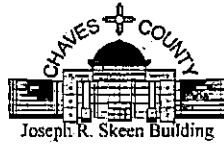




**CHAVES COUNTY
BOARD OF COUNTY COMMISSIONERS**

**Jeff Bilberry, Chairman
T. Calder Ezzell Jr.
Vice Chair**



**Dara Dana, Member
Richard C Taylor, Member
Michael J. Perry, Member**

William B. Williams, County Manager

ADMINISTRATIVE MEETING MINUTES

THURSDAY, APRIL 20, 2023

**CHAVES COUNTY ADMINISTRATIVE CENTER – JOSEPH R SKEEN BUILDING
#1 ST. MARY'S PLACE, ROSWELL, NM 88203**

CALL TO ORDER

Chairman Bilberry called the meeting to order at 9:00 AM.

PLEDGE OF ALLEGIANCE

Commissioner Perry led the pledge and Commissioner Dana led in prayer.

DETERMINATION OF QUORUM

Those present were Commissioners Bilberry, Ezzell, Dana, Taylor, and Perry.

Also present were County Manager, Bill Williams, Public Services Director, Mac Rogers, County Attorney, Stan Riggs, Road Supervisor, Joe West, IT Director, Andrew Rey, Finance Director, Anabel Barraza, County Clerk, Cindy Fuller, County Assessor, Sandra Stewart, County Treasurer, Charlotte Andrade, Sheriff Mike Herrington, media, staff, and guests.

APPROVAL OF MINUTES

MOTION MADE TO: APPROVE THE MINUTES FROM THE MEETINGS HELD ON MARCH 16, 2023, AND APRIL 10, 2023
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER EZZELL
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

PROCLAMATION

CHARACTER COUNTS! IN CHAVES COUNTY

Commissioner Perry read the proclamation out loud. Tim Fuller, Executive Director of Character Counts! in Chaves County was present to accept the proclamation. The last week of April was proclaimed Character Counts! week in Chaves County. A photo was taken with the Commissioners.

PROCLAMATION

MOTORCYCLE AWARENESS MONTH

Bill Williams read the proclamation out loud and proclaimed the month of May 2023 as Motorcycle Awareness Month in Chaves County.

UPDATE FROM THE CHAVES COUNTY COOPERATIVE EXTENSION OFFICE

Presenters: Tamara Schubert, FCS/4-H Agent, and Drew Garnett, Extension Ag Agent

Ms. Schubert gave an update on the 4-H programs which are open to kids ages 5-18. This last year they had 239 youth enrolled along with 79 adults over the eight clubs that are active in the county. This was a 25% increase from the prior year. They held 12 countywide workshops for the youth. On the FCS side, they have five extension clubs in the county that provide three scholarships to area youth. They also provided 1200 books for newborns along with 120 nursing coverups for moms. Through the program, they also provided six leadership trainings.

Mr. Garnett stated in November of last year they provided five CEUs. They provided 105 pecan weevil traps which they ran out of in 27 minutes. He helped a local business in Chaves County develop a point of sale for their pesticides for homeowners. He averaged 22 house calls a month where he would help with horticulture issues or other issues they were having. They hosted the Southeast Ranchers Workshop. They restarted the master gardeners' program as well.

UPDATE FROM ROBERT WEIDNER, RURAL PUBLIC LANDS COUNTY COUNCIL, INDEPENDENT LOBBYIST

Mr. Weidner stated he considers it an honor to represent Chaves County in Washington, D.C. He has been an advocate for access to federal lands in the West. His primary responsibilities for the county have been payment in lieu of taxes and secure rural schools payments. He shared the latest set of proposed regulations from the Interior Department. The Interior Department has proposed three new additions to the act without asking Congress to amend the act. They want to stop the use of federal lands as well as block access. He has been working to fight this administrative overreach. The new Interior Secretary from New Mexico has endorsed this agenda and her primary objective appears to be to add more restrictions to the use of the land. He discussed LATCF payments to counties.

