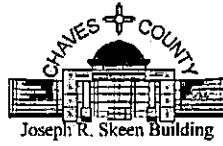




**CHAVES COUNTY
BOARD OF COUNTY COMMISSIONERS**

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, AUGUST 17, 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 Chairman Bilberry 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, Purchasing Director, Analicia Nieto, Road Supervisor, Joe West, IT Director, Andrew Rey, Finance Director, Anabel Barraza, County Clerk, Cindy Fuller, County Treasurer, Charlotte Andrade-Gurule, Flood Director, Brian Houghtalin, media, staff, and guests.

APPROVAL OF MINUTES

MOTION MADE TO: APPROVE THE MINUTES FROM THE MEETING HELD ON JULY 27, 2023

MOTION MADE BY: COMMISSIONER DANA

SECOND MADE BY: COMMISSIONER TAYLOR

IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY

OPPOSED: NONE

AGENDA CHANGE

MOTION MADE TO: MOVE AGENDA ITEM #8 TO AGENDA ITEM #1

MOTION MADE BY: COMMISSIONER EZZELL

SECOND MADE BY: COMMISSIONER TAYLOR

IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY

OPPOSED: NONE

UPDATE FROM THE ROSWELL-CHAVES COUNTY ECONOMIC DEVELOPMENT CORPORATION

Presenter: Mike Espiritu, President and CEO

Mr. Espiritu stated they will be holding a Site League forum. American Airlines is projecting January for Phoenix flights to return but it could be longer. We are the smallest community they serve. Dean Baldwin received a JTIP award. The Alpha 5 Project is a five-person tandem jump off of a balloon. Their window is from the middle of September through the middle of October. This will be a national media event. The purpose of this project is to generate donations to help fund the scholarship program for the families of fallen special operations persons. The Reno Air Racing Association is moving from Nevada after being there for almost 60 years. In 2019 the number of visitors was 70,000 people for one event and the economic impact is over 100 million dollars. The EDC has a full team of people that have sent off a proposal. RARA will make a decision at the end of this year. Ascent Aviation is relocating out of Roswell. The EDC does have a company that is coming back for a second site visit to the bus plant.

UPDATE – FLOOD COMMISSION

Presenter: Brian Houghtalin, Flood Director

Mr. Houghtalin stated the Flood Commission entered into an emergency agreement last year with the NCRS for an emergency watershed protection grant. They should have the final design soon and the final cost estimate is \$1.8 million. Flood control is responsible for \$450,000.00 of that. They have been maintaining the river and drainage channels and retention ponds. They have been repairing flood control structures and flood damage from North of town to the Penasco. Dick Smith has come back to help as a consultant.

UPDATE – CHAVES COUNTY COOPERATIVE EXTENSION OFFICE

Presenters: Tamara Shubert, FCS/4-H Agent, and Drew Garnett, Extension Agricultural Agent

Ms. Shubert stated they finished with the Fair and saw a 9% increase. The sale brought in a lot of money to support the kids. They are working with libraries and Joy Centers to provide training. Drew Garnett stated we are back to pecan weevil season, and they will be hosting workshops. Everyone that shows up learns how to build a trap. They will also set up CEUs for November.

UPDATE – MAINSTREET ROSWELL

Presenter: Barbara Gomez, Executive Director

Ms. Gomez thanked Chaves County for their help with the Alien Fest. The city is creating a task force to make the UFO Festival better and more unified. Chaves County has been great to work with. The 30th Annual Chili Cheese Festival is coming up, September 22 through 23rd. The focus will be on agriculture, farming, and the dairy industry. There will be country music on Saturday night. Please make plans to attend and thank you for allowing them to use the Chaves County Courthouse lawn.

STEVE MCCUTCHEON – EDDY COUNTY

Mr. McCutcheon stated he is seeking an appointment to Senate District 42. He is a former Eddy County Commissioner, is married, and has four children. He and his wife are in ranching and agriculture. His political mantra is “If a third of the people don’t hate you, you’re not doing anything”. He is a strong conservative, an individual patriot, and a Republican. He has a lot of respect for Senator Scott. If he gets the appointment he will work alongside Senator Scott. If he is appointed to the seat, he will run for re-election.

LARRY SCOTT – STATE REPRESENTATIVE DISTRICT 62

Mr. Scott stated he appreciates the Freudian slip Mr. McCutcheon made, calling him Senator. The reason he is standing for this appointment is that he believes he can make a difference. He has made a difference in the House with the help of his colleagues. The reasons why he serves do not change if he is appointed for this position or would have to run for it next June. It would be his intention to seek this seat.

