become a town. In speaking with the other land grants about the advisory board we felt including Abo will give them the opportunity for their voice to be heard. Since

being County Commissioner, I have heard of concerns of water, zoning, etc. Abo is an area that is often forgotten. Mr. Lovato a very distinguished member of the community, member of the Soil and Water Conservation district board, the Lovato family have been contributing to the community for decades and generations. We felt honored to have his interests in serving on this committee.

**Chairman Schwebach:** I feel it is important for the County to have documentation stating this individual represents more than just himself. Signatures from community members will be fine.

**Chairman Schwebach:** Motion to approve Torrance County Land Grant Advisory Board Appointees under the conditions we will have paperwork from an entity or other members of Abo.

**Commissioner Sanchez:** Seconds the motion.

**All in favor: MOTION CARRIED**

## **7. PUBLIC COMMENT and COMMUNICATIONS**

**Brenda Rich, 9004 Hwy 55 Estancia:** Quote: If you listen carefully enough someone will tell you exactly what kind of person you are. I don't feel this commission is listening to us as a county, we are telling you what we want for our children and community, and you are not listening. It takes 1/3 of the registered voters who voted you in to vote you out. We will put someone in this office to represent us as a whole. We are tired of some of the farms digging deeper than they are supposed to be. I don't bring anything to any board that I can't support, by fact witnesses and written testimony. I don't care what kind of farm that comes into McIntosh, we don't want it. My neighbors well went to sludge last week. I don't think Torrance County should put any farm in, we need a moratorium. It's time to start taking care of our water and penalizing these farms that are going deeper and reporting to the state that they are on upper levels. What's happening to the lower aquifers? These aquifers are going down one foot per year for the last 30 years. We don't want 10%, of your money for the La Joya project we want 50%, and these are our children's lives that you are playing with. My school district is diligent with the money they spend. It is not our fault that the county is not. If this county takes our school money, you better be prepared to put in schools that this county will run. If we have to fight you on a constitutional basis than we will. Torrance County has a new founded watch dog committee, we are watching you.

**Charlene Guffey, Torrance County:** There is a safety concern at the Indian Hills Fire Station. In year past there were plenty of volunteers. A fire broke out on Nov 1 near the fire station on Lexco and Chavez Rd less than 5 minutes away and no one came to put it out, the structure was burned to the ground, leaving a handicap ramp. Why and what is going on at the fire station with our volunteers? Is this happening at other fire stations across the county?

**DiAnn Boyd:** The La Joya money for the schools, I have been doing research on the ratings of schools and working on getting community volunteers to help improve our schools. By you taking the larger % of the La Joya wind money, what will happen with us getting more certified teachers, we have a lot of uncertified teachers. Also implementing programs other than STEM. Implementing better reading programs Etc. Mountainair is a B, Moriarty is a C and Estancia is a C. I want a better education for my granddaughter, if you take that money, how are we going to do it? Why do you need to take the bigger percentage?

**Rachel Ledoux, 2 Bart Lane:** I live next to Andy Miller, we are the only ones that live down that road. My pump went out, had my water level tested, it is the same as last year, has not changed. The Hemp Farm does security check and check around my house also. My husband is a truck driver and is gone often. They are helpful, polite and respectful. I have no problem with them being next door. I have heard people stating untrue facts that are upsetting. I have 3 little girls under 10, I have a sense of security with them next door, it's a secure location people are not in and out. I have heard people say they are shooting guns, we have shot more than them, we shoot snakes. I have nothing negative to having them next door to me.

**Marcie Wallin - Torrance County Fair Board:** Jill Encinas the county agent got a group of 4H and FFA kids together, they made appreciation cups for the Commission. A collage was created and presented to the fair board of the events for this year's County Fair. We would like to hang it in the fair building during the fair and here in the Administrative Building, so everyone can see the activities, increase people's knowledge and awareness of how hard the kids work and the fun they have.

**Belinda Garland – Deputy County Manager:** Responds to Ms. Wallin, We will find a place.

## **8. APPROVAL OF MINUTES**

**A. COMMISSION:** Motion to approve the October 23, 2019 Torrance County Board of County Commission Minutes

**Commissioner McCall:** Motions to approve October 23, 2019 Torrance County Board of County Commission Minutes

**Chairman Schwebach:** Seconds the motion.

**All in favor:** MOTION CARRIED

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

**A. FINANCE:** Approval of Payables

**Commissioner McCall:** Approval of Payables

**Chairman Schwebach:** Seconds the motion.

**All in favor: MOTION CARRIED**

**B. MANAGER:** Motion to Accept the Third Quarter Restrictive Housing Report from CoreCivic pursuant to NMSA 1978 33-16-5.

**Belinda Garland – Deputy County Manager:** This is a new requirement, all detention centers must report to the County Commissioners, this is a new state law, this will get us in compliance. Once approved we will send this to Santa Fe.

**Chairman Schwebach:** Motion to approve as presented.

**Commissioner McCall:** Seconds the motion.

**All in favor: MOTION CARRIED**

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

**A. MANAGER-Public Hearing:** Motion to approve authorization of the issuance and sale of Torrance County, NM Taxable Industrial Revenue Bonds for the La Joya Wind, LLC Project II, in the amount of \$ 385,000,000. **ORDINANCE NO. 05**

**John Butrick – County Attorney:** Swears in Parker Schenken and Brenda Rich

**Parker Schenken– Sherman and Howard Law Firm, 500 Marquette Avenue Northwest Albuquerque:** Along with Jill Sweeney and Kurt Coffman representing the county in connection with the La Joya Wind Project and the current phase of the bonds. We are here to present the final passage of the ordinance before you as item 10 on your agenda. On the development side, we have Mark Stacey on behalf of La Joya and Peter Franklin, his council and bond council, if you have any questions. The master ordinance was passed in April authorizing \$675,000,000 worth of IRB, \$290,000,000 have been issued. This ordinance authorizes the remaining \$385,000,000. The purpose is to finance wind energy facilities, the ordinance before you approves the lease, indenture and purchase agreement between the parties, including provisions for the abatement for the gross receipts tax and abatement of property tax subject to payment of lieu of taxes. As discussed the schools district split is under discussion and will be resolved prior to the issuance of the bonds and the ordinance includes typical provisions protecting the county. Making sure the company covers the cost of all expenses of the transactions.

