



**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, DECEMBER 21, 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 Commissioner Dana led in prayer.

DETERMINATION OF QUORUM

Those present in the chambers were Commissioners Bilberry, Ezzell, Dana, and Perry. Commissioner Taylor called in to the meeting. Also present were County Manager, Bill Williams, Public Services Director, Alex Palomino, County Attorney, Stan Riggs, Detention Director, Michael Brisco, Purchasing Director, Analicia Nieto, Road Supervisor, Joe West, IT Director, Andrew Rey, Finance Director, Anabel Barraza, County Clerk, Cindy Fuller, County Assessor, Sandra Stewart, County Treasurer, Charlotte Andrade, Planning and Zoning Director, Louis Jaramillo, Sheriff, Mike Herrington, Flood Director, Brian Houghtalin, media, staff, and guests.

APPROVAL OF MINUTES

MOTION MADE TO: APPROVE THE MINUTES FROM THE REGULAR MEETING HELD ON NOVEMBER 16, 2023.
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER PERRY
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

PRESENTATION OF EMPLOYEE LONGEVITY PINS

5 YEARS OF SERVICE TO CHAVES COUNTY	
Sarah Michelle Haberling	Administrative Assistant
Mathew Ray Sutherland	Detention Sergeant
Charles B. Yslas	Chief Deputy Sheriff
Jesse Allen Banks	Automotive Mechanic
Jil Barrientos	Road Maintenance II
Michael R. LaCasse	Road Maintenance II
Jason Gabriel Romero	Road Maintenance II
Johnna Rania Lugo-Avalos	Court Compliance Officer
Eric Dean Taylor	Operator II (Flood)

10 YEARS OF SERVICE TO CHAVES COUNTY	
Anabel Barraza	Chief Financial Officer
Dmiri Marie Samuels	Recording and Filing Supervisor
Casey W. Higgins	Bureau of Elections Chief
Andres G. Salas	Lieutenant
Sylvia Aguirre	Road Maintenance II
Stephanie Lynn Silvas	DWI/Court Services Tech
Randall Lee Jones	Operator II (Flood)

15 YEARS OF SERVICE TO CHAVES COUNTY	
Thomas J. Garcia	Detention Lieutenant
Amanda Raizel Beagles-Clark	Deputy Sheriff
Travis W. Hardy	Deputy Sheriff
Agustin P. Perez	Deputy Sheriff

20 YEARS OF SERVICE TO CHAVES COUNTY	
Cindy Haberling	Sheriff Clerk
Angela Jean Mahy	Executive Assistant – Road
Joe E. West	Road Operations Director
Justin R. Campbell	Diesel Mechanic

25 YEARS OF SERVICE TO CHAVES COUNTY	
Ineatha Horton Gay	Civil Records Assistant
Gilbert Granados	Vector Control

Certificates and pins were presented, and photos were taken with the Commissioners.

CHAVES COUNTY FLOOD COMMISSIONER - ANNUAL UPDATE

Flood Commissioner Tim Jennings stated there's a smooth transition going on. Brian is doing well, and Dick Smith is helping out. They have a big project on the Corn Ranch but it's coming along. Brian Houghtalin presented the annual report.

Precipitation was below average this year. The total at the Richard T. Smith Flood Control Building was only 7.2 inches. Three of the dams had pipe flow which caused the closure of Old YO Crossing Road during a storm. The same storm caused flash flooding of the Felix River Channel. The Hondo River ran from October 2022 to May of 2023 but has been dry since. Repairs have continued on the Macho Draw. The Flood Commission and NRCS are hoping to finalize the design phase of a Watershed Protection Program Grant project that has been in the works this year. The Thunderhead Ranch had multiple existing spreader dams and erosion control structures that had failed or were near failing. The Rancher obtained permission from BLM to repair them. The Commission is in the process now of completing repairs on these and the structures on deeded land. The Penasco River is another area that required the assistance of Flood Control. Multiple landowners were assisted with everything from downed trees in the river that would have posed a risk to residents downstream in a flood to repairing low water crossings damaged in prior floods. Mr. Houghtalin presented a list of completed and current projects.

