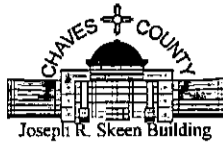




**CHAVES COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**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, AUGUST 15, 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 9:02 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, Public Services Director, Alex Palomino, County Attorney, Stan Riggs, Detention Center Director, Michael Brisco, Finance Director, Anabel Barraza, County Clerk, Cindy Fuller, Treasurer, Charlotte Andrade, Planning and Zoning Director, Louis Jaramillo, Sheriff, Mike Herrington, media, staff, and guests.

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES**

MOTION MADE TO: APPROVE THE MINUTES FROM THE MEETING HELD ON JULY 25, 2024  
MOTION MADE BY: COMMISSIONER DANA  
SECOND MADE BY: COMMISSIONER TAYLOR  
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY  
OPPOSED: NONE

**AGENCY UPDATES**

**Chaves County Cooperative Extension Office – Tamara Shubert, Drew Garnett, and Katelynn Wright**

Ms. Shubert introduced Katelynn Wright, the new 4-H Agent. Mr. Garnett stated it’s pecan weevil season and they have started their workshops again. They are planning to hold a horticulture symposium in November to help the local gardeners.

**Roswell-Chaves County Economic Development Corporation – Mike Espiritu**

Mr. Espiritu introduced Tony Logoteta, President and COO of the Reno Air Racing Association, and Bobbi Thompson, Director. Mr. Logoteta gave brief comments and thanked them for having him.

**Chamber of Commerce – Andrea Moore**

Ms. Moore gave an update on past events as well as future events they are involved in including luncheons, Rise with Roswell Agricultural Breakfast, and community events.

**100% Chaves County – Dan Jennings**

Mr. Jennings reported on creating an opioid solution settlement plan.

**AGENDA ITEMS**

**A. AGREEMENTS AND RESOLUTIONS**

**1A. AGREEMENT A-24-008 BETWEEN CHAVES COUNTY AND WINGS FOR L.I.F.E FOR THE ELEMENTARY AFTERSCHOOL PROGRAM – \$50,000.00**

**1B. AGREEMENT A-24-009 BETWEEN CHAVES COUNTY AND WINGS FOR L.I.F.E FOR THE MIDDLE SCHOOL AFTERSCHOOL PROGRAM - \$50,400.00**

**1C. AGREEMENT A-24-010 BETWEEN CHAVES COUNTY AND CHAVES COUNTY CASA FOR ALTERNATIVE EDUCATION PROGRAM - \$54,000.00**

**1D. AGREEMENT A-24-011 BETWEEN CHAVES COUNTY AND CHAVES COUNTY CASA FOR GENDER-SPECIFIC PROGRAM - \$20,000.00**

**1E. AGREEMENT A-24-012 BETWEEN CHAVES COUNTY AND CHAVES COUNTY CASA FOR YOUTH ADVOCACY PROGRAM - \$45,500.00**

*Presenter: Elly Hollon, Continuum Coordinator*

Chaves County received funding under the Juvenile Justice Continuum Grant in the amount of \$295,556.00 for programs addressing at-risk youths. Chaves County would like to award subcontracts to the attached providers for their program services. The term of the subcontract agreements will be from July 1, 2024, through June 30, 2025. Staff recommends approval.

MOTION MADE: APPROVE AGREEMENTS A-24-008 THROUGH A-24-012  
MOTION MADE BY: COMMISSIONER EZZELL  
SECOND MADE BY: COMMISSIONER TAYLOR  
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY  
OPPOSED: NONE

**2. APPROVE A-24-046 PER RFP-25-01 – INMATE MEDICAL SERVICES BETWEEN CHAVES COUNTY AND ROADRUNNER HEALTH SERVICES**

*Presenter: Analicia Nieto, Purchasing Director*

The Chaves County Commissioners approved an award recommendation at the July 25, 2024 commission meeting to Roadrunner Health Services in response to their proposal submitted for the Inmate Medical Service RFP. A-24-046 is the drafted agreement recommended for approval and has a term of September 2024 through June 2024, with the option to renew for three additional years. Legal has drafted and reviewed the contract. Staff recommends approval.

MOTION MADE TO: APPROVE AGREEMENT A-24-046 PER RFP-25-01  
MOTION MADE BY: COMMISSIONER DANA  
SECOND MADE BY: COMMISSIONER PERRY  
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY  
OPPOSED: NONE

**3. AGREEMENT A-24-048 BETWEEN CHAVES COUNTY AND SOUTHEASTERN NEW MEXICO VETERANS TRANSPORTATION NETWORK**

*Presenter: Bill Williams, Chaves County Manager*

This agreement provides the Southeastern New Mexico Veterans Transportation Network the use/lease of vehicles for transportation services to the Veterans. Staff recommends approval.