**Brenda Rich:** On the La Joya project's original split was originally was 60/40. Moriarty gets most of the tax dollars for this county. There school system is not doing well because they are not diligent with their money, neither is this county. You are putting our children's future at risk for 25 years. We don't have enough certified teachers or the funds to bring anyone better. Every district is in a search to find Special Education instructors. The state constitution on education relay's on the counties, it is an inherent position on the county. You are responsible for providing education for our schools. If you take this money at 90/10, it's unacceptable. We are a part of this community, 42% of our people don't speak English, and we have made it our jobs to let people know what you are doing. We will not stand by and let you trash our schools, you can't take our money. It belongs to the county and it belongs to the people you represent.

**John Butrick – County Attorney:** Swears in Michael Godee

**Michael Godey:** I'm assuming the money goes to districts that the wind farms are located in. If that is true, Mountainair doesn't get part of that money. Is the money going to be allocated to the schools that the wind farms are on or can they be allocated in a more fair way? The wind farms affect the whole county.

**John Butrick – County Attorney:** I'm looking through the Ordinance.

**Chairman Schwebach:** Does the school district receive the money that the wind turbans are in?

**Commissioner McCall:** The question I gathered is, if school districts that were not with in the geographical confines of the wind turbines were eligible?

**Chairman Schwebach:** Not on this current contract. The only means for income from this PILT payment to go to citizens with in the school district, is through payment distributed through the county. Am I correct?

**John Butrick – County Attorney:** I believe so.

**Chairman Schwebach:** We are back from Public Hearing.

**Commissioner McCall:** Motion to approve Ordinance 2019-05, the Torrance County Code of Conduct.

**Chairman Schwebach:** Seconds the motion.

**All in favor: MOTION CARRIED**

## **11. ADOPTION OF RESOLUTION**

**A. TREASURER:** Motion to approve the New Mexico Counties 2020 Legislative Priorities. Resolution No. 2019-57.

**Tracy Sedillo - County Treasurer:** NM Counties have asked the 33 counties to adopt supporting their legislative priorities for the 2020 legislative session. The 4 priorities consist of Additional House Bill 2 appropriations for detention reimbursement fund and prisoner transport and extradition, housing and transport is a burden to all counties. They are looking to the state to provide some additional funding for reimbursement opportunities when we are housing and transporting state inmates. EMS Funding, NM Counties is looking to the legislature to appropriate more funding and designate a revenue source, to keep the EMS fund up. The Law Enforcement Protection Fund, they are asking for an increase of distributions per the law. Funding for Behavioral Health, there is a huge behavioral health issue in county jails. PERA Solvency, NM Counties opposes any increase to the employee or employer rate contribution. This is a priority because the fund is not solvent. There is a big issue with the PERA funds. They want to make it clear that we oppose any increases to the municipal funds because the municipal funds are more solvent than the state PERA funds. They feel the burden should not come to the municipalities and counties, the state needs to shore up their funds instead of looking to the counties and municipalities to bail out the whole situation.

**Commissioner McCall:** Motion to approve the New Mexico Counties 2020 Legislative Priorities. Resolution No. 2019-57.

**Chairman Schwebach:** Seconds the motion.

**All in favor: MOTION CARRIED**

**B. COMMISSION:** Motion to approve Resolution 2019-58 declaring the intent to issue taxable Industrial Revenue Bonds not to exceed of \$1,820,000,000 in connection with wind energy projects to be located within the unincorporated area of Torrance County.

**Rob Burpo – First American Financial Advisors:** This Resolution is to get the ball rolling. This transaction is in Torrance County, Guadalupe County and Lincoln County. This process will interact all 3 counties. We will have to have negotiations with the school districts, with Pattern and with the other counties.

**Commissioner McCall:** Is this the dollar amount for all 3 counties or proposed just for Torrance County?

**Rob Burpo – First American Financial Advisors:** The way I read it is for the entire transaction. They are still trying to determine where the turbines will be located in the various counties. Not all this money will be spent here. We will have discussions on transmissions issues, not just power generation.

**Commissioner McCall:** This includes transmission lines, IRBs?

**Rob Burpo – First American Financial Advisors:** This does not, only the power generation.



**Crystal Coffman – Pattern Energy:** The 1.8 is a Torrance County estimate it is not tri-county. It represents a large phasing approach. We are looking to implement farms in phases, I expect the phases to be closer in time period. This is a wind farm facility, IRBs and transmission are not on the table here. Sun Zia and Western Sprit transmission line are separate at this process.

**Commissioner McCall:** Do we foresee the transmission side coming before us for an IRB?

**Crystal Coffman – Pattern Energy:** At this time Wester Spirit line, is not able to do and I don't believe Sun Zia has an IRB process. Pattern Energy is the anchor tenant Wind farms for the Sun Zia transmission project, we are also co-owner along with RITA of the Western Spirit transmission line. There is discussion on working with IRB transmission lines, so we can redirect funds back into the counties. This is all preliminary and will need to be voted on in legislature.

**Chairman Schwebach:** Motion to approve Resolution 2019-58 declaring the intent to issue taxable Industrial Revenue Bonds not to exceed of \$1,820,000,000 in connection with wind energy projects to be located within the unincorporated area of Torrance County.