CHANGE TO THE AGENDA

<p>MOTION MADE TO: MOVE AGENDA ITEMS #9 AND #13 TO BE HEARD AFTER AGENDA ITEM #19 MOTION MADE BY: COMMISSIONER EZZELL SECOND MADE BY: COMMISSIONER DANA IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY OPPOSED: NONE</p>

AGENDA ITEMS

A. PUBLIC HEARINGS

1. APPEAL TO RESOLUTION R-23-051 – CONDEMNATION RESOLUTION – JAMES GIBSON OF 304 RYAN STREET, ROSWELL, NM 88203

Presenter: Louis Jaramillo, Planning and Zoning Director

Per Resolution R-23-051, Mr. James Gibson has appealed the condemning of his property located at 304 Ryan Street. The legal description of the property is Lots 3 and 4 of Block 3 of New Lykins Subdivision. The structure in question is a blue, double-wide manufactured home. The structure was found to be a hazard and unsafe for human occupancy in 2020 per Bill Williams, County Building Official. Permitting for manufactured home repairs is handled by the NM Manufactured Housing Division. The property has changed hands twice since 2020. Staff notified each new property owner of the unsafe conditions. In 2022 Everette Brakeman, and others, tried to occupy the structure but were informed by staff of the unsafe conditions and the necessary steps to correct the issues. In 2023, James Gibson, and others, tried to occupy the structure and were removed and informed of the conditions and steps required to correct the issues. Staff and the Sheriff's Department have removed individuals from the home numerous times over the past three years.

No permits for repair of the mobile home have been issued by the State, over the past three years. The interior of the home has sustained additional damage due to illegal occupancy over the years. The roof has become unstable and is sagging in the middle. The septic system has been destroyed. This property is still a hazard and is unsafe for human occupancy per the NM Existing Residential Building code. Staff has determined it is in the best interest of the community to remove the hazardous structure.

Chairman Bilberry opened the public hearing for public comment.

IN FAVOR:

James Gibson, 304 Ryan Road – The property was purchased in June 2023. The County suggested he hire a general contractor and do a complete remodel. There are several places down there that need work done and he can't understand why his place is the only one being singled out. He agrees that stuff needs to be cleaned up. He's been trying to clean it up but he can't get there because they come with the police and threaten to take him to jail. The pictures taken aren't very flattering. He did do some work in one room and it's not as bad as it looks. People are stealing and he can't keep them out of there because he isn't there. He doesn't know where to get permits. He called the State, they say they don't do this, the County says they don't do this. He doesn't know where to turn. There's been a lot of frustration. He needs time to get stuff done.

Mark Henderson – 1618 S. Sunset – James is a man who gets things done. He's trying to get permits. There's been a lot of frustration and the project is larger than originally anticipated. With time he will be able to get things done.

No one was online to make public comments.

OPPOSED:

Marvin Clements – 6102 Kincaid – He lives down the block from this property. A lot of people hang out down there, it's been condemned for years, and he wants it cleaned up. He wants the whole area cleaned up.

Mr. Jaramillo gave additional information. There have been no changes since June and no remedy has been presented. No lien has been filed.

MOTION MADE TO: DENY APPEAL AND GIVE THE PROPERTY OWNER 60 DAYS TO PRESENT A PLAN TO PLANNING AND ZONING FOR REMEDIATION MOTION MADE BY: COMMISSIONER EZZELL SECOND MADE BY: COMMISSIONER DANA IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY OPPOSED: NONE
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2. CASE Z-2023-2 PER SEC. 8.3 OF THE CHAVES COUNTY SUBDIVISION ORDINANCE #51. VACATION OF 20 FEET ALLEY IN A PLATTED SUBDIVISION

