



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

OCTOBER 16, 2014

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 Duffey called the meeting to order at 9:00a.m. Those present were Commissioners Duffey, Wooton, Corn and Nibert. Commissioner Chesser was absent. Also present were County Manager Stan Riggs, Public Services Director Sonny Chancey, Finance Director Joe Sedillo, Sheriff Rob Coon, County Clerk Dave Kunko, news media, staff and guests.

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

MINUTES

Commissioner Wooton moved to approve the minutes from the Regular Commission Meeting on September 18th and the Special Commission Meeting on September 22nd. Commissioner Nibert seconded the motion. Commissioner Nibert amended the September 22nd minutes changing where it said he sent questions to "he would like to send these questions" to the Secretary of State. A voice vote was unanimous and the motion carried.

PROCLAMATION FOR CHARACTER COUNTS WEEK

Stan Riggs stated this was the annual proclamation for Character Counts Week October 20th through the 24th. Commissioner Wooton will be reading the proclamation at a ceremony with the Character Counts Board, the Mayors of Roswell, Dexter, Hagerman and Lake Arthur. Commissioner Wooton read the proclamation. Commissioner Nibert mentioned the building has an area in the hall devoted to Character Counts. Thanks to those who instill character in our young people.

AGENDA

Stan Riggs asked that we add one item to the agenda, a closed session pursuant to 10-15-1H(7) for threatened or pending litigation at the end of the meeting. Item #2 was taken before Item #1.

RESOLUTION R-14-054

Stan Riggs explained that this resolution if approved states Chaves County's desire for Congress to provide full PILT funding for FY 2015 and requests that Congress develop a sustainable long term solution for PILT funding. Chaves County is comprised of 33% Federal Land and the Federal Government should pay us for this land. The County has made trips to Washington to talk to the Department of the Interior for PILT funding and other issues. Every State in the U.S. receives some PILT funding. Western States have the most federal land. There was discussion over the money that could be generated if this land was in private ownership. Commissioner Wooton moved to approve Resolution R-14-054. Commissioner Nibert seconded the motion. A voice vote was unanimous and the motion carried.

RESOLUTION R-14-053 AND AGREEMENT A-14-039

Charlotte explained this resolution if approved would grant signatory authority to the Commission Chairman for this grant. Agreement A-14-039 is for \$101,000 to plan, design, purchase, install and construct compactors in Chaves County. Commissioner Nibert stated another issue has come up with the Environment Department and he would like to expand the Chairman's authority and allow him to sign another letter on our behalf of the Commission to the Environment Department in reference to dairies. This letter is asking the environment department to consider changes to the dairy rule which would significantly impact Chaves County. Chaves County is the number 1 AG county and the number 1 milk producing county in New Mexico. We need to let them know that the Dairy Industry is vital to our economy and we need to get them to push back on their rules and let our industry thrive. Commissioner Nibert moved to approve Resolution R-14-053 and Agreement A-14-039 and authorize the chairman to send a letter to the Secretary supporting our Dairy Industry. Commissioner Wooton seconded the motion. Commissioner Nibert stated the trash compactors are doing a great job and reducing the amount of debris. A voice vote was unanimous and the motion carried.

PERMISSION TO PUBLISH FOR PUBLIC HEARING PROPOSED ORDINANCE O-088

Mr. Riggs explained that this item if approved would authorize staff to advertise for a public hearing for proposed Ordinance O-088 relating to economic development planning to be held on November 20, 2014. This would allow the County to assist a private company moving into the County, providing they met certain qualifications. This is known as the LEDA Ordinance. Mr. Riggs stated this law allows counties and cities to enact a gross receipts tax to fund economic development. We have taken this portion of the ordinance out. There will be no taxes designated for this purpose. If the County had some property they could lease it to a company as long as the requirements are met and we would not have to get full market value. This would be to assist the company with their start up in Chaves County. If we ever wanted to add a tax to the Ordinance we would have to have another public hearing to amend the original. Commissioner Wooton moved to approve authorization to advertise for a public hearing on Ordinance O-088 to be held November 20, 2014. Commissioner Nibert seconded the motion. Commissioner Nibert said he has seen the draft from the EDC, but has not seen the final form. Certain items from the draft were taken out. Mr. Riggs stated he would send the proposed ordinance to the Commissioners this afternoon. Commissioner Corn stated this Ordinance gives the EDC the opportunity to obtain State and Federal Funding. A voice vote was unanimous and the motion carried.

APPROVAL OF CHECKS

Commissioner Nibert moved to approve checks in the amount of \$3,805,992.59. Commissioner Wooton 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 Nibert seconded the motion. A voice vote was unanimous and the motion carried.

UNSCHEDULED COMMUNICATIONS

Dave Kunko gave an update on early and absentee voting.

