



STATE OF NEW MEXICO, COUNTY OF CHAVES  
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**MAY 15, 2014**

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Dave Kunko, County Clerk

The Board of Chaves County Commissioners held their regular commission meeting in the Commission Chambers of the Joe Skeen Building, #1 St. Mary's Place in Roswell, New Mexico. Commissioner Duffey called the meeting to order at 9:00a.m. Those present were Commissioners Nibert, Corn, Chesser, Wooton, and Duffey. Also present were County Manager Stan Riggs, Public Services Director Sonny Chancey, Sheriff Rob Coon, Chief Financial Officer Joe Sedillo, Chief Deputy Clerk Jeff Ortega, news media, staff and guests.

Rita Kane-Doerhoeffer led the Pledge of Allegiance and Commissioner Chesser led in prayer.

#### **MINUTES**

Commissioner Chesser moved to approve the March 20, 2014 and April 17, 2014 minutes as amended. Commissioner Wooton seconded the motion and it carried unanimously.

#### **PUBLIC HEARINGS**

#### **ORDINANCE 0-087-DEDICATING A PERCENTAGE OF GROSS RECEIPTS TAX TO THE STATE OF NEW MEXICO FOR THE SAFETY NET CARE POOL FUND**

Stan Riggs, County Manager explained Ordinance 0-087. Chairman Duffey opened up the public hearing. No one spoke for or against. Commissioner Chesser moved to approve Ordinance 0-087. Commissioner Nibert seconded the motion. Commissioner Corn stated the Federal Government crammed this down the States throat and now the States cramming it down our throat. He stated this may be a better plan overall but the fact of the matter is they didn't ask us for our input in any step of the process. Commission Wooton asked how this would affect the future of the IHC meetings. Stan stated our IHC is going to change drastically and it has already started to do so with the elimination of the sole community provider. Commissioner Nibert stated as he has advocated for years how this ought to be a state program. Commissioner Duffey stated he visited with the Governor's Office and there is a lot of concern about senate bill 268 from all counties on both sides of the issue. A voice vote was unanimous and the motion carried.

#### **RESOLUTION R-14-019 AMENDING PORTIONS OF THE CHAVES COUNTY NEW MEXICO ZONING ORDINANCE NUMBER 7**

Anders Sheridan explained Resolution R-14-019. He stated there are no current regulations in the zoning ordinance to deal with these types of businesses. This ordinance had previously been presented to the planning and zoning commission at two separately advertised public hearings and there was no public comment at either meeting. Stan stated the City of Roswell adopted a similar ordinance in July. Chairman Duffey opened up the public hearing. No one spoke for or against. Commissioner Wooton moved to approve Resolution R-14-019. Commissioner Chesser seconded the motion. Commissioner Nibert requested a committee be formed to discuss the ordinance. After additional discussion Commissioner Corn moved to table Resolution R-14-019. Commissioner Nibert seconded the motion. A voice vote was unanimous and the motion carried. A committee was appointed that included commissioners Corn and Nibert. Commissioner Chesser requested Anders be on the committee as well.

#### **AGREEMENT A-14-004**

Rebecca Melendez-Turner explained Agreement A-14-004 between Chaves County and the State of New Mexico Children, Youth and Families Department. This agreement is a continuation of the Juvenile Justice Continuum Contract for fiscal year 2014/2015 in the amount of \$244,220.00. Commissioner Nibert moved to approve Agreement A-14-004. Commissioner Corn seconded the motion. A voice vote was unanimous and the motion carried.

**RESOLUTION R-14-018**

Sonny Chancey, Public Services Director explained the decisions regarding road applications for the 2014 Chaves County Annual Road Hearings. Sonny stated no decisions were made regarding applications 6 and 7 because they are private roads.

Road Maintenance Request-Application #2-Aleut Rd: Commissioner Nibert moved to approve. Commissioner Wooton seconded the motion. A voice vote was unanimous and the motion carried.