Presenter: Louis Jaramillo, Planning and Zoning Director

This vacation request has complied with all requirements set for in Section 8.3 and NM Stat. 47-6-7. The adjacent landowner, Mr. Diego Olivas, has requested the vacation of the 20 ft. wide alley. The surrounding landowners have been notified of this public meeting by mail. All utility companies providing services in the area have been notified. This vacation would not affect neighbors or utility service companies due to the sufficient 60 ft. rights-of-way in the adjacent roads, such as, Apache Hills Dr., Thunderbird Rd. and State Road 246-W. Pine Lodge Rd. If approved, the alley would be dedicated to the adjacent owner, Mr. Diego Olivas: per NM Stat. 47-6-7.B. Rains Surveying will provide a vacation/ replat survey that is necessary to complete the vacation process. The Planning and Zoning Commission recommended Approval of this case by a vote of 5-0 based on Findings of Fact 1 through 4 as stated in Staff's report. Staff is in favor of the vacation request.

Mr. Jaramillo recommended this be tabled due to the applicant being unable to attend.

MOTION MADE TO: TABLE UNTIL NEXT MONTH MOTION MADE BY: COMMISSIONER EZZELL SECOND MADE BY: COMMISSIONER PERRY IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY OPPOSED: NONE

3. CASE Z-2023-3 PER SEC. 8.3 OF THE CHAVES COUNTY SUBDIVISION ORDINANCE #51. TO APPROVE OR DENY THE VACATION AND REPLAT OF A 20-FOOT WIDE BY 300-FOOT-LONG PLATTED ALLEY LOCATED BETWEEN LOTS 1 & 3 AND 2 & 4 OF BLOCK 3 OF CUMBERLAND CITY SUBDIVISION.

Presenter: Louis Jaramillo, Planning and Zoning Director

This vacation request complies with the requirements set for in Section 8.3 and NM Stat. 47-6-7. The adjacent landowners have requested the vacation of the 20-foot-wide by 300-foot-long alley. The surrounding landowners have been notified by certified mail, 15 days prior to this public hearing. All utility companies providing services in the area have been notified. In order not to affect the surrounding residential neighbors or utility service companies in the area, the 20-foot alley right-of-way will be converted to a 20-foot utility easement. LT Surveying Company will provide the vacation replat survey that is necessary to complete the vacation process. The Planning and Zoning Commission recommended Approval of this case by a vote of 5-0 based on Findings of Fact 1 through 4 as stated in Staff's Report. Staff is in favor of the vacation request with the conversion of the 20-foot ROW into a 20-foot utility easement and the establishment of a utility and access easement for Alabama Rd. that runs parallel to the railroad.

Chairman Bilberry opened the public hearing for public comment.

IN FAVOR:

Louis Landaverde – 151 E. Orchard Park Road – They are trying to convert a 20-foot alley into a 20-foot utility easement. All of this area will go to tract B which will satisfy the minimum acreage requirements for septic.

OPPOSED:

None

No one was online to make public comments.

MOTION MADE TO: APPROVE THE VACATION OF THE 20 FOOT ALLEY IN THE CUMBERLAND CITY SUBDIVISION IN CASE Z-2023-3 AND THE CONVERSION OF THE ALLEY TO THE UTILITY EASEMENT AND ACCESS FOR ALABAMA ROAD
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER DANA
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

AGREEMENTS AND RESOLUTIONS

4.REQUESTING RATIFICATION OF APPROVAL FOR AGREEMENT A-23-045 BETWEEN CHAVES COUNTY AND THE NM DEPARTMENT OF FINANCE ADMINISTRATION FOR THE 2023 REGIONAL RECREATIONAL CENTERS QUALITY OF LIFE PROGRAM FOR THE CULTURAL PLAZA PROJECT

Presenter: Adriana Zapata, Community Development Division

This is a grant of the Coronavirus State and Local Fiscal Recovery Funds for the Cultural Plaza. Chaves County is the sub-recipient for appropriation number 23-ZH5053-9 in the amount of \$201,345.00. Staff recommends approval.

