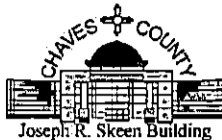




**CHAVES COUNTY
BOARD OF COUNTY COMMISSIONERS**

**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, OCTOBER 19, 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 9:01 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, County Attorney, Stan Riggs, Road Supervisor, Joe West, IT Director, Andrew Rey, Assistant Finance Director, Lucia Serrano, Chief Deputy County Clerk, Travis Williams, Chaves County Sheriff, Mike Herrington, Planning and Zoning Director, Louis Jaramillo, media, staff, and guests.

APPROVAL OF MINUTES

MOTION MADE TO: APPROVE THE MINUTES FROM THE MEETING HELD ON SEPTEMBER 21, 2023.
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER TAYLOR
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

PROCLAMATION – RUDY BURROLA DAY IN CHAVES COUNTY

Commissioner Taylor read the proclamation out loud. October 19, 2023, was declared as Rudy Burrola Day in Chaves County. Family members were present to accept the proclamation and a photo was taken with the Commissioners.

PROCLAMATION – HUBERT QUINTANA DAY IN CHAVES COUNTY

Commissioner Dana read the proclamation out loud. November 2, 2023, was declared as Hubert Quintana Day in Chaves County. Family members were present to accept the proclamation and a photo was taken with the Commissioners.

PROCLAMATION – NATIONAL NURSE PRACTITIONER WEEK IN CHAVES COUNTY

County Manager, Bill Williams, read the proclamation out loud. November 12 – 18, 2023 was declared as National Nurse Practitioner Week in Chaves County. The proclamation was presented and a photo was taken with the Commissioners.

UPDATE – ROSWELL - CHAVES COUNTY ECONOMIC DEVELOPMENT CORPORATION

Presenter: Mike Espiritu, President and CEO

Mr. Espiritu stated with him this morning was Kristen Chappell who has joined the EDC team. The Alpha 5 Project was successful. They completed their site league forum. He gave an update on the Reno Air Racing Association Project. The EDC has a new project called “Project Build” in the works.

UPDATE – CHAVES COUNTY COOPERATIVE EXTENSION OFFICE

Presenter: Drew Garnett

Mr. Garnett stated the Fair did well and he thanked the community for supporting the ice cream parlor which supports the youth. November 8th they will hold a Pesticide Applicators Workshop at the Fairgrounds and CEUs will be available. The Christmas showcase is coming up on November 14th at the Fairgrounds. Master Gardeners are having an open house on November 15th at the Extension Office.

UPDATE – CHAVES COUNTY DETENTION CENTER

Presenter: Chief of Security John Crocker

Chief Crocker gave an update on detainee numbers and stated all Supervisor positions have been filled. The “look” of the facility has changed a lot, the grounds have been kept up and they painted on the inside. They take pride in what they are doing. They have started religious services back up and are trying to help place inmates once they are released. They are looking into giving the tablets back for educational purposes.

AGENDA ITEMS

PUBLIC HEARINGS

1. ORDINANCE O-113 WILL REPEAL ORDINANCE O-097 WHICH APPROVED A LEDA PROJECT AND AUTHORIZED THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT AND A PROJECT PARTICIPATION AGREEMENT FOR ECONOMIC ASSISTANCE TO SUPPORT CONSTRUCTION BY USA BEEF PACKING, LLC IN CHAVES COUNTY.

Presenter: Bill Williams, Chaves County Manager

Ordinance O-113 would repeal Ordinance O-097 and nullify the Intergovernmental Agreement (IGA) with the State of New Mexico Economic Development Department and Chaves County, and the Project Participation Agreement (PPA) with USA Beef Packing, LLC for economic development in Chaves County. The goal of this project was to create up to 57 new jobs in Chaves County. The PPA set forth milestones and requirements of USA Beef Packing, LLC to obtain the economic development funds. USA Beef met all provisions listed in the PPA and Chaves County completed all payments to USA Beef with the approved funds as required in the IGA.