MOTION MADE TO: APPROVE AGREEMENT A-24-048  
MOTION MADE BY: COMMISSIONER DANA  
SECOND MADE BY: COMMISSIONER EZZELL  
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY  
OPPOSED: NONE

**4. RATIFICATION OF AGREEMENT A-24-049 BETWEEN CHAVES COUNTY AND THE STATE OF NEW MEXICO CHILDREN, YOUTH, AND FAMILIES DEPARTMENT**

*Presenter: Elly Hollon, Continuum Coordinator*

The Chaves County Comprehensive Strategy Board would like the ratification approval for the FY25 Agreement between Chaves County and CYFD. The amount awarded for FY25 is \$295,556.00. Programs are listed within the agreement under attachment 2-Budget. The agreement will fund the project year from July 1, 2024, through June 30, 2024. Staff recommends approval.

MOTION MADE TO: APPROVE RATIFICATION OF AGREEMENT A-24-049  
MOTION MADE BY: COMMISSIONER EZZELL  
SECOND MADE BY: COMMISSIONER PERRY  
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY  
OPPOSED: NONE

**5. RESOLUTION R-24-037 – APPROVAL OF CDWI APPLICATION FROM THE NM DEPARTMENT OF TRANSPORTATION FOR FY25**

*Presenter: Elly Hollon, DWI Coordinator*

This Chaves County DWI Program would like the ratification approval to submit FY25 CDWI application. The estimated award amount for FY25 is \$12,299.00. This amount will partially pay for one of the DWI Court Compliance Officers salary. The application will fund the project year July 1, 2024 through June 30, 2025. Staff recommends approval.

MOTION MADE TO: APPROVE R-24-037  
MOTION MADE BY: COMMISSIONER EZZELL  
SECOND MADE BY: COMMISSIONER TAYLOR  
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY  
OPPOSED: NONE

**6. RESOLUTION R-24-038 – 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-24-038  
MOTION MADE BY: COMMISSIONER DANA  
SECOND MADE BY: COMMISSIONER PERRY  
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY  
OPPOSED: NONE

**7. RESOLUTION R-24-039 AUTHORIZING SUSPENDING THE MINIMUM PENALTY REQUIREMENTS OF THE PROPERTY TAX CODE**

*Presenter: Chanel Rey, Chief Deputy Treasurer*

Resolution R-24-039 would suspend the minimum penalty requirements of the Property Tax Code; Section 7-38-050 NMSA 1978 which states, "If property taxes become delinquent, a penalty of one percent of the delinquent taxes for each month or any portion of the month they remain unpaid shall be imposed, but the total penalty shall not exceed five percent of the delinquent taxes except that, when the penalty determined under the foregoing provisions of this subsection is less than five dollars, (\$5.00), the penalty to be imposed shall be five dollars, (\$5.00). Based on the exceptionally high rate of property tax collections, it is felt that a minimum \$5.00 penalty is unnecessary. The property tax collection average for the prior 10 years is 99.33% as of June 30, 2024. Staff recommends approval.

MOTION MADE TO: APPROVE RESOLUTION R-24-039  
MOTION MADE BY: COMMISSIONER TAYLOR  
SECOND MADE BY: COMMISSIONER EZZELL  
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY  
OPPOSED: NONE

**8. RESOLUTION R-24-040 – SUPPORTING A CONVENTION OF STATES**

*Presenter: Bill Williams, Chaves County Manager*

This resolution supports the objectives of a Convention of States called for the purposes of:

1. Imposing Fiscal Restraints upon the Federal Government
2. Limiting the Power and Jurisdiction of the Federal Government
3. Limiting the Terms of Office for Officials and Members of Congress

MOTION MADE TO: APPROVE RESOLUTION R-24-040  
 MOTION MADE BY: COMMISSIONER DANA  
 SECOND MADE BY: COMMISSIONER PERRY  
 IN FAVOR: COMMISSIONERS DANA AND PERRY  
 OPPOSED: COMMISSIONERS BILBERRY, EZZELL, AND TAYLOR

Additional comments by the Commissioners

Commissioner Ezzell stated he is not convinced that a Convention of States that convened would be limited to those three items. He has read Article 5 of the Constitution and has looked for court cases that interpret it and there are none that he can find. The idea of having a convention that would open up the United States Constitution scares the hell out of him. He thinks the Second Amendment could be put into jeopardy and the make-up of the Supreme Court. He agrees with the principles that are being espoused he can't find proof that any such convention would be limited to those items.

