



STATE OF NEW MEXICO, COUNTY OF CHAVES
FILE FOR RECORD SEP 19, 2019 AT 02:57 O'CLOCK P
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Dave Kunko, County Clerk

AUGUST 15, 2019

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 Cavin called the meeting to order at 9:00a.m. Commissioner Bilberry led the pledge and Commissioner Ezzell led in prayer. Those present were Commissioners Bilberry, Dana, Ezzell, Corn and Cavin. Also present were County Manager Stan Riggs, Public Services Director Bill Williams, Sheriff Mike Herrington, Finance Director Joe Sedillo, County Treasurer Charlotte Andrade, County Clerk Dave Kunko, news media, staff and guests.

MINUTES

Commissioner Corn stated the motion to reconsider Resolution R-19-025 needed to be reflected in the July 25, 2019 Minutes. Commissioner Ezzell stated that under the communications section of the minutes it was written as "Federal Magistrate Judge" and it needs to be changed to "U.S. District Court Judge". Commissioner Corn moved to approve the minutes as amended from July 25, 2019. Commissioner Ezzell seconded the motion. A voice vote was unanimous, and the motion carried.

PRESENTATION

DEPARTMENT OF HEALTH

Jimmy Masters, Regional Director for the Public Health Department introduced Francisco Mimica Porras who gave a Power Point Presentation. The power point compared health statistics in Chaves County with other NM Counties, the State of New Mexico and United States. Some of the items compared were leading causes of death like, cancer, heart disease, alcohol, drugs and suicide. Other topics were obesity, birth rates, smoking and the flu vaccine.

PUBLIC HEARINGS

CASE SD 2019-03 VACATION OF 60 FT. WIDE EASEMENT LOCATED IN BERRENDO RIVER ESTATES

Louis Jaramillo stated Case SD 2019-03 is a request for a vacation of a 60 ft. wide easement located in the Berrendo River Estates Subdivision. The ETZ Commission recommended to approve the vacation with the stipulation that Mr. and Mrs. Griffo work with the City of Roswell in providing a 20 ft. utility easement. Chairman Cavin opened the meeting to public comment.

IN FAVOR: Karen Griffo and Sue Whitaker, both applicants stated a road has been created on the easement and used by a neighbor to move farm machinery. Kate Brown spoke in favor and said the subdivision does not need more traffic. Kate Hardwick spoke in favor. Bill Morris from the City of Roswell supports the vacation. Rocky Johnson supports the request for vacation.

OPPOSED: None

Commissioner Corn stated that based on the conversation, City water is already out there. Bill Morris from the City of Roswell stated they are on City water and it goes up to Berrendo Road then down River Circle. Commissioner Corn stated the ETZ Commission suggested the Griffo's work with the City of Roswell for possible extension of the 10-inch water line. He wanted to know why that was important. Mr. Morris stated it is best to loop the system so that the water circulates and doesn't sit in a pipe. Commissioner Ezzell asked how the County got this easement. Louis Jaramillo stated the easement was a plat dedication. Commissioner Ezzell asked about the 20-foot easement and if it was entirely on Griffo's property or split down the boundary line. Louis Jaramillo stated a new easement would be simplified by it being on one property. Commissioner Ezzell also asked if there was a reason the easement would go to the City rather than the County. Louis Jaramillo stated when an easement is created it is recommended to state for what purpose, the size and the duration. It is restricted to a utility easement. Commissioner Corn moved to vacate the County easement. Commissioner Bilberry seconded the motion. A voice vote was unanimous, and the motion carried.

AGREEMENTS AND RESOLUTIONS**RESOLUTION R-19-25 TO ENHANCE NEW MEXICO'S ECONOMIC DEVELOPMENT COMPETITIVENESS AND AVAILABILITY OF GOOD CAREERS AND GOOD PAYING JOBS FOR NEW MEXICO CITIZENS**

Stan Riggs stated this resolution is the substitute for Resolution R-19-25 and staff recommends approval. Commissioner Corn moved to remove Resolution R-19-25 from the table. Commissioner Bilberry seconded the motion. A voice vote was unanimous, and the motion carried. Commissioner Corn moved to strike "Amendment No. 1 to" in front of Resolution R-19-25. Commissioner Ezzell seconded the motion. A voice vote was unanimous, and the motion carried. Commissioner Corn read the resolution. Commissioner Corn moved to approve Resolution R-19-25. Commissioner Ezzell seconded the motion subject to some corrections. Commissioner Ezzell stated in the final "Whereas" paragraph it makes reference to "another multi-national corporation" it should be "a multi-national corporation". Also, in the "Now Therefore" paragraph he wishes to replace "demands" with "requests". Commissioner Corn accepted this as a friendly amendment. A voice vote was unanimous, and the motion carried.