MOTION MADE TO: APPROVE RATIFICATION FOR AGREEMENT A-23-045
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER EZZELL
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

5. APPROVAL TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT WITH OMNIA PARTNERS – A-23-046

Presenter: Analicia Nieto, Purchasing Director

Omnia Partners is a private cooperative purchasing agency that issues and awards solicitations such as bids and RFPs. These awarded solicitations are available for use by local public bodies, like ourselves, as long as the governing body approves a cooperative purchasing

agreement per NMSA 1: 13-1-135 Cooperative Procurement Authorized. NMSA 1: 13-1-135: Any state agency or local public body may either participate in, sponsor or administer a cooperative procurement agreement for the procurement of any services, construction or items of tangible personal property with any other state agency, local public body or external procurement unit in accordance with an agreement entered into and approved by the governing authority of each of the state agencies, local public bodies, or external procurement units involved." Legal has reviewed. Staff recommends approval.

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

6. RESOLUTION R-23-054 CONDEMNATION RESOLUTION

Presenter: Louis Jaramillo, Planning and Zoning Director

These properties have been a menace to the surrounding communities for years. Staff has 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 the 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 this, 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. Staff recommends approval.

MOTION MADE TO: APPROVE RESOLUTION R-23-054
MOTION MADE BY: COMMISSIONER PERRY
SECOND MADE BY: COMMISSIONER EZZELL
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

7. RESOLUTION R-23-055 – APPOINTMENT TO THE COUNTY VALUATION PROTEST BOARD

Presenter: Bill Williams, County Manager

New Mexico Law requires the Board of County Commissioners to appoint two members to the Valuation Protest Board. An employee of the State Property Tax Division will also serve as a member of the Board. Additionally, the County is required to provide two alternate members to the Board. Bud Kunkle, and Riley Armstrong are both willing to serve as members of the Valuation Protest Board, and Boyd Barrett, and William (Bill) Davis are willing to serve as alternates. These Members will serve for two years, 2024 and 2025. Staff recommends approval.

MOTION MADE TO: APPOINT BUD KUNKLE AND RILEY ARMSTRONG TO THE COUNTY VALUATION PROTEST BOARD AND BOYD BARRETT AND WILLIAM (BILL) DAVIS AS ALTERNATES FOR 2024 AND 2025.
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER PERRY
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

8. RESOLUTION R-23-056 – STANDING WITH ISRAEL

Presenter: Bill Williams, Chaves County Manager

This resolution acknowledges that the Chaves County Board of Commissioners stands with Israel as it defends itself against the barbaric war launched by Hamas and other terrorists. The text of this Resolution is primarily the text from House Resolution 771, submitted on October 25, 2023. It did not need restating, as it was an eloquent presentation of the facts. Staff recommends approval. Staff further recommends forwarding this Resolution to our US Congressional Representatives and Senators.

Mr. Williams read the resolution out loud.

MOTION MADE TO: APPROVE RESOLUTION R-23-056
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER EZZELL
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

9. RESOLUTION R-23-057 – APPROVING CHANGES TO PERSONNEL CHARTS

**Moved to after agenda item #19*

10. RESOLUTION R-23-058 – NOTICE FOR PUBLIC MEETINGS OF THE CHAVES COUNTY BOARD OF COMMISSIONERS

11. RESOLUTION R-23-059 – NOTICE FOR PUBLIC MEETINGS OF THE CHAVES COUNTY INDIGENT HOSPITAL/HEALTH CARE BOARD

Presenter: Bill Williams, Chaves County Manager

In accordance with the Open Meetings Act, the Chaves County Board of Commissioners is required to publish a notice of public hearings each year. The attached resolutions, if approved, would establish Commission meetings once monthly and Indigent Health/Hospital Care Board Meetings quarterly, on the third Thursday of the month with IHC meeting at 8:30 and the Board of Commissioners meeting at 9:00 a.m. These Resolutions will be in effect starting January 01, 2024. Staff recommends approval. The January and July meetings are scheduled for the fourth Thursday of the month.

