



STATE OF NEW MEXICO, COUNTY OF CHAVES
FILE FOR RECORD MAY 18, 2017 AT 12:16 O'CLOCK PM
Book 00072 Page 00802 Pages 4
Dave Kunko, County Clerk

APRIL 20, 2017

The Board of Chaves County Commissioners held their Regular Commission meeting in the Commission Chamber of the Joe Skeen Building, #1 St. Mary's Place in Roswell, New Mexico. Chairman Corn called the meeting to order at 9:00a.m. Those present were Commissioners Bilberry, Duffey, Ezzell, Corn and Cavin. Also present were County Manager Stan Riggs, Public Services Director Bill Williams, Sheriff Britt Snyder, Finance Director Joe Sedillo, Past Commissioner Smiley Wooton, County Clerk Dave Kunko, news media, staff and guests.

MINUTES

Commissioner Duffey moved to approve the Minutes from the March 16, 2017 Regular Commission Meeting and the January 10, 2017 Special Commission Meeting. Commissioner Ezzell seconded the motion. A voice vote was unanimous and the motion carried.

PUBLIC HEARINGS

CASE Z 2017-5 REQUEST FOR A SPECIAL USE PERMIT IN AREA I, AGRICULTURAL

Marlin Johnson explained that this a special use permit for temporary storage of a manufactured home. The property is located at 7058 Shoshoni Road. The P & Z Commission recommended approval with the stipulations and findings of fact. Chairman Corn opened the public hearing for public comment.

IN FAVOR: None

AGAINST: None

Commissioner Duffey moved to approve Case Z 2017-5 with the stipulations and findings of fact. Commissioner Bilberry seconded the motion. A voice vote was unanimous and the motion carried.

CASE Z 2017-6 REQUEST FOR A SPECIAL USE PERMIT IN AREA II, AGRICULTURAL

Marlin Johnson explained that this was a request for a special use permit for an Airsoft Recreational Facility. The P & Z Commission recommended approval with stipulations, findings of fact and proof of liability insurance. Chairman Corn opened the public hearing for public comment.

IN FAVOR: Speaking in favor of the special use permit was Alfredo Garcia. He stated he does have insurance, they will have safety nets, the BB's are biodegradable and have a range of about 250 ft.

AGAINST: None

Commissioner Ezzell moved to approve Case Z 2017-6 with the stipulations and findings of fact. Commissioner Cavin seconded the motion. A voice vote was unanimous and the motion carried.

2017 CHAVES COUNTY ANNUAL ROAD HEARING

Bill Williams explained that Application #1 is for approximately .25 miles of Wrangler Road to be maintained by Chaves County. Roswell Solar LLC is the applicant. Chairman Corn opened the public hearing for public comment.

IN FAVOR: None

AGAINST: None

It was stated that this road would need to be bladed 1 or 2 times per year.

Bill Williams explained that Application #2 is for a vacation of approximately 5.35 miles of Felix Canyon Road. The Casabonne Family Limited Partnership is the applicant. Mr. Williams stated he had received one letter of objection. Chairman Corn opened the public hearing for public comment.

IN FAVOR: Mike Casabonne stated this road runs entirely through deeded property. He stated hunting pressure has increased and hunter respect has decreased. This closure would not prevent access to public land.

John Casabonne stated there are 4 access points to the public land and closing this one access will inconvenience some hunters by 30 to 40 minutes.

Jens Klingshin is a neighbor and is in favor of the vacation.

Smiley Wooten also spoke in favor of the vacation.

Elizabeth Stephens stated private property should mean something and supports the vacation.

AGAINST: Tyson Sanders, Game Warden said he had 4 reasons to not vacate and they include: no security calls, lack of reasonable access, very popular area for recreation and sport, emergency access and setting a precedent. He read a letter from Captain Grey. Mr. Sanders showed Commissioner Ezzell the road on a detailed map.

Jim Stovall with the BLM Pecos District stated they need this east access to make patrolling easier during hunting season.

Quentin Franzoy with BLM stated it will affect BLM access due to limited resources.

Steve Brugman, Outfitter stated no east access will take away money from Roswell and Chaves County because hunters will not stay in Roswell.

Commissioner Cavin asked why Mr. Casabonne wants to close when it looks like they are willing to work with them. Mr. Casabonne stated they have called many times and had to resort to preventing problems on their own. Mr. Casabonne stated they would not prevent emergency access. He stated fences have been cut, well equipment has gone missing and gates have been left open. There was additional discussion about hunters breaking the law and what the penalties are for doing so. Chairman Corn stated the Commission would be viewing the roads on April 24th, and no action will be taken until the Regular Commission Meeting in May.

AGREEMENTS AND RESOLUTIONS

RATIFICATION OF AGREEMENT A-17-009 WITH THE STATE OF NEW MEXICO CYFD

Lucia Serrano stated this item is to Ratify Agreement A-17-009 with CYFD. Chaves County applied for funding to continue programs and services for juvenile offenders. Chaves County was awarded funding in the amount of \$226,087.00. Commissioner Bilberry moved to ratify Agreement A-17-009. Commissioner Duffey seconded the motion. A voice vote was unanimous and the motion carried.