RESOLUTION R-19-035 ADOPTING THE FY 2021-2025 ICIP

Georgianna Hunt explained that the Infrastructure Capital Improvement Plan (ICIP) is a working document that is the first of many steps toward improving rational, long-range capital planning and budgeting for New Mexico's Infrastructure. Commissioner Corn mentioned that there were two No. 5's on the priority list and he felt the second No. 5 should actually be No. 8. Ms. Hunt stated that was correct. He mentioned that No. 8 was for \$235,000 and carried out for that amount for the next 5 years. It was stated that these are the vehicle needs by the Sheriff's Department every year. Ms. Hunt stated this and other items on the list are repetitive purchases. Commissioner Corn stated that historically Chaves County absorbs the cost. Commissioner Corn thanked Ms. Hunt for changing the format, which made it much easier to understand. Commissioner Ezzell asked about the color coding. Ms. Hunt stated it was color coded by department. Commissioner Corn moved to adopt the 2021 – 2025 ICIP. Commissioner Dana seconded the motion. The priorities would be determined at a later date. A voice vote was unanimous, and the motion carried.

RESOLUTION R-19-036 SUSPENDING THE MINIMUM PENALTY OF THE PROPERTY TAX CODE

Chaves County Treasurer Charlotte Andrade stated this resolution would suspend the minimum penalty requirements of the Property Tax Code. Based on the exceptionally high rate of property tax collections staff feels that a minimum tax penalty of \$5.00 is unnecessary. Commissioner Dana moved to approve Resolution R-19-036. Commissioner Ezzell seconded the motion. Commissioner Ezzell asked why not leave this in place since it is a small percentage. Charlotte Andrade did not feel it was fair to impose the same amount on those that had very small tax bills. Commissioner Ezzell asked if having it in place increased administrative cost. Treasurer Andrade felt it does because additional tax bills would have to be sent out. A voice vote was 4 to 1, and the motion carried. Commissioner Corn voted no. The Treasurer added that the State Auction for properties delinquent more than 3 years will be held on September 5th at 9:00am and currently there are 37 properties on the list.

RESOLUTION R-19-037 APPROVAL OF DELETION OF PROPERTY

Anabel Barraza stated the Sheriff's Office has determined the attached list of weapons as obsolete. If this resolution is approved these weapons will be sold to a local licensed dealer. Money from this sale will be used toward the purchase of new weapons and ammunition. Commissioner Corn moved to adopt Resolution R-19-037. Commissioner Bilberry seconded the motion. A voice vote was unanimous, and the motion carried.

RESOLUTION R-19-038 CHANGES TO PERSONNEL CHARTS AND REVISED POSITION SPECIFICATIONS

Stan Riggs stated this resolution incorporates the personnel upgrades, modifications, additions and revised charts approved in the final budget for fiscal year 2019/2020. Commissioner Corn moved to adopt Resolution R-19-038. Commissioner Ezzell seconded the motion. A voice vote was unanimous, and the motion carried.

OTHER BUSINESS**PERMISSION TO PUBLISH BERRENDO COOPERATIVE WATER USERS ASSOCIATION INC. FRANCHISE AGREEMENT ORDINANCE**

Bill Williams stated this is a request to publish for a public hearing to create Ordinance No. 106 for a Franchise Agreement between Chaves County and Berrendo Cooperative Water Users Association, Inc. Commissioner Bilberry moved to approve permission to advertise for a public hearing on Ordinance No. 106. Commissioner Dana seconded the motion. A voice vote was unanimous, and the motion carried.

PERMISSION TO PUBLISH UPDATES TO ORDINANCE #44 CHAVES COUNTY RIGHT-OF-WAY USE PERMIT ORDINANCE

Bill Williams stated this is a request to publish for public hearing to amend Ordinance No. 44, creating Revision No. 4. The revision would clarify requirements for repairs to Chaves County roads after utility cuts are performed. Commissioner Corn moved to approve permission to publish updates to Ordinance No. 44. Commissioner Ezzell seconded the motion. A voice vote was unanimous, and the motion carried.