**Commissioner McCall:** Seconds the motion.

**All in favor: MOTION CARRIED**

C. **COMMISSION:** Motion to approve Amended Torrance County Land Grant Advisory Board, Resolution 2019-52 **Ratified.** (Sanchez)

**Belinda Garland – Deputy County Manager:** At the last meeting you did approve for the land grant advisory board to be created, however there was some requested amendments. Reads, Torrance County Board of County Commissioners, Resolution R 2019-52, Torrance County Land Grant Advisory Board, Whereas Torrance County has a diverse multi-cultural population and whereas the counties land grant committee pre date the founding of the United States and whereas the Torrance County board of county commissioners desires to have an improved dialogue with the land grant communities. And whereas the board has further determined that the creation of the land grant advisory board is in the best interest of the county. Now therefore be it resolved that the Torrance County Land Grant Advisory Board is hereby created. Board is to be made up of representatives of the Chilili, Manzano Tajique and Torreon Land grants and the communities of Abo and Punta De Agua. Members shall be selected by the governing boards of each community with the concurrence of the Torrance County Commission. The Advisory Board shall meet as need but not less than once a quarter and shall serve as a conduit for communication between the board of County Commissioner and the Land grant communities. The Land grant advisory board shall develop a scope

of work and operating procedures to be presented to the County Commissioners for approval. Done this 13<sup>th</sup> day of November 2019.

**John Butrick – County Attorney:** The last sentence was amended and a couple technical amendments with in the documents that have not been signed by you previously. You have signed a version of this previously but it wasn't the correct version.

**Chairman Schwebach:** Motion to approve Amended Torrance County Land Grant Advisory Board, Resolution 2019-52 **Ratified.** (Sanchez)

**Commissioner McCall:** Seconds the motion.

**All in favor: MOTION CARRIED**

**D. COMMISSION:** Motion to approve the creation of the Heritage Center Advisory Board. Resolution 2019-53.

**Commissioner Sanchez:** Motion to approve the creation of the Heritage Center Advisory Board. Resolution 2019-53.

**Chairman Schwebach:** Seconds the motion.

**Discussion-**

**Chairman Schwebach:** I have considered amendments to this. With this Heritage Development Committee is an initial start of feasibility, finance studies. We should put a year time frame, to dissolve after a year because it will evolve into something bigger or it's not going to evolve at all. My reasoning is, this will not be hanging out with no activity and to push this forward. 12 months after we appoint members.

**Commissioner McCall:** What is their scope of work? What are they going to do and how? Are they going to do the study amongst themselves or contract out?

**Commissioner Sanchez:** The resolution provides enough information. The committee is intended as a coming together. Coming together is a beginning, staying together is progress and working together is success. The idea is to begin to facilitate a discussion about how to move forward with the idea. We have appropriated \$10,000, the development committee is not tasked with spending that money. They would be tasked with a recommendation to come out of the initial meetings, we move into a feasibility study and they will aid the contractor. We need the committee to have an initial meeting and project some malleability to the project.

**John Butrick – County Attorney:** I have some technical amendments, line 20, it says and the National Park Service, I would state and 1 from the National Park Service, to be clear 1 representative on the committee and change date from 25<sup>th</sup> day of September to 13<sup>th</sup> day of November.

**Belinda Garland – Deputy County Manager:** Why are we excluding the towns?

**Chairman Schwebach:** One from each of the municipalities. Moriarty, Encino Willard, Estancia. This will take grass roots effort from volunteers.

**John Butrick – County Attorney:** Commissioner McCall asked about operating procedures and scope of work. You can add a sentence, the Heritage Advisory Committee shall develop a scope of work and operating procedures to be presented to the County Commission for approval.

**Commissioner McCall:** This advisory board will need to keep minutes?

**John Butrick – County Attorney:** Yes

**Chairman Schwebach:** we have a motion and a second to ratify with amendments.

**John Butrick – County Attorney:** To approve and ratify at the next meeting.

**All in favor: MOTION CARRIED**

## 12. APPROVALS

A. **COMMISSION:** Discussion and motion to approve changes to dates of the November 27, 2019 and December 25, 2019 Board of Commission Meetings.

Commissioners and Administrative Staff discuss and decided: The November 27<sup>th</sup> will be moved to December 5<sup>th</sup> and December 25<sup>th</sup> meeting will be moved to December 18<sup>th</sup> canceling the December 11<sup>th</sup> meeting.

**Chairman Schwebach:** Motion to cancel the regular meeting on November 27<sup>th</sup> and move it to the 5<sup>th</sup> of December. Cancel the regular meeting 25<sup>th</sup> of December and move it to the 18<sup>th</sup> of December. Canceling December 11<sup>th</sup> meeting.

**Commissioner Sanchez:** Seconds the motion.

**All in favor: MOTION CARRIED**

B. **COMMISSION:** Discussion and motion to approval Special Meeting to officially present the Torrance County ICIP Lists.

**Belinda Garland – Deputy County Manager:** We talked about having a special meeting to present our official ICIP list to state representatives. The responses I am getting from them is they have a tight schedule. I did inform them we were going to have a presentation on December 11th now that has been canceled.

**Chairman Schwebach:** This was at my request for the manager's office to reach out to our representatives, my vision is to preset our ICIP list from all 3 Commissioners. Due to scheduling I don't think this will happen.

**Belinda Garland – Deputy County Manager:** We have always waited to present this until this was approved by Santa Fe but that will push it into this time frame.

Starting Oct1st their schedule becomes packed daily. Maybe next year we do a presentation in early fall or late summer.

**Commissioner McCall:** Can we try and do a brief presentation on 5<sup>th</sup> of December? I think it is important to get our Senators and Representatives down here to tell them and show them where are concerns are. No better place where the 3 of us can be together.

**Belinda Garland – Deputy County Manager:** I will advise them.

**Chairman Schwebach:** No Action

**C. MANAGER:** Motion to approve 2020 Board of Commission Meeting and Holiday closure schedules.

**Kristen Oliver – Human Resource Director:** I need your approval to make the employee calendars. The Commission meetings are still the 2<sup>nd</sup> and 4<sup>th</sup> Wednesdays of the month and the holidays are the same.

