



STATE OF NEW MEXICO, COUNTY OF CHAVES
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Book 00072 Page 00581 Pages 5
Dave Kunko, County Clerk

AUGUST 15, 2013

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 Nibert called the meeting to order at 9:00a.m. Those present were Commissioners Nibert, Corn, Wooton, Chesser and Duffey. Also present were County Manager Stan Riggs, Public Services Director Sonny Chancey, Sheriff Rob Coon, County Assessor Ron Lethgo, County Treasurer Steve Harris, Finance Director Joe Sedillo, IT Director Jason Prince, County Clerk Dave Kunko, news media, staff and guests.

Commissioner Duffey led the Pledge of Allegiance and Commissioner Chesser led in prayer.

MINUTES

Commissioner Corn moved to approve the Minutes of June 21, 2013, July 11, 2013 and July 30, 2013. Commissioner Duffey seconded the motion. Commissioner Chesser mentioned an error on the June 21 minutes and asked that the portion of the July 11th meeting where Dr. Tuggle spoke about the Wolf be included. A voice vote was unanimous and the motion carried.

PUBLIC HEARING – ORDINANCE O-008 REVISION #21 TO THE PERSONNEL POLICY

Stan Riggs explained the process that was followed up to this point which included the appointment of a committee and addressing many issues including extending probation, the leave policy, the grievance procedure, the weapons policy, bullying and the personal holiday. Chairman Nibert opened the meeting up to the public and no one spoke in favor of revision #21 to Ordinance #8.

The first to speak against the ordinance revision was Raymond Romero. Removing the additional vacation hours after reaching 21 years of service was unfair along with the 10 holiday hours they already lost. Also the conversion of sick leave when you miss less than 20 hours in a year should not be taken away.

Gerald Cox stated that the employees at the road department really value their benefits. He asked that the Commission reconsider the reduction in holiday hours from 90 to 80.

Dan Copeland asked for a show of hands from the audience of those that came to the County because of the benefits. Most of the Road Department employees raised their hands. Taking away the increase in vacation leave after 21 years is penalizing years of service. Many of the road department employees are working a second job and there was another show of hands. Taking these things away could hurt morale.

David Gonzales from Planning and Zoning would like to see Veteran's Day returned to the holiday schedule. Instead of removing the 40 hours additional time at 21 years of service maybe the increase could be 20 hours.

Britt Snyder from the Sheriff's Office stated he is in his 24th year and the reduction in vacation hours would affect him. He also stated that in the Sheriff's Office you can top out on the pay scale around 10 to 12 years and most years there is not cost of living increase. Increasing the probation period is a real good thing. We need to find a way to keep long term employees.

Ron Lethgo asked for clarification on the pay for Chief Deputy Clerks. It states in the new Policy it will be 95% of the Elected Official. Stan explained that it will not reduce what Chief Deputies are making now. New Chief Deputies would receive 95% of the Elected Official's salary.

Dick Smith stated topping out on the salary schedule was an issue and that Chaves County pays less than other counties.

Commissioner Chesser moved approval of Ordinance O-008, the Chaves County Personnel Policy Revision #21. Commissioner Corn seconded the motion.

Mr. Riggs stated they are aware the wage chart needs to be worked on and mentioned unknown costs to the County like Insurance Premiums, PERA and other revenue problems. He stated they were pulling the sick leave incentive because it is not used very much. He explained that if someone used less than

20 hours of sick leave in a year they could convert 8 hours of sick leave to vacation. There was additional discussion about step increases and the wage chart.

Commissioner Nibert stated it was difficult to balance benefits and wages. He felt 90 hours accrued vacation was too much and reduced it to 80 hours. The County has picked up the PERA increase and does make cost of living increases when the budget allows. Commissioner Wooton added section 9.11 back in the policy and it was accepted as a friendly amendment.

Commissioner Corn stated revenues could be flat for the next 3 to 4 years and the State has taken away the "Hold Harmless" incentive so it could be a struggle for the foreseeable future. It was also stated that Payment in Lieu of Taxes (PILT) may go away which is 2.5 million that we must be prepared to address.

Commissioner Duffey thanked the committee putting this together, and would to offer a friendly amendment on vacation accrual to allow for employees from 21 to 24 years of service their accrual per pay period would go to 7.69 and at 25 years the accrual would go to 9.23 or 240 hours per year. This amendment was accepted.