MOTION MADE TO: APPROVE RESOLUTION R-23-058
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER PERRY
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

MOTION MADE TO: APPROVE RESOLUTION R-23-059
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER PERRY
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

12. RESOLUTION R-23-060 – FINAL DISPOSITION FOR 2023 ROAD MAINTENANCE APPLICATIONS AND NEW ROAD REQUESTS

Presenter: Alex Palomino, Public Services Director

On May 18, 2023, the Chaves County Board of Commissioners gave preliminary approval for the following new roads and allowed six months for them to be brought up to County standards. Resolution R-23-060 is asking for the final disposition of the following:

New Road Request Applications:

- | | |
|----------------------------|---|
| #1 a portion of Poppy Road | No work completed (Staff recommends denial) |
| #2 a portion of Poppy Road | Road width is 13 feet (Staff recommends denial) |

Road Status Change Applications:

- | | |
|----------------------------------|---|
| #3 a portion of Chestnut Ave. | ¾ completed (Staff will accept upon approval) |
| #4 a portion of Bitter Lakes Rd. | Work not completed (Staff recommends denial) |

Road Status Change Applications continued:

- #5 a portion of Palacio Dr. Approved
- #6 a portion of Via Verde Approved
- #7 a portion of Loma Linda Approved
- #8 a portion of Navajo Rd. Approved to just past Zuni Rd.

Chaves County Road Department reports roads above as approved now meet the stipulations for acceptance as a county road. We are requesting permission to place them on the Chaves County Road Atlas and to accept maintenance responsibilities. Staff recommends approval of Resolution R-23-012 subject to recommendations as noted above for new roads and status change for Chaves County Maintained Roads.

*10:26 am - Commissioner Taylor stated he was having bad reception and was going to hang up and try to call in later.

MOTION MADE TO: DENY NEW ROAD APPLICATIONS ON #1 AND #2
DENY ROAD STATUS APPLICATION FOR BITTER LAKES RD.
AS SPECIFIED IN ITEM #4
APPROVE REMAINING APPLICATIONS - #3, #5, #6, AND #7
ACCEPT WORDING IN STAFF SUMMARY FOR #8 – APPROVED
JUST PAST ZUNI ROAD

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

13. RESOLUTION R-23-061

***Moved to after agenda item #19**

ITB'S/RFP'S

14. ITB-24-1 (REBID) PUBLIC HEALTH OFFICE AWARD RECOMMENDATION TO MIRADOR ENTERPRISES, INC. OF EL PASO, TEXAS

Presenter: Analicia Nieto, Purchasing Director

Chaves County solicited bids for the Public Health Office. We received two bids on November 7, 2023. Both bids were rejected, either due to cost or non-responsive to the solicitation. Chaves County went out for rebid and on December 12, 2023, received two new bids as follows:

- 1. Waide Construction of Roswell, NM for \$6,867,380.00 (without GRT)
- 2. Mirador Enterprises, Inc of El Paso, TX for \$6,601,190.00 (without GRT)

Both bids were responsive and tabulated for compliance by ASA Architects and staff. Staff is recommending approval of the award contingent upon DFA approval to the qualified low bidder, Mirador Enterprises Inc, in the amount of \$6,601,190.00 plus GRT.

MOTION MADE TO: APPROVE ITB-24-1 – AWARD RECOMMENDATION TO MIRADOR ENTERPRISES INC.

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

*10:30 am – Commissioner Taylor called back into the meeting.

15. ITB-24-2 (REBID) PVRCC RENOVATION AWARD RECOMMENDATION TO MIRADOR ENTERPRISES INC. OF EL PASO, TEXAS

Presenter: Analicia Nieto, Purchasing Director

Chaves County solicited bids for the Pecos Valley Regional Communications Center Renovation. We received one bid on September 12, 2023. The bid was rejected due to cost. Chaves County went out for rebid and on November 7, 2023, and received a new bid from Mirador Enterprises, Inc out of El Paso, TX. Desert Peak Architects and staff have reviewed the bid for response and compliance. Staff recommends approval of award recommendation to the qualified low bidder, Mirador Enterprises Inc, in the amount of \$2,399,930.94 plus GRT.