Mr. Williams stated the county has received one payment so far of \$3.93 million dollars and the total of the two payments Chaves County will receive is \$7.8 million dollars. Counties that were harmed by governmental policies over the last 20 years was the criteria for the LATCF funding.

AGENDA ITEMS

PUBLIC HEARING

1. 2023 ANNUAL ROAD HEARING

Presenter: Mac Rogers, Public Services Director

Mr. Rogers stated having received applications for the 2023 annual Chaves County Road hearing the Commission will now hear any public input regarding the requested road vacations, maintenance status changes, and new road requests. This public hearing was properly advertised per statutory requirements.

Chairman Bilberry opened the public hearing for public comments.

NEW ROAD APPLICATIONS

Application #1 – 2,648 feet of Poppy Road lying north of Bright Sky

IN FAVOR: NONE

OPPOSED: NONE

ONLINE: NONE

Application #2 – 683 feet of Poppy Road lying south of Bright Sky

IN FAVOR: NONE

OPPOSED: NONE

ONLINE: NONE

MAINTENANCE STATUS CHANGE REQUEST APPLICATIONS

Application #3 – 1,987 feet of Chestnut Avenue

IN FAVOR: NONE

OPPOSED: NONE

ONLINE: NONE

Application #4 – 6,115 feet of Bitter Lakes Road

IN FAVOR: Daniel Solis, 3790 Bitter Lakes Road, Roswell, NM

OPPOSED: NONE

ONLINE: NONE

Application #5 – 2,139 feet of Palacio Dr.

IN FAVOR: Neil Roe, 10 Palacio Dr., Roswell, NM

Pat Clark, 118 Mistico Lane, Roswell, NM

OPPOSED: NONE

ONLINE: NONE

Application #6 – 1,678 feet of Via Verde Drive

IN FAVOR: Neil Roe, 10 Palacio Dr., Roswell, NM

Pat Clark, 118 Mistico Lane, Roswell, NM

OPPOSED: NONE

ONLINE: NONE

Application #7 – 1,662 feet of Loma Linda Dr.
IN FAVOR: Neil Roe, 10 Palacio Dr., Roswell, NM
Pat Clark, 118 Mistico Lane, Roswell, NM
OPPOSED: NONE
ONLINE: NONE

Application #8 – 1,344 feet of Navajo Road
IN FAVOR: Louis Angelos, 4821 Dirt Road, Roswell, NM
OPPOSED: NONE
ONLINE: NONE

ROAD VACATION REQUESTS

Application #9 – 13,841 feet of Walnut Draw Road
IN FAVOR: NONE
OPPOSED: NONE
ONLINE: NONE

Application #10 – 2,766 feet of Phoenix Road
IN FAVOR: NONE
OPPOSED: Anabel Barraza, 81 W. Darby, Dexter, NM
ONLINE: NONE

Application #11 – 1,262 feet of Cedar Avenue
IN FAVOR: Mike Douglass, Smith Engineering, 401 N. Pennsylvania, Roswell, NM acting as agent for Rand French and Francisco Olvera
OPPOSED: NONE
ONLINE: Cinda Olvera, 3801 Cedar Ave., Roswell, NM

Application #12 – 600 feet of Avenue B
IN FAVOR: NONE
OPPOSED: NONE
ONLINE: NONE

Applications 13 through 17 were found by the Freeholders to not meet the requirements for vacation and are not being considered today.