This is a public hearing and was properly advertised in the Roswell Daily Record. Staff recommends approval.

Chairman Bilberry opened the public hearing to public comments.

In favor: None

Opposed: None

MOTION MADE TO: ACCEPT ORDINANCE O-113
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER PERRY
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

2. ORDINANCE NO. O-114 WILL REPEAL ORDINANCE O-109 WHICH APPROVED A LEDA PROJECT AND AUTHORIZED THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT AND A PROJECT PARTICIPATION AGREEMENT FOR LEDA ELIGIBLE EXPENDITURES FOR AN MRO FACILITY IN CHAVES COUNTY.

Presenter: Bill Williams, Chaves County Manager

Ordinance O-114 would repeal Ordinance O-109 and nullify the Intergovernmental Agreement (IGA) between the State of New Mexico Economic Development Department and Chaves County, and the Project Participation Agreement (PPA) with Ascent Aviation Services for economic development, in Chaves County. The goal of this project was to create up to 354 new jobs in Chaves County, however, the job target requirements in the Project Participation Agreement were not met by Ascent Aviation Services. Chaves County received \$4,000,000.00 to provide payments to Ascent when the stipulated employment numbers were reached. The funds will now be returned to

the state of New Mexico as per the terms of the clawback provision in the IGA and the PPA.

This is a public hearing and was properly advertised in the Roswell Daily Record Staff recommends approval.

Commissioner Bilberry opened the public hearing for public comment.

In Favor: None

Opposed: None

MOTION MADE TO: APPROVE ORDINANCE O-114
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER DANA
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

AGREEMENTS AND RESOLUTIONS

3A. AMENDMENT TO AGREEMENT A-23-017 BETWEEN CHAVES COUNTY AND ASPEN OF NEW MEXICO

3B. AGREEMENT A-23-042 BETWEEN CHAVES COUNTY AND LA CASA BEHAVIORAL HEALTH

3C. AGREEMENT A-23-043 BETWEEN CHAVES COUNTY AND FRANK MAGOURILOS

Presenter: Elly Hollon, DWI Coordinator

Chaves County DWI Program was awarded \$77,000.00 of extra funding from the Local DWI Grant for Fiscal Year 2023-2024. The subcontracts and amendment listed will be allocated by the grant amount to provide various DWI-related Programs and Services to the community of Chaves County.

A. Amendment Agreement A-23-017 - \$5,000.00

B. Agreement A-23-042 - \$30,000.00

C. Agreement A-23-043 - \$12,000.00

The term of the subcontract agreements provided will extend from October 5th, 2023, through June 30th, 2024. Staff recommends approval for subcontracts.

MOTION MADE TO: APPROVE AGREEMENT A-23-017, AGREEMENT A-23-042, AND AGREEMENT A-23-043
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER TAYLOR
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

4. APPROVE AGREEMENT A-23-040 PER RFP-24-1 FOR THE YOUTH CLUB 23-ZH9177

Presenter: Analicia Nieto, Purchasing Director

This Chaves County Commissioners approved an award recommendation at the September 21, 2023, commission meeting to the Boys and Girls Club of Chaves and Lincoln County in response to their proposal submitted for a Youth Club RFP. A-23-040 is the drafted agreement recommended for approval and has a term of October 2023 through June 2024 per the Jr. Bill Funding. Legal has drafted and reviewed the contract. Staff recommends approval.

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

5. AGREEMENT A-23-041 PER RFP-24-2 FOR YOUTH MENTORING SERVICES 23-ZH9178

Presenter: Analicia Nieto, Purchasing Director

Chaves County Commissioners approved an award recommendation at the September 21, 2023 Commission meeting to Big Brothers Big Sisters of Central NM in response to their proposal submitted for one-on-one Youth Mentoring Service RFP. A-23-041 is the drafted agreement recommended for approval and has a term of October 2023 through June 2024 per the Jr. Bill Funding. Legal has drafted and reviewed the contract. Staff recommends approval.