**Commissioner Sanchez:** Motion to approve 2020 Board of Commission Meeting and Holiday closure schedules.

**Chairman Schwebach:** Seconds the motion.

**Commissioner McCall:** Will there be a conflict for the December 23<sup>rd</sup> meeting?

**John Butrick – County Attorney:** The November 11<sup>th</sup> meeting is Veterans Day, we are closed.

**Commissioner Sanchez:** Make the needed changes and come back for approval. Motion withdrawn.

**D. FAIR BOARD:** Motion to approve advertisement for letters of interest for two (2) Fair Board positions.

**Marcie Wallin – Fair Board:** We have 2 positions we need to advertise for, they are 3 year positions.

**Commissioner Sanchez:** Motion to approve advertisement for letters of interest for two (2) Fair Board positions.

**Commissioner McCall:** Seconds the motion.

**All in favor: MOTION CARRIED**

**E. FAIR BOARD:** Motion to approve advertisement for letters of interest for one (1) Fair Board Secretary position.

**Marcie Wallin – Fair Board:** This is a 1 year contract.

**Commissioner Sanchez:** Motion to approve advertisement for letters of interest for one (1) Fair Board Secretary position.

**Chairman Schwebach:** Seconds the motion.

**All in favor: MOTION CARRIED**

**F. FAIR BOARD:** Motion to approve extending contract with current Fair Board Secretary to December 31, 2019.

**Commissioner McCall:** Because of the advertisement we need to extend this contract?

**Marcie Wallin – Fair Board:** Yes

**Commissioner McCall:** Motion to approve extending contract with current Fair Board Secretary to December 31, 2019.

**Chairman Schwebach:** Seconds the motion.

**All in favor:** MOTION CARRIED

**G. MANAGER:** Motion to approve salary increase for current GIS Mapper/Rural Addressing position.

**Ruben Gastelum - GIS-GPS Analyst/Rural Addressing:** I am seeking an increase staying within my budget, moving one line item. Taking me to \$46,736 a year.

**Commissioner McCall:** What is the line item you are pulling from?

**Ruben Gastelum - GIS-GPS Analyst/Rural Addressing:** 675-07-2242 supplies –signs

**Chairman Schwebach:** You are proposing to move \$7,000 from signs and supplies

**Ruben Gastelum - GIS-GPS Analyst/Rural Addressing:** I don't use that much money on that line item per year.

**Chairman Schwebach:** Why was it in the budget, how long has it been there and why was it not used?

**Ruben Gastelum - GIS-GPS Analyst/Rural Addressing:** I don't know why but somehow it was increased a couple years ago.

**Commissioner McCall:** Where else do we have signage in a budget?

**Ruben Gastelum - GIS-GPS Analyst/Rural Addressing:** The road department, for traffic flow. Not road signs

**Commissioner McCall:** I wish we had more road signs.

**Chairman Schwebach:** I'm not denying the staff recommendations or that your salary needs to be looked at. I have issues that the salary is being pulled from budgeted items, to create that salary. I don't think that is a proper way to set precedence on how we address our lower salaries.

**Commissioner McCall:** I don't have a problem looking into our lower salaries but to take an item, we can use more, towards a salary. I hesitate to do that. There may be money elsewhere we can move to get the salary up and get competitive with other counties with your experience.

**Belinda Garland – Deputy County Manager:** If you go back when we created the budget, some of the new positions and salary increases are coming out of the infrastructure. The finance director can look at the General Fund.

**Chairman Schwebach:** Defer item, look for other places for funding to fill this need. Some explanation if we have had this fund carried over for so long and signs not put out, that we need to eliminate the budget for signs or figure out how to get them put up.

**Belinda Garland – Deputy County Manager:** The Road Department is addressing this now with the 3 new positions.

**Chairman Schwebach:** I would like for finance to be directed to look into this from other fund sources at the next meeting.

**Chairman Schwebach:** No action.

**H. EMERGENCY MANAGER:** Motion to approve State Homeland Security Grant Program (SHSGP) agreement.

**Cheryl Allen – Grant Coordinator:** State Homeland Security Grant Program (SHSGP) has approved \$75,000 to put toward the first net program, no match is required. We need to thank Matt, the priorities that were set on this grant required a SWAT team, a homeland security team or a bomb squad, and we don't have any of these. Technically we are not eligible for this grant. Matt went to the cabinet secretary and was able to argue for the \$75,000 to get the communications upgrade for public safety. Without this we wouldn't be able to have the abilities to communicate properly.

**Nick Sedillo – Operations Manager:** This has been a yearlong project, when we converted over to the AT&T platform, AT&T received a department of justice grant for 25 years. All of our first responders have priority over the network, in the event of an emergency. This grant will allow us to tie in our First Net phones into our mobile radios, allowing us to have better communication. The County has only 2 repeaters one in Capella Peak and one in Clines Corners, we share with Lincoln County in Gallinas. As a first responder, when I key up my microphone it has to go to Gallinas or Capella and repeat back down to dispatch. With AT&T we can rely on their towers, we have tested this for the last 3 months, it has worked great. This communications grant will get us to where we need to be. Since we are signed with AT&T they will take the brunt of the responsibility.

**Commissioner McCall:** Are there any funds left to address the generator backups?

**Belinda Garland – Deputy County Manager:** The generators have already been bought.

**Commissioner Sanchez:** Motion to approve State Homeland Security Grant Program (SHSGP) agreement.

**Commissioner McCall:** Seconds the motion.

**All in favor: MOTION CARRIED**

**I. DWI:** Motion to approve the Torrance County DWI Prevention Program to establish a DWI Planning Council in accordance with the guidelines set forth by DFA.

**Tracey Master - DWI Prevention Program Coordinator:** LDWI program guidelines require that each county has a DWI Planning Council, many years ago we had a standalone planning council. We had the same people attending the same meeting. The planning council was absorbed by Partnership for a Healthy Torrance Community. Partnership took over the roll as planning council. It has worked well over the years, however the partnership does a lot more than they did back then. The partnership has reduced the DWI preventions time between 5 and 10 minutes. This makes it difficult when it's time to write the grant application. I feel it's time to go back to having a standalone planning council. The membership of the planning council shall be selected to represent a broad spectrum of interest and may include county officials, DWI program and service providers, law enforcement officers, alcohol concealers therapist, school administration, local political leaders, representatives of native American communities and teen representatives. We had about 25 members when we had a standalone council. The Quorum was set small, 3 or 5. I would like to reestablish standalone planning council.

