



STATE OF NEW MEXICO, COUNTY OF CHAVES
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Dave Kunko, County Clerk

OCTOBER 17, 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 9:06a.m. Those present were Commissioners Nibert, Corn, and Wooton. Commissioners Chesser and Duffey were absent. Also present were County Manager Stan Riggs, Public Services Director Sonny Chancey, Chief Deputy Sheriff Pat Jennings, Treasurer Steve Harris, IT Director Jason Prince, Finance Director Joe Sedillo, County Clerk Dave Kunko, news media, staff and guests.

Commissioner Wooton led the Pledge of Allegiance and Commissioner Nibert led in prayer.

MINUTES

Commissioner Wooton moved to approve the Minutes of September 19, 2013. Commissioner Corn seconded the motion. A voice vote was unanimous and the motion carried.

PROCLAMATIONS

Chairman Nibert read a proclamation for Buddy Walk Day in Chaves County. He also read a proclamation declaring October 22nd through October 26th as Character Counts Week.

AGENDA

Chairman Nibert moved Items 5A and 5B to the beginning of the meeting.

TEFRA PUBLIC HEARING

Mr. Riggs explained the IRS requires a public hearing for these bonds and then Resolutions R-13-054 and R-13-055 would be presented after the public hearing. Chairman Nibert stated the Tax Equity and Fiscal Responsibility Act (TEFRA) of 1982, requires a public hearing and the notice was published in the Roswell Daily Record on October 3, 2013. Harold Hobson stated he had concerns and would like to see a map with the easements and right of ways showing where the pipe will run. He also stated having to apply for a discharge permit should be a concern for the county. Dewey Vaughn, President of AGPower FP1, LLC stated the pipeline will be on the dairy property and run along 2 county roads. The manure will be piped and discharged into an enclosed collection pond. Anything going to this lagoon is considered discharge. Methane will be extracted from the lagoon. This process will take away the odor and help with pest control. Once the methane is extracted the manure becomes a condensed material and is sent to the local land fill. Commissioner Wooton met with Mr. Vaughn. He was amazed the pipe for this project is only a 6 inch line. There is a grinding procedure to turn the manure into small particles and there is no fresh water used in the process. No one else spoke during the public hearing portion.

RESOLUTION R-13-054 AND RESOLUTION R-13-055

Mr. Riggs stated Resolution R-13-054 would authorize the issuance and sale of Pollution Control Revenue Bonds and Resolution R-13-055 would declare Chaves County's intent to reimburse expenditures paid by AGPower FP1, LLC for a Solid Waste Disposal Facility. He explained that the reimbursement would come from the sale of the bonds. Staff recommends approval of the resolutions. Commissioner Wooton moved to approve R-13-054 authorizing the issuance and sale of Pollution Control Revenue Bonds and R-13-055 declaring the intent to reimburse expenditures paid by AGPower FP1, LLC for a Solid Waste Disposal Facility through the sale of the bonds. Commissioner Corn was the second. A voice vote was unanimous and the motion carried.

AGREEMENTS A-13-024, A-13-025 AND A-13-026

Charlotte explained that A-13-024 is an agreement between Chaves County and the New Mexico Aging & Long-Term Services Department and the capital outlay amount is \$150,000. This amount is to be used for design, renovating and equipping the Hagerman Senior Center. Agreement A-13-025 is between Chaves County and New Mexico Aging & Long-Term Services Department for \$26,500 to purchase and equip vehicles for the New Mexico Senior Olympics Program in Chaves County. Agreement A-13-026 is between Chaves County and New Mexico Aging & Long-Term Services

Department for \$91,200 to purchase and install equipment for the New Mexico Senior Olympics Program in Chaves County. Commissioner Wooton moved to approve A-13-024, A-13-025 and A-13-026. Commissioner Corn seconded the motion. A voice vote was unanimous and the motion carried.

RESOLUTION R-13-018 ESTABLISHING THE CHAVES COUNTY VOLUNTEER FIRE CHIEF'S COMMITTEE

Georgianna Hunt explained this resolution would create the committee so the chiefs could discuss issues like equipment, training and procedures that affect volunteer fire departments. Commissioners Nibert and Corn felt it was a good idea to get them together for uniformity and organization. Commissioner Wooton moved to approve R-13-018. Commissioner Corn seconded the motion. A voice vote was unanimous and the motion carried.

RESOLUTION R-13-043 BUDGET INCREASE FOR GRANTS AND CONTRACTS

Charlotte Andrade explained this resolution reflects a budget increase for the Fiscal Year 2013/2014 Final Budget showing legislative appropriations for the Midway and East Grand Plains Volunteer Fire Departments. Commissioner Wooton moved to approve Resolution R-13-043. Commissioner Corn seconded the motion and it carried unanimously.

