



**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, MAY 16, 2024

**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 9:03 AM.

PLEDGE OF ALLEGIANCE

Commissioner Taylor 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, Purchasing Director, Analicia Nieto, Road Director, Joe West, IT Director, Andrew Rey, Finance Director, Anabel Barraza, County Clerk, Cindy Fuller, Chief Deputy Treasurer, Chanel Rey, Planning and Zoning Director, Louis Jaramillo, Sheriff, Mike Herrington, media, staff, and guests.

APPROVAL OF MINUTES

MOTION MADE TO: APPROVE THE MINUTES FROM THE BUDGET WORKSHOP HELD ON MAY 9, 2024
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER TAYLOR
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

PROCLAMATION – MOTORCYCLE AWARENESS MONTH

County Manager, Bill Williams, read the proclamation out loud declaring the month of May, 2024, as Motorcycle Awareness Month in Chaves County and urged our citizens to be observant, courteous, and knowledgeable about motorcycle usage in our community.

PRESENTATION – CARLSBAD IRRIGATION DISTRICT

Mary Barnhart – Vice President of the Board of Directors

Ms. Barnhart gave a brief presentation asking the Commissioners for a letter of support regarding the radial gate replacement project for Sumner Dam.

AGENCY UPDATES

Chamber of Commerce – Andrea Moore

Chaves County Extension Office – Tamara Shubert

Big Brothers Big Sisters – Brenda Dorsey and Tierny Krasowski

Greg Burch – presented the Commissioners with a painting.

Roswell Chaves County Economic Development Corporation – Mike Espiritu

AGENDA ITEMS

A. AGREEMENTS AND RESOLUTIONS

1. RESOLUTION R-24-015 – IMPOSING THE NON-PROHIBITIVE LICENSE TAX ON STATE LIQUOR LICENSES

Presenter: Bill Williams, Chaves County Manager

This resolution, if approved, would impose the non-prohibitive license tax on the persons holding state licenses under the Liquor Control Act as distributors of alcohol within Chaves County. The

annual tax per Section 7-24-2, NMSA 1978, shall not exceed \$250.00 per license. The Board of Chaves County Commissioners is empowered to impose said annual tax, by resolution, on or before the first day of June of each year. Staff recommends approval.

MOTION MADE TO: APPROVE RESOLUTION R-24-015
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER TAYLOR
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

2. RESOLUTION R-24-016 – DELETION OF PROPERTY AND PROPOSED DISPOSITION

Presenter: Lucia Serrano, Assistant Finance Director

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-24-016
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER EZZELL
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

3. RESOLUTION R-24-017 – CHAVES COUNTY ANNUAL ROAD HEARING APPLICATION DISPOSITION

Presenter: Bill Williams, Chaves County Manager

For the 2024 Road Applications received on February 2nd, the Freeholders have completed their report to the Commission, the Commission held a public hearing and the roads were viewed by the Commission. The Resolution before the Commission requests the disposition for the two maintenance status change requests and one road vacation request. The road vacation request will take effect immediately. All applicants will be notified of the action taken by the Commission today.

1. Carrizozo Road – Status Change Request – Application #1

Olan Borg is requesting Chaves County assume maintenance of Carrizozo Rd. (1.43 miles of BLM only). The road was previously vacated in 1999, however, it is on BLM land and was accepted as a status change as BLM would not deed a Right-of-Way. Freeholders unanimously recommended that this application be approved in accordance with the current road policy.

MOTION MADE TO: APPROVE THE STATUS CHANGE REQUEST FOR CARRIZOZO ROAD SUBJECT TO BEING BROUGHT UP TO COUNTY STANDARDS
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER PERRY
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

2. Cat Road – Road Vacation Request – Application #3

The Chaves County Road Department is asking for the vacation of Cat Road, (.75 miles – driveway to residence). The Freeholders unanimously recommended that this application should be approved in accordance with the current road policy.

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

3. Sargent Canyon Road – Status Change Request – Application #2

Michael Bennett is requesting Chaves County assume maintenance of Sargent Canyon Road. (10 Miles). The Freeholders unanimously recommended that this application be denied in accordance with the current road policy.

MOTION MADE TO: APPROVE THE STATUS CHANGE REQUEST SUBJECT TO ENTERING INTO AN AGREEMENT WITH BLM FOR BRINGING THE ROAD UP TO AN ACCEPTABLE LEVEL.
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: NONE
NO VOTE WAS TAKEN.

