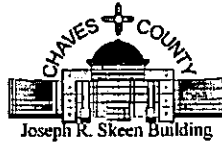




**CHAVES COUNTY
BOARD OF COUNTY COMMISSIONERS**

William E. Cavin, Chairman
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, MARCH 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, Sheriff, Mike Herrington, Finance Director, Anabel Barraza, County Clerk, Cindy Fuller, County Attorney, Stan Riggs, news media, staff, and guests.

APPROVAL OF MINUTES

Commissioner Dana moved to approve the minutes from the February 18, 2021 meeting. Commissioner Ezzell seconded the motion. A voice vote was unanimous. The motion carried.

Commissioner Dana moved to approve the minutes from the February 25, 2021 special meeting. Commissioner Taylor seconded the motion. A voice vote was unanimous. The motion carried.

PRESENTATION

Presenter: Mike McLeod, Regional Manager with Xcel Energy

Mr. McLeod thanked the Commission for inviting him to speak about what's going on with Xcel Energy and in particular, winter storm URI. We had unprecedented activities and wanted to take a few minutes to talk about them. The presentation included information about Xcel Energy, their customers and service area. Natural gas, coal, wind, and solar make up a diversified energy mix. They keep 47 days of fuel on site at their two major coal plants. The coal plants were the work horses during the winter storm. If they did not have these, there would've been more severe outages. They believe they will have to have natural gas storage in the future. This event happened over President's Day weekend. The forecast continued to change in the days ahead of the storm. Natural gas started freezing up and the price of gas went from \$250.00 BTU to \$700.00 BTU. They diverted spare gas from Colorado as the temperatures in Texas were colder than in Alaska at this time. The wind farms have packages that allow them to continue to operate in very cold temps. Outages occurred because SPP, Southwest Power Pool, resources were limited, and they made the call for controlled outages. The first outages occurred on Monday for about 2 ½ hours; Tuesday controlled outages occurred throughout the SPP area and some substations were shut down twice. This is the first time since 1940 that SPP has ever done controlled outages. Mr. McLeod shared photos of the severe icing they were dealing with. Their system is very resilient. Their fleet stayed online and they were able to offset costs by selling in to the market.

Commissioner Cavin asked how the costs would affect customers in Chaves County. Mr. McLeod stated that in Texas, they have retail choice so one of the challenges is there are a lot of middleman companies. They can get very creative with their pricing. The customers who made the news were on wholesale indexed pricing. They were at the market risk. For SPS customers, they anticipate a minimal impact. They are still trying to reconcile their sales verses their purchases. They are estimating it will cost \$200.00 per customer, total, and it will be spread out over 24 months on the customers' bills.

Commissioner Dana asked what was learned through this and where do we go from here. Mr. McLeod stated that they are making sure their power plants can handle severe cold and they are looking at natural gas storage. They also want better control of their fuel supply. Commissioner Cavin thanked Mr. McLeod. Commissioner Ezzell offered a bit of history stating that SPS was founded and incorporated in Roswell in 1911.

UPDATE ON THE ROSWELL CHAMBER OF COMMERCE

Presenter: Andrea Moore, Chairwoman, Roswell Chamber of Commerce

Andrea Moore stated they are moving ahead full steam. They have two weeks before their inaugural issue of Roswell Now magazine hits everyone's doorsteps. It will highlight the dairy and agricultural industry. This will be a quarterly publication. They are looking forward to next year and what they can do for the community as they reopen. Commissioner Dana stated that the Board at the Chamber is wonderful and engaged and doing an amazing job helping businesses. She stated it's a great time to highlight restaurants as they are starting to open. She asked Ms. Moore to post job openings on their site to help the restaurants who are looking for help. Commissioner Dana thanked Ms. Moore for her work and for highlighting all of Chaves County. Ms. Moore stated there definitely are gems in Dexter, Hagerman, Lake Arthur, and all over the county. Commissioner Cavin thanked Ms. Moore.

