

**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, NOVEMBER 16, 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 Dana led the pledge and Commissioner Ezzell 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, Alex Palomino, County Attorney, Stan Riggs, Facility Maintenance Director, Scott Massey, Purchasing Director, Analicia Nieto, Road Supervisor, Joe West, IT Director, Andrew Rey, Planning and Zoning Director, Louis Jaramillo, Chief Finance Officer, Anabel Barraza, County Clerk, Cindy Fuller, Under Sheriff, Charles Yslas, media, staff, and guests.

APPROVAL OF MINUTES

<p>MOTION MADE TO: APPROVE THE MINUTES FROM THE REGULAR MEETING HELD ON OCTOBER 19, 2023, AND THE SPECIAL MEETING HELD ON NOVEMBER 7, 2023. MOTION MADE BY: COMMISSIONER DANA SECOND MADE BY: COMMISSIONER EZZELL IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY OPPOSED: NONE</p>

PROCLAMATION – ELECTION WORKERS' DAY

Chaves County Manager, Bill Williams, read the proclamation out loud. declared, 2023, was declared Election Workers' Day in Chaves County. Election workers and Clerk's Office staff were present to accept the proclamation and a photo was taken with the Commissioners.

CERTIFICATE OF APPRECIATION – AUBREY PRINCE – CHAVES COUNTY 4-H AND FFA FAIR QUEEN FOR 2023-2024

Chaves County Manager, Bill Williams, read the certificate of appreciation out loud. Aubrey was present to accept the certificate and belt buckle and a photo was taken with the Commissioners. Roswell Livestock presented Aubrey with a crown.

PRESENTATION – BRANTLEY SPEAR

Mr. Spear presented the Commissioners with a photo and thanked them for their support of his livestock. A photo was taken with the Commissioners.

UPDATE – CHAVES COUNTY COOPERATIVE EXTENSION OFFICE

Presenter: Tamara Shubert

Ms. Shubert stated they are excited to see new families coming in. They are focusing on re-enrollment and working on their Aggie Next Step program. They wrapped up their annual Christmas showcase this week. They also wrapped up their Prevent T2 program as well as the pesticide training. Master Gardeners had an open house last night. They hired a part-time temporary position.

UPDATE – ROSWELL - CHAVES COUNTY ECONOMIC DEVELOPMENT CORPORATION

Presenter: Mike Espiritu, President and CEO

Mr. Espiritu stated on November 27th, RARA will have a site visit. They have letters of support coming from surrounding groups and counties. They will be placing signs around the community and have approval from D.O.T. to hang a banner on the bridge by NMMI. They held a business seminar with a dozen or so businesses in attendance. They have a couple of projects they are working on – Project Build and Project Store. Another site visit is planned at the Air Center. He will testify tomorrow for a JTIP application. They will hold a legislative reception on January 17th. He is grateful to have a wonderful county that supports the people.

AGENDA ITEMS

PUBLIC HEARINGS

A. CANVASS ELECTION – 2023 REGULAR LOCAL ELECTION

Presenter: Cindy Fuller, Chaves County Clerk

Mrs. Fuller thanked Mr. Williams for putting together the proclamation, and the Commissioners for honoring the election workers, the election workers, polling locations, Facility Maintenance staff, Clerk’s Office staff, and the City of Roswell. A candidate summary along with other reports was presented to the Commissioners.

MOTION MADE TO: APPROVE CANVASS FOR THE 2023 REGULAR LOCAL ELECTION MOTION MADE BY: COMMISSIONER EZZELL SECOND MADE BY: COMMISSIONER DANA IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY OPPOSED: NONE

B. AGREEMENTS AND RESOLUTIONS

1. RATIFICATION OF AGREEMENT AMENDMENT A-23-011 BETWEEN CHAVES COUNTY AND THE STATE OF NM. DFA/LOCAL GOVERNMENT DIVISION FOR DWI LOCAL GRANT 23/24.

Presenter: Lucia Serrano, Assistant Finance Director

The Chaves County DWI program was awarded \$77,000.00 of extra funding in the Local DWI Grant for fiscal year 2023-2024. This funding will be utilized to fund a Spanish-speaking treatment provider, prevention supplies, and a DWI program evaluator. The term of the agreement will start on October 5, 2023, and will extend to June 30, 2024. Staff recommends approval.