There was further discussion. Bill Williams stated BLM won't provide a written agreement. Mr. Bennett, the landowner, made comments. Joe West, Chaves County Road Supervisor, gave additional comments.

PRIOR MOTION WITHDRAWN BY COMMISSIONER EZZELL

MOTION MADE TO: DENY THE STATUS ROAD CHANGE REQUEST WITH THE UNDERSTANDING THAT ONCE BLM DOES WHAT THEY SAY THEY ARE GOING TO DO THE COUNTY WILL ENTER INTO AN AGREEMENT FOR ROAD WORK PERFORMED BY NON-COUNTY PERSONNEL WITH MR. BENNETT FOR THE PORTION OF THE ROAD THAT BLM FIXES TO THE SATISFACTION OF OUR ROAD DEPARTMENT. THE COUNTY'S AGREEMENT WILL BE TO AT LEAST TRY TO BLADE THAT WHICH THEY ACCEPT ON AN ANNUAL BASIS.

MOTION MADE BY: COMMISSIONER EZZELL

SECOND MADE BY: COMMISSIONER PERRY

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

OPPOSED: NONE

4. RESOLUTION R-24-018 SUPPORTING THAT THE NEW MEXICO WATER QUALITY CONTROL COMMISSION ADOPT AND ENACT PROPOSED RULE 20.6.8 NMAC

Presenter: Bill Williams, Chaves County Manager

This resolution is to formally recommend and support that the New Mexico State Water Quality Control Commission adopt and enact the proposed rule 20.6.8 NMAC Ground Surface Water Protection-Supplemental Requirements for water reuse. This rule, proposed by the New Mexico Environment Department, provides safe and viable options for the rescue of produced water for a variety of water saving purposes. The proposed rule ensures the protection of New Mexico's surface and groundwater and creates a framework for future reuse rules.

MOTION MADE TO: APPROVE RESOLUTION R-24-018

MOTION MADE BY: COMMISSIONER EZZELL

SECOND MADE BY: COMMISSIONER DANA

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

OPPOSED: NONE

5. RESOLUTION R-24-019 – BUDGET ADJUSTMENT RESOLUTION FY 2024

Presenter: Anabel Barraza, Finance Director

The Finance Department is requesting a budget adjustment for line items in exhibit A. These budget adjustments are for capital outlay items that were approved by the Finance Committee as well as a request for increase in budget for care of prisoners for Juvenile housing. Staff recommends approval.

MOTION MADE TO: APPROVE RESOLUTION R-24-019

MOTION MADE BY: COMMISSIONER TAYLOR

SECOND MADE BY: COMMISSIONER EZZELL

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

OPPOSED: NONE

6. RESOLUTION R-24-020 – APPROVAL OF INTERIM BUDGET FY 24-25

Presenter: Anabel Barraza, Finance Director

The Finance Committee and staff have reviewed the departmental budget requests with elected officials and department heads. An Interim Budget was then submitted to the Board of County

Commissioners at a workshop on Thursday, May 9th, and the budget document was amended and is being presented in its revised form. Staff recommends approval.

MOTION MADE TO: APPROVE RESOLUTION R-24-020
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER TAYLOR
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

OTHER BUSINESS

7. RESCHEDULE JUNE MEETING

Presenter: Bill Williams, Chaves County Manager

There was a discussion to move the June Commission meeting due to conflicts. Staff recommends either one week sooner or one week later.

MOTION MADE TO: MOVE THE JUNE COMMISSION MEETING TO JUNE 27TH AT 9:00 AM AND THE IHC MEETING TO JUNE 27TH AT 8:30 AM
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER EZZELL
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

County Clerk, Cindy Fuller, reminded the Commission they need to canvass the Primary Election and if they chose June 13th they could canvass at that time, otherwise, they will need to schedule a special meeting.

COMMISSIONER DANA WITHDREW HER MOTION
COMMISSIONER EZZELL ACCEPTED THE WITHDRAW OF THE PRIOR MOTION

MOTION MADE TO: MOVE THE JUNE COMMISSION MEETING TO JUNE 13TH AT 9:00 AM AND THE IHC MEETING TO JUNE 13TH AT 8:30 AM
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 \$2,510,160.54
MOTION MADE BY: COMMISSIONER TAYLOR
SECOND MADE BY: COMMISSIONER EZZELL
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 ARE LIMITED TO THREE MINUTES PER VISITOR NOT TO EXCEED 15 MINUTES. NO FORMAL ACTION WILL BE TAKEN BY THE COMMISSION.