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

6. RESOLUTION R-23-046 APPROVING CHAVES COUNTY ON-CALL POLICY

Presenter: Emma Dominguez, Human Resources Director

This resolution incorporates the Chaves County On-Call Policy updates to address on-call pay requirements for the pay compensation and all criteria. Staff recommends approval.

MOTION MADE TO: APPROVE RESOLUTION R-23-046
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER TAYLOR
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

7. RESOLUTION R-23-047 BUDGET ADJUSTMENT RESOLUTION FY 2024

Presenter: Lucia Serrano, Assistant Finance Director

The Finance Department is requesting a budget adjustment for line items in exhibit "A". These budget adjustments are for a sheriff's donation, Keep Chaves County Beautiful Grant, and for an invoice for unemployment claims. Staff requests approval.

MOTION MADE TO: APPROVE RESOLUTION R-23-047
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER TAYLOR
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

8. RESOLUTION R-23-048 SUPPORT FOR THE NEW MEXICO COUNTIES 2024 LEGISLATIVE PRIORITIES

Presenter: Bill Williams, Chaves County Manager

Each year New Mexico Counties works with their Board of Directors to determine the Legislative Priorities for the year. This year's priorities are:

1. HB 2 Appropriations
 - a. Detention Reimbursement Fund for State Prisoners housing costs
 - b. Detention Recruitment and Retention
 - c. Reimburse Counties for State Prisoner Transport and Extradition
 - d. RISE Funding-reach, intervene, support, and engage
 - e. Create a fund to help counties pay for Emergency Medical Services
 - f. Courthouse Funding-renovation and construction
 - g. State Health Benefits Fund Solvency Plan
2. Elected Official Salary Increase – increase cap 15%
3. Firefighter Recruitment and Retention

Staff recommends approval and support of the 2024 priorities.

MOTION MADE TO: APPROVE RESOLUTION R-23-048
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER PERRY
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

9. RESOLUTION R-23-049 SUPPORTING OPERATION GREEN LIGHT FOR VETERANS

Presenter: Bill Williams, Chaves County Manager

This resolution is requesting support for Operation Green Light for Veterans, to honor their immeasurable sacrifices to preserve our freedom. Operation Green Light for Veterans salutes and honors veterans who have transitioned from active service. Upon passage of this resolution, Chaves County will display green lights in both the Chaves County Courthouse and Administration Building for the month of November. Staff recommends approval.

MOTION MADE TO: APPROVE RESOLUTION R-23-043
MOTION MADE BY: COMMISSIONER TAYLOR
SECOND MADE BY: COMMISSIONER EZZELL
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

ITBS/RFPS

10. ITB-24-4 BITUMINOUS SURFACE TREATMENT

Presenter: Analicia Nieto, Purchasing Director

The County received four bids in response to ITB-24-4 Bituminous Surface Treatment as follows:

		1/2"	3/4"	HAULING
1	Waide Construction Inc.	\$17.00	\$15.00	\$.055
2	J & H Services	\$20.00	\$17.00	\$0.25
3	Constructor's Inc.	\$21.00	\$17.90	\$0.35
4	Highland Enterprises, Inc.	\$28.50	\$25.00	\$0.32

Staff recommends award to the qualified low bidder, Waide Construction Co. of Roswell, NM. In the event the qualified low bidder cannot meet requested demand, Chaves County shall reserve the right to multi-source award and procure to the second qualified low bid and so forth. Award of this bid will constitute a price agreement against which staff will place the order for material as needed. Staff recommends approval.

MOTION MADE TO: AWARD ITB-24-4 TO WAIDE CONSTRUCTION INC. AND APPROVE THE MULTI SOURCE AWARD FOR THE NEXT QUALIFIED LOW BIDDER
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER PERRY
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, AND PERRY
OPPOSED: NONE
ABSTAINED: COMMISSIONER TAYLOR

OTHER BUSINESS

11. DFA APPROVAL OF FY 2023-2024 – FINAL BUDGET

Presenter: Lucia Serrano, Assistance Finance Director

A letter was received from DFA – Local Government Division indicating its official approval of our final budget for FY 2023-2024. No other action is required. In accordance with Section 6-6-2 (E) NMSA 1978, the Local Government Division (LGD) has reviewed and certified the final budget for fiscal year 2023-2024. Budgets approved by the Division are required to be made a part of the minutes of our governing body according to Section 6-6-5 NMSA 1978.