RATIFICATION OF RESOLUTION R-17-013 2017 CHAVES COUNTY CERTIFIED ROAD MILEAGE

Mr. Williams stated this request is for ratification of Resolution R-17-013, the 2017 Chaves County Certified Road Mileage. He stated the reported mileage for 2017 is 1,409.033 miles. Commissioner Ezzell asked how much State Funding we receive. Mr. Williams stated it was approximately \$680,000. Commissioner Duffey moved to ratify Resolutions R-17-013. Commissioner Ezzell seconded the motion. A voice vote was unanimous and the motion carried.

RESOLUTION R-17-014 DELETION OF PROPERTY AND PROPOSED DISPOSITION

Anabel Barraza stated that approval of this resolution would allow staff to remove items from the Official County Inventory and send the items to public auction. Commissioner Cavin moved to approve Resolution R-17-014. Commissioner Duffey seconded the motion. A voice vote was unanimous and the motion carried. There was some discussion about a 1994 Caterpillar, obsolete radios and the narrow band mandate.

OTHER BUSINESS**REQUEST FOR OUT OF STATE TRAVEL**

Bill Williams stated he is requesting out-of-state travel to attend a training seminar in Lakewood, Colorado May 22nd – May 27th. This training seminar will allow Mr. Williams to take his final test to become the Building Official for Chaves County. Commissioner Duffey moved to approve the request for out-of-state travel for Mr. Williams. Commissioner Bilberry seconded the motion. A voice vote was unanimous and the motion carried.

APPROVE FIRE PROTECTION FUND APPLICATIONS FOR VOLUTEER FIRE DEPARTMENTS

Bill Williams stated that it is time for the County to submit applications for participation in the FY 2018 Fire Protection Fund. They must be sent to the State Fire Marshall by April 30th. Commissioner Duffey moved to approve the Fire Protection Fund Applications for FY 2018. Commissioner Ezzell seconded the motion. A voice vote was unanimous and the motion carried.

RATIFICATION OF APPLICATION FOR THE LAW ENFORCEMENT PROTECTION FUND

Sheriff Snyder stated this is an annual application for money from the Law Enforcement Protection Fund. He said the application is for \$41,600.00. They receive \$600 per certified officer. The money can be used for law enforcement equipment and advanced training. Commissioner Duffey moved to approve Ratification of the Law Enforcement Protection Fund Application. Commissioner Bilberry seconded the motion. A voice vote was unanimous and the motion carried.

APPROVAL OF CHECKS

Commissioner Duffey moved to approve checks in the amount of \$2,848,125.13. Commissioner Bilberry seconded the motion. A voice vote was unanimous and the motion carried.

APPROVAL OF REPORTS

Commissioner Duffey moved to approve the reports for the period. Commissioner Ezzell seconded the motion. A voice vote was unanimous and the motion carried.

UNSCHEDULED COMMUNICATIONS

County Clerk, Dave Kunko reminded the Commission that the election for the Chaves County Representative to the NMAC Board was in progress and the last day to vote would be Monday.

MANAGER'S COMMUNICATIONS

Stan Riggs stated the Road Tour would be Monday at 8:00 a.m., the Budget Workshop would be at 8:30 a.m. on May 11th and there will be an IHC Meeting on May 18th prior to the Regular Commission Meeting. We need to have the Interim Budget ready by the end of May. It will be a tight budget this year and a lot will depend on the State. We are not sure about PILT, it appears as though it will be fully funded but there may be other factors involved. This is the 3rd year in a row we will receive the GFOA Certification of Achievement for the CAFR. He gave a special thanks to Joe Sedillo and Anabel Barraza.

COMMISSIONER'S COMMUNICATIONS

Commissioner Ezzell mentioned an eviction notice for Magistrate Court due to breach of the Rental Agreement.

Commissioner Duffey stated he would see everyone Monday morning for the Road Tour.

Commissioner Bilberry mentioned a Governor's Veto affecting Higher Education and County Extension. He thanked everyone for all their hard work.

Commissioner Cavin thanked everyone and said to "batten down the hatches" because the storm was coming.

Chairman Corn stated he and Commissioner Duffey would be going to Washington D.C. next week. Discussions will include the budget, land use issues and finding out where everything stands with BLM and the Carlsbad RMP. He had the opportunity to speak with State Legislators in reference to "Hold Harmless" and how it would affect Chaves County.

The meeting was adjourned pending the signature of documents at 10:52 a.m.

CHAVES COUNTY BOARD OF COMMISSIONERS

Robert Corn

ROBERT CORN, CHAIRMAN

William E. Cavin

WILLIAM E. CAVIN, VICE CHAIRMAN

Jeff Bilberry

JEFF BILBERRY, MEMBER

James Duffey

JAMES DUFFEY, MEMBER

T. Calder Ezzell Jr.

T. CALDER EZZELL JR., MEMBER

ATTEST: *Dave Kunko*

DAVE KUNKO, COUNTY CLERK

