

SPECIAL MEETING MINUTES

Committee//Group: EAST TORRANCE SOIL & WATER CONSERVATION DISTRICT
Date: August 3, 2010
Chair Present: Ryan Schwebach
Members Present /Titles **Bill Wrye** – Vice-Chair, **Jim Berlier** – Secretary / Treasurer, **Johnny Lujan** – member, **Mike Valdez** – member ,Others & Guests: **Cheri Lujan** – District Manger, **Tommy Marshall** – NRCS, **Tom Perkins** – State Land Office, **Johnny Perea** – FSA, **Rick Lopez** – Guest, **Ronnie Harral** – Guest, **Fronia Jaramillo** – Guest

Absent:

Topic (Agenda Item) & Summary of Discussion	Follow Up Action/Discussion	Responsible Party	Status (Open/Closed)
Call to Order	Meeting was called to order at 6:00 P.M	Ryan Schwebach	Standing Agenda Item
Approval of Agenda	It was moved by Jim Berlier to accept the agenda as presented. Motion seconded by Bill Wrye with the approval of the agenda. Motion carried unanimously.	Ryan Schwebach	Standing Agenda Item Action taken
Unfinished Business	Supervisor Election Ryan Schwebach turned the floor over to Supervisor, Mike Valdez to discuss concerns and comments from the last board meeting to be addressed. Mr. Valdez discussed that he felt that some unacceptable elections procedures took place for instance the date published on absentee ballots, he believed the mistake was known up front and calls should have been made at least to the candidates about the mis- print. From the time he requested how many ballots had been issued at the April meeting with being told that approximately 12 or so had. He stated he did not have an issue with that at the time. Mr. Valdez noted that he requested three absentee ballots and he did not receive them in time because they went to the wrong address to his mother-in laws. Mr. Valdez also discussed the May board meeting on comments made by Mr. Joe Perea about him running a corrupt election and how he felt Mr. Valdez should have been there to see it caught him by surprise and did not understand where his comments were coming from. Mr. Valdez discussed that he campaigned by phone with only two site visits and tried to run a clean campaign, as far as corruption they were leading to that is why Mr. Valdez wanted this meeting to take place to address those issues. He stated he did not know where it had started and he had nothing to do with it. Mr. Valdez continued when he looked at the election results from the time he requested how many ballots had been issued with over 90 ballots coming in for absent voting. He commented that after the board meeting with Thursday and Friday with Cheri Lujan being gone on Friday and the office closed over the weekend with 90 ballots by Tuesdays deadline he did not know how that could have happened. He believes something happened. Mr. Valdez stated he would like to go back to the		No Action taken

day that the accusations were made at the board meeting with all the same people who were invited or just showed up and just get an apology from Mr. Perea that would be the easiest way and that he was not asking for anything else. Comments followed if Mr. Perea doesn't want to do public apology then an investigation is due and if it had happened to anyone else here that the same request would have been made. Board member Johnny Lujan spoke on behalf of Mike Valdez stating that he was present off and on in Torreon and stopped by and drove by the polling location and did not see any corruption and didn't see Mike there and didn't see anyone there more than 5 to 10 minutes to vote and leave. He stated he had gone in several times into the polling location and spoke with the ladies and they stated everything was going good. Discussion followed with a request by a landowner Mr. Rick Lopez to speak which noted that Mr. Joe Perea as a citizen of the community through his free speech he is allowed to say anything and that individuals could seek to sue for slander or something to that effect but for a private citizen to come into a meeting and speak freely he did not see where an apology would be warranted whether if it was agreed upon or not agreed upon whereas there was a member publicly ridiculed, the district manager for crying at a meeting and he felt that is reason for an apology. Ryan Schwebach commented on the issues and commented as far as he knew that no other current or past board members are crying foul about the election and personality he did not know if it was the boards duty to go ahead and issue a public apology or something the board did not due but he would leave that up to the board. Discussion followed with Mr. Schwebach posing the question on what Mr. Valdez wanted investigated as pertaining to the 90 absentee votes. Mr. Valdez stated he felt that should be investigated and that rumors that they were handed out door to door in which just came in to the board written in a letter format by Lisa Lujan. All board members received a copy of the letter for review. District Manager, spoke on behalf of being the election superintendent and advised the board if Mr. Valdez feels that there was any wrong doing of the election for Mr. Valdez to make a complaint into the Attorney General's office for an investigation and that during the election process day to day communication was made with the County Clerk by e-mail and phone, daily records were made on absentee ballots on whom requested how it was requested and when they were sent out and that she has commented that she would testify in court on the Districts behalf on how the election was run. The District Manger stated if the individual wanted to file a complaint to do so and let the board move on. Comments followed that if the board wanted to open an investigation the board would have to take action otherwise individuals could do so on their own. Board member Jim Berlier spoke that he felt it had nothing to do with this board and the individual who spoke at the public meeting he spoke on his own and was not solicited by the board and that the board should not take action on a non action motion and that is where he stands. Mr. Wrye asked if Mr. Perea

