



CHAVES COUNTY
BOARD OF COUNTY COMMISSIONERS

William E. Cavin, Chair
Jeff Bilberry, Vice Chairman



Dara Dana, Member
T. Calder Ezzell Jr, Member
Richard C Taylor, Member

William B. Williams, County Manager

ADMINISTRATIVE MEETING MINUTES
THURSDAY, FEBRUARY 18, 2021
#1 ST. MARY'S PLACE, ROSWELL, NM 88201

Chairman Cavin called the meeting to order at 9:00 am. Commissioner Ezzell led the pledge and Commissioner Bilberry led in prayer. Those present were Commissioners Cavin, Bilberry, Ezzell, Dana, and Taylor. Also present were County Manager, Bill Williams, Under Sheriff, Charles Yslas, Finance Director, Anabel Barraza, County Clerk, Cindy Fuller, news media, staff, and guests.

MINUTES

Commissioner Ezzell moved to approve the minutes from the January 21, 2021 meeting and the February 4, 2021 special meeting. Commissioner Dana seconded the motion. A voice vote was unanimous. The motion carried.

Commissioner Cavin stated that agenda item 5, Resolution R-21-009 Acceptance and Approval FY 20 Audit, would be moved up and presented right after the presentation so we can get the approval of the audit done.

PRESENTATION

Anabel Barraza stated there were a lot of challenges in 2020. She thanked the Accounting Group and many other departments and individuals. They had no findings for fiscal year 2020. The Government Finance Officers Association (GFOA) awarded a Certificate of Achievement for Excellence in Financial Reporting to the County for its comprehensive annual financial report for the fiscal year that ended June 30, 2019. Shawn Mortensen and Audrey Jaramillo went over the report issued by Jaramillo Accounting Group LLC. A few of the financial highlights included, the County's total net position of governmental activities increased \$5.5 million primarily due to an increase of \$1.5 million in investment income and \$2.0 million in gross receipts tax, and the General Fund had \$19.5 million in revenues, . The total expenditures of the General Fund were \$16.2 million. The General Fund's balance increased from \$2.8 million to \$11.0 million primarily due to increased investment income and reductions in interest on bonds. Total assets in 2020 were \$200,389,007 and total liabilities were \$38,376,267.00 for a total net position of \$161,285,392. The County's financial position is the product of several financial transactions including the net result of activities, the acquisition and disposal of capital assets, the depreciation of capital assets, and the payment of debt.

During the audit, no deficiencies in internal control that would be considered material weaknesses were found. The results of tests by the Accounting Firm disclosed no instances of non-compliance or other matters that are required to be reported under Government Auditing Standards. Operations are running efficiently. Audrey Jaramillo thanked Joe Sedillo. Commissioner Cavin thanked the Accounting Firm.

RESOLUTION R-21-009 ACCEPTANCE AND APPROVAL FY 20 AUDIT

Anabel Barraza stated Resolution R-21-009 is acceptance and approval of fiscal year 20 audit. Pursuant to Section 2 under NMAC, we are required under the Governing Body to acknowledge and accept the Fiscal Year 2020 Audit. Chaves County had a non-modified opinion and no findings. Staff recommends approval. Commissioner Ezzell made a motion to adopt

R-21-009. Commissioner Bilberry seconded the motion. A voice vote was unanimous. The motion carried. The Commission thanked Audrey and Shawn from CFE Jaramillo Accounting Group LLC.

ECONOMIC DEVELOPMENT CORPORATION UPDATE

Mike Espiritu congratulated the County on the audit. They continue to help businesses and find out what they need, link resources, and help them stay in business. They contacted 42 businesses in January. They continue to partner with ENMU working on a federal grant for the Aviation Maintenance Program. Other local businesses are joining in with the apprenticeship program. The Spring River Apartments should be ready to work on the foundation by the end of this month. All permits are in place and they are trying to use local labor. From a marketing perspective, they purchased a list of site selectors throughout the Country looking into the aviation sector. They want to educate people about Chaves County and everything that is here. A new publication will be coming out in the next couple of months. They are working on two new videos to push out to consultants. Commissioner Dana asked if all the CARES Act funding had been distributed. Mr. Espiritu stated yes. We have lost some businesses, but we've almost gained as many as we've lost, and some local businesses are expanding. The local businesses are appreciative of what they have received. They don't want loans. They are seeing an uptick in people with great ideas.