APPROVAL OF CHECKS

MOTION MADE TO: APPROVE CHECKS IN THE AMOUNT OF \$1,922,469.91
MOTION MADE BY: COMMISSIONER TAYLOR
SECOND MADE BY: COMMISSIONER PERRY
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.

Marvin Clements, 6102 Kincaid

Mr. Clements stated he's been here many times, and his neighborhood isn't getting any better. The Sheriff and Louis with code enforcement are doing the best they can. He spoke about the many issues he sees in his neighborhood.

Rita Kane Doerhoefer, very narrow, unstriped, Chicago Bears mailbox, Mark Rd.

Keep Chaves County Beautiful has spent almost all of their money. She has \$24.43 she is trying to spend. The Courthouse lawn is in distress. She has talked to Scott. They planted three new trees and thirty-some purple sage. She was outvoted and wanted red.

Louis Jaramillo, Planning and Zoning Director

Mr. Jaramillo spoke about a packet the Commissioners received with photos. There are 26 properties on the list as compared to 10 last year. All of the properties have been found to be unsafe to the community and six of them are in Mr. Clement's area. These properties will be submitted before the Commission in November on a condemnation resolution. Upon completion of requirements, the property owners will have ten days to request a hearing. Staff will work with the Road Department to organize demolition and clean up.

MANAGER'S COMMUNICATIONS

Mr. Williams stated on November 3rd Leadership Roswell will have County Day here and they are going to visit the jail. We will be hosting the Legislative Capital Outlay Hearing on November 2nd. They meet with the surrounding communities who can explain to the Legislators their community needs. We will read the Hubert Quintana Day proclamation again that day. He and Commissioner Perry attended the Stop 30x30 summit in Dallas. Roosevelt, Curry, and Quay Counties are putting together a Stop 30x30 presentation in Portales on Monday, October 23rd. Chaves, Lincoln, and Otero Counties will present the program on Thursday, October 26 in Hobbs.

COMMISSIONERS' COMMUNICATIONS

COMMISSIONER PERRY

Commissioner Perry said fall is upon us. He told the jail good job on recruitment and to Louis for putting the packets together. The Roswell High Coyotes are number one in the State now in football.

COMMISSIONER TAYLOR

Commissioner Taylor stated it was an honor to honor two gentlemen with proclamations. Both were leaders in our community and will be well remembered. They both had the youth and Boys and Girls Club in common. They dedicated many years and he's glad they honored both of them. He thanked Rita for all that she does. He thanked all staff and the detention center for the great improvements happening out there. Elections are coming up and he urged everyone to get out and vote.

COMMISSIONER DANA

Commissioner Dana agreed that it was nice to honor some Chaves County citizens today. She thanked all employees are all they do. She thanked the detention center for all the improvements. She appreciates the support for veterans with Operation Green Light. The Courthouse looks beautiful in green and it's a great way to honor veterans.

COMMISSIONER EZZELL

Commissioner Ezzell echoed all comments that had been made and thanked everyone for their hard work. He told Mr. Clements he hopes they are getting somewhere for him.

COMMISSIONER BILBERRY

Commissioner Bilberry thanked Bill and Mike for going to the 30x30 summit. He would like to see if there is a way to get Margaret Byfield in front of the Legislatures. Commissioner Dana will work on trying to make this happen. He appreciates the other counties getting involved. This isn't just about the land but the people too. He thanked everyone for their hard work.

The meeting adjourned at 10:43 a.m.



Cindy Fuller
Cindy Fuller
County Clerk

BOARD OF CHAVES COUNTY COMMISSIONERS

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