UPDATE ON THE ECONOMIC DEVELOPMENT CORPORATION

Presenter: Mike Espiritu, President, EDC

Mike Espiritu stated their website does have job postings. They have nine active projects they are working on, all in different stages. They are working with ENMU-Roswell on an FAA grant to attract more people to the aviation field. They finished one video to send to site consultants on aviation and highlighting Chaves County. A second video, focusing on agriculture, is still in production. CAVU Aerospace was awarded money for a training program which will provide ten new apprenticeship jobs. They are looking at other areas to create job opportunities and get our young people involved. Roswell was recently selected and identified as the 32nd highest ranked location in a national site publication for economic development. They were the only one in New Mexico and no other Counties west of Chaves County were selected. They were selected because of Accent Aviation and USA Beef. Accent is ready to sign to build the hangar at the Air Center. Now we can work towards the engineering to do site work. They will continue to help small businesses and restaurants. Mr. Espiritu stated he has been appointed to the Airport Advisory Commission, which is a two-year term. He will help to continue to develop relationships between the City and the County to improve the Air Center. Commissioner Cavin thanked Mr. Espiritu and stated he thinks we're headed in the right direction with the Air Center.

AGREEMENTS AND RESOLUTIONS

RESOLUTION R-21-012 DELETION OF PROPERTY AND PROPOSED DISPOSITION – PHYSICAL INVENTORY - *Presenter: Lucia Serrano, Chaves County Assistant Finance Director*

Ms. Serrano thanked all the departments for completing their fiscal inventory for fiscal year 2021. They still have four volunteer fire departments which should be completed within the next month. Approval of this resolution will allow staff to remove the attached inventory. Per County policy, they are no longer required to tag County furniture so therefore they are requesting to remove those items. Any electrical item over \$50.00 is considered a fixed asset that will need to be tagged. Exhibit A has all the items listed and staff recommends approval. Commissioner Bilberry made a motion to approve R-21-012. Commissioner Ezzell seconded the motion. A voice vote was unanimous. The motion carried.

RESOLUTION R-21-013 REPORTING 2021 CHAVES COUNTY CERTIFIED ROAD MILEAGE TO NMDOT - *Presenter: Bill Williams, Chaves County Manager*

This resolution is a request for approval of reporting the 2021 Chaves County certified road mileage to the NMDOT. As required by section 66-6-23 NMSA, Chaves County is required to report annually a total number of certified miles to the Secretary of Highway and Transportation.

This report is for the funding to counties for road maintenance purposes. The reported mileage for 2020 is 1388.86 miles. Staff recommends approval. Commissioner Ezzell asked if the mileage was up or down from last year. Mr. Williams stated it is down about a mile and a half from last year. Commissioner Ezzell made a motion to approve R-21-013. Commissioner Dana seconded the motion. A voice vote was unanimous. The motion carried.

RESOLUTION R-21-014 CONDEMNATION RESOLUTION

Presenter: Louis Jaramillo, Chaves County Planning and Zoning Director

This resolution is for approval to condemn the property located at 6143 N. Atkinson Avenue, Roswell, NM 88201. The property owner is Roy A Rogala. Staff has received numerous complaints about the trash, debris, and waste that has accumulated over time on this property. Staff has tried to contact the property owner, Mr. Rogala, numerous times, with no success. The property has no water or electrical services but continues to be overrun by transients. Berrendo Water Co-Op and Central Valley Electric Company have both removed their service meters from the property. There is a mortgage on the property held by Freedom Mortgage Corp. and staff informed them of this proceeding by certified mail two weeks ago and has also tried to call. Everything is automated and Mr. Jaramillo has not been able to speak to anyone at the mortgage company. Sheriff Herrington stated they have made numerous calls to this address. Staff will secure the building with locks as it is still structurally sound but will ask to clean up the property within the next two months.

Commissioner Ezzell asked where the owner lives. Mr. Jaramillo stated supposedly at the residence, but no one has been able to make contact with him since March of last year. Commissioner Ezzell also asked if the taxes were paid. Mr. Jaramillo stated no, they are delinquent one year. Commissioner Bilberry stated he has also received several calls about this property. Sheriff Herrington stated the amount of homeless has increased and they just keep coming to these locations. The Sheriff's Office is citing these people with criminal trespass, but they continue to come. Mr. Jaramillo stated they do not want transients to burn this property down as they've seen this happen in the past. Commissioner Cavin asked about the neighboring properties. Mr. Jaramillo stated the neighbors have called in numerous times to Planning and Zoning, the County Manager, and also the Sheriff's Department. They are excited to see this property cleaned up. Commissioner Ezzell made a motion to approve R-21-014. Commissioner Taylor seconded the motion. A voice vote was unanimous. The motion carried.