RESOLUTION R-13-053 APPROVING VOTING CONVENIENCE CENTERS

Chaves County Clerk, Dave Kunko explained that pursuant to Section 1-3-2 NMSA 1978 the Board of Chaves County Commissioners shall by resolution designate polling places no later than the first Monday in November of each odd numbered year. Mr. Kunko and BOE Director Olivia Saldana, explained their desire to utilize Voting Convenience Centers (VCC). They proposed having 14 VCC, including one in Lake Arthur, one in Hagerman, one in Dexter, one in East Grand Plains, one at the Roswell International Air Center, one at the Roswell Mall, and 8 in the main portion of Roswell. Two precincts would vote by mail. Commissioners Corn and Nibert requested additional information regarding costs, number of registered voters, voting history for precincts. Commissioner Nibert raised the issue of whether the VCCs as proposed followed the statutory mandates of the Election Code and whether sufficient information was presented to make the required finding of the Election Code. Mr. Kunko thought the statute was revised in the last legislative session. Mr. Riggs left the meeting to check for any updates on the pertinent sections of the Election Code. Upon his return, Mr. Riggs confirmed that the statute had not been revised by the legislature in 2013 and the statute Commissioner Nibert was referencing was the applicable law. Mr. Kunko stated that it was obvious this effort was wasting time. At that point, Commissioner Corn made a motion to approve for upcoming elections in 2014, the same polling places that were in effect for the 2012 election. Commissioner Wooton seconded the motion. A voice vote was taken and the motion passed unanimously.

RESOLUTION R-13-056 APPROVING CHANGES TO POSITION SPECIFICATIONS

Valerie Cornejo explained R-13-056. These changes in position specifications are for the Clerk's Office and Sheriff's Office. Commissioner Wooton moved to approve R-13-056. Commissioner Corn was the second. A voice vote was unanimous and the motion carried.

RESOLUTION R-13-057 APPROVING TITLE CHANGE AND CHANGES TO POSITION SPECIFICATION

Valerie explained that this resolution would change the title of Building Inspector to Building Official and update the existing position specification to be in compliance with the new legislative requirements. Commissioner Wooton moved to approve R-13-057. Commissioner Corn seconded the motion. A voice vote was unanimous and the motion carried.

2014 LEGISLATIVE PRIORITIES

Mr. Riggs stated this sets forth our list of legislative priorities. He mentioned a legislative committee meeting that was held to discuss priorities for the upcoming 30 day session. He mentioned the number one priority is reconstruction of Hobson Road. It is a very expensive project and hopefully Phase 1 can get funding. He mentioned a walking trail, El Camino de Buena Salud, solid waste compactors and a voting machine warehouse. He stated they are opposing any reduction in County revenues, opposing the intercept of the second 1/8 of the IHC Gross Receipts Tax and opposing any

unfunded mandates. Commissioner Wooton moved to approve the 2014 legislative priorities. Commissioner Corn seconded the motion. A voice vote was unanimous and the motion carried.

APPROVAL OF CHECKS

Commissioner Wooton moved to approve checks in the amount of \$1,686,259.25. Commissioner Corn seconded the motion. A voice vote was unanimous and the motion carried.

APPROVAL OF REPORTS

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

UNSCHEDULED COMMUNICATIONS

Rita Kane Doerhoffer thanked the Commission for approving the Senior Olympics items on the agenda. She mentioned working the polls, provisional ballots, a free course at ENMU-Roswell for individuals over 50 years old, a Senior Expo and the Veteran's Parade.

MANAGER'S COMMUNICATIONS

Mr. Riggs mentioned the proposals will be received today by 2:00 p.m. for the renovation of the adult detention center. Four large statewide contractors are going to bid on the project. The Auditors have finished and an exit audit is scheduled for November 8th. The horse slaughter hearing is set for next week at the courthouse. Andy has been working on the comprehensive plan and the update should come to the Commission in November or December. Flu shots are schedule for Monday, November 4th. The health insurance premiums are going up by 10% next July.

COMMISSIONER'S COMMUNICATIONS

Commissioner Corn mentioned he was up in Santa Fe with the New Mexico Oil and Gas Association. Fracking was discussed and the media has been reporting incorrect data. There is a big push to look at all the water issues in New Mexico. Chaves County will want to keep an eye the water committees and issues that may affect our County.

Commissioner Wooton stated hearts and prayers go out to the Dupree family. Clint Dupree worked for Commissioner Wooton for 19 years.

Chairman Nibert stated David Baker has retired from the Assessor's Office but will still be doing some work for the County. He stated the County needs more people like Mr. Baker. Congratulations on retirement and we are glad you will still be helping Chaves County. The Federal Government finally ended the shutdown with what they call a clean bill, however many items have still been tacked on to this bill. He mentioned going to a National Association of Counties meeting to discuss Oil and Gas Issues. There was talk about the resurgence of this industry and its impact on counties. Eventually there may be some deep shale development in Southeast New Mexico. Roosevelt, Lea and possibly Eddy County may join Chaves County in the lawsuit the County filed in reference to the sand dune lizard. It is good to have a close relationship with Counties in our area. We really do need the Berrendo Water Co-op and other Co-ops that service the County to consider expanding their systems. In order to make an impact with the subdivision ordinance it will need to be on the back of the Co-ops to figure out how to service more people. We may need to get the Co-ops involved in this process and share with them how important their roll is in meeting the demands on our aquifer. He mentioned appreciation for Jill and the Roswell Daily Record's coverage of County issues. The meeting was adjourned pending the signature of documents.

CHAVES COUNTY BOARD OF COMMISSIONERS

Greg Nibert

GREG NIBERT, CHAIRMAN

Kyle D. "Smiley" Wooton

KYLE D. "SMILEY" WOOTON, MEMBER

Absent

ROBERT CORN, MEMBER

James Duffey

JAMES DUFFEY, VICE CHAIRMAN

Kim Chesser

KIM CRESSER, MEMBER



ATTEST:

Dave Kunko

DAVE KUNKO, COUNTY CLERK