Application #18 – 346 feet of 38th Street
IN FAVOR: Mike Douglass, Smith Engineering, 401 N. Pennsylvania, Roswell, NM acting as agent for Rand French and Francisco Olvera
OPPOSED: NONE
ONLINE: NONE

Application #19 – 484 feet of 39th Street
IN FAVOR: Mike Douglass, Smith Engineering, 401 N. Pennsylvania, Roswell, NM acting as agent for Rand French and Francisco Olvera
OPPOSED: NONE
ONLINE: NONE

Application #20 – 1,240 feet of Paiute
IN FAVOR: NONE
OPPOSED: NONE
ONLINE: NONE

Application #21 – 1,307 feet of Spruce Avenue
IN FAVOR: Mike Douglass, Smith Engineering, 401 N. Pennsylvania, Roswell, NM acting as agent for Rand French and Francisco Olvera
OPPOSED: NONE
ONLINE: NONE

Tuesday, April 25th at 8:00 am was set for the Commissioners to view the roads.

2. AGREEMENT A-23-004 BETWEEN NEW MEXICO DEPARTMENT OF FINANCE AND ADMINISTRATION AND CHAVES COUNTY FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT 22-C-NR-I-03-G-08 FOR A NEW PUBLIC HEALTH BUILDING IN CHAVES COUNTY

Presenter: Adriana Zapata, Community Development Division

Ms. Zapata stated staff requests approval for Agreement A-23-004 between Chaves County and the New Mexico Department of Finance and Administration for the CDBG Project 22-C-NR-I-03-G-08 in the amount of \$750,000.00 for a new Public Health Building in Chaves County. Staff recommends approval.

MOTION MADE TO: APPROVE AGREEMENT A-23-004
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER TAYLOR
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

3. AGREEMENT A-23-005 – LEASE AGREEMENT FOR AN EASEMENT FOR AN EMERGENCY COMMUNICATIONS TOWER

Presenter: Bill Williams, Chaves County Manager

Mr. Williams stated this agreement is to renew a lease agreement with Jay Powell for an easement used for an emergency communications tower for Chaves County. The previous lease with Mr. Powell's parents expired in February 2021. We will compensate Mr. Powell at the old lease rate for the time between its expiration and now. The new rate will take effect immediately and will run for five years. The first term is for 15 months and is designed so that the subsequent 12-month terms align with our fiscal year. This tower is part of our communications network which links all of our communications towers to assure the best coverage within the large geographic area of our county. Staff recommends approval.

MOTION MADE TO: APPROVE AGREEMENT A-23-005
MOTION MADE BY: COMMISSIONER PERRY
SECOND MADE BY: COMMISSIONER EZZELL
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

4. AGREEMENT A-23-006 BETWEEN CHAVES COUNTY AND APOLLO MEDFLIGHT FOR IHC PROVIDER

Presenter: Anabel Barraza, Chief Financial Officer

Ms. Barraza stated Apollo MedFlight is the new air ambulance provider for Roswell and Chaves County. Chaves County has prepared this agreement to accept Apollo MedFlight as a provider for Indigent Health Care so that they can be reimbursed at the IHC rate. Staff recommends approval.

MOTION MADE TO: APPROVE AGREEMENT A-23--6
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER EZZELL
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

5. RESOLUTION R-23-008 – DELETION OF PROPERTY AND PROPOSED DISPOSITION

Presenter: Lucia Serrano, Assistant Finance Director

Ms. Serrano stated their approval of this resolution will allow staff to remove the attached inventory. Exhibit "A" has the assets listed. Staff recommends approval.

MOTION MADE TO: APPROVE RESOLUTION R-23-008
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER EZZELL
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

6. RESOLUTION R-23-009 – RE ADOPTION FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL CERTIFICATION AND COMMITMENTS

Presenter: Adriana Zapata, Community Development Division

Ms. Zapata stated they are requesting approval of Resolution R-23-009 which is a re-adoption for the Community Development Block Grant, (CDBG) Annual Certifications and Commitments. Those certifications and Commitments are:

Resolution to Adopt CDBG Requirements

Fair Housing Assessment

CDBG Federal Requirements: Citizen Participation, Fair Housing, Residential Anti-Displacement, Relocation Assistance and Section 3 Plan with Required Elements.

Staff recommends approval.