APPROVAL OF CHECKS

Commissioner Bilberry moved to approve checks in the amount of \$2,004,861.20. Commissioner Dana seconded the motion. A voice vote was unanimous, and the motion carried.

APPROVAL OF REPORTS

Commissioner Corn 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 mentioned that his office would be touring the Game and Fish Building this afternoon at 2:30pm and he invited the Commissioners to come since It will be used as a polling place.

Sheriff Herrington introduced 4 new hires to the Chaves County Sheriff's Department. Isaac Nava, Miguel Silva, Gage Kennard and Anna Romero introduced themselves to the Commissioners. Raul Ramos is at the courthouse and unavailable. They will be attending the Academy in January. Commissioner Dana asked how the Explorer Program was working. Sheriff Herrington stated it was excellent. They currently have 38 kids. The kids take a lot of pride in wearing their Explorer Shirts to school on the days they meet.

Louis Jaramillo gave an update on the workforce camp and RV park regulations. The regulations have been presented to the P & Z Commission for review and will be presented to the ETZ Commission next week. Staff visited Eddy County a few weeks ago and saw some very poor facilities as well as some very nice facilities. Eddy County has assisted them on working out some of the details. They hope to present to the Commission in September or October. The ETZ Ordinance and the Planning and Zoning Ordinance are being reviewed for updates and clarification.

Georgianna Hunt stated the Hobson Road Project was a different color on the ICIP because it was placed in its own category.

Rita Kane Doerhoefer stated a gun of hers had been stolen in 2010 and she receives a call each year from "Gun Control" to see if the property has been recovered. Someone is paying attention. She stated the Little League World Series is starting at 11:00am today.

MANAGER'S COMMUNICATION

Stan Riggs stated there would be an election on November 5th this year and he proposed doing the canvas on Tuesday, November 12th. The County will be closed on September 2nd in observance of

Labor day and November 11th in observance of Veterans Day. PERA is being discussed and we are watching this very closely. In September there will be some Collective Bargaining meetings. Each party can bring up 2 items and there will be some discussion on wages. The County is waiting to hear from the Department of the Interior on the BLM RMP. He has met with the advisory group on the Lesser Prairie Chicken and the Lizard. There is a study from a 5-state organization that states the chicken numbers have increased. They are talking about using drones to obtain accurate counts. There are prairie chickens in Nebraska even though that is not their traditional habitat, they have migrated. The Lizard issue is back in court and will probably be tied up for a few years.

COMMISSIONERS' COMMUNICATIONS

Commissioner Corn mentioned the upcoming trip to Washington DC to discuss SRS and PILT. They will be at the Whitehouse on September 12th for a briefing. He has been in touch with Tim Williams and Katherine McGregor from the Department of the Interior and hopes to contact Andrea who is in charge of Endangered Species. Hopefully we can meet with all 3 of them together. It will be nice when the BLM Offices move to Colorado. We are suppose to have an additional 32 BLM employees in New Mexico. He hopes to have time to see the Chief of the Forest Service. He is looking forward to the trip and it is the last one he has scheduled for this year.

Commissioner Dana thanked the new Sheriff's Office recruits for stepping up. She thanked Sheriff Herrington for all his efforts which sends a great message to the community.

Commissioner Ezzell echoed Commissioner Dana. He thanked everyone for their hard work. If you need a ticket to the Eastern New Mexico State Fair Fund Raiser, he has them.

Commissioner Bilberry thanked everyone for their hard work. He welcomed the new recruits. He is looking forward to the Washington DC trip with Commissioner Corn. He said let it rain.

Chairman Cavin stated he is disappointed he will miss the Washington DC trip. It will be a good group that is headed out there this year. He told the recruits he was proud of them for stepping up to represent and protect Chaves County. We have the greatest County in the United States. We work as a team and take care of business. If you can, go see the Vice President. We really need to sign a contract with Mexico and Canada which would put China on notice. He stated God Bless America.

The meeting was adjourned pending the signature of documents at 10:47 a.m.



BOARD OF CHAVES COUNTY COMMISSIONERS

William E. Cavin

William E. Cavin, Chairman

Jeff Bilberry

Jeff Bilberry, Vice-Chairman

Dara Dana

Dara Dana, Member

T. Calder Ezzell Jr.

T. Calder Ezzell Jr, Member

Robert Corn

Robert Corn, Member

Dave Kunko

Dave Kunko
County Clerk