AGENDA ITEMS

OTHER BUSINESS

1. NOMINATION FOR NM SENATE SEAT 42 VACATED BY SENATOR GAY KERNAN

Presenter: Bill Williams, Chaves County Manager

Mr. Williams stated having received the resignation of New Mexico Senator Gay Kernan on June 28, 2023, and as required per NM Constitution Article IV §4, it is incumbent upon the Chaves County Board of Commissioners to send forth the name of a nominee to the Governor of the State of New Mexico for this elected official to complete the term which will end December 31, 2024. Staff requests a nomination to be sent to the Governor on behalf of Chaves County.

MOTION MADE TO: RECOMMEND LARRY SCOTT TO THE GOVERNOR FOR THE VACANCY OF SENATE DISTRICT 42
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER TAYLOR
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

AGREEMENTS AND RESOLUTIONS

2. AGREEMENT A-22-003 BETWEEN CHAVES COUNTY AND ASA ARCHITECTS, P.A – AMENDMENT #2 REQUEST

Presenter: Analia Nieto, Purchasing Director

Ms. Nieto stated on April 17, 2022, the Chaves County Board of Commissioners awarded contract A-22-003 for Design Professional Services of the Public Health Office to ASA Architects. Contract amendment #2 to Agreement A-22-003, is an exhibit insert of Exhibit 3-E as required by the DFA Office for CDBG Project No. 22-C-NR-I-03-G-08. There are not any further changes to the scope of the agreement. Staff has reviewed the proposed contract amendment and recommends approval.

MOTION MADE TO: APPROVE AMENDMENT #2 TO AGREEMENT A-22-003
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER DANA
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

3. EM-24-1 INMATE MEDICAL SERVICES – EMERGENCY PROCUREMENT – APPROVAL OF A-23-032 WITH ROADRUNNER HEALTH SERVICES

Presenter: Analia Nieto, Purchasing Director

Ms. Nieto stated the Chaves County Board of Commissioners approved Emergency Procurement EM-24-1 at the July 27, 2023, meeting. Contract negotiations have been executed and finalized. Staff and legal have reviewed the contract and recommend approval. Contract term: August 17, 2023 – June 30, 2024. A formal RFP solicitation will be published upon the expiration of this contract to remove Chaves County from the Emergency Procurement.

MOTION MADE TO: APPROVE AGREEMENT A-23-032 AND EM-24-1
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER EZZELL
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

4. RESOLUTION R-23-039 APPROVAL OF DWI SPECIAL APPLICATION FOR FY 24

Presenter: Elly Hollon, DWI Coordinator

Ms. Hollon stated the Chaves County DWI Program would like approval to submit FY 24 Local Grant DWI special application. This application will be requesting an additional \$77,000.00 for our prevention, treatment, evaluation, and alternative sentencing components. The application will fund the project year October 1, 2023, through June 30, 2024. Staff recommends approval.

MOTION MADE TO: APPROVE RESOLUTION R-23-039
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER PERRY
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

5. RESOLUTION R-23-040 AUTHORIZING SUSPENDING THE MINIMUM PENALTY REQUIREMENTS OF THE PROPERTY TAX CODE

Presenter: Charlotte Andrade-Gurule, Chaves County Treasurer

Resolution R-23-040 would suspend the minimum penalty requirements of the Property Tax Code; Section 7-38-050 NMSA 1978 which states “If property taxes become delinquent, a penalty of one percent of the delinquent taxes for each month or any portion of a month they remain unpaid shall be imposed, but the total penalty shall not exceed five percent of the delinquent taxes except that, when the penalty determined under the foregoing provisions of this subsection is less than five dollars (\$5.00), the penalty to be imposed shall be five dollars (\$5.00).”

Based on the exceptionally high rate of property tax collections, it is felt that a minimum \$5.00 penalty is unnecessary. The property tax collection average for the prior 10 years is 99.34 % as of June 30, 2023. Staff recommends approval.

MOTION MADE TO: APPROVE RESOLUTION R-23-040
MOTION MADE BY: COMMISSIONER TAYLOR
SECOND MADE BY: COMMISSIONER EZZELL
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

6. RESOLUTION R-23-041 SUPPORTING THE REFERENDUM PROJECT

Presenter: Bill Williams, Chaves County Manager

Mr. Williams stated this resolution would support the grass-roots movement and allow six individual pieces of legislation, passed during the 56th Legislative Session of the State of New Mexico, to be decided by referendum if they meet the petition signature requirements. Mr. Williams read the resolution out loud.

MOTION MADE TO: APPROVE RESOLUTION R-23-041
MOTION MADE BY: COMMISSIONER TAYLOR
SECOND MADE BY: COMMISSIONER DANA
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

OTHER BUSINESS

7. REQUEST FOR OUT OF STATE TRAVEL

Presenter: Mac Rogers, Public Services Director

Mr. Rogers stated Sierra Volunteer Fire Department is requesting approval for out-of-state travel for two of their firefighters to attend the EMS World Expo. The event will take place in New Orleans, Louisiana from Monday, September 18th to Friday September 22nd. Chief Matt Ford and Erin Kraft, licensed paramedics, will attend the conference and use the 17th and 23rd as travel days. Expenses associated with this request will be paid for through an estate donation to the department. Staff recommends approval.