**Commissioner McCall:** Motion to approve the Torrance County DWI Prevention Program to establish a DWI Planning Council in accordance with the guidelines set forth by DFA.

**Commissioner Sanchez:** Seconds the motion.

**All in favor: MOTION CARRIED**

**J. DWI:** Motion to approve the CDWI Grant Agreement, # 20-CD-05-103.

**Tracey Master - DWI Prevention Program Coordinator:** This agreement is between Torrance County and NMDOT for CDWI funding. The total amount is \$2,453, the money comes from fees that are assessed to convicted DWI offenders. They are assessed a \$75 fee, we get what has been collected. \$1,453 will be used for promotional items and \$1,000 will go to law enforcement overtime.

**Commissioner McCall:** Motion to approve the CDWI Grant Agreement, # 20-CD-05-103.

**Chairman Schwebach:** Seconds the motion.

**All in favor: MOTION CARRIED**

**K. Clerk:** Motion to approve the Canvass of the 2019 Local Election by Commission.

**Linda Jaramillo – County Clerk:** By state statute you are the Canvassing Board for the local election. We have all the materials necessary for the canvass. We can go through each polling place and tapes, if you would like? I also have a summary of the casted votes. You can look at the summary and then decide if you want to go precinct by precinct. The summary is available in packet or at the county clerk's office. On the summary you will see in blue – absentee by mail, green – early and yellow – Election Day, the totals are on the right hand side. We had 2 provisional ballots, one at the alternate site and one in Estancia. This only changes the outcome by 1.

**Chairman Schwebach:** Are the provisional ballots counted in this summary?

**Linda Jaramillo – County Clerk:** Yes

**John Butrick – County Attorney:** I appreciate the County Clerk staying with me last Thursday evening, in drafting an emergency petition to the court and a public order to get one of the provisional ballots out of the ballot box. Court approved our motion the next day and we got the ballot out of the box.

**Linda Jaramillo – County Clerk:** Thank You! This was the first of its kind local election in the state first of its kind for Linda Kayser and I. I want to thank Linda my Deputy and the ladies in my office Yvonne, Sylvia and Genell, they work really hard to get this going, and my precinct workers, it was a struggle for them because it was new technology. We had some glitches, Manzano didn't come up, there were too many heaters, and this kept tripping the breakers. We had to vote one person emergency, we have ballots there for that. AES – Automated Election Service, provided us with ballot on demand and computers, we had 3 people from AES here is Torrance helping with the election. This is the last local election I will run but I hope we were able to lay the ground work for future clerks, maybe it will make their job easier.

**Chairman Schwebach:** For the Councilor Positions 1 & 2 in Mountainair, Top 2 take the position?

**Linda Jaramillo – County Clerk:** Yes

**Chairman Schwebach:** Looking at this it would be Zamora and Ernie.

**Linda Jaramillo – County Clerk:** Yes, this is considered a state wide election, if it is this close in state wide elections, it's an automatic recount.

**Chairman Schwebach:** The recount has not been done?

**Linda Jaramillo – County Clerk:** No

**Commissioner McCall:** What 2 races?

**Linda Jaramillo – County Clerk:** Encinias and Armijo, Kayser and Lopez.

**Commissioner McCall:** Is the state mandating the recount?



**Linda Jaramillo – County Clerk:** Yes, on the top of this handout in pink are the voting locations in Torrance, the green is the tabulators we use and the yellow will be the contests that will be recounted. Note: we were tied on election night but we had a provisional for Armijo, his is up by 1. We share this school district with Santa Fe County, Santa Fe County has one up with no Provisionals, and so the votes stand as they are right now. We will be going through 16 tabulator, district court will be here to observe this process.

**John Butrick – County Attorney:** When will that recount occur?

**Linda Jaramillo – County Clerk:** It will probably be the first week of December, we have to wait on the state canvassing board.

**John Butrick – County Attorney:** Does the state statute take in to account the fact there might be a recount and how that affects whether or not the Commission can approve this?

**Linda Jaramillo – County Clerk:** They accept the Canvass and then after we recount that will be canvassed and need approval.

**Commissioner McCall:** We are not canvassing the 2 that are in question?

**Linda Jaramillo – County Clerk:** You are, we will canvas the whole thing today. The state canvassing board will meet the last week in November, then the recount will be set up. The Secretary of States Office will pay for the precinct workers. I had a candidate that was going to ask for a recount, I have to let them know there will be an automatic recount.

**John Butrick – County Attorney:** So the Commissions actions today will not affect the recount.

**Linda Jaramillo – County Clerk:** We will open the ballot boxes with District Court present. We take the ballots that pertain to these 2 contests and run them through the machines. I have verified this with the Secretary of State's Office.

**Commissioner McCall:** Today we are canvassing the way it stands? Is there a possibility of a change after the recount?

**Linda Jaramillo – County Clerk:** Yes, there is a possibility.

**Chairman Schwebach:** The tabulators have not been opened?

**Linda Jaramillo – County Clerk:** No, they are locked. We have the results tape, we take out on election night. We run this through our system. The other one is locked. They will create this recount and we will program new cartridges to run this recount. The others are saved for the required time.

**Chairman Schwebach:** Motion to accept the Canvass of the 2019 Local Election by Commission.

**Commissioner McCall:** Seconds the motion.

**All in favor: MOTION CARRIED**

**L. PLANNING & ZONING: Re-Convene Public Hearing-** Andrew Miller partial vacation of Antelope Springs Subdivision & rights of way for Bart Lane. (This is a continuation of the hearing begun October 23<sup>rd</sup>.)

**John Butrick – County Attorney:** We are continuing the hearing at the point we left off 3 weeks ago, the public comment and the question and answering from the public has already occurred. It is now with the Commission to ask and answer questions, make a motion and approve or not approve.

**Chairman Schwebach:** I requested the continuance to this, so we can look into planning and zoning and various things. Mr. Guetschow correct me if I'm wrong, the recommendation from Planning & Zoning was to approve a Do Pass?