MOTION MADE TO: RATIFY AGREEMENT AMENDMENT A-23-011 MOTION MADE BY: COMMISSIONER EZZELL SECOND MADE BY: COMMISSIONER DANA IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY OPPOSED: NONE

2. AGREEMENT A-23-044 BETWEEN STATE OF NEW MEXICO ECONOMIC DEVELOPMENT DEPARTMENT WITH CHAVES COUNTY IN PARTNERSHIP WITH MAINSTREET ROSWELL FOR THE PROJECT GREAT BLOCK ON MAINSTREET, PROJECT IDENTIFIED AS CULTURAL PLAZA IN THE ICIP FOR CHAVES COUNTY.

Presenter: Adriana Zapata, Community Development Division

This agreement is for the capital outlay project GBOM: Roswell Marketplace Walk, Grant Number 419-A22G2074-2312 for \$2,100,000.00 that is in conjunction with the City of Roswell and MainStreet Roswell. Staff recommends approval.

MOTION MADE TO: APPROVE AGREEMENT A-23-044 MOTION MADE BY: COMMISSIONER DANA SECOND MADE BY: COMMISSIONER PERRY IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY OPPOSED: NONE

3. RESOLUTION R-23-045 – 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-23-045
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER EZZELL
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, TAYLOR, AND PERRY
OPPOSED: NONE

4. RESOLUTION R-23-050 SUPPORTING THE FILING OF AN AMICUS BRIEF ON THE TRAPPING BAN IMPOSED BY THE STATE OF NEW MEXICO

Presenter: Bill Williams, Chaves County Manager

This resolution supports the filing of an Amicus Brief with the Arizona/New Mexico Coalition of Counties to oppose the trapping ban as imposed by the State of New Mexico in §17-11-1 through 5 NMSA 2021. The cost Chaves County will contribute to preparing the brief will not exceed \$750.00. Staff recommends approval.

MOTION MADE TO: APPROVE RESOLUTION R-23-050
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER PERRY
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

5. RESOLUTION R-23-051 CONDEMNATION RESOLUTION

Presenter: Louis Jaramillo, Planning and Zoning Director

These properties have been a menace to the surrounding communities for years. Staff have received numerous complaints from neighbors regarding unsafe, damaged, and dilapidated buildings and structures, rubbish, debris, and wreckage. After numerous letters and attempts by staff to resolve these issues with the property owners, staff has determined the final course of action must be to condemn and clean these properties for the health, safety, and general welfare of the community. Under NM Stat 3-18-5 a municipality or county (NM Stat 4-37-1) may by resolution find that the ruined, damaged, and dilapidated structure or premise is a menace to the public comfort, health, peace, and safety, and require the removal and disposal of the structure, ruins, rubbish, wreckage or debris.

Upon approval, staff shall service a copy of the resolution to the owner by certified mail, return receipt; and shall post the Resolution on the property, and shall advertise the Resolution, one time, in the local newspaper. After which, owners will have ten (10) days to respond and/or request a public hearing concerning their property. In order to keep costs reasonable, removal and disposal may be conducted by the County Road Department. The cost of the removal and disposal of the waste shall constitute a lien against the property by the county.

MOTION MADE TO: APPROVE RESOLUTION R-23-051
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER PERRY
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

6. RESOLUTION R-23-052 CHAVES COUNTY HOLIDAY SCHEDULE FOR 2024

Presenter: Bill Williams, Chaves County Manager

In accordance with the Chaves County Personnel Policy, the Commission establishes the holiday schedule for the following calendar year. The proposed 2024 holiday schedule is attached. Staff recommends approval.

MOTION MADE TO: AMEND THE HOLIDAY SCHEDULE BY REMOVING JULY 5TH AND ADDING DECEMBER 24TH TO THE 8 HOUR SCHEDULE ONLY
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER EZZELL
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

MOTION MADE TO: APPROVE THE 2024 HOLIDAY SCHEDULE AS AMENDED
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER PERRY
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

7. RESOLUTION R-23-053 BUDGET ADJUSTMENT RESOLUTION FY 2024

Presenter: Anabel Barraza, Chief Financial Officer

The Finance Department is requesting a budget adjustment for the line items in exhibit "A". An amendment exhibit was included. These budget adjustments are for a sheriff donation, LEDA monies sent back to the State for Ordinance O-114, Detention Center services, and Key Box system, housing of prisoners, and for DWI local grant funding. Staff recommends approval.

