



STATE OF NEW MEXICO, COUNTY OF CHAVES
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Dave Kunko, County Clerk

June 6, 2014

The Board of Chaves County Commissioners held a special commission meeting in the Commission Chambers of the Joe Skeen Building, #1 St. Mary's Place in Roswell, New Mexico. Chairman Duffey called the meeting to order at 9:00 A.M. Those present were Commissioners Nibert, Corn, Chesser, and Duffey. Commissioner Wooton was absent. 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.

Sonny Chancey led the Pledge of Allegiance and Commissioner Chesser led in prayer.

RESOLUTION R-14-023

Stan Riggs, County Manager explained Resolution R-14-023 Notice of Intent to Sue regarding the lesser prairie-chicken listing decision. Mr. Riggs stated Resolution R-14-023 is authorizing the Chairman to enter into a notice of intent to sue the US Fish and Wildlife Service and actually enter into a lawsuit. Commissioner Nibert moved to approve Resolution R-14-023. Commissioner Chesser seconded the motion. Commissioner Nibert stated several things have happened since we last met a couple of weeks ago specifically dealing with the lesser prairie chicken issue. Dan Gerand attended a meeting in Clovis on our behalf. Commissioner Nibert stated Dan reported that at the Clovis meeting they recommended that a new coalition of counties be formed and that Jim Lang be appointed executive director. The first item of business would be to pursue litigation against the US Fish and Wildlife Service on the lesser prairie chicken. Commissioner Nibert stated we have been hitched to the American Stewards of Liberty for several years now with respect to several endangered species that have been studied in our county and Dan Byfield and Margaret Byfield have been working with Ben Sheppard and the Permian Basin Petroleum Association in reference to the lawsuit the PBPA has drafted to see whether they would be willing to allow counties to be part of the lawsuit. Since the Clovis meeting Ben Sheppard, PBPA executive director has extended an invitation to the counties to join that lawsuit. Commissioner Nibert stated from an economic sense it makes sense to stay with the American Stewards of Liberty and be a party to the PBPA lawsuit and not tie ourselves to an organization that's going to require probably annual contributions and require us to make a larger financial commitment and to alone bear a hundred percent cost of the lawsuit. The deal that we worked out through our advisor and Ben Sheppard is that each of the counties in New Mexico that want to be part of the lawsuit make a contribution of \$10,000.00 to the lawsuit effort. Commissioner Nibert recommended we join with Lea, Eddy, and Roosevelt County to do the action through the Permian Basin Petroleum Association. After additional discussion a voice vote was unanimous and the motion carried.

CANVASS 2014 PRIMARY ELECTION

Dave Kunko, County Clerk thanked his staff for going above and beyond in the absence of the BOE Chief who left a few weeks prior to the Primary Election. He also thanked the poll workers and the I.T. department for their hard work. He stated his records show we have 27,264 registered voters for this election. Ballots cast were 5,727 not including the provisional ballots and two in lieu of ballots. Mr. Kunko stated we have a total of 23 ballots, 21 are provisional, and 2 are in lieu of absentees. Sixteen republican ballots were qualified, one democrat ballot was qualified, two republican in lieu of ballots were qualified, one military ballot was not entered election night and it was a qualified republican ballot. Chairman Duffey asked the 2 candidates for Sheriff if they wanted the ballots counted now or at a later date by a special board. Both candidates wanted them counted now. Commissioner Corn moved to accept the provisional ballots and also accept the tally on the military ballot. Commissioner Chesser seconded the motion. A voice vote was unanimous and the motion carried. Dave Kunko, Stephanie Dana, and Leticia Madrid opened the provisional ballots and tallied them. Mr. Kunko read the results one ballot at a time. Commissioner Nibert moved to ask Mr. Kunko to add the 20 ballots to the totals. The 16 qualified republican provisional ballots, 1 qualified democrat ballot, 2 in lieu of ballots, and 1 military ballot will be added to the proper precincts and the numbers will be updated. Commissioner Chesser seconded the motion. After additional discussion a voice vote was unanimous and the motion carried.