**Steve Guetschow – Planning & Zoning Coordinator:** That is correct.

**Chairman Schwebach:** After looking at it, there is no reason to not do it.

**Chairman Schwebach:** Motions: DO PASS

**Commissioner McCall:** Seconds the motion.

**Commissioner Sanchez:** We had folks here against it last time. We need to take a moment to explain our rationale. I also don't see any reason why we can't do it. These issues are very concerning. I would like to extend some level of understanding to those that were against this, so they are aware of the position we are in and how this works.

**Chairman Schwebach:** Yes, I will fully explain that. From the public comment that I hear that was against this vacation

**Commissioner Sanchez:** We have them here, right do we have anyone here.

**Chairman Schwebach:** I know there is at least one here.

**Commissioner Sanchez:** Could you please come up? Pardon me if I am overstepping my bounds.

**Chairman Schwebach:** We are not taking public comments.

**Commissioner Sanchez:** I want to make sure you understand the difficulty of this position. The concern I had was that the water rights weren't there. The thing about water in the valley is that it's not, even though the government and local government provides water on a paying basis, it is preserved to be a public resource. Water is a private commodity, you are not entitled to any water. No one is entitled to any water, the water you have is the water you pay for. If you have the money to buy the water right, drill a \$100,000 well, then you have every right to pump water. We have residential water rights, we have many different classifications of water rights. That aside, I'm not an expert in water rights. My understanding we are concerned about a farm coming in and pumping water in an area where there is a scarcity of water. Everyone wants everyone to have water for their needs. In this situation, documentation has been provided that the State Engineer has approved the transfer of water rights. I don't think Mr. Miller, at this location has water rights, and they have the right to pump water. There is no basis

in water to deny this application. They have every right to pump, the level of water for that farm. There is nothing we can do. If the State Engineer denied for some reason, of course they have their own rules and regulations, and they move forward with an approval, I'm in no position to cast judgment upon their approval or disapproval. With that in mind, I want you to understand we are concerned about water. Agriculture is something, we are in a closed basin, and we are the primary users of water. I imagine we are going to pump as long as there is water. The farmer has purchased, invested and bought the rights to that water. According to the way the state runs these things that's just it. The good news for our residential folks, we are in a closed basin, so there is no new farms coming in. For Example: In this situation, Mr. Miller who I am very familiar with the point of origination for this, it's here in Ewing. Those water rights went back to 1947, I think, 40's early 50's when the first water rights were identified.

**John Butrick – County Attorney:** Mr. Chairman, I don't mean to interrupt. Mr. Sanchez. Ms. Rich is going to testify, she was previously sworn in and she is still under oath.

**Brenda Rich, 9004 Hwy 55 Estancia:** Correct.

**Commissioner Sanchez:** I guess that's it. They are senior water rights, is my understanding. Even though there is a new farm coming in there, a farm in Ewing is no longer farming, that farm in essence moved. There is no new water being pumped. There is no additional water being pumped out of the valley. No one can say they are going to start farming hemp and we are going to break virgin ground and start pumping water. Somebody has to give up the right to pump water in order for them to be able to do so. That's where it lays. There is nothing further.

**Brenda Rich, 9004 Hwy 55 Estancia:** Commissioner Sanchez, I think one of the places that got lost along the way is, water is an issue, but as a county do we need to, when we are selling or a buyer is going in and buying residential land and its zoned as residential. Then someone comes in and says I want to take this subdivision and I want to turn it into a commercial farm, store or any kinds of commercial stuff. Then you are upsetting the balance of the residential areas in the trust that we put, when we bought those residential properties. That area was going to remain residential. It's a lot of big issues I honestly think this one was snuck in, I really think this board needs to come out and talk to McIntosh, talk to us about how we see our community and how we want our community to grow and we want to continue to put residential people in there for this county to thrive. I think that got lost along the way, somewhere. Yes, water is an issue so is residential peace and quiet and security.

**Commissioner Sanchez:** How do we square that residential?

**Chairman Schwebach:** Right now we are still in a public hearing. What we have here before you is on a Do Pass or Do Not Pass, we have a motion on the table. I'll

be honest with you, when this came to light, I hear what you are saying. It's not Mr. Millers fault or cause of remedy, he is exercising his rights, and I agree with that. It is not your fault that the water is going down, do we have a problem that needs to be addressed. That is what came to light and why we are checking things. When it comes to water rights there is a lot more to it, it's the State Engineer. At this point I would like to continue it under discussions because I feel that this is a prime opportunity to shift gears on what this county does need. I agree 100% we need to talk to McIntosh. There is a lot of need within this county. That being said we have a motion and a 2<sup>nd</sup> on the table.

**John Butrick – County Attorney:** Having gone through this with Mr. Guetschow and Mr. Dunn, we believe as County Attorney they have gone through all the steps that needed to be taken and everything is in order. It's just a matter of you approving or not approving and your motion will need to be made outside of public hearing.

**Commissioner Sanchez:** On one side is the water and that is beyond any dispute. On the other side is the land, the zoning issue, my understanding is that the land was purchased as residential not commercial so you couldn't do any industrial agriculture. Now, the operation in suit despite the inappropriate zoning?

**John Butrick – County Attorney:** That is correct, by the letter of the law they are right now in violation. The reason they have not received a notice of violation and have not been sited into court is because they are going about the process that has been put into place already under the ordinance to go about vacating the land.

**Steve Guetschow – Planning & Zoning Coordinator:** Mr. Butrick they are under notice of violation, for operation of a commercial agricultural business in a residential zone.

**John Butrick – County Attorney:** I stand corrected

**Chairman Schwebach:** Now that is brought to my attention, I would like to know what consequences are there. How does that effect this hearing and the decision to vacate the land if at all?

**Steve Guetschow – Planning & Zoning Coordinator:** The vacation of this property from the subdivision would bring them into compliance because the surrounding zone district is AP5 where agricultural farming is allowed. It would remove Mr. Millers property from the subdivision.