Britt Snyder stated he got chewed out over the lack of an outside elevator at the courthouse. He asked if the current elevator was a lost cause. Commissioner Nibert stated he helped a lady 2 weeks ago that needed assistance. He wondered if we needed a phone at the bottom that could be used when assistance was needed. Britt Snyder stated they have a wheel chair but many times there are not enough Deputies at the door to assist people and watch the front door. Mr. Chancey stated that they had not been notified that the elevator was down. He will get Otis Elevator out here to fix it. The Department of Justice stated the top section of the ramp does not meet slope requirements. All past inspection of the ramp have passed ADA specifications. There is a door at the bottom designed as a fire exit. Allowing people to enter there would be a total breach of security. Mr. Riggs stated the ramp is a State law and not Federal. They have changed elevator companies and are dealing with Otis now. He does not know who put up the "out of service" sign. Commissioner Corn stated ADA issues can be very difficult to correct. Commissioner Wooton stated we should be able to figure out how to get someone in to the courthouse.

MANAGER'S COMMUNICATIONS

Mr. Riggs stated that Rita Kane-Doerhoefer wanted him to let everyone know that their Keep Roswell Beautiful cleanup was this Saturday and the Veteran's Parade will be November 8th. The exit audit will be held November 7th at 9:00 a.m. A special meeting will follow the exit audit at 10:00 a.m. to conduct the Canvass for the General Election. We are currently dealing with the Insurance Company in reference to the Rotunda problem. The CCDC project is moving right along and is currently ahead of schedule. We have a closed session at the conclusion of this meeting.

COMMISSIONER'S COMMUNICATIONS

Commissioner Corn stated he was just recently at the Panama Canal. It was a very educational experience. They receive 144 inches of rain each year.

Commissioner Nibert encouraged everyone to go vote. He was disappointed in a letter to the editor attacking the size of government when the number of employees in Chaves County has changed very little over the last 20 years. Oil activity has increased significantly in this area. Chaves County could see more development and an increase in jobs. Mr. Mulcahy from the EDC has been very active in getting companies interested in Chaves County. Bringing companies and jobs here will increase our revenue base.

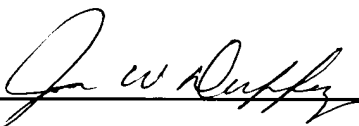
Commissioner Wooton also encouraged everyone to vote. It is our right. He saw on the news where the Mora County Commission voted against allowing oil and gas production in their County. They are happy to spend revenue generated in this area but won't contribute to increasing the tax base. Southeast New Mexico does more for this State than these people realize.

Chairman Duffey stated he hopes Mora County gets stuck holding the bag. He thanked Commissioner Nibert for the letter to the Environment Department. He congratulated Commissioner Wooton on a good job at the Ranch Rodeo. He thanked the Commissioners that contributed toward buying an animal from the Fair. He stated several schools were mentioned in the newspaper for football scores but Roswell High was not mentioned. The NMAC is having a meeting this evening that he will be attending. Citizenship is something we all need to do.

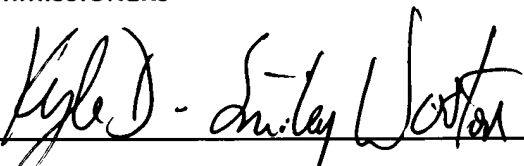
CLOSED SESSION PURSUANT TO 10-15-1H(7) FOR THREATENED OR PENDING LITIGATION

Commissioner Corn moved to close the open meeting and go into closed session pursuant to 10-15-1H(7) for threatened or pending litigation. Commissioner Wooton seconded the motion. All 4 Commissioners voted yes in a roll call vote. At 10:53 a.m. Commissioner Wooton moved to come out of the closed session and the items discussed were limited to those mentioned in the motion for closure and no action was taken. Commissioner Nibert seconded the motion and it carried unanimously with all 4 Commissioners voting yes in a roll call vote. The meeting was adjourned pending the signature of documents at 10:57a.m.


CHAVES COUNTY BOARD OF COMMISSIONERS



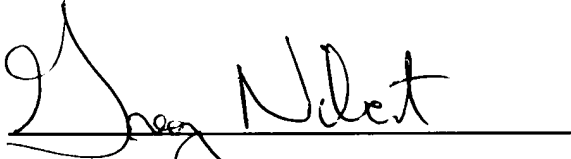
JAMES DUFFEY, CHAIRMAN



KYLE D. "SMILEY" WOOTON, VICE CHAIRMAN



ROBERT CORN, MEMBER



GREG NIBERT, MEMBER



KIM CHESSEY, MEMBER

ATTEST:



DAVE KUNKO, COUNTY CLERK