\*Commissioner Ezzell made a motion to table. The County Attorney made a point of clarification that it can not be tabled because it failed. It can be brought back at another time for consideration. Commissioner Ezzell withdrew his motion to table and Commissioner Taylor seconded the motion.

**9. RESOLUTION R-24-041 AND AGREEMENT A-24-047 BETWEEN CHAVES COUNTY AND SOUTHEASTERN NEW MEXICO ECONOMIC DEVELOPMENT DISTRICT/COUNCIL OF GOVERNMENTS FOR ANNUAL MEMBERSHIP**

*Presenter: Alex Palomino, Public Services Director*

This resolution and agreement will authorize Chaves County's membership in the Southeastern New Mexico Economic Development District/Council of Governments. Chaves County has budgeted funds for this membership. SNMEDD/COG provides planning, technical assistance and capacity building services to local governments in southeastern New Mexico. Staff recommends approval.

MOTION MADE TO: APPROVE RESOLUTION R-24-041 AND AGREEMENT A-24-047  
 MOTION MADE BY: COMMISSIONER EZZELL  
 SECOND MADE BY: COMMISSIONER TAYLOR  
 IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY  
 OPPOSED: NONE

**OTHER BUSINESS**

**10. APPOINTMENTS TO THE ROSWELL-CHAVES COUNTY EXTRATERRITORIAL ZONING COMMISSION**

*Presenter: Louis Jaramillo, Planning and Zoning Director*

Per NMSA 3-21-3 and Roswell-Chaves County ETZ Ordinance No. 80-1, the Chaves County Board of Commissioners shall appoint three county residents that live in the ETZ area to the Roswell-Chaves County Extraterritorial Commission to serve a term of one year. Staff recommends the re-appointment of:

- Royce "Pancho" Maples
- Rita Kane Doerhoefer
- Michael C. Lackey

MOTION MADE TO: APPOINT ROYCE "PANCHO" MAPLES, RITA KANE DOERHOFER, AND MICHAEL C. LACKEY TO THE ROSWELL-CHAVES COUNTY ETZ COMMISSION FOR A TERM OF ONE YEAR  
 MOTION MADE BY: COMMISSIONER DANA  
 SECOND MADE BY: COMMISSIONER EZZELL  
 IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY  
 OPPOSED: NONE

**11. UPDATE TO CHARLES NORIEGA'S APPEAL TO RESOLUTION R-23-054 – CONDEMNATION RESOLUTION OF 6217 DEVONIA STREET**

*Presenter: Louis Jaramillo, Planning and Zoning Director*

On December 21, 2023, the Board approved condemning 6217 Devonian Street. Mr. Noriega appealed. On January 25, 2024, the Board denied Mr. Noriega's appeal. In February 2024, an agreement was signed by Mr. Noriega that permitted him to clean up his property within six months. The agreement also stated six terms that Mr. Noriega was required to follow:

- A. Remove all vehicles, mobile homes, wreckage, rubbish, and trash currently on the property
- B. Will comply with and abide by all New Mexico laws regarding the disposal and crushing of vehicles
- C. Will not allow any new vehicles to be stored on the property
- D. Will not engage in any business with the public on the property
- E. Will comply with and abide by all New Mexico Environmental Department rules and regulations regarding sewage and water contamination
- F. Will allow County staff to enter the property and inspect the progress of the abatement at least once a month during normal business hours

Staff has been making monthly visits to the site and has been providing a verbal report to the Commission on his progress. On August 12, 2024, Staff made a final visit to the site.

MOTION MADE TO: APPROVE A THREE (3) MONTH EXTENSION TO THE FEBRUARY AGREEMENT TO INCLUDE THE ORIGINAL STIPULATIONS AND PUT A PRIORITY ON THE REMOVAL OF ANYTHING THAT CAN BE USED FOR HOUSING, REMOVE ALL RVS, TRAVEL TRAILERS, AND MOBILEHOMES EXCEPT FOR ONE FROM THE PROPERTY, CONTINUE TO CLEAN UP BILLY HELLUMS PROPERTY, AND FENCE THE BACKSIDE (EAST) OF THE PROPERTY  
MOTION MADE BY: COMMISSIONER EZZELL  
SECOND MADE BY: COMMISSIONER TAYLOR  
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY  
OPPOSED: NONE

**12. RATIFICATION OF AGREEMENT A-24-041 BETWEEN CHAVES COUNTY AND THE STATE OF NEW MEXICO LGRF COOPERATIVE AGREEMENT (COOP)**

*Presenter: Alex Palomino, Public Services Director*

Chaves County entered into Cooperative Agreement Project Control Number L200637 with the New Mexico Department of Transportation for the LGRF Project for the year 2024-2025 for road improvement funding. In review of the July 25 commission meeting minutes a motion was made to approve Resolution R-24-028 and Agreement A-24-041; however, it was unclear whether the motion included the agreement as well. Staff recommends ratification of Agreement A-24-041.