MOTION MADE TO: APPROVE RESOLUTION R-23-009
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER DANA
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

7. RESOLUTION R-23-010 – APPROVING CHANGES TO PERSONNEL CHARTS

Presenter: Emma Dominguez, Human Resources Director

Ms. Dominguez stated this resolution incorporates the downgrade of the Administrative Deputy Assessor to Deputy Assessor and the renaming of the GIS Specialist to Assessor's Office Administrator. Charts A, B, and H have been updated to reflect the changes. Staff recommends approval.

MOTION MADE TO: APPROVE RESOLUTION R-23-010
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER DANA
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

8. RESOLUTION R-23-011 – INTENT TO SUE REGARDING THE LESSER PRAIRIE CHICKEN LISTING DECISION

Presenter: Bill Williams, Chaves County Manager

Mr. Williams stated this resolution is a notification of the intent of the Chaves County Board of Commissioners to sue the US Fish and Wildlife Service for its decision to list the Lesser Prairie Chicken under Rule 4(D) of the Endangered Species Act. The resolution describes the economic hardships that will be encountered by those within the identified range, the successful collaboration and recovery efforts initiated by the public, lack of transparency by the federal government concerning the economic impact of the listing, and the questions of the validity of the studies used to make the final determination to issue a 4(D) rule. Staff recommends approval. Mr. Williams read the resolution out loud.

MOTION MADE TO: APPROVAL RESOLUTION R-23-011
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER TAYLOR
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

9. RESOLUTION R-23-012 – BUDGET ADJUSTMENT RESOLUTION FY 2023

Presenter: Anabel Barraza, Chief Financial Officer

Ms. Barraza stated the Finance Department is requesting a budget adjustment for line items in Exhibit "A". These budget adjustments are for donations to the Sheriff's Office, an estate donation to Sierra Fire Department, and increase requests for various insurance lines that were affected by the increases from insurance/tort liability coverage. Staff recommends approval.

MOTION MADE TO: APPROVAL RESOLUTION R-23-012
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER TAYLOR
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

BID'S/RFP'S
10. RFP 23-01

Presenter: Analia Nieto, Purchasing Director

Ms. Nieto stated Chaves County received nine proposals in response to our Investment Management Services RFP. All proposals were considered responsive to specifications and requirements outlined within the RFP, and the evaluation committee conducted reviews of the proposals. The evaluation committee has recommended an award to Insight Investments. If awarded, an agreement will be on the agenda for consideration at the May Commission meeting.

MOTION MADE TO: APPROVAL RFP 23-01
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER EZZELL
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

APPROVAL OF CHECKS

MOTION MADE TO: APPROVE CHECKS IN THE AMOUNT OF \$2,640,989.56
MOTION MADE BY: COMMISSIONER TAYLOR
SECOND MADE BY: COMMISSIONER DANA
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

APPROVAL OF REPORTS

MOTION MADE TO: APPROVE REPORTS
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER EZZELL
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

UNSCHEDULED COMMUNICATIONS LIMITED TO THREE MINUTES PER VISITOR NOT TO EXCEED 15 MINUTES. NO FORMAL ACTION WILL BE TAKEN BY THE COMMISSION.

Charlotte Andrade, Chaves County Treasurer

Ms. Andrade reminded the Finance Committee that they will be having a portfolio review next Wednesday at 10:00 am in the conference room.

Rita Kane-Doerhoefer, very narrow unstriped Chicago Cubs mailbox, Mark Road

Ms. Rita stated she is the secretary of Keep Chaves County Beautiful. It's difficult to spend grant money but Anabel and Adriana have taken care of everything. KCCB will care for the planters on Main Street in front of the Courthouse. They have a new project with the Boys and Girls Club. They are painting rocks to give out to visitors. There will be a clean-up at Bitter Lakes this Saturday. KCCB is helping Character Counts on the 29th with a clean-up as well. Their grant has been submitted. There is a golf tournament on Saturday and KCCB will have trash cans and bags.