Commissioner Dana asked if he had heard anything about American Airlines. Mr. Espiritu stated there are two flights to Dallas and they are working on a third, in early April there will be a flight to Phoenix. Commission Dana thanked Mr. Espiritu. Commissioner Ezzell stated that the payroll protection program rules have changed and asked Mr. Espiritu to tell everyone about this tax credit. Mr. Espiritu stated that many businesses are still waiting for PPE money. Commissioner Ezzell asked about a second round of PPE. Mr. Espiritu stated they haven't heard yet. Commissioner Taylor clarified some stipulations on the PPE loans. Mr. Espiritu stated the EDC will continue to monitor and get the word out. Commissioner Cavin asked about the ACCENT project at the air center. Mr. Espiritu stated they're waiting on Western Aviation to get things moving forward. Commissioner Cavin stated there's new management at Job Corps and it's going to be good for our community. Kids will get good vocational training. Commissioner Cavin thanked Mr. Espiritu.

UPDATE ON THE SHERIFF'S OFFICE

Charles Yslas wanted to bring attention and appreciation to the Sheriff's Office staff. There's been a tremendous uptick in shootings and homicides and Officer Yslas commended the Deputies for doing an amazing job with apprehensions. They have done 17 searches of houses and properties, 13 search warrants have been executed, and 21 interviews have been done and are continuing to be done. He thanked all the divisions and the Commission. Commissioner Cavin asked the Deputies to stand and they received a standing ovation.

PUBLIC HEARINGS

PUBLIC HEARING FOR RURAL ADDRESSING SYSTEM ORDINANCE NO. O-108

Louis Jaramillo stated agenda item #1 is a public hearing for a rural addressing ordinance. The Planning and Zoning Staff would like to request approval of this ordinance. The purpose is to repeal and replace existing Ordinance No. 19 with a new rural addressing system that would utilize a comprehensive yet simplistic process for assigning addresses and new road names within the incorporated areas of Chaves County. The Chaves County Planning and Zoning Commission recommended approval of the new rural addressing system Ordinance No. O-108 with one correction to Section 4.9 at a public meeting held on February 2, 2021, by a vote of 3-0. Corrections were also made for grammar errors, a reference mistake and section 8.7 requested by the fire departments to allow them to continue to use a mile marker system. Mr. Jaramillo stated this ordinance will not change anyone's address or street name. Commissioner Cavin opened the public hearing for public comment.

In Favor: None

Opposed: None

Commissioner Cavin closed the public hearing for public comment. Commissioner Ezzell asked about the bias in the ordinance against using a half or an A & B system. Mr. Jaramillo stated they would rather not use the A & B and they do not assign a second address, that remains part of the original address. Commissioner Ezzell asked about the US Postal Service. Mr. Jaramillo stated they are working with the Postmaster and realize sometimes a second address is necessary. Commissioner Ezzell asked about the fees that will be charged. Mr. Jaramillo stated that if it's three or more lots there will be a fee. March 18th is the deadline to be compliant. The big concern is for emergency response and building inspectors. This ordinance is only for new parcels and roads. Commissioner Ezzell made a motion to approve Ordinance O-108. Commissioner Cavin clarified approval would include the changes to 8.6 and 8.7. Commissioner Bilberry seconded the motion. A voice vote was unanimous. The motion carried.

AGREEMENT A-21-002 EMPLOYMENT AGREEMENT

Stan Riggs stated he is honored and excited to be here to present a new contract to William Williams for Chaves County Manager. This is an open-ended contract with the ability of the Commission to end it or Mr. Williams to end it if they so desire. Mr. Riggs recommends approval. Commissioner Dana stated that John Thoesen wanted to speak on Mr. Williams behalf but was unable to be here today. Commissioner Ezzell enthusiastically moved to approve Agreement A-21-002. Commissioner Dana seconded the motion. Commissioner Cavin asked for a roll call vote. Commissioner Taylor voted yes, Commissioner Dana voted yes, Commissioner Ezzell voted yes, Commissioner Bilberry voted yes, and Commissioner Cavin voted yes. Commissioner Cavin congratulated Mr. Williams on becoming the new County Manager.