RESOLUTION R-21-015 FINAL DISPOSITION FOR 2020 ROAD HEARING APPLICATIONS

Presenter: Bill Williams, Chaves County Manager

This resolution is for the final disposition of the 2020 road maintenance applications and new road requests. On July 23, 2020, the Chaves County Board of Commissioners gave preliminary approval for the new roads and allowed six months for them to be brought up to County standards. Normally, this process is done in May but due to COVID they were allowed a little more time to make sure they had opportunity to get things done. Mr. Williams stated that Paul Avenue, El Rosal Street, El Arco Way, Los Padrinos Road, Larry Drive, Allen Avenue, and Suzanne Drive all meet the requirements for acceptance as a county road. Request is being made to place them on the Chaves County Road Atlas and to accept maintenance responsibilities.

New road request applications for Ambush Road and Hopi Road have not met the requirements to be included as new roads and will remain private roads. Staff recommends approval. Commissioner Bilberry asked if either of these properties did anything for approval. Mr. Williams stated Hopi road did nothing. Ambush Road is off Darby. From Darby down to the first property was in pretty good shape. The problem was that it narrowed down to 30 feet and we need a 60 foot right of way. The owners never gave them a right of way or cleared the fence out of the way. Commissioner Bilberry moved to approve R-21-015. Commissioner Dana seconded the motion. A voice vote was unanimous. The motion carried.

OTHER BUSINESS

2021 CHAVES COUNTY ANNUAL ROAD HEARING FREEHOLDER REPORTS AND APPLICATION SUMMARY- *Presenter: Bill Williams, Chaves County Manager*

Submitted are the Freeholder reports from their viewing of the roads submitted on the 2021 road applications. The Freeholders recommend the proposed new roads and road status changes. Additionally, they agree that the roads submitted for vacation meet the requirements to be vacated, as set forth in the Chaves County Road Policy. As such, they request that the Chaves County Commission allow all applications submitted for 2021 to move forward in the road hearing process with the exception of Studdard Road. Staff recommends approval. Mr. Williams stated the public hearing for the submitted applications is April 15, 2021. Commissioner Dana moved to accept the 2021 Chaves County annual road hearing freeholder reports and application summary. Commissioner Ezzell seconded the motion. A voice vote was unanimous. The motion carried.

Mr. Williams thanked the freeholders for the time they spent going out to look at the roads. Without their help it would be impossible to bring forth an honest opinion about what's going on.

PERMISSION TO PUBLISH FOR 2021 PUBLIC ROAD HEARING

Presenter: Bill Williams, Chaves County Manager

This request is to advertise for the 2021 Chaves County Road Hearing. The meeting will take place on April 15th, at the next meeting of the Chaves County Board of Commissioners. Staff recommends approval. Commissioner Ezzell moved to grant the request to advertise the 2021 Road Hearing for the April 15th Commission meeting. Commissioner Dana seconded the motion. Commissioner Bilberry asked that a notice be put in that no decisions will be made at this hearing. Commissioner Cavin stated that is correct and no decisions will be made until the Commissioners go out and view the roads. It will be a hearing where the public can speak and voice issues or concerns. A voice vote was unanimous. The motion carried.

APPROVE FISCAL YEAR 2021-2022 LAW ENFORCEMENT PROTECTION FUND APPLICATION

Presenter: Mike Herrington, Chaves County Sheriff

Through the Law Enforcement Protection Fund, the Chaves County Sheriff's Office is eligible for a total of \$42,200.00 for fiscal year 2021-2022. We are considered a Class 1 population, per the 2010 census, and we are at the maximum amount of \$20,000.00. The number of full time Deputies is multiplied by \$600.00 apiece. We have 37 certified Officers. Multiplying these numbers comes to \$22,200.00, add the \$20,000.00 and you get a total of \$42,200.00. This money will be used to purchase law enforcement apparatus and equipment including ammunition. Sheriff Herrington stated they have \$28,000.00 for this area and it will probably all be used on ammunition because it has gone so high. Costs have tripled. \$14,200.00 has been allotted for expenses associated with advanced training. Staff recommends approval. Commissioner Ezzell asked if this was State or Federal money. Sheriff Herrington stated this is State money. Commissioner Taylor moved approval of the fiscal year 2021-2022 Law Enforcement Protection Fund application. Commissioner Bilberry seconded the motion. Commissioner Cavin asked the Sheriff if they were doing any business with the Red Mountain Arsenal. Sheriff Herrington stated Yes, Red Mountain Arsenal is really good to them, but they are also back logged. Commissioner Cavin stated he is glad we are using a local business. A voice vote was unanimous. The motion carried. Sheriff Herrington thanked the Commission for their support.