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

8. APPOINTMENT OF MEMBER TO JOY CENTER BOARD OF DIRECTORS

Presenter: Bill Williams, Chaves County Manager

Mr. Williams stated three members of the JOY Center Board of Directors are appointed by Chaves County. Presently those members are Ms. Rita Kane Doerhoefer, Mr. Robert McCrea and Ms. Phyllis Fix. Ms. Doerhoefer, who is the Chaves County Representative on the Board, is terming out in August 2023. Monica Duran, Executive Director of Chaves County Joy Centers, Inc., has requested that the Chaves County Board of Commissioners appoint an individual to fill the position to represent the senior citizens of Chaves County. Staff recommends that the Board of Commissioners appoint a board member.

MOTION MADE TO: APPOINT RITA KANE DOERHOFER TO THE JOY CENTER BOARD OF DIRECTORS
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER TAYLOR
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

APPROVAL OF CHECKS

MOTION MADE TO: APPROVE CHECKS IN THE AMOUNT OF \$2,150,152.42
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 PERRY
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.

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

Ms. Doerhoefer stated they are looking to do things every morning at the JOY Center. Keep Chaves County Beautiful was at the Alien Fest with 60 trash cans and over 1,000 trash bags. They get to do trash for the Chili Cheese Festival. They got their grant. There are new maple trees on the Courthouse lawn along with other plants on the grounds and they also have money for youth painting materials. Commissioner Dara helps her all the time.

Ana Nieto, Chaves County Purchasing Director

Ms. Nieto stated she has made a report/register so the Commissioners can see what is going on with the Procurement Office. This will show open bids, RFPs, sole sources, emergency situations, and quotes over \$30 thousand.

Marvin Clements, 6102 Kincaid, Roswell, NM

Mr. Clements thanked the Road Department for doing a good job with the chip/seal in his area. Last year he was on the front page of the newspaper stating they were going to start passing out citations and nothing has changed. There are junk cars, motorhomes, people coming and going. People are stealing from Allsup's and the police show up at his house. Nobody is enforcing the ordinances we have.

MANAGER'S COMMUNICATIONS

Mr. Williams stated it was nice to see public participation. The Alpha 5 balloon is the 5th largest balloon in the world and the biggest in the United States. It is 250 feet long and will be anchored at NMML. The launch date is September 14th or 15th depending on the weather. He has a barn that lines up with the Airport runway and will be placing a banner to welcome The Reno Air Racing Association. The Detention Center published a video on Facebook and had over 600 views. Thousands of people are looking at going to work for our Detention Center. The video was made by the staff, in-house, and they did a good job. He thanked the Road Department for assisting with the County Fair. He thanked Stan for looking over all the contracts, and waivers, and attending hearings for the County. They have a meeting in Alamogordo with the US Forest Service to stop the potential wilderness area designations.

COMMISSIONERS' COMMUNICATIONS

COMMISSIONER PERRY

Commissioner Perry stated it was a pleasure today to be part of two processes, the referendum project and the nomination for Senate seat 42. He hopes the Governor does the right thing.

COMMISSIONER TAYLOR

Commissioner Taylor stated he agrees with Commissioner Perry's comments about the referendum project and the nomination of Mr. Scott is a positive thing. We hope the Governor will listen to their recommendation. He thanked all the staff.

COMMISSIONER DANA

Commissioner Dana thanked Bill Williams for working on the referendum resolution. An old motel will hopefully be donated and turned into transitional housing and provide behavioral health services. Businesses are frustrated with the homeless population. We don't have any long-term solutions and are hoping to have a collaborative effort between the City and the County to provide some help for these people. The RARA proposal is fantastic. She hopes we will soon have the Roswell Air Races here.

COMMISSIONER EZZELL

Commissioner Ezzell echoed previous comments. He asked where things were for Mr. Clements. Mr. Williams stated Louis has been out there multiple times along with the Sheriff's Office. Commissioner Perry stated he visited with Louis last week and saw a dumpster out there and they were dismantling two mobile homes which was a result of citations that came from Louis. We all want our area to look better, and he believes the city is also putting together a committee to deal with this.

COMMISSIONER BILBERRY

Commissioner Bilberry thanked everyone for their participation today and thanked the staff for all their hard work.

The meeting adjourned at 10:26 am.



Cindy Fuller
Cindy Fuller
County Clerk

BOARD OF CHAVES COUNTY COMMISSIONERS

Absent

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