MANAGER'S COMMUNICATIONS

Stan Riggs thanked Dave Kunko and his staff for a great job. Stated that he would like to get results faster from the State. Will work with Dave and Jason on reducing the waiting time. NMAC Annual Conference is two weeks away in Deming, 2 Commissioners and some elected officials will be in attendance. Jail construction is going good, everyone is doing an outstanding job. Ten thousand dollars have been committed for a consultant for the Phoenix flight, additional funding is still up in the air. There will be a final budget meeting on 7/24 at 9 am and at this month's regular meeting on June 19th a resolution approving a loan for the Sierra Volunteer Fire Department will be discussed. At the courthouse, court services will be relocating to the room across from the museum with the DA's office taking up more space. Stan asked Sonny Chancey to speak a little about the new landscaping in front of the Administrative Building. Sonny said we received a truckload of trees to include a burr oak tree. Stan then mentioned that there will be agreements discussed in July's meeting.

Chairman Duffey allowed the public to speak even though it was not on the agenda. Rita Kane-Doerhoefer of very narrow, unstriped Mark Road, stated that the Clerk's office was magnificent. Reminded everybody it was D-day. Wanted to thank Stan, Sonny and Enid for their help with the Veteran's Parade and for allowing them to use the Courthouse. Herb Atkinson of 2505 N. Coronado, spoke about the Lesser Prairie Chicken issue and explained more about the lawsuit and what it entails.

COMMISSIONER'S COMMUNICATIONS

Commissioner Nibert appreciates Sonny and Stan for their efforts in planting more trees around the Admin building. Stated he was disappointed in the voter turnout, twenty-one percent is a very low number. He encouraged everyone to go vote in November's election. He was pleased about the contested primaries and felt the candidates handled themselves well. Running for office is difficult and very personal. We need more good men and women to run for office. He encouraged people to get engaged in the process.

Commissioner Chesser thanked the Clerk's Office and candidates. Congratulated the winners and was thankful to live in a land where we have the right to vote.

Commissioner Corn spoke about the close races asked that the public step up to the plate and vote. Discussed the several different options available for voting, absentee and early voting. Mentioned that the Roswell Daily Record took it upon themselves to print out the precinct maps. Congratulated the winning candidates and Britt Snyder.

Commissioner Duffey agreed with his fellow Commissioners and mentioned that Democracy doesn't work when there is only a 20% vote turn-out. He wants the public to get educated and vote to make Democracy work. He mentioned D-Day and recognized all the people that sacrificed their lives to give us our right to vote. Congratulated Britt Snyder and all the other candidates for a well-run race. Thanked KBIM and the Roswell Daily Record for being present at today's meeting.

Discussion on time for recess, a time of 30 minutes was allotted to give the Clerk's office time to tally the votes.

CONTINUATION OF 2014 PRIMARY ELECTION CANVASS

Commissioner Chesser moved to approve the totals as presented by the County Clerk there was sixteen republican provisional ballots, two in lieu of ballots, one democratic ballot, and one military ballot. Commissioner Nibert seconded the motion. After additional discussion a voice vote was unanimous and the motion carried. Commissioner Chesser moved to adjourn at 11:35 A.M. Commissioner Nibert seconded the motion and it carried unanimously.

CHAVES COUNTY BOARD OF COMMISSIONERS

James Duffey

JAMES DUFFEY, CHAIRMAN

Kyle D. Smiley Wooton

KYLE D. "SMILEY" WOOTON, VICE CHAIRMAN

Kim Chesser

KIM CRESSER, MEMBER

Robert Corn

ROBERT CORN, MEMBER

Greg Nibert

GREG NIBERT, MEMBER

ATTEST:



Jeff Ortega

JEFF ORTEGA, CHIEF DEPUTY CLERK