UPDATE ON GROSS RECEIPTS

Presenter: Anabel Barraza, Chaves County Finance Director

Anabel Barraza stated that she just received notification of the gross receipts for this month which is the activity for January. It's \$979,183.30 which is a 17.25% decrease compared to last year. The biggest decrease was construction, last month it was up and this month it is down almost 12 million dollars. Mining, coring, and oil and gas extraction is also down four million.

Surprisingly, the retail trade activity was up over 15 million for January. Overall, there was a 7 million dollar decrease in activity over all the categories. Ms. Barraza stated she will update the SWAY report and email the Commissioners the information.

APPROVAL OF CHECKS

Commissioner Taylor moved to approve checks in the amount of \$2,140,282.28. Commissioner Dana 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 Dana seconded the motion. A voice vote was unanimous. The motion carried.

UNSCHEDULED COMMUNICATIONS

Hyrum Hudson stated he is a County resident and owns property in the County. He wants to address something the Commission did at the February 18th meeting. He personally knows people that called in and were trying to give input on the addressing ordinance that was unanimously passed, and they weren't given opportunity to speak against it. The notice that was published in the paper, he believes was not sufficient. The ordinance had the effect of making it a misdemeanor to hook up any electricity, water, or sewer in any place in the County that doesn't have an address. The notice said the ordinance would be posted online and it was not. We had several people looking for it. He talked to Mr. Williams and he didn't know it wasn't posted online. Generally, we've had some bad experiences with ordinances that were passed hush hush. Mr. Hudson stated as far as he knows, the ordinance is no longer online and has been taken down so nobody can look it up or compare it. He requested on the next meeting, give an opportunity for the Citizens to have notice of this ordinance. He read in the paper that it was passed without anybody saying "yes" or "no" for the ordinance and they might want to reconsider the notice part they did.

Tara Arreano lives at 709 S. Brown Rd. She was homeless for a very long time, she got married, and moved here and bought a piece of land. They have been trying to get moved in on the land. The ordinance is preventing them from getting on their land. Her husband is a veteran and they live on a fixed income. She stated she's never had her own home and just wants to have a place to live. Consider what her Uncle just said and make it possible for them to have their home. She tried on Facebook to join the meeting and she posted she couldn't understand and that it was echoing. She heard one of every six or seven words and she couldn't get her voice in there and nobody commented back to her. The only way they can get a place is if they can get electricity to go forward with their plans.

John Goffe lives in Artesia but has property in Chaves County. He stated he didn't get notice like they said, it wasn't online. Basically, it's due process. The first instance of due process comes out of the Bible, Adam was given notice not to eat from the tree. You are inviting lawsuits if you're going to let that stand and not giving us the input. We tried to get on and couldn't do it. You need to reconsider that and get the public input. If you're going to have it on Zoom or anything else that there's people that are on and can voice their opinions.

Commissioner Cavin asked if there was anyone online wanting to add to the public comments. Alys Klein stated Sara Whitaker wanted to thank the Commissioners, Louis Jaramillo, the Sheriff's Department, and Bill Williams on Resolution R-21-014. Evette Marie Contreras lives at 129 W. Crossroads and mentioned for us to try and find cheaper ammo from a different distribution. Ms. Contreras also stated "we own our land and pay taxes for the allowance to be able to build. I own property on Crossroads, all owners listed should have been notified."

Louis Jaramillo stated that Planning and Zoning came before the Commission in January to request for a public hearing at which time they advertised in the local newspaper on January 31st as required by State statute, 14 days prior to the public meeting. They do not notify every resident in Chaves County. They would need to notify approximately 67,000 people and the

income nor requirement is there for this. They followed every step, as required per the Planning and Zoning department and it's not on that department that produced this particular ordinance. As far as being on the website, Mr. Williams brought it to his attention right away and it was on the website. It was difficult to see if you tried to look at it on your phone but on a computer or tablet you could see it. Mr. Williams stated that part of the problem was that the old ordinance was not posted online. Mr. Jaramillo said only the new ordinance was posted, not a strike out version.