	<p>had anything to do with the election in Torreon with the District Manager advised he was not but he was on the canvassing board. Mr. Valdez spoke that he felt that there had to have been corruption somewhere whether on the canvassing board or somewhere. Ryan Schwebach continued asking if Mr. Valdez has spoken with Mr. Perea since then and Mr. Valdez advised he had not. Discussion followed with question Mr. Johnny Perea removing himself at the meeting as a FSA employee and stated that he believes what Mr. Joe Perea said at that meeting that night was not directly noted towards Mr. Valdez but to another individual attending the meeting and thought that others in the room believed that also. He noted that he is an individual with a man of integrity and he calls it as he sees it and that night he called it as he saw it whether if someone likes it or not. He put it out there as professional and as plainly as he could and that he felt that is lacking in this whole deal and this community and it's about time for someone to say something about it and that is what Mr. Perea did. Mr. Johnny Perea commented if that they wanted to pursue actions that he would stand up for his integrity up to anyone else at anytime and that the individual could do what he feels he needs to do in his option. Ryan Schwebach continued that he see's two options 1) that as a supervisor Mr. Valdez could call for a vote to pursue an investigation on the election 2) he could pursue an investigation on his own. Schwebach also noted that he could also call Mr. Perea and entertain a simple mediation and get it cleared up. Mike Valdez noted he would leave that up to the board if they decided to pursue it and if not he would pursue it on his own. Mr. Valdez noted to Johnny Perea that his father Joe Perea is a man of integrity but he mentioned his name and pointed directly at him and felt he knew what he was doing, and maybe he was speaking to another individual because he spoke to him also but that he felt he was there due to an invitation by someone in here to come in and do that. Ryan Schwebach spoke to move the meeting on with Johnny Perea stating that he was not invited and that he acted on his own and wanted to tell the board what he saw and what went on, there was no invitation whatsoever. Mr. Schwebach asked if there was a motion on the table. No futher discussion.</p>	
New Business	<p>ETSWCD Inventory Copy of the inventory list was given out for review. District Manager explained that the copy e-mailed out contained identification numbers and the copy today replaced the identification numbers with location of the equipment. Discussion followed in what the auditor looks for and why the manager keeps a more in depth list. Items notes on where supplies where keep and how the District pays for storage was brought up at the last meeting with District Manager explaining where noted items are being kept and noted that all storage areas away from the building were being housed free of charge as a community service and that the items are being closely watched and secured if not more than they were housed at the USDA building. District Manger opened up for questions. None noted. Mr.</p>	No Action taken

	<p>Schwebach verified that board members understood the list and the locations listed on the sheet. Johnny Lujan asked for verification purposes on the land donated with a price next to it with the Manger explaining that anything donated for auditor purposes we must have an appraised value and that amount is what it was appraised for at that time. Discussion followed with items value and depreciation on a yearly basis, and items are noted as initial prices.</p>	
<p>Guests</p>	<p style="text-align: center;">Ryan Schwebach</p> <p>Ryan Schwebach recognized all guests in attendance. Mr. Tom Perkins reported that he just wanted the board to know that the Russian Knapweed sprayed last fall got about a 97% kill. Discussion followed with timing of spraying of the noxious weeds and future plans of pushing for a re-treatment this fall. Mr. Rick Lopez addressed the board thanking the chairman calling the meeting and hope questions were addressed today to his hope was that the board could come together and move forward and have an opportunity with new board members with new fresh and positive ideas. He would caution the board and caution the chair in allowing any prior adjudicated matters to come up whether in public or executive session due to the fact of liability, if an issue has been adjudicated and has been investigated it must be laid to rest at that point and wanted to caution the board that a manager was given a evaluation and all current board members were afforded the opportunity at that time to provide their impute to the evaluation and he cautions the board to have the new board with two months in office to start to bring up future evaluation up on the manager. Johnny Perea spoke on behalf of FSA and wanted to address the board on comments reported and noted in the last board meeting and specifically by Mr. Brad Podoll. A copy of an e-mail was given out into reference why he looked into eligibility and what he was instructed to inform the District of Mr. Valdez to serve on the SWCD Board. Mr. Perea reviewed the process of how a FAC or CAC committee runs and the responsibility of FSA in charge of the lease or anything regarding the building as the lead agency. He explained how FSA is responsible of the lease and hopes that answers of the questions on that matter where addressed. Mr. Perea continued on the comments made that FSA has harassed NRCS and noted that if NRCS feels driving in and out of the parking lot is harassing that has been the only contact they have had with NRCS for several months. He noted that he did place an e-mail for clarification to Mr. Hollis Fuchs and Mr. Podoll on the matter so it could be addressed but has not heard back from them. Mr. Perea noted that he agreed with Mr. Lopez and hopes that this board can move forward Mr. Perea continued that he has tried to work along and has requested assistance from Mr. Podoll for assistance on the Napp program but never did receive the assistance or communication back from repeated requests made. Mr. Perea continued in asking the community to stop it and he sees a lot of good in this District if it's been seen</p>	