There was discussion about the new policy stating Chief Deputies would receive 95% of the Elected Officials salary. Commissioner Nibert stated that it would not go into effect until the start of a new term. Current salaries would not change to the 95% with the passage of this policy.

The motion with the 2 amendments, putting back the original section 9.11 and making the vacation accrual for years of services from 21 to 24 years 7.69 and the accrual for 25 years or more will be 9.23. A short recess was taken at 10:15 a.m.

PUBLIC HEARING – ORDINANCE O-086 – AN ORDINANCE PROHIBITING THE IMPORTATION AND RELOCATION OF PRAIRIE DOGS AND OTHER NUISANCE ANIMALS INTO OR WITHIN CHAVES COUNTY

Stan Riggs mentioned two amendments to language in the ordinance. Chairman Nibert asked for those in attendance wishing to speak in favor of the ordinance.

Tim Pollard a farmer and rancher near Hagerman stated he has a prairie dog problem. He believes the ordinance should include all non-domesticated animals. Deer have now moved in to the area which has also brought in mountain lions.

Leroy Lang stated he is on the Soil Conservation Board and he would like to see a noxious weed program. Chairman Nibert asked that the Soil Conservation Board make a recommendation to the Commission.

Sandra Barraza said this is a good ordinance because prairie dogs are a problem. They are detrimental to Agriculture.

Chairman Nibert asked for individuals wishing to speak against this ordinance.

Chuck Schmidt from BLM stated he was not for or against this ordinance. The BLM was asked to look into moving approximately 100 prairie dogs off of private land. He mentioned possibly moving them to the Sand Ranch. The prairie dog is considered a special status species. He also stated he would slow this process down.

Dan Begow the Wildlife Biologist for the BLM is in the process of doing an environmental assessment. An abandoned prairie dog colony does exist at the Sand Ranch. He stated prairie dogs do not migrate but they can be a nuisance.

Commissioner Wooton wanted to know if the ranchers in the area knew this was being considered. Chuck Schmidt stated they were contacting everyone in the area.

Dick Smith said he had a gopher problem. The tools to control them are being taken away.

Chris Cortez stated we need to work with the farmers, ranchers and federal agencies. It is important to gather all the information and then use the resources we have available.

Commissioner Wooton moved to approve Ordinance O-086 with the amendments as per the County Manager. Commissioner Chesser seconded the motion.

Commissioner Corn mentioned problems with weeds, salt cedars, wolves, coyotes, rabbits and that they seem to create conflict between the County and the Federal Government. Too much time is spent on critters, let the Citizens for Prairie Dogs have them.

Commissioner Nibert stated we do not need more prairie dogs in Chaves County. Environmental groups push the issue which makes us react. We really need this ordinance.

Commissioner Duffey felt the prairie dog issue was a surprise and there should have been more communication from the very beginning.

Chuck Schmidt stated there was correspondence with the County Manager and P & Z.

Commissioner Wooton asked if there was proof they would not migrate.

Dan Begow stated movement was not uncommon but they do not migrate. There are no guarantees they will stay. At Sand Ranch they are 45 miles from everything and 2 miles away from the next colony.

Commissioner Wooton was concerned that there was private land close to this colony.

Chuck Smith stated the BLM gets some wild requests and they must follow through with their normal procedures.

Commissioner Nibert felt that a lot of time and effort were spent on the lizard and prairie chicken and it does not seem right to bring prairie dogs into this same area.

Mr. Schmidt stated these species would not be in conflict, they can co-exist.

Commissioner Nibert felt the Environmental Assessment should look close at this issue.

The motion as amended went to a vote. The voice vote was unanimous and the motion carried.

CHECKS

Commissioner Duffey moved to approve checks for the period in the amount of \$ 2,241,973.53 and include \$740,933.79 that was missed in the last approval of checks. Commissioner Wooton seconded the motion. A voice vote was unanimous and the motion carried.

REPORTS

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

UNSCHEDULED COMMUNICATIONS

Sheriff Rob Coon stated a judge has stopped the horse slaughter plant. A worker at the plant was worried about protection. The sheriff assured her they would keep the road clear and protect them to the gate. The USDA is not ready for this issue. They had no clue there was just one way in and out of the property. There will be cooperation with the State Police. News trucks and protestors will be an issue. He explained it is a narrow right of way that will have to be kept clear.