MOTION MADE TO: APPROVE RE-APPROVAL OF R-24-028 AND AGREEMENT A-24-041  
MOTION MADE BY: COMMISSIONER EZZELL  
SECOND MADE BY: COMMISSIONER DANA  
IN FAVOR: COMMISSIONERS BILBERRY, EZZELL, DANA, TAYLOR, AND PERRY  
OPPOSED: NONE

**13. PERMISSION TO PUBLISH FOR A PUBLIC HEARING REGARDING LEDA AND ORDINANCE NO. O-100 - AN ORDINANCE OF CHAVES COUNTY RELATING TO THE INTERGOVERNMENTAL AGREEMENT AND PROJECT PARTICIPATION AGREEMENT FOR USA BEEF**

*Presenter: Bill Williams, Chaves County Manager*

Staff is requesting permission to publish for a public hearing regarding repealing Ordinance No. O-100 with Ordinance O-116 to be held on Thursday, September 19, 2024, at 9:00 am in the Chaves County Commission Chambers during the Commission's regular meeting. This new ordinance relates to satisfied agreement terms between Chaves County and the New Mexico Local Economic Development Department pertaining to the Leprino Foods Company. If approved, this notification will be published in the Roswell Daily Record. Staff recommends approval.

MOTION MADE TO: APPROVE PERMISSION TO PUBLISH FOR A PUBLIC HEARING  
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 \$3,287,342.29  
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.**

None

#### **MANAGER'S COMMUNICATIONS**

Mr. Williams stated the 4-H County Fair is exciting and reaches a lot of people. Mr. Wright, Katelyn Wright's husband, was at the meeting in Littlefield representing the New Mexico Farm Bureau. Texas Farm Bureau was not represented at the meeting but NM was. The people opposing the Muleshoe National Wildlife Refuge expansion are requesting a meeting between the Texas county representatives and the New Mexico county representatives. Two Commissioners will continue to meet and plan on how to do this. The RARA stuff is really exciting and May and June of next year will come up quickly. He is looking forward to seeing all the qualifications. Commissioner Perry, Anabel, and Bill are planning to go to the PILT conference on September 10 – 13 in Washington. They will meet with our lobbyist to assure we get our PILT and SRS payments and many other things he assists us with. He thanked the Commissioners and staff for all they do for the county.

#### **COMMISSIONERS' COMMUNICATIONS**

##### **COMMISSIONER PERRY**

Commissioner Perry stated it's nice to see our leadership from the jail at today's meeting and it's nice to not have any shenanigans going on out there. Everything seems to be running well. He gave a shout-out to Mr. Jennings and stated he appreciated his presentation and is glad to hear they are doing preventative maintenance in our community.

##### **COMMISSIONER TAYLOR**

Commissioner Taylor stated this was a nice short meeting and thanked all the wonderful staff at Chaves County for all the hard work they do.

##### **COMMISSIONER DANA**

Commissioner Dana thanked all the staff and those in attendance representing the jail. She stated hopefully our new contract with healthcare will provide stability. She hears the Road Department workers are absolutely wonderful in her neighborhood. She gets calls and text messages from people who live out where they are working and everyone has been very cordial with the road construction. There's an end date to this project and they are not trying to disturb the neighborhood. Their courtesy is very much appreciated. We only hear when there are complaints and it's nice to hear the good news and how our staff works wonderfully. She thanked the County Extension workers and welcomed their new staff member.

**COMMISSIONER EZZELL**

Commissioner Ezzell thanked everyone for their hard work. We've got a really good thing going here and let's keep it on the track.

**COMMISSIONER BILBERRY**

Commissioner Bilberry thanked everyone for being here today. We're starting into Fall, everyone is busy and finding a new routine but everyone has their part in the County and he appreciates everyone's hard work.

The meeting was adjourned at 10:10 am.

**BOARD OF CHAVES COUNTY COMMISSIONERS**



*Cindy Fuller*  
Cindy Fuller, County Clerk

*Absent*

\_\_\_\_\_  
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