**Chairman Schwebach:** As of right now he was in violation because it wasn't vacated.

**John Butrick – County Attorney:** That's correct.

**Chairman Schwebach:** He has been advised the course of action to correct and is to vacate the land?

**Steve Guetschow – Planning & Zoning Coordinator:** That is correct.

**Chairman Schwebach:** Okay, we are on the same page.

**Commissioner Sanchez:** In light of the violation, what is your rationale for approving the conditional use?

**Steve Guetschow – Planning & Zoning Coordinator:** Mr. Sanchez, there is no conditional use.

**Commissioner Sanchez:** Pardon me, I used the wrong word. In other words, what rationale do we have, bases do we have for approving? What message are we sending?

**Chairman Schwebach:** The rationale, sadly enough, what we are experiencing right now is quite often what was good planning and zoning law, what was good intentions and good understanding that was good 20 years ago. Quite often when you have an issue, the laws are not in place to say it. The rationale for approving this and giving a due pass is whether Mr. Miller had been in production or not in production it would have been approved. There is nothing within the planning and zoning to give him other consequences other than to correct it, similar to somebody moves into a house and doesn't have the right permit, well do you tear the house down or do you get the right permit and get it justified. It is under the same rationale as that. So what this county is now entering into is the acute awareness that we need to address some planning and zoning laws. We need to address some future thinking, whether it's hemp or existing farms or existing water rights. I'm not denying any of that. We also need to address what direction we want to go on how we will deliver water to the residence. Looking at that, this particular tract in Mr. Miller's property, when it was subdivided, I don't know how many years ago 30-40 years ago. I looked at 1 acre lots, so by law everybody drills a well on there and that's minimum 1 ½ acre foot per home, add that up, that is far more water consumed than what he is applying for the water right transfer. We are having to look at our planning and zoning but as of right now we can't go back and punish Mr. Miller and anybody else in there because they were acting within the means and the laws that were given to them.

**Brenda Rich, 9004 Hwy 55 Estancia:** He wants it both ways, He wants to leave 10 acres in residential zoning and 70 acres of it to be opened up commercially. What about those of us who bought residential property, thinking we were buying into a residential neighborhood and then somebody says, it was intended to be residential area. That punishes the ones that bought into it as a residential area not foreseeing down the road that planning and zoning would change like this or even Mr. Miller would bring in an operation. It's not that we have anything against Mr. Miller, it's that we are a small residential area and these big farms and companies keep coming in and they want to apply for a variance or they want to start operation in the sneak. I bought into a residential area, I didn't buy into a commercial area.

**John Butrick – County Attorney:** I wanted to remind you that at this point public comment has been closed and to the extent that there is public comment, that will need your deferment

**Steve Guetschow – Planning & Zoning Coordinator:** Prior to 2016 there was no restrictions about commercial agricultural being conducted in type 1, 2 subdivisions, now there is.

\*inaudible\*

**Chairman Schwebach:** I'm sorry this is a public hearing, public comments had been closed, Brenda was allowed to come to the podium because Commissioner Sanchez invited her up as part of the discussion that is why we are not allowing anymore public comment in this hearing.

**Chairman Schwebach:** At this time I make a motion to close this public hearing.

**Commissioner McCall:** Seconds the motion.

**All in favor: MOTION CARRIED**

**Chairman Schwebach:** We are back from Public Hearing item # 12 L.

**Chairman Schwebach:** Motions: DO PASS to vacate Andy Miller partial vacation of Antelope Springs Subdivision & rights of way for Bart Lane.

**Commissioner McCall:** Seconds the motion.

**All in favor:** 2 in favor Commissioner Sanchez not in favor:

**MOTION CARRIED**

**Chairman Schwebach:** I do understand the concerns. Situations have been brought to your attention which has brought you here. That is how things work, when we discover this, we have a problem we need to work on it. We have known we have water issues in this county. Unfortunately the state laws, that the water for consumptive use and discernment does not take that into account. There are avenues that this county can take to facilitate the longevity of it, but it takes planning from north to south of this county. If you look back in the records, the water planning committee, things have been in place but no action has been taken. It is time to take action.

**Commissioner Sanchez:** What can we learn from this and what corrective action can we take?

**Chairman Schwebach:** We need to bring in our own water planning committee and create a 50 year water plan and have some of these guidelines, unfortunately we need to have the state engineer sign off on this. When you are dealing with water you are dealing property water rights. This is our livelihood, we have been here a long time, and we have staked our economics on the valley. At some point this valley is going to have to accept that we need to change our life thinking on what economics are and what it means, what these school's value. What is the

point of having a school if no one lives here? What direction do we go? This Commission is not ignorant of it. We are working within the parameters of the law. When we go down this road it puts this county liable, potentially, because we are dealing with private property lines. The other avenue is EMWT that has a system that was designed to deliver water to the wells going dry.

**Commissioner Sanchez:** What can we learn from this from a zoning perspective?

**Chairman Schwebach:** We have to remember that planning and zoning can do future things but anything that has been done is grandfathered in. This is a discussion we need to continue, we will bring up in the future.

### 13. DISCUSSION

A. **COMMISSION:** Update on 2020 Census Complete Count (Peggy Schweback)

**Peggy Schweback – Chairman of 2020 Census Complete Count Committee:**

We are 6 months to a year behind schedule. Census begins 2020, we have 5 members on the committee, and they are not represented of every era of the county. We are trying to pull in a network of people we can reach out to, disseminate correct information and go person to person, neighbor to neighbor till we get people fully aware of what the Census is, why it's important and how they are going to be counted. This will be a new approach in account because it is going to be self-reporting. They would like for everyone to use a computer or phones to report their count. Sometime in March a post card will be mailed out to those who have resident attached to their address. Unfortunately Torrance County and this region doesn't fit that profile, most of us get our mail from the Post Office, meaning the post cards will be hand delivered. The post cards will explain how they can report, it will have a code, and the code is exclusive to that residence. It's critical we get people aware, each person is worth roughly \$3,000 per the next 10 years. Federal money gets to our schools, health services, senior centers, by these counts. We are working hard trying to reach out. My request is to become informed about the Census pass the word and be supportive.