MOTION MADE TO: APPROVE ITB-24-2 – AWARD RECOMMENDATION TO MIRADOR ENTERPRISES INC.
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER PERRY
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

16. ITB-24-3 COURT COMPLIANCE REMODEL AWARD RECOMMENDATION TO MIRADOR ENTERPRISES INC OF EL PASO, TEXAS
Presenter: Analicia Nieto, Purchasing Director

Chaves County solicited bids for the Court Compliance Remodel Project. We received 3 bids on December 12, 2023, as follows:

1. Waide Construction Co., of Roswell, NM for \$275,773.00 (without GRT).
2. White Rock Construction Co., of Roswell, NM for \$323,237.26 (without GRT)
3. Mirador Enterprises Inc, of El Paso, TX for \$255,155.00 (without GRT)

All bids were responsive and tabulated for compliance by ASA Architects and staff. Staff recommends approval of award recommendation by ASA Architects to the qualified low bidder, Mirador Enterprises Inc, in the amount of \$255,155.00 plus GRT.

MOTION MADE TO: APPROVE ITB-24-3 – AWARD RECOMMENDATION TO MIRADOR ENTERPRISES INC.
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER PERRY
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

OTHER BUSINESS

17. RATIFICATION APPROVAL FOR OUT-OF-STATE TRAVEL

Presenter: Bill Williams, County Manager

Bill Williams is requesting approval for out-of-state travel for the Permian Strategic Partnership Meeting held in Odessa, Texas on Friday, December 8, 2023.

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

18. REQUEST FOR OUT OF STATE TRAVEL

Presenter: Alex Palomino, Public Services Director

The Chaves County Roads Department is requesting approval for out-of-state travel for two road employees to attend Operation & Trouble Shooting Seminars for roadway chip, seal, and spreading equipment. Training will be in Wickenburg, AZ February 20 – February 23, 2024. Roads would like to send Raymond Romero and another Roads Maintenance II (TBD) to attend the training. Expenses associated with this request have been included in the department's training budget line items. 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

19. 2024 ROAD HEARING SCHEDULE APPROVAL

Presenter: Alex Palomino, Public Services Director

Chaves County Public Services requests review and approval of the attached presented road hearing schedule. Staff recommends approval.

MOTION MADE TO: APPROVE 2024 ROAD HEARING SCHEDULE
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER PERRY
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

MOTION MADE TO: GO INTO CLOSED SESSION PURSUANT TO SECTION 10-15-1 (H) (7) TO DISCUSS THREATENED OR PENDING LITIGATION.
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER DANA
COMMISSIONER PERRY: YES
COMMISSIONER TAYLOR: YES
COMMISSIONER DANA: YES
COMMISSIONER EZZELL: YES
COMMISSIONER BILBERRY: YES

MOTION MADE TO: COME OUT OF CLOSED SESSION PURSUANT TO SECTION 10-15-1 (H) (7) TO DISCUSS THREATENED OR PENDING LITIGATION. NO FORMAL ACTION WAS TAKEN BY THE COMMISSION
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER DANA
COMMISSIONER PERRY: YES
COMMISSIONER TAYLOR: YES
COMMISSIONER DANA: YES
COMMISSIONER EZZELL: YES
COMMISSIONER BILBERRY: YES

9. RESOLUTION R-23-057 – APPROVING CHANGE TO PERSONNEL CHARTS

Presenter: Emma Dominguez, Human Resources Director

This resolution incorporates the increase of General Wage Schedule Chart C, Leo Wage Schedule Chart D, Level L, Detention Wage Schedule Chart E, Information Technologies Wage Schedule Chart F, Road and Flood Wage Schedule Chart G and the elimination of Executive Chart H. Updating Charts A, A-1, and B. The renaming of 2 Facility Maintenance Positions to Groundskeeper, the renaming of Executive Secretary, Planning & Zoning Executive Assistant and Public Services Administrator to Administrative Assistant, and the renaming of Benefits Administrator to HR Generalist. The Position Specification Summary has been updated for the above renamed positions. The five (5) Detention Officer positions changed to Part-Time have been changed back to Full-Time positions. The budget also includes an increase for At-Will Positions that are below the minimum starting salary range, including the Facility Maintenance Director, Road Operations Director, Purchasing Director, HR Director, and Assistant Finance Director. The County also desires to pick up the 10% insurance premium increase for Chaves County Employees not included in the Collective Bargaining Agreement. Staff recommends approval of Resolution R-23-057.