Finance Director Joe Sedillo introduced Jessica Lucero, a new finance department employee.

IT Director Jason Prince thanked the Commission and Committee for all their hard work. He is thankful to have a job. The new email server is up and running and will be a great tool. He thanked everyone for their patience.

Ed Carpenter from the Road Department thanked the Commission for their hard work and stated he loves working for the County. He has 3 special needs kids that he spends time with on holidays and days off.

MANAGER COMMUNICATIONS

Stan stated there is a new schedule from the architect for the Correction Center and it would go out to bid August 28th. The County has started to put together a committee for the subdivision ordinance changes, so if the Commission has any recommendations, please get those names to Stan. The amendments to the Personnel Policy should serve us well for a long time. ICIP is up next and this list has become a big deal. If capital improvements are needed, they must be on this plan. We need to narrow down to our top 5 priorities. The Mayor would like to see water and sewer line replacement on our ICIP for southeast of town. After ICIP will be legislative priorities. We will need to have a meeting with the legislative committee and legislators and include school districts and elected officials from the valley so that we can get a grasp on some of our capital outlay through the legislature. Chaves County has not asked for capital outlay in at least 4 years due to State budget issues. This year we really need to, we have 1 or 2 major road projects that we really need to get started. We need to go into closed session once the meeting is over to discuss legal matters.

COMMISSIONERS COMMUNICATIONS

Commissioner Corn asked Stan about other committees formed by the county in reference to ETZ matters. Stan mentioned the ETZ Commission looks at Planning and Zoning. Also there is an ad-hoc committee that looked at the Comprehensive Plan and has not met in a while. Commissioner Corn stated the Comprehensive Plan is serious stuff so maybe this group needs to meet more often. Since we have this group looking at "land use" they should probably be members of the subdivision committee. Commissioner Nibert said committee should be broad based and present their work to the ETZ Commission for their review. Commissioner Corn felt today's meeting was very interesting and he learned that County Employees can see the whole picture if they understand all the things that need to be considered and they understand tough decisions have to be made.

Commissioner Duffey stated that the NMAC Board of Directors met in Angel Fire and went over the legislative priorities. You can see the priorities on the NMAC website.

Commissioner Wooton mentioned the New Mexico Championship Ranch Rodeo is coming up Friday and Saturday night so come and support the teams.

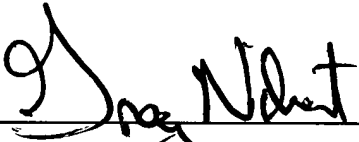
CLOSED SESSION

Commissioner Duffey moved to approving moving in to a closed session pursuant to section 10-15-1(H)(7) for pending or threatened litigation. Commissioner Wooton seconded the motion and Commissioners Corn, Nibert, Duffey and Wooton all voted yes in a roll call vote at 11:58a.m.

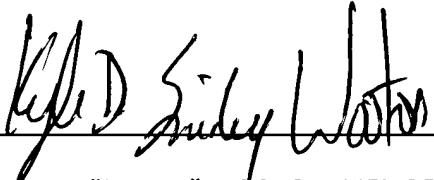
Commissioner Corn moved to come out of the closed session. Commissioner Duffey seconded the motion. A roll call vote was unanimous. Chairman Nibert stated to let the record reflect that the items discussed in closed session were limited to those items mentioned in the motion for closure and no action was taken.

The meeting was adjourned at 12:37 p.m. pending the signature of documents.


CHAVES COUNTY BOARD OF COMMISSIONERS



GREG NIBERT, CHAIRMAN



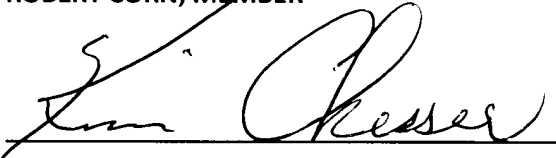
KYLE D. "SMILEY" WOOTON, MEMBER



ROBERT CORN, MEMBER



JAMES DUFFEY, VICE CHAIRMAN



KIM CRESSER, MEMBER

ATTEST:



DAVE KUNKO, COUNTY CLERK