Commissioner Bilberry asked Sheriff Herrington to give an update on the immigration process and how what's going on at the border will affect Chaves County in the future. Sheriff Herrington stated there has been an influx of people mostly traveling through. In the Valley area we do have an increase in the amount of people that are coming over from Mexico. For us to get ahold of Border Patrol or anyone else, they've got their hands tied. We are basically trying to get information and trying to see if there is any documentation on them coming across the border. We are just documenting who is coming. Commissioner Bilberry asked if they have seen crime increase. Sheriff Herrington said they've seen an increase in crime across the board and can't really pinpoint that right now. Most of it appears to be drug or narcotics related.

MANAGER'S COMMUNICATION

Bill Williams, Chaves County Manager

Mr. Williams stated it has been a month since they made him the County Manager and he thanked them again for the opportunity. He is looking forward to the road hearings. This year won't be anything too disheartening and he will make sure Calder gets a burrito since he got shorted last year. He, Anabel, and other staff members have been working hard towards getting the budget ready to have budget conversations for next year. There were a lot of unknowns this year and they are going to be cautious and bring the Commission the best possible information so they can make good decisions. He also pointed out they will be interviewing for the Public Services Director position next week and will hopefully find a good candidate. He thanked the Commission for their continued support and for all they do.

COMMISSIONERS' COMMUNICATIONS

Commissioner Taylor stated there was good news. At the next Commission meeting he won't be stressed out because there is a month delay in filing individual tax returns until May 17th. So that's good news for all the folks out there and you have an extra month to get your taxes filed.

Commissioner Dana thanked everyone who was there today and thanked Mike McLeod for the presentation. The Historical Society for Southeastern New Mexico is having a Spring Fling drive thru fundraiser. If you haven't ever been to the Historical Society on the corner of Lea and Second St., they have always tried to preserve the history of Southeastern Chaves County, and we are seeing history trying to be erased. Please help them out with their fundraiser, I'd hate to see Chaves County/Southeastern history go away because we didn't fund them and keep them going. She is disappointed in the gross receipts, but we knew this was coming. She appreciates everyone and what they are doing for Chaves County.

Commissioner Ezzell thanked everyone for their hard work and told Rita he'll take the Cardinals.

Commissioner Bilberry thanked the Sheriff and his crew for all they do. He thanked everyone that came and spoke today, and he appreciate their concerns. They will investigate further but thank you for being citizens of Chaves County. We work hard trying to resolve our issues and problems and work together.

Commissioner Cavin told Mr. Hudson his concerns were heard, and they will be having conversations about it, he's not sure where they will go with it. During public comment is the time for them to tell the Commission what they're thinking about. They will be looking at the concerns and addressing them to the extent they can. He stated Chaves County is an amazing family and everyone is appreciated more than they know. To our Freeholders, thank you for taking the time to look at all the roads. Thank you for serving Chaves County. The legislative

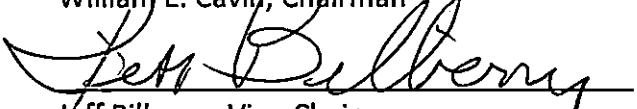
session is about to end. There is going to be a lot of stuff coming that is going to be detrimental to Chaves County and our communities. The bad are going to outweigh the good. A lot of things should pass that we asked for. Every ten years we wonder whether the City of Roswell will get to 50,000, if we get these things going at the Air Center, Roswell and Chaves County's population will grow. The main project is going to be approximately 365 jobs and if they build the second hangar that's going to add another 250 jobs. People will come to work here, and they bring their families. We've got to get our kids back into vocational programs. He spoke to the Sheriff and stated he is disgusted and depressed over where this country is headed with our law enforcement and how they are getting stepped on and run over. You guys are out there to protect and serve and do all the right things. There are some bad apples out there, but leadership is what it's all about and he thanked the Sheriff for his service to our community. There are a lot of great things ahead of us. God bless this Country, County, and City.

The meeting was adjourned at 10:48 am.

BOARD OF CHAVES COUNTY COMMISSIONERS



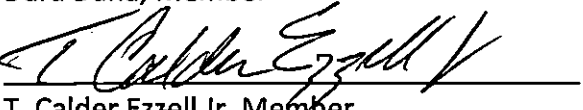
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Cindy Fuller