MOTION MADE TO: APPROVE RESOLUTION R-23-057
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER DANA
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

13. RESOLUTION R-23-061 – BUDGET ADJUSTMENT RESOLUTION FY 2024

Presenter: Anabel Barraza, Finance Officer

The Finance Department is requesting a budget adjustment for the line items in exhibit A. These budget adjustments are for two grants for the Roswell MarketPlace/Cultural Plaza project, the Macho Draw matching grant, an increase for the LEPF grant, Salary Survey and medical insurance/enrollment impact, construction increases to Court Compliance Remodel, Public Health Building, and for the Economic Development Special Project Request. Staff recommends approval.

MOTION MADE TO: APPROVE RESOLUTION R-23-061
MOTION MADE BY: COMMISSIONER EZZELL
SECOND MADE BY: COMMISSIONER DANA
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

APPROVAL OF CHECKS

MOTION MADE TO: APPROVE CHECKS IN THE AMOUNT OF \$2,301,909.80
MOTION MADE BY: COMMISSIONER DANA
SECOND MADE BY: COMMISSIONER TAYLOR
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 TAYLOR
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY
OPPOSED: NONE

*11:18 am – Commissioner Taylor signed off from the meeting and wished everyone a Merry Christmas.

UNSCHEDULED COMMUNICATIONS ARE LIMITED TO THREE MINUTES PER VISITOR NOT TO EXCEED 15 MINUTES. NO FORMAL ACTION WILL BE TAKEN BY THE COMMISSION.

Brennan Smith, Roswell

Mr. Smith stated he was here to address Resolution R-23-056 – Stand with Israel. He wanted to express his extreme disagreement with this Resolution. After 70 days of genocide and ethnic cleansing by the Israelis against the Palestinians it's disgusting that the Commission would pass a resolution when there is clear proof and documentation that Israel is committing genocide and ethnic cleansing against the Palestinians. The resolution speaks of Israel's right to defend itself. Israel is occupying Palestine, controlling the land, water, and air that goes in and out. Hamas is a group that is defending itself. Under Article 51 of the United Nations Israel does not have the right to commit war crimes in which they are committing. The violence in which Israel is doing is unprecedented in modern times. Mr. Smith continued with additional comments.

Greg Reyer, 2613 W. Pine Lodge

Mr. Reyer passed out a paper to each Commissioner. He came to speak on behalf of the people at the shop now on the inadequacy of the pay. They've already voted and approved, and they didn't get a chance to say anything. We are paying \$15.00 an hour, trying to recruit and hire people who will stay here for 20 years, it's not going to happen. We're a training ground. They are down 14 personnel. The wage study to him is bogus. When you look around the community people pay, starting, at \$20.00 per hour for just a driver. A young man starting out with a family can not make ends meet on \$15.00 an hour. Mr. Reyer continued with additional comments.

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

Ms. Doerhoefer stated she wanted to ask Dick about \$700 million for one man. If anyone in Chaves County wants anything done to their landscaping or building, they are going to start writing the grant for Keep Chaves County Beautiful. At the last meeting when she mentioned everyone who helps her, she forgot to mention Jessica. She stated she was teaching 50 kids about Hannukah and Dara always shows up. Ms. Doerhoefer continued with additional comments.

No one was online.

MANAGER'S COMMUNICATIONS

Mr. Williams stated it's been really busy here for a while. Last week he got the opportunity and honor to speak at the NM Cattle Growers Association. His passion is for agriculture and anything we can do to protect it and make certain we level the playing field between our producers and people outside the country. Another thing he stands firm on is private property rights and the things we are afforded by our Constitution. Cattle Growers wanted to hear the things we have been fighting for on behalf of our residents in Chaves County and throughout the Southwest. He was able to talk about how all the countries are banding together and fighting the Forrest Service, BLM, and as far as the United Nations with their Agenda 21. In 1992 the United Nations put together a group of people that wanted to change the world. They have 17 different precepts they'd like to do including taking away private property rights. His whole life he has wondered how people who