Louis Jaramillo – Planning and Zoning Director
Mr. Jaramillo gave an update on Devonian and 302 and 304 Ryan Rd.

Marvin Clements – 6102 Kincaid, Roswell, NM
Mr. Clements appreciates the headway being made.

Joe West – Chaves County Road Director

Mr. West introduced Sara Torres, the new purchasing officer.

Donald Daughtry – 500 S. Lea Avenue, Roswell, NM

Mr. Daughtry came to the meeting today to see the painting of the Courthouse. He spoke about the Courthouse windows.

Cindy Fuller – Chaves County Clerk

Gave a voting update and informed the commission of an election-day polling location change. The Roswell Museum is under construction so they will be using the Convention Center.

MANAGER'S COMMUNICATIONS

Mr. Williams stated this has been a complex meeting and maybe the toughest one since he has been here. He appreciates them helping him figure stuff out. The road hearings are very thought-provoking and he appreciates them coming up with a good solution to help Mr. Bennett. He's been very patient and trying to work through the process. He wanted to make a comment about the federal government shifting its responsibilities by transferring the title or using the Title Transfer Act to put the debt on the local communities. He thinks this is wrong and agrees that the 500 or so farmers in our valleys should not be responsible for taking care of the dam that was built by the Bureau of Reclamation and should be maintained by them. He had a question about a pecan tree and some issues someone was having. He made a stab at answering but he was wrong and Drew answered him immediately. The guy responded how thankful he was to have such good help at the Cooperative Extension. He thanked Mr. Burch for the painting, he did a wonderful job. A few years ago in the Facility Maintenance office, there were a lot of old ledgers and books that came from the basement of the Fisk building. He would look at these as he had time. There are a lot of court cases and larceny of chickens. He found a book on the first three years of the county commission records for Chaves County. He took the book to the former County Clerk, Dave Kunko, and he only had year three forward so he was very glad he found these and they are housed in the Clerk's Office.

COMMISSIONERS' COMMUNICATIONS

COMMISSIONER PERRY

Commissioner Perry thanked Tamara with 4H for doing such a good job with the youth and he thanked all the first responders and officers that were involved in the incident a couple of days ago. When you hit your knees tonight give a little thanks to God that we're all here and pray for those officers that had to respond with what they had to do and suffer through.

COMMISSIONER TAYLOR

Commissioner Taylor thanked all the department heads for the excellent job they did with helping with the budget. He thanked Anabel and her department for the tremendous amount of effort and work they put in. They did a great job. He stated we have excellent staff here at Chaves County. He urged everyone to get out and vote early.

COMMISSIONER DANA

Commissioner Dana thanked everyone for their input today and thanked Mr. Burch for the painting. Chaves County is rich in history and she is glad when people acknowledge it. She thanked people for noticing the Courthouse, it is beautiful and they are trying to keep the beauty and the history. She thanked all the staff and stated they do an amazing job and are appreciated. She thanked the law enforcement for keeping us safe. Pray for them because people think it's easy on them but it is not and they have to live with what they saw. Keep the Cavin family in your prayers too as Officer Cavin recovers. She thanked everyone who showed up to the meeting today, they appreciate it when the public comes and visits with them.

COMMISSIONER EZZELL

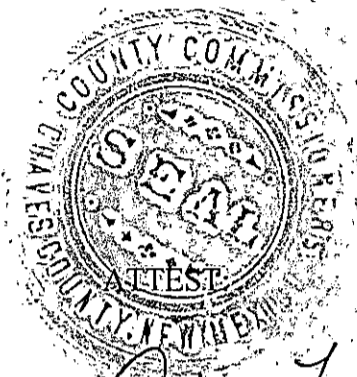
Commissioner Ezzell stated he would like to reiterate everything Commissioner Taylor said. The budget process is excruciating but it's over and has been done beautifully by Anabel and all the staff. He thanked Mr. Burch for the remarkable painting. He told everyone to go vote.

COMMISSIONER BILBERRY

Commissioner Bilberry thanked everyone for their hard work and told Mr. Burch it was an honor to have him do that for them and the county. It will be something people will view from now on. Continue to pray for our County and pray for those who protect us. It seems like it's an everyday

deal now. Sheriff Herrington knows more than anybody and we need to cover those guys with our prayers. Encourage your neighbors, friends, and family to go vote.

The meeting was adjourned at 10:24 am.



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