RESOLUTION R-21-007 DELETION OF PROPERTY & PROPOSED DISPOSITION

Lucia Serrano stated this resolution is for deletion of property and proposed disposition. They are currently in the process of completing their yearly inventory check. Approval will allow staff to remove the inventory listed on exhibit A. Staff recommends approval. Commissioner Cavin asked about the playground equipment. Ms. Serrano stated this is from the Reins for Life Program which is no longer running. Ms. Serrano gave the information to bid on County property, www.govdeals.com, and stated the public may also go to www.surplusdeals.com to bid on items. Ms. Serrano stated they just sold the dozer for the Flood Department for \$75,000. Commissioner Dana made a motion to approve R-21-007. Commissioner Taylor seconded the motion. A voice vote was unanimous. The motion carried.

RESOLUTION R-21-008 APPROVAL OF DWI GRANT & DISTRIBUTION APPLICATION FOR FY 22

Elly Hollon stated she is the new Chaves County Continuum and DWI Coordinator. The Chaves County DWI Program would like approval to submit the FY 22 local DWI grant and distribution application. The estimated distribution amount for FY 22 is \$459,000.00. Chaves County DWI program is applying under the competitive grant in the amount of \$52,500.00. This amount will fund the full-time treatment provider. The application will fund the project year July 1, 2021 through June 30, 2022. Staff recommends approval. Commissioner Ezzell asked how the estimated distribution is arrived at. Anabel Barraza stated this is determined by DFA. Commissioner Ezzell asked how close have their estimates been to the actual amounts? Ms. Barraza stated it's been fairly close; at times they've seen a decrease but they've also seen increases. DFA distributes money every quarter. Commissioner Dana asked what the proposed budget will be used for. Ms. Hollon stated the funds will be used for the full-time treatment provider – Serenity Counseling. Commissioner Dana stated she would like to get back to meeting in person because so much is lost on zoom and we don't want to lose funds. Ms. Barraza stated the vendors are trying to find different ways to reach the youth. There is talk about advertisements. Commissioner Bilberry moved to approve R-21-008. Commissioner Dana seconded the motion. A voice vote was unanimous. The motion carried.

RESOLUTION R-21-010 REQUESTING THAT THE NEW MEXICO STATE LEGISLATURE AND THE GOVERNOR'S OFFICE REVIEW THE RULE CHANGE ENACTED BY THE NEW MEXICO RETIREE HEALTHCARE ASSOCIATION

Bill Williams stated this rule change will affect County employees who retire on or after July 1, 2021 and are not 55 years of age. These employees will be required to work additional years in order to receive their maximum subsidy on their health insurance benefits through New Mexico Retiree Health Care Association. This rule change could result in a large number of employees electing to retire before July 1, 2021. Staff recommends approval. Commissioner Cavin read the resolution out loud. Commissioner Ezzell made a motion to approve R-21-010. Commissioner Taylor seconded the motion. A voice vote was unanimous. The motion carried.

RESOLUTION R-21-011 AUTHORIZING THE COUNTY TO SELL THE PROPERTY LOCATED AT 318 N MAIN STREET IN ROSWELL, NEW MEXICO

Bill Williams stated the County acquired the property at 318 N Main St over ten years ago. The New Mexico State Legislature awarded the County the funds to purchase the property for the Energy Library. The Energy Library used the property as storage until last year when the Library digitized the majority of its records. They no longer need the property and the County desires to sell the property and put it back on the tax rolls. The County had an appraisal done by Lowery Property Advisors, LLC, and the appraised value is \$185,000.00. A purchaser came forward who has agreed to pay the appraised value. If this resolution is approved, staff will forward the documents to the Board of Finance for final approval. Staff recommends approval.

Commissioner Ezzell asked if this property still needed to be marketed conventionally in case there is someone who would want to pay more than the appraised value. Stan Riggs stated that the County can do a private sale. The County did a private sale on the property on St. Mary's complex to Eye Associates. It is up to the Commission whether to do a private sale or put it out to bid. Bill Williams stated there have been inquiries on this property every year. He has kept track of every person who has called this year. He has all the background documented. Commissioner Ezzell made a motion to approve R-21-011. Commissioner Bilberry seconded the motion. A voice vote was unanimous. The motion carried.