MOTION MADE TO: APPROVE RESOLUTION R-23-053
MOTION MADE BY: COMMISSIONER TAYLOR
SECOND MADE BY: COMMISSIONER EZZELL
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

OTHER BUSINESS

8. NOMINATION FOR NEW MEXICO SENATE SEAT 27 VACATED BY SENATOR STUART INGLE

Presenter: Bill Williams, Chaves County Manager

Having received the resignation of New Mexico Senator Stuart Ingle on October 25, 2023, and as required per §10-3-3 NMSA 1978, it is incumbent upon the Chaves County Board of Commissioners to send forth 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. A special meeting was held on November 7, 2023, to allow persons interested in an appointment to this position an opportunity to request that the Board of Commissioners consider sending their name forward to the Governor, as a nominee for the vacant Senate seat. Staff requests a nomination to be sent to the Governor on behalf of Chaves County.

MOTION MADE TO: NOMINATE GREG NIBERT FOR SENATE SEAT 27
MOTION MADE BY: COMMISSIONER TAYLOR
SECOND MADE BY: COMMISSIONER EZZELL
A ROLL CALL VOTE WAS TAKEN:
COMMISSIONER PERRY: YES
COMMISSIONER TAYLOR: YES
COMMISSIONER DANA: YES
COMMISSIONER EZZELL: YES
COMMISSIONER BILBERRY: NO VOTE

APPROVAL OF CHECKS

MOTION MADE TO: APPROVE CHECKS IN THE AMOUNT OF \$5,857,180.04
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 ARE 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 Bears mailbox, Mark Rd.

Ms. Doerhoefer thanked Alex Palomino, the Finance Committee, the Clerk's Office, Ana, and Commissioner Dana. They are working hard to get people to help with the clean-up on Thanksgiving. She mentioned Ray, the community service driver, who offered to work the 24th, 25th, and 26th. She has spent almost all of her money from Keep Chaves County Beautiful. They have a clean-up in Hagerman on Saturday. They only received \$14,000.00 in grant money. She mentioned Joe who volunteers for everything. The election was interesting, and they had a line out the door.

Joe West, Chaves County Road Department

Mr. West thanked Mr. Palomino for coming out to their 6:30 am meeting. He stated they are having staffing issues and are down a dozen people. They have six Road I positions open, five Road II positions open, and a diesel mechanic position open. Another employee went for an interview at another location today and he will lose a 14th person next month who will retire. Up until 2014, they had two road crews from the jail, one was taken away and then COVID hit, and they lost that crew. He presented a report to the Commissioners. They have 7,000 fewer hours of road work than last year. Their biggest struggle with hiring is the CDL requirement. Monday, they did get seven applications in, and all had CDLs. They have a chip/seal coming up in a few months.

Charles Yslas, Undersheriff

Mr. Yslas presented Rita Kane Doerhoefer with an original Chicago Cubs beer bucket and thanked her for everything she does for the County.

Bonnie Brainerd, 1012 N. Lea, Roswell, NM

Ms. Brainerd discussed her dissatisfaction with the nomination of Greg Nibert to Senate Seat 27. They see the same ole faces come up and nothing is done. Our way of life is going away, and nobody seems to want to do anything about it. They are watching party politics. She is Larry Marker's treasurer. They see Larry working his butt off. He is trying and fighting to stop these evil bills that are destroying our way of life. She tried to get the Commission to vote on the Enabling Act, but she was told that it was a joke and being proposed by an idiot. She remembers the slogan Greg used very well in a prior race, "Vote for the real Republican" and what is happening here is they are hammering down Larry Marker. She sees what Led has done but she needs to see what they are doing. They have the signatures for the referendum. They have three counties on board with the Enabling Act.

Chuck Schmidt, Bureau of Land Management

Mr. Schmidt introduced Wendy Brown, the Public Affairs Specialist, and Shelly Taylor, Acting assistant field manager for the Lands and Minerals Division. He presented the Commission with handouts – a draft environmental assessment and an internal document to try and describe their project. There is an opportunity for BLM to purchase 237 acres of private land off Hwy 380, right after you cross the Pecos River. They would like to develop this for recreation purposes. He knows there are concerns and he is very familiar with the County Land Use Plan. He gave additional information on creating recreation areas, managing lands, and land access. The 237 acres of land will be paid for with Land and Water Conservation funds - no true taxpayer dollars but federal funds. It will be BLM-managed public lands that will be accessible without question. There were further questions and discussion.