Road Vacation Request-Application #3-Butterweed: Commissioner Nibert moved to not vacate Butterweed and to remove Butterweed Rd. from the County Map. Commissioner Corn seconded the motion. After additional discussion Commissioners Nibert, Corn, Duffey, and Wooton voted against the vacation. Commissioner Chesser voted for the vacation.

Road Vacation Request-Application #4-Vacated by the freeholders

Road Vacation Request-Application #5-Cliff: Commissioner Nibert moved to not approve the request as submitted to vacate and to allow a locked gate and access to those that needed it for business. Commissioner Chesser seconded the motion. After additional discussion Commissioners Chesser, Nibert, Corn, and Duffey voted in favor of the request. Commissioner Wooton abstained.

Road Vacation Request-Application #8-Red Hill: Commissioner Corn moved to Vacate Red Hill Rd. Commissioner Chesser seconded the motion. A voice vote was unanimous and the motion carried.

Road Maintenance Request-Application #9-Tierra Grande Blvd, #10-El Rosal, #11-El Arco Way, and #12-Los Padrinos: Commissioner Nibert moved to not approve the request for road maintenance for application numbers 9, 10, 11, and 12. Commissioner Corn seconded the motion. After additional discussion a voice vote was unanimous and the motion carried.

Commissioner Nibert moved to approve Resolution R-14-018 with respect to each item voted on previously. Commissioner Wooton seconded the motion. A voice vote was unanimous and the motion carried.

**APPROVAL OF CHECKS**

Commissioner Wooton moved to approve checks in the amount of \$3,396,404.74. Commissioner Nibert seconded the motion. A voice vote was unanimous and the motion carried.

**APPROVAL OF REPORTS**

Commissioner Nibert moved to approve the reports. Commissioner Wooton seconded the motion. A voice vote was unanimous and the motion carried.

**UNSCHEDULED COMMUNICATIONS**

Neil Roe thanked the County Commission and Staff for what they do and the time they put into their road applications. He mentioned the fire station is not ignored and very appreciative of that. He stated it would help the homeowners in the area and those in the western end of the county. He also stated they participated with the fire station by donating five acres of land.

Rita Kane Doerhoeffer reminded everyone of the walk for hope and the Elks memorial breakfast. She also stated the Elks would be having a golf tournament on June 7<sup>th</sup> to help with the Veterans transportation. She thanked Chairman Duffey for allowing her to say the pledge.

Anders Sheridan mentioned they had a request for a special use permit that was advertised in the paper and the people misread it and came out to protest what they thought was the establishment of an SOB place of business. He stated there's not a lot of interest from the community in the actual preparation of ordinances.

Travis Johnson expressed concerns pertaining to the Berrendo River Project. He stated no one knows how the people will be affected downstream and the people upstream would not benefit. He

stated we are spending too much money to only benefit one or two people. He thinks there should be a public meeting so everyone is aware of what's going on and how they are spending the money. Stan mentioned they would relay the information to the Flood Commission.

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

Mr. Riggs mentioned there will be a special meeting May 28<sup>th</sup> at 9:00 am to approve the Interim Budget, June 19<sup>th</sup> will be the next regular commission meeting and the NMAC conference will be June 17<sup>th</sup>-19<sup>th</sup>. Mr. Riggs mentioned we would receive an award and \$8,000.00 for RAP. On June 6<sup>th</sup> at 9:00am there will be a special meeting to canvass the Primary Election, and there will be a budget workshop today.

#### **COMMISSIONER'S COMMUNICATIONS**

Commissioner Wooton mentioned receiving a letter from Governor Martinez about fireworks and hopes we get some rain. He stated it is fire season and to be careful.

Commissioner Chesser mentioned there would be a meeting in Fort Sumner on May 31st about water issues. He said they expressed the importance of having as many people attend from Chaves County as possible.