MANAGER'S COMMUNICATIONS

Mr. Williams stated it's always good to look out into the audience and see new faces. He thanked all County employees. He and Commissioner Bilberry had a meeting on Tuesday with the Roosevelt County Commission on the Lesser Prairie Chicken. It's a concern all across Eastern New Mexico and parts of Texas. They also had a meeting last week with the United States Forest Service who has plans to have as much as 403,000 acres of wilderness area in Chaves, Otero, Lincoln, and Eddy Counties. They have failed to follow their own rules down to the fact that they didn't have any meetings in Chaves County until they called them on it. He is looking forward to the Road Hearing next week.

COMMISSIONERS' COMMUNICATIONS

COMMISSIONER PERRY

Commissioner Perry stated he appreciates, from a learning standpoint, former Commissioner, Will Cavin's help in the process, and he appreciates his leadership. He told the Sheriff he hopes everyone is ok after the pursuits they've had and he thanked everyone in the County.

COMMISSIONER TAYLOR

Commissioner Taylor stated it seems the Prairie Chicken doesn't go away. Our DWI Program put on the Every 15 Minutes Program and it was very successful. If it saves one life, it's been worthwhile. A lot of effort went into this. We're in very dry conditions so please be careful that we don't start any fires. We don't need disastrous fires.

COMMISSIONER DANA

Commissioner Dana thanked Bill for putting on the Forest Service meeting. She also thanked Bill and Jessica for hosting the New Mexico County Legislative update meeting. She thanked the Road Department and all staff. She thanked Finance for the budget process and everything they are doing now too and stated every department is phenomenal. We do need to be mindful until we can get some rain.

COMMISSIONER EZZELL

Commissioner Ezzell thanked everyone for their hard work. The budget process is just beginning and the work that goes into that is expansive. He is glad to have Commissioner Taylor on the Finance Committee with him. There is a war going on against the West right now. This Administration and Federal Agencies are trying to use anything they can to amend federal law and they can't do it, only Congress can amend federal law. We will continue to fight the fight.

COMMISSIONER BILBERRY

Commissioner Bilberry thanked everyone for all they do and all the hard work. He asked Commissioner Taylor to thank Diane for what she has done with the DWI Program. He thanked Robert (Weidner) for being here today and for all his hard work. He thanked Will Cavin for still being engaged in the fight.

CLOSED SESSION PURSUANT TO SECTION 10-15-1(H)(7) TO DISCUSS THREATENED OR PENDING LITIGATION

MOTION MADE TO: GO INTO CLOSED SESSION
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER DANA
ROLL CALL VOTE:
COMMISSIONER PERRY: YES
COMMISSIONER TAYLOR: YES
COMMISSIONER DANA: YES
COMMISSIONER EZZELL: YES
COMMISSIONER BILBERRY: YES

MOTION MADE TO: COME OUT OF CLOSED SESSION AND LET THE RECORD REFLECT THAT THE ITEMS DISCUSSED IN THE CLOSED SESSION WERE LIMITED TO THOSE SPECIFIED IN THE MOTION FOR CLOSURE AND NO ACTION WAS TAKEN.
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER DANA
ROLL CALL VOTE:
COMMISSIONER PERRY: YES
COMMISSIONER TAYLOR: YES
COMMISSIONER DANA: YES
COMMISSIONER EZZELL: YES
COMMISSIONER BILBERRY: YES

The meeting adjourned at 11:23 am.

BOARD OF CHAVES COUNTY COMMISSIONERS



Cindy Fuller

Cindy Fuller
County Clerk

Jeff Bilberry

Jeff Bilberry, Chairman

T. Calder Ezzell Jr.

T. Calder Ezzell Jr, Vice-Chairman

Dara Dana

Dara Dana, Member

Richard C. Taylor

Richard C. Taylor, Member

Michael J. Perry

Michael J. Perry, Member