MANAGER'S COMMUNICATIONS

Mr. Williams stated they have all traveled working on the 30x30 land grab, The Federal Government wants 30 percent of Federal lands and waters to be Federally owned by the year 2030.

Now, BLM is pushing new conservation rules that in essence can trump the multiple uses of lands. New Mexico currently has about 47 percent of its lands under the control of some Government entity and out of private ownership. We already have 30 percent so is this 30 percent more? This is why our concerns are for the net gain of land in our counties. Payment in lieu of taxes is nothing more than a negotiated discount by the Federal Government for those lands that could be producing more in private ownership as well as producing a tangible product for our communities and Nation. Those are some of the fights they have every day. He told Mr. Smith they appreciate that he sticks up for them and tries to curtail the things that have gone awry. Chaves County has a postage-sized piece of forest land, so our SRS funding is very minimal. When they reach into the PILT funding to pay nationwide what people are expecting for their forest, that hits us heavily. Our three million can become one million quickly because it's spread out over a large base. The seventeen western states are where all the lands are. There is very little back east. When there is a movement to take thirty percent of the nation's lands and waters, and they're not taking them from back east, that's certainly something we are concerned about.

Mr. Williams introduced Fred Luna with Facility Maintenance and Alex Palomino, Public Services Director. He mentioned Adriana Zapata and stated she and Alex put together a great presentation for the Legislative Capital Outlay meeting. The Finance Committee will meet on November 30th to discuss the salary survey and the direction the County needs to go with some of our budgeted positions. NM Cattle growers have asked him and Commissioner Bilberry to speak at their meeting next month. The Clovis Mayor would like to meet to discuss the 30x30 issue. Leadership New Mexico will be in Roswell for their annual visit. He thanked the Commission for everything they do and for their hard work.

COMMISSIONERS' COMMUNICATIONS

COMMISSIONER PERRY

Commissioner Perry stated it was Veteran's Day a couple of weeks ago and he thanked all the Veterans for their service. 73% of our veterans are over the age of 55. He encouraged people to join the military and thanked the veterans for allowing us to be free.

COMMISSIONER TAYLOR

Commissioner Taylor stated we are entering a season of Thanksgiving and in Chaves County, we have a lot to be thankful for. Our staff and all the departments do an excellent job, and he thanked every department. He told the Chaves County Clerk she did a great job in the election. He is thankful we don't have the problems that the city has. He wished everyone a happy Thanksgiving and safe travels.

COMMISSIONER DANA

Commissioner Dana thanked Commissioner Perry for talking about Veterans Day and stated her dad was in the US Army and served in Korea. She thanked him for leaving the legacy of freedom her family enjoys. She is glad Leadership New Mexico is talking about city and county working together. She has been working with Councilor Arnold on trying to come up with a good peer jail diversion program and get resources together based on the Miami-Dade program. We are going to make mental health a priority in Chaves County and make this a model. Hopefully, the Governor will make it a priority as well. She thanked all the amazing staff. Everyone is facing staffing issues. The oil field is up and down, the county is a steady job, and we have great benefits. She told everyone Happy Thanksgiving and stated this is still the greatest country on earth.

COMMISSIONER EZZELL

Commissioner Ezzell thanked everyone for all their hard work and told Joe his new blade operator did a great job on the Hondo Channel. He wished everyone a blessed and safe Thanksgiving. He wished Bonnie were still here, codifying the Enabling Act does not do what they say it does, but he won't get into that now.

COMMISSIONER BILBERRY

Commissioner Bilberry wished everyone a Happy Thanksgiving.

The meeting was adjourned at 11:00 a.m.

BOARD OF CHAVES COUNTY COMMISSIONERS



Cindy Fuller
Cindy Fuller, County Clerk

Jeff Bilberry
Jeff Bilberry, Chairman

T. Calder Ezzell Jr.
T. Calder Ezzell Jr, Vice-Chairman

Dara Dana
Dara Dana, Member

By Phone
Richard C. Taylor, Member

Michael Perry
Michael J. Perry, Member