OTHER BUSINESS

2021 COMMISSION COMMITTEE APPOINTMENTS

Bill Williams stated that each year the Board of Commissioners are appointed to serve on standing committees. The appointments run from January 1st to December 31st of each year. Mr. Williams read the list of committees. Approval is requested. Commissioner Bilberry made a motion to approve the 2021 Commission Committee appointments. Commissioner Dana seconded the motion. The vote was 4-1. Commissioner Ezzell voted no. The motion carried.

2021 CHAVES COUNTY ANNUAL ROAD HEARING APPLICATIONS AND APPOINTMENT OF FREEHOLDERS

Bill Williams stated the application deadline for the 2021 Chaves County road hearings has passed and no additional applications will be accepted. Three Freeholders must be appointed to view the road requests and make a report thereof to the Board of County Commissioners. The following individuals have been nominated by staff: Cody Rattan, Roswell, NM, Jana Lessard, Roswell, NM, Wesley Pilley, Hagerman, NM, and Cliff Waide as an alternate, from Hagerman, NM. Staff recommends approval. Mr. Williams stated these people represent the community well and there isn't anything particularly contentious this year. Commissioner Bilberry made a motion to approve the applications and appointment of Freeholders. Commissioner Ezzell seconded the motion. A voice vote was unanimous. The motion carried.

APPROVE THE 2020 PERA ANNUAL REPORTS FOR THE CHAVES COUNTY VOLUNTEER FIRE DEPARTMENTS

Alys Klein stated she is here on behalf of the Chaves County Volunteer Fire Departments. They are requesting approval of their annual Public Employee Retirement Reports (PERA). These reports are submitted annually to PERA to allow the volunteer firefighters retirement credit for their service year. Staff recommends approval. Commissioner Bilberry moved to approve the 2020 PERA annual reports. Commissioner Dana seconded the motion. Commissioner Ezzell asked if these were reports of all the active members from the volunteer fire departments. Ms. Klein stated the reports show active and inactive members. There are certain requirements members must meet to get their year of service credit. There are several members on the reports that do not get the credit this year. The credit is determined by the Chief of each department. A voice vote was unanimous. The motion carried.

UPDATE ON GROSS RECEIPTS

Anabel Barraza stated they received the gross receipts report for December 2020. We had a 7.14% increase compared to last year, however, as we look at the comparison from last year to date, we do have a decrease of 6.30%. Under the hold harmless, for February we had an increase of 16.87% or \$9,930.00 more than last year. Looking at the activity, construction had a major increase of ten million dollars more than last year. There also are a lot of solar projects going on which is contributing as well as new homes. Administrative support and waste management is another increase we've had as well as utilities. On the decrease side we've had retail trade, food services, healthcare, and social assistance.

APPROVAL OF CHECKS

Commissioner Dana moved to approve checks in the amount of \$2,260,259.80. Commissioner Taylor seconded the motion. A voice vote was unanimous. The motion carried.

APPROVAL OF REPORTS

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

UNSCHEDULED COMMUNICATIONS

Alys Klein read comments submitted online from Rita Kane Doerhoefer. She stated Keep Chaves County Beautiful is applying for a \$5,000.00 Keep America Beautiful grant for trees. Only ten grants will be awarded and when she has the final disposition she will be in touch. As soon as the regular Cubs schedule is out she will get with each of you to pick your teams. Commissioner Cavin thanked Rita for all she does for Chaves County.

Alys Klein reminded the Commission that Saturday from 10:00 to 12:00 will be the Polar Plunge for Hope with all money benefitting Chaves County Cancer Fund. It's \$20.00 to participate and will be held at the Roswell Rec Center.

Louis Jaramillo stated the Census Bureau put out a notice that they will deliver the redistricting data to all States by September 30th. The original planned date was March 31st. In the next few weeks they will be sending out rough data that we will be able to look at and begin to prioritize and understand what the redistricting will look like.