love America could make such crazy decisions for America when we should be defending our Country. The goal of Agenda 21 is to take away private property rights. It's also known as Agenda 2030. These people are not looking out for America and the UN is a bad thing. We have New Mexico Counties coming up and the legislative session in January. The NACO meeting is also coming up. He thanked the Commissioners for taking care of the staff, they are the best asset we have. They went to great detail to consider everything. They had an independent third party come in to evaluate the wages that are paid – Chaves, Eddy, and Lea – they didn't throw out Eddy and Lea even though they have a lot more money than we do. The licensed company determined what was appropriate for Chaves County. He thanked all county employees and wished them a Merry Christmas and a Happy New Year.

COMMISSIONERS' COMMUNICATIONS
COMMISSIONER PERRY

Commissioner Perry thanked all the employees who do a great job and stated the County is doing great things and has made great strides. Remember what the season is about. It's a season of giving.

COMMISSIONER DANA

Commissioner Dana thanked all the staff for putting in 100%. She thanked the Detention Center staff and would like to talk with them about behavioral health. There are some things coming up that will hopefully help everyone. She hopes the things they do reflect their appreciation to all of the staff. She thanked Rita for all the goodies. Merry Christmas and Happy Holidays to everyone.

COMMISSIONER EZZELL

Commissioner Ezzell thanked Mr. Reyer for coming forward and thanked him for the information. They have a lot of faith in the wage survey that was done and always wish they could pay more. He wished everyone a Merry Christmas and thanked them for everything they do.

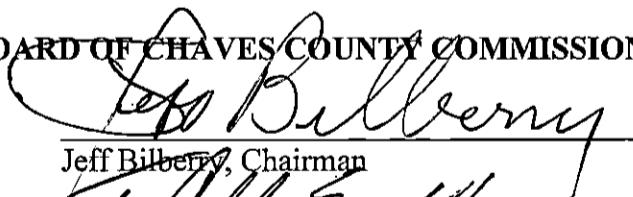
COMMISSIONER BILBERRY

Commissioner Bilberry thanked Bill for speaking at the Cattle Growers and stated there was a lot of response. There were over 450 people, all the committee meetings were full, and it was a good time. He thanked everyone for all they did and stated we've had a great year. We've had a lot of challenges and changes, but we keep moving forward. He encouraged everyone to love their neighbor and see about those who are closest to you and those who don't have all they need. He wished everyone a Merry Christmas.

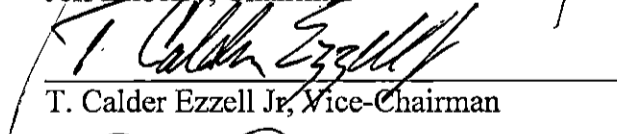
Commissioner Bilberry was recognized for receiving an award for New Mexico Cattleman of the Year by the New Mexico Cattle Growers Association.

The meeting was adjourned at 11:37 a.m.

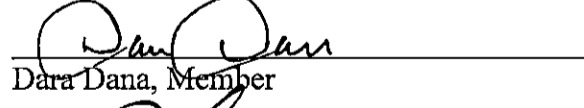
BOARD OF CHAVES COUNTY COMMISSIONERS



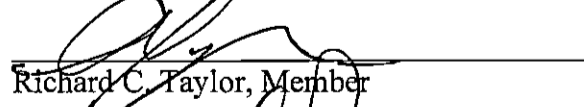
Jeff Bilberry, Chairman



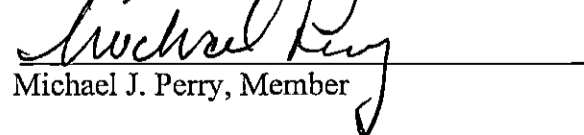
T. Calder Ezzell Jr, Vice-Chairman



Dara Dana, Member



Richard C. Taylor, Member



Michael J. Perry, Member


The seal is circular with the text "CHAVES COUNTY COMMISSIONERS" around the top and "CHAVES COUNTY, NEW MEXICO" around the bottom. In the center, it says "SEAL" and "ATTEST".


Cindy Fuller, County Clerk