or not seen it has been done and he has seen it giving an examples of the fire and the thinning contracts and noted that he felt that is what the District should be focusing on. Mr. Perea noted that things have gotten so bad that his kids have given gotten pot shots made at them by NRCS staff. He explained how his youngest daughter is afraid of riding the bus and she sometimes come to the office and she was getting blamed for things which she did not do. Mr. Perea ended his comments with sharing a story about his dad Joe Perea fighting a fire and showing his integrity about who's house he was defending and he stands up for what is right. Ryan Schwebach thanked Johnny Perea. Fronia Jaramillo spoke to the board and said she appreciated everything that Johnny Perea had said and his whole family is full of integrity including him. Ms. Jaramillo continued to reintegrate what was said by Mr. Lopez and Mr. Perea and that the board is elected for specific reasons and to represent the community and the good of the land in the District and it is not for personal vendettas, wars and to get on with it and it's not an individual thing and asked the board to continue to do good things, and the board has a good manager and that Ms. Jaramillo appreciates all that she has done and all of the things she can do for the District. Mr. Ronnie Harral spoke to the board in going back about talking about Russian knapweed and encouraged that the District to be active and to make it possible for milestone available to the landowners. He encouraged the board to remain active and get it out there. He continued that he had seen the board to go from a fairly inactive board with a part time employee who came in to keep the minutes and statements and it was always based on the time they spent and the value of time to the district and he would encourage the board if they all go forward in looking specifically at Cheri Lujan's job and what the District does base the decisions on productivity and what their abilities are rather what someone else may be paid two to three counties over in which in his option is a bad way to judge things. Mr. Tommy Marshall from NRCS spoke to the group in advising them that Mary Podoll has accepted a job in South Carolina and that this District will soon no longer be in their area and will be moving to the Northwest area. Discussion followed in the reasoning be hide the reorganization and history of the areas defined. Mr. Marshall guessed the change would take around October 1, 2010. Discussion continued on possible dates that a replacement may be made and that the deadline for applications for her position is August 13, 2010. He continued that he did not know what Mr. Podoll plans are if any at this time. The agency is also looking at filling another position in the Estancia FO. Mr. Marshall discussed other issues brought up about the building and other issues he will follow up on them. Discussion followed on the Napp discussion about NRCS who came across some problems in coming across as the bad guy and NRCS may have been told not to do the assessments alone but as a team effort along with other agencies. Mr. Perea said that would have been fine but he was never notified of that and thanking Mr.

	Marshall for the information. Discussion followed with CSP site visits and the moisture within the state.	
Executive Session	As per motion and roll call vote, pursuant to New Mexico Statue Section 10-15-1, the following matters will be discussed in Closed session: Personnel Matters: 10-15-1 (h) (2). Motion by Mike Valdez and seconded by Johnny Lujan to go into executive session at 6:49 pm. Motion carried by roll call vote: Ryan Schwebach-yea, Bill Wrye-yea, Jim Berlier-yea, Johnny Lujan-yea, Mike Valdez-yea. Motion carried unanimously.	
Reconvene from Executive Session	Meeting was called back into regular session by Chairman at 9:08 pm with a motion made by Johnny Lujan and seconded by Mike Valdez . Roll call vote was made to come back into regular session. Ryan Schwebach-yea, Bill Wrye-yea, Jim Berlier-yea, Johnny Lujan-yea, Mike Valdez-yea. Motion carried unanimously. Chairman noted no action needed at this time but the board would like the Chairman to work with the District Manager on some items and that he would meet with the manager the following morning. District manager asked if that was in a motion and the board responded no. District Manager asked if only personnel matters were discussed in executive session. Chairman asked for clarification the District Manager gave an example of discussion of policy and the Chairman stated that the Districts employee was discussed.	No Action taken
Next Board Meeting/ Adjournment	<p style="text-align: right;">Ryan Schwebach</p> <p>With no further business to discuss Mike Valdez moved to adjourn the meeting. Chairman adjourned the meeting at 9:10 PM. Next regular board meeting will be August 11, 2010 at 6:00 pm.</p>	

Respectfully submitted,
Cheri Lujan, District Manager

Reviewed and approved by: _____