MANAGER'S COMMUNICATION

Bill Williams thanked all the Commissioners, the community, and Stan for their trust and support. He commented that Stan taught him well and the staff is great. We had a water leak on Tuesday at the juvenile detention center, there aren't any people there. We found out about the leak because the heating system in the Courthouse quit because it was draining the boilers as it was leaking. They do have heat but it's not very efficient and will take several days to get all the air bubbles out. The Judges are on the second floor and we apologized to them, but we are working on getting everything back up. The Airport Authority Steering Committee had its final

meeting yesterday. They are ready to make a recommendation to the City of Roswell Legal Committee. The entire Commission has been invited to attend on February 25th at 3:55 pm, as well as all the City Councilors. Mike McLeod with XCEL Energy reported we are down to EEA0. Number three is the highest rating which is what caused the rolling black outs.

COMMISSIONERS' COMMUNICATIONS

Commissioner Taylor urged everyone to stay warm and get their vaccination so we can get things opened again. Last week he flew, but the sad thing is, there are not that many people on the flights. He found traveling to be very safe and stated that all precautions are being taken. We need to talk to our Legislatures. Our oil industry has a big target on it's back. Suspending fracking leases for four years doesn't help us. We need to have the oil and petroleum industry open.

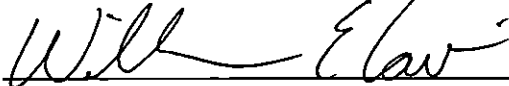
Commissioner Dana stated she also had plumbing issues. Cold weather has been a challenge and people were uneasy with the rolling black outs. She thanked the Road Department for being on standby. It's important for our law enforcement and First Responders to be able to get to a situation if they need to. It's good news about American Airlines reinstating the Phoenix flight. She will go home and book a flight so she can see her kids and grandkids. Things are starting to pick up and hopefully we can get back to semi-normal.

Commissioner Ezzell congratulated Anabel and the Finance Department for the outstanding award. He welcomed our new County Manager.

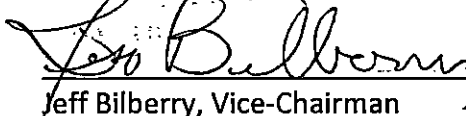
Commissioner Bilberry told Bill they're glad to be part of his team. He also thanked Anabel and her staff. He thanked the Sheriff's Office and told them to be safe. He appreciates everyone and their hard work and is proud to serve with them.

Commissioner Cavin stated we make a great family. He congratulated Bill and appreciates him stepping up to take over the reins as County Manager. Mike McLeod with XCEL Energy has a lot of people upset with him but unfortunately, this has been done by our legislature. We need a good source of all fuels. This is happening all over the Country. Mike will be here next month to give us an update. Santa Fe dropped 700 bills in this 60-day session where people can't be up there to pay attention. A lot of these bills are going to be detrimental to our State. On a positive side, it sounds like they have more money than anticipated so there's a very good chance we could get another five million dollars to create economic development at the Air Center. We're also at the top of the list to finally get HWY 380 from Chaves County to the Texas line at least with passing lanes. Everyone's mail and packages are blockaded in Lubbock because of the weather. God Bless America. Be safe out there and we look forward to seeing everyone at the City Council Legal Committee meeting. The meeting was adjourned at 11:27 am.

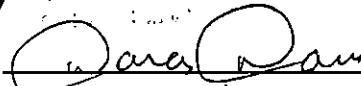
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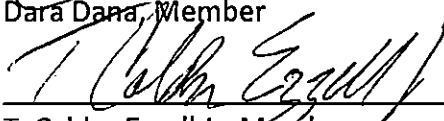
William E. Cavin, Chairman



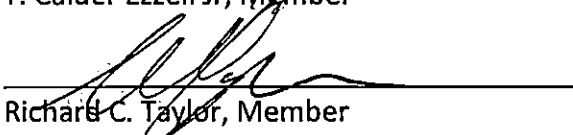
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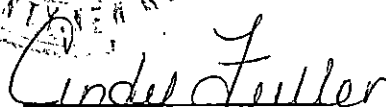
Dara Dana, Member



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Richard C. Taylor, Member



Cindy Fuller

ATTES C.

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Cindy Fuller