Commissioner Nibert mentioned we need to be cognizant about the fire danger. He stated it's been a tough budget and will get tougher for those that have to deal with it the next few years. He stated things are moving along quickly at the jail and thanked all those on the committee and those overseeing the work.

Commissioner Corn stated he would be attending the Western States Conference of County Commissioners. He stated they would have a session on PILT, the Endangered Species Act, and a meeting dealing with the Federal Land issues. He mentioned he would also be going to a meeting dealing with Juvenile Detention issues and is paid for by a foundation not out of the tax payer's pockets.

Commissioner Duffey mentioned Memorial Day is coming up and there's people out there that had loved ones that paid the ultimate sacrifice to give us the opportunity to sit here and do the things we do. He stated we have an election coming up and people fought and died for us to have free elections in this country and encouraged everyone to exercise their right to vote not only in the June election but the General Election in November. He stated he, County Manager Riggs, and Commissioner Nibert went to Washington to lobby on behalf of Chaves County to show them our concerns here in Chaves County such as PILT, and the prairie chicken. He stated every office they walked into seemed like all they were talking about was more rules and regulations they are going to try and force down the American people. He encouraged everyone to stay aware of the stuff that's going on.

#### **BREAK**

Chairman Duffey adjourned the meeting for 5 minutes pending the budget workshop.

#### **BUDGET WORKSHOP**

Stan Riggs, County Manager highlighted the commission on the budget pertaining to the jail, road department, and other county departments. He stated most of the department budgets are flat except in personnel. More positions would be added to jail security because of the expansion, health insurance is increasing by 10%, a 3% across the board COLA will be given to all charts and appointed staff. Predator control, the extension office, county youth fair, support for ambulances, and the valley communities will also be funded. Some things not included are Sheriff Issues, EDC funding, requests from the other chambers, and some capital outlay requests.

Joe Sedillo, Chief Financial Officer stated this has been one of the most difficult budgets he has been associated with and thanked all the departments as well as Commissioner Nibert, Commissioner Corn, Anabel, and Stan.

**CCDC PRESENTATION**

Clay Corn, Detention Center Administrator explained their current employee numbers and addressed Commissioner Corns question pertaining to 7 new positions. Commissioner Nibert asked Clay Corn to explain additional staff for future budgets. Clay Corn stated they would hire 4 people in July and 3 more in December and possibly 5 more in Fiscal Year 2015/2016 for a total of 12 new employees. Commissioner Nibert stated the challenge is trying to incorporate the number of staff not only in this budget but the entire county budget. He stated we are not experiencing the growth in revenues that Eddy and Lea Counties are experiencing and realistically we shouldn't expect a large increase in Chaves County. Stan stated there are some ancillary positions such as an additional IT position, facility maintenance position, and a secretarial position that will need to be talked about and have been put off at this point. He stated they would need to be addressed next year. Commissioner Corn stated half of I.T.'s calls come from CCDC and a bunch of electronic gizmos and gadgets would be installed and someone needs to be trained on all the new equipment. Commissioner Corn inquired how long before an officer can work the floor. Clay stated 96 hours. Commissioner Wooton inquired on whether we could actually fill 7 additional positions. Administrator Corn stated employees want more than we can offer them and office administrator Salazar is looking at ways to improve this.

**SHERIFF'S DEPARTMENT PRESENTATION**

Stan Riggs, County Manager explained a law enforcement salary comparison study that the HR director worked on. The chart compared Eddy County, Lincoln County, Curry County, the City of Roswell, and the City of Artesia to Chaves Counties percentage of difference in pay, number of positions other departments have, population, and their square miles. Stan stated we are at the bottom compared to other counties. He stated we compete with the Cities of Roswell and Artesia on a day to day basis and we are about even with Curry County.

Sheriff Coon stated he is willing to make cuts to offset the cost of giving the deputies a raise. Commissioner Wooten commended Sheriff Coon for his thinking. Sheriff Coon stated his budget is flat. One thing he is asking for is to continue to hire a company to locate government surplus equipment such as night vision goggles, hum v's, etc. that is given to law enforcement agencies. The cost to hire the company is \$65.00 an hour.

**ROAD DEPARTMENT PRESENTATION**

Stan Riggs, County Manager stated the Road Department budget is flat and the issues they talked about were primarily the amount of roads that would be chip sealed this year and capital outlay. Not all capital outlay will be funded just the top priorities.

Terry Allensworth, Road Department Director stated they are looking at getting caught up with the chip seal. Right now there is 132 miles that need to be chip sealed. They plan on doing 30 between now and July 1<sup>st</sup>. He stated he is asking for 34 miles to be chip sealed this year leaving 68 miles to carry over. He also stated 17 miles would need to be rebuilt. Capital outlay requested this year are one loader, a trash truck, and a couple of pickups. Commissioner Wooton asked how much we paid a private contractor to pick up trash when our truck was broke down. Terry stated in 2011 we spent \$2,600, in 2012 we spent \$2,000, and in 2013 we spent \$11,300. Stan stated the trash truck is in the budget. Commissioner Chesser stated he would like to see us get out of the trash business and turn it over to the private sector. Commissioner Nibert stated we would have to form some solid waste disposal districts. Stan stated our neighbor Lincoln County has one and is in a big fight with the private solid waste disposal entity.

**COMMUNITY DEVELOPMENT DEPARTMENT PRESENTATION**

Charlotte Andrade, Community Development Director explained her budget. She stated her budget submission reflects several distinct areas DWI, Court Services, Community Development and also Juvenile Justice. She stated next fiscal year she would be receiving \$432,954.00 through DWI distribution funds. Including revenues from screening and probation fees total revenue will be around \$562,921.00. She stated several of her staff is paid through these funds including a DWI tracker, two DWI compliance

officers, one sheriff's deputy, and half of her salary as well. Charlotte also stated she would be receiving a juvenile justice grant in the amount of \$244,220.00 of which 80% of Rebecca's salary is covered.

**CLOSED SESSION**

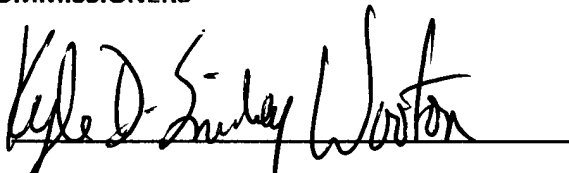
Commissioner Nibert moved to approve moving into a closed session pursuant to section 10-15-1(H) (7) pending or threatened litigation and section 10-15-1(H)(2) personnel matters. Commissioner Corn seconded the motion and Commissioners Wooton, Chesser, Nibert, Corn, and Duffey all voted yes in a roll call vote.


Commissioner Chesser moved to come out of the closed session. Commissioner Nibert seconded the motion. A roll call vote was unanimous. Chairman Duffey stated no action was taken.

The meeting was adjourned at 12:45 P.M. pending the signature of documents.

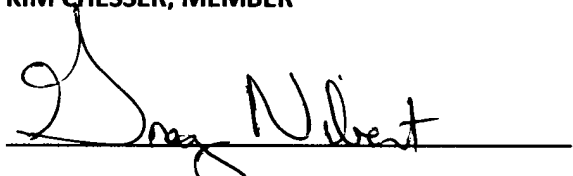
**CHAVES COUNTY BOARD OF COMMISSIONERS**

  
JAMES DUFFEY, CHAIRMAN

  
KYLE D. "SMILEY" WOOTON, VICE CHAIRMAN

  
KIM CHESSER, MEMBER

  
ROBERT CORN, MEMBER

  
GREG NIBERT, MEMBER

ATTEST:

  
JEFF ORTEGA, CHIEF DEPUTY CLERK