**Commissioner Sanchez:** Do we have any indication of level of margin of error in past Census?

**Peggy Schweback – Chairman of 2020 Census Complete Count Committee:** I invite you to go to USCensus.gov, Yes, it's a very difficult map called the roam. You can pinpoint the area you want exact information from.

**Kassandra Sandy - 2020 Census Complete Count Committee Coordinator:** Presented packets from the attended state training. The training was very informative, this is sensitive and protected information. The original grant was

\$24, 219.53 of that \$19.00 has been spent on refreshments for the training. Reports are given to the state every 15<sup>th</sup> of each month.

**Peggy Schweback – Chairman of 2020 Census Complete Count Committee:**

Supplies will be purchased at the 1<sup>st</sup> of the year, we have to buy all the materials.

**B. COMMISSION:** Purchase of the Wells Fargo building in Estancia.

**John Butrick, County Attorney:** Recommends this item stay in Executive Session for the time being, under the open meetings act.

**Commissioner McCall:** I think this is wise, it falls under the real estate contracting?

**John Butrick, County Attorney:** Yes

**Chairman Schweback:** I feel it needs to stay in executive session.

**C. MANAGER/GRANT COORDINATOR:** Announcement of community meeting for Southern Torrance County Economic Development Strategy Project.

**Cheryl Allen – Grant Coordinator:** Our contractor is Sight Southwest and we have 3 community meetings November 19<sup>th</sup> at the Torreón Community Center, November 20<sup>th</sup> in Estancia at the Torrance County Commission Chambers and November 21<sup>st</sup> at the Encino Community Center all meetings are from 6 pm to 7:30 pm. All this information is posted on the Torrance County website and throughout the county. This is a presentation about what this project is all about and a swat analysis will be done evaluating strengths, weaknesses, opportunities and threats of the areas. We have the meeting in different areas of the county but are not limited to those people. If you can't attend one you can attend another. A new agenda is on the Torrance County website.

**Chairman Schweback:** In light of a public comment concerning a very alarming issue. The house fire that no one responded to. I would like to direct our manager to look into this further and give us a detailed account of what has happened. I am aware our volunteer fire department is suffering, but would like some answers. A house was burning down within sight of a fire department and no volunteers showed up.

**Commissioner McCall:** I have asked our county manager to pull the calls and see the tone times and that is not the only incident I am aware of, some other issues up north, lack of volunteers responding. We need to get the truth.

**Nick Sedillo – Operations Manager:** As a proponent to first responders and those that serve, I have been up here 100s of times being a proponent of funding our fire department. The rules and regulations that come from Santa Fe are somewhat absurd because they will give you tons of money to buy equipment but not give



you tons of money to have people run that equipment. We need to take a more positive approach with our legislature maybe the State Fire Marshalls or whomever writes these rules. It's a problem nationwide. In the bigger jurisdictions Bernalillo County, Santa Fe County, City of Albuquerque have funding mechanisms to hire fire departments. We don't have volunteer deputies why do we have volunteer fire fighters. If I'm working in Albuquerque and I'm a volunteer fire fighter I won't get here to quickly.

**Chairman Schwebach:** I think it is time to aggressively address this problem.

**15. Announcement of the next Board of County Commissioners Meeting:**

We are canceling November 27<sup>th</sup>, December 11<sup>th</sup>, and December 25<sup>th</sup>; Our next meeting will be December 5, 2019 and December 18<sup>th</sup> at 9:00 AM in the Torrance County Administration Building Estancia, NM

**14. EXECUTIVE SESSION:**

**Chairman Schwebach:** Motion to go into Executive Session

**A. COUNTY ATTORNEY:** Pending Litigation, Lidyard vs Watts.  
Closed pursuant to NMSA 1978, 10-15-1(H)(7).

**B. ROAD:** Discussion regarding the purchase, acquisition or disposal of real property for Torrance County operations, NMSA 1978, 10-15-1 (H)(8).

**C. MANAGER:** Limited personnel matters pursuant to NMSA 1978,  
10-15-1 (H)(2)

**Commissioner McCall:** Seconds the motion.

**Roll Call Vote:** All in favor - **MOTION CARRIED**

Executive Session began at 11:31 AM

**RECONVENE FROM EXECUTIVE SESSION:**

Reconvened at 12:18PM

**Chairman Schwebach:** Motion to return from Executive Session

**Roll Call Vote:** All in favor - **MOTION CARRIED**

**Chairman Schwebach:** The Commission discussed Pending Litigation, disposal of real property, and Limited personnel matters, pursuant to NMSA 1978, 10-15-1 (H)(2); (H)(8); (H)(7).

**No Action Taken**

## 16. Signing of Official Documents

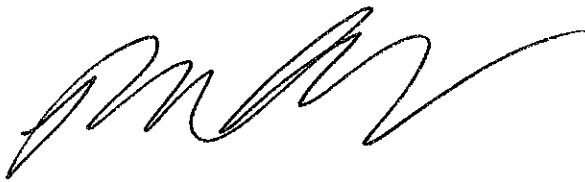
*\*Adjourn*

**Chairman Schwebach:** Motions to adjourn Commission Meeting

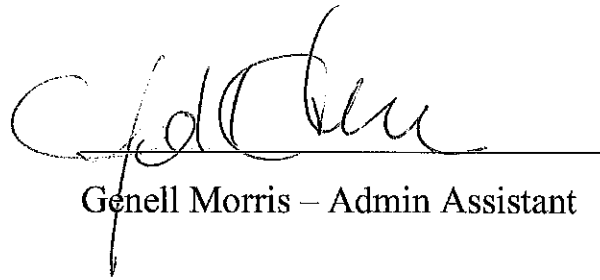
**Commissioner McCall:** Seconds the motion.

**All in favor: MOTION CARRIED**

**Meeting adjourned at 12:19 PM**



Ryan Schwebach – Chairman



Genell Morris – Admin Assistant

12-5-19

